

National Parks and the Freedom of Information Act

To visitors of our national parks they are amazing and wonderful places. They are places which inspire the imagination, recall the special events of our history, and evoke admiration and humility.

Nevertheless, like all special places and like any kind of organization, behind the scenes they can have problems because they are managed by people, and people are human.

Our parks can have problems because people who were attracted to the National Park Service because they loved the outdoors and loved being in and around nature were promoted to be administrators and found themselves battling bureaucracies, pushing paper, and entrapped indoors; they can have problems because people are human and they bring to their jobs all the insecurities, and fears, and uncertainties which lead to abuse and mismanagement in any organization; they can have problems because people make mistakes, they can make the wrong decisions, and they can err; and they can have problems because sometimes the wrong people simply are doing the wrong jobs.

Most organizations have some kind of “check and balances” to keep them focused on their goals and objectives, to keep them on course, and to prevent human personalities and inadequacies from getting out of hand. Usually there are incentives and disincentives to prevent as many problems as possible.

In the Park Service, there are number of ways in which good management is encouraged. First and foremost is a deep commitment on the part of most Park Service employees. For many, working for the NPS isn't just a job, it's a calling...a vocation...and a dream come true. In addition, every Park Service employee works within a command structure—a chain of command—which presumes those higher up the chain of command have the experience and insight to make good decisions. And finally, to make sure the command structure is working properly, there are the **Whistleblower Protection Act** and the **Freedom of Information Act**.

Every employee of the National Park Service is aware of the chain of command within the NPS; and everyone has to complete one online course on the Whistleblower Protection Act.

The **Freedom of Information Act**, however, often is not discussed, and employees are not required to take an online course in it or to read a summary of it----and that's unfortunate.

To President Obama, the **Freedom of Information Act** is very important. In fact, the very first memorandum he signed on Inauguration Day, January 21, 2009, focused on the Freedom of Information Act when he called for a new era of openness and transparency in our government. Specifically he wrote:

“In our democracy, the **Freedom of Information Act** (FOIA), which encourages accountability through transparency, is the most prominent expression of a profound national commitment to ensuring an open Government. At the heart of that commitment is the idea that accountability is in the interest of the Government and the citizenry alike.”

On July 8, 2009, all the employees of the Department of Interior (and the National Park Service) were sent a memorandum about the **Freedom of Information Act** which included memorandums from President Barak Obama and the Attorney General confirming their absolute commitment to the letter and spirit of the **Freedom of Information Act**. (See <http://www.doi.gov/foia/policy.html>)

Essentially, FOIA gives every American citizen access to “agency rules, opinions, orders, records, and proceedings” at every level of government. It gives citizens access to how money and budgets are being spent and how decisions are being made. And it was passed forty four years ago in the hope that government agencies and departments at every level would work better and more honestly when subject to openness and transparency.

With the new administration, there have been some important changes in the presumptions and guidelines that every agency should use when citizens request information. For instance, the President has called for a “presumption of openness” and a “presumption in favor of disclosure.” The Attorney General has created and outlined new guidelines for FOIA requests based on the President’s instructions that “information should not be withheld merely because “public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears.””

To be sure, when the **Freedom of Information Act** was first enacted, it promised Americans a “new era of open government.” It’s the law of the land, and it confirms the rights given to every American citizen.

Furthermore, the President is calling not only for conformity to the letter and spirit of the **Freedom of Information Act**, but also to a proactive commitment to making information available, to making minutes and budgets accessible, and to making everything our government does as open and transparent as possible.

Consequently, the question now is....what is the Park Service and each and every park within the National Park Service doing to follow the directives of the President, the Attorney General, and the Secretary of the Interior concerning FOIA? How proactive are we being? How accessible and how available are our records and minutes and budgets so people don’t even have to file FOIA requests? And when they do, how quickly are we responding, and how well are we cooperating?

Perhaps when the President’s memorandums and directives are followed, our national parks can become not only “America’s Best Idea”, but “America’s Best Run Idea.”

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