

# Fate of Titanic, its treasures in US judge's hands

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NORFOLK, Va. (AP)—Nearly a century after the Titanic struck ice in the North Atlantic, a federal judge in Virginia is poised to preserve the largest collection of artifacts from the opulent oceanliner and protect the ship's resting place.

U.S. District Judge Rebecca Beach Smith, a maritime jurist who considers the wreck an "international treasure," is expected to rule within weeks that the salvaged items must remain together and accessible to the public. That would ensure the 5,900 pieces of china, ship fittings and personal belongings won't end up in a collector's hands or in a London auction house, where some Titanic artifacts have landed.

The judgment could also end the legal tussle that began when a team of deep-sea explorers found the world's most famous shipwreck in 1985.

The salvage company, RMS Titanic Inc., wants the court to grant it limited ownership of the artifacts.

At the same time, a cadre of government lawyers is helping

Smith shape covenants to strictly monitor future activity at the Titanic wreck 2 1/2 miles beneath the surface of the Atlantic. Amid evidence of the ship's deterioration, experts and government lawyers say the sanctity of the Titanic must be properly protected as a memorial to the 1,522 people who died when it went down.

"For the most part, the value of Titanic is its history — and not from some pile of gold, silver and jewels," said Ole Varmer, an attorney in the international law office of the National Oceanic and Atmospheric Administration, whose office has developed guidelines for the Titanic.

Because the Titanic sank in international waters on April 15, 1912, and the ship's owners are long gone, the wreck site and its artifacts have been subject to competing legal claims since an international team led by oceanographer Robert Ballard found it 24 years ago. The courtroom survivor is RMS Titanic Inc., also known as RMST, which gathered the artifacts during six dives. Courts have declared it salvor-in-possession — meaning it has exclusive rights to salvage the

Titanic — but have explicitly stated it does not own the 5,900 artifacts or the wreck itself.

RMST is a subsidiary of Premier Exhibitions Inc., an Atlanta company that bills itself as "a major provider of museum-quality touring exhibitions." Its offerings include sports memorabilia, a traveling Star Trek homage and "Bodies," an anatomy exhibit featuring preserved human cadavers.

RMST conducts traveling displays of the Titanic artifacts, which the company says have been viewed by 33 million people worldwide.

Last month, RMST underwent a shakeup of its board and saw its director resign over the company's poor financial performance, according to Premier Exhibitions filings with the Securities and Exchange Commission and statements by dissident shareholders. Smith had expressed concerns before the board shakeup about RMST's ability to continue properly managing the collection, considering the company's financial situation.

No one familiar with the case or the artifacts has questioned RMST's handling of them.

RMST is seeking limited ownership of the artifacts as compensation for its salvage efforts. In its court filing for a salvage award, the company put the fair market value of the collection at \$110.9 million. The same filing states that RMST's costs associated with the recovery and conservation of the artifacts have exceeded revenues from their display.

If the court agrees to RMST's request, the company could sell the entire collection to a museum with court approval.

Robert W. McFarland, an attorney for RMST, declined to comment before Smith rules.

Smith is drawing upon the State Department and NOAA to help craft the covenants to keep the artifacts preserved, intact as a collection and available to the public, and to guide future salvage operations at the Titanic wreck by RMST. At a hearing in November, the no-nonsense judge made clear the stakes.

"I am concerned that the Titanic is not only a national treasure, but in its own way an international treasure, and it needs protection and it needs to be monitored," the judge told lawyers in the case.

Congress has expressed its interest in preserving the Titanic as a memorial. U.S. lawmakers have not, however, implemented an agreement with the United Kingdom, which has already embraced a ban on unregulated salvage of the wreck.

J. Ashley Roach, a retired State Department lawyer who worked on the Titanic case, said the Titanic is the first major shipwreck in international waters to receive such close scrutiny.

"You have a domestic court and now the branches of government working together to make sure the wreck itself continues to be available in the future for the public good," he said.

International protections have been sought for the Titanic almost since the wreck was discovered. Ballard, who led the team that found the ship, told a congressional hearing in October 1985:

"Titanic is like a great pyramid which has been found and mankind is about to enter it for the first time since it was sealed. Has he come to plunder or appreciate? The people of the world clearly want the latter."

## Derided by some, Alaska volcano monitors spot on

By DAN JOLING  
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ANCHORAGE, Alaska (AP)—A month after Louisiana Gov. Bobby Jindal complained about wasteful spending in President Barack Obama's economic stimulus package — including money he sneered was for "something called 'volcano monitoring'" — Alaska pilots were grateful for such expenditures.

The Alaska Volcano Observatory was ready with warnings to flight officials when Alaska's Mount Redoubt blew, sending potentially deadly ash clouds north of Anchorage.

Readings from seismometers and atmospheric pressure sensors alerted scientists that an eruption had occurred. Weather radar confirmed the presence of an ash cloud that ascended more than 11 miles above sea level.

"Without instruments in the ground, we would not have been able to tell you this was coming," said John Power, a geophysicist

with the U.S. Geological Survey at the Alaska Volcano Observatory.

Volcano monitoring became a political issue when Jindal gave the Republican response to President Obama's message to Congress on the economic stimulus package. Jindal said the package was "larded with wasteful spending," including \$140 million for volcano monitoring.

U.S. Sen. Mark Begich, D-Anchorage wrote Jindal and said volcano monitoring is a matter of life and death in his state. He made the point again after the latest eruptions.

"I sleep better knowing the scientists are at work at the AVO keeping track of this activity," he said by e-mail.

The Alaska Volcano Observatory is a joint program between the USGS, the University of Alaska and the state Division of Geological and Geophysical Surveys. The observatory was formed in response to the 1986 eruption of Mount Augustine.

The observatory has a variety

of tools to predict eruptions. As magma moves beneath a volcano before an eruption, it generates earthquakes, swells the surface of a mountain and sends out gases. The observatory samples gases, measures earthquake activity and watches for landscape deformities.

"Generally the earthquakes that are occurring at these volcanoes are too small to be felt unless you're standing right on the volcano," Power said.

Mount Redoubt, about 100 miles southwest of Alaska's largest city, first blew at night Sunday, and even after sunrise, was socked in by clouds, obscuring ash that that can clog a jet engine and knock aircraft from the sky.

Alaska Airlines on Monday canceled 19 flights because of the ash clouds. In-state carrier Era Aviation canceled four, and Elmendorf Air Force Base in Anchorage kept 60 planes, including fighter jets, cargo aircraft and a 747 commercial plane, in shelters.

In a 1989 eruption, Redoubt sent ash high into the atmosphere and a KLM jet 150 miles away flew into the cloud. It's four engines quit and the jet with 231 passengers on board dropped more than 2 miles before the crew was able to restart all engines and land safely in Anchorage.

Volcanic ash has been used as an industrial abrasive and can injure skin, eyes and breathing passages. The far greater danger in Alaska, Power said, is to aircraft.

"Aircraft and ash really don't mix," he said. "It's the principal hazard that you see in Alaska. You can imagine flying an airplane into a sand blaster. That's what happens an airplane encounters an ash cloud."

The observatory works closely with the National Weather Service and the Federal Aviation Administration to alert pilots and airlines to the danger of ash.

Scientists with the volcano observatory last fall noted an increase in seismic activity at Redoubt and in January warned

that an eruption was imminent. The warning level has been lowered and raised since then as the mountain cooled and heated up.

The explosions Sunday and Monday damaged three seismometers, including the one closest to the summit. They could have been hit by flying rock or their electronic circuitry could have been damaged by lighting that often accompanies an ash plume. Seven others seismometers continue to take readings on the mountain.

If Redoubt follows historic trends, there will be more eruptions in the next 48 hours, or in weeks to come.

During the 1989-1990 eruptions, ash clouds were generated on and off for about a week. Redoubt then alternated between growing a lava dome and sending up ash clouds for about five months, Power said.

"I would be surprised if we don't see more," Power said.