

Request Rejected

When you hear about the National Park Traveler's difficulties in getting information concerning the Hubble Trading Post, or read about the refusal of the Intermountain Regional office to share its FY2006 and FY2007 annual reports, or experience personally how difficult it can be to get some basic financial information from some of our national parks (www.schundler.net/FOIA.htm), you can't help but wonder, "At what level can employees of the National Park Service simply ignore and disobey directives from the President and/or the Secretary of the Interior?"

In contrast, on National Public Radio several weeks ago there was a discussion of a meeting between President Obama and some of the financial titans of America. When asked if the meeting and the opinions of the President would change anything, the analyst said: "When the President of the United States---when the most powerful person in the world---asks you to do something, you do it."

Does that apply to the superintendents and regional directors in the National Park Service, and to the managers and administrators of many agencies and departments of our government?

When you read about superintendents and regional managers and directors refusing to distribute and share some of the most basic financial informationyou wonder. "What are they thinking?" When the President signs a memorandum that directs all agencies and departments of the executive branch to follow both the letter and the spirit of the Freedom of Information Act and to be proactive and cooperative in making records, budgets, and information available to the public, and when the Secretary of Interior and Attorney General try to implement those directives and instruct every branch of the government to assume a policy of openness and transparency, then one has to ask, "Does it make any difference what the President wants? Do some of our superintendents and regional directors just not care about the directives and memorandums of their superiors and from those higher up the chain of command? After all, just what wasn't clear about the directives and memorandums from the President and the Secretary of the Interior?"

Maybe the problem is that career employees of the Park Service feel they have nothing to gain and a lot to lose if they comply with the directives concerning a new era of openness and transparency in our government. At the end of the year, they won't be given merit badges or incentive bonuses if they follow the President's directives. They won't necessarily endear themselves to others in the Park Service or improve their chances of promotion. Many government employees have virtual tenure. They won't be fired if they don't do everything that they are supposed to do; they won't be transferred or demoted if they ignore the President; and on the other hand, they might be embarrassed if information, minutes of meetings, and budgets for which they are responsible become widely known by fellow park employees and the public at large.

Information is power, so why give it out easily and freely? Presidents come and go, Secretaries of the Interior are short-lived, and attitudes change. So why change, why give out too much information or any information, why not just stall, go slow, and follow the letter of the law but nothing else. Why not conform technically to the Freedom of Information Act.....but give out as little as possible, taking as long as possible, and only after repeated and deliberate efforts to stall, delay, and frustrate?

Many administrators and managers know that most people lead busy lives and have limited time and energy. Most people will not write letter after letter trying to obtain information they are entitled to see, or continue trying to fight the bureaucracy. Many government employees know most people will just get frustrated and give up. Like many health insurance companies, for instance, they know that fewer than five out of a hundred people will continue to fight to have legitimate claims paid; so it is in their interest to just say no---again, and again, and again.

Personally, I believe eventually things will change, and attitudes will change among federal agencies and employees. Already most of our states have “Open Public Meeting Acts” and “Open Public Records Acts”, and most states have various versions of what’s called “Sunshine Laws”. Information about how public funds are being spent and how decisions are made by public boards, committees, and legislatures is becoming easier and easier to obtain; and the pressure for more openness and transparency in government is growing throughout America. Consequently, the question is not if our federal agencies and departments will become more open, the question is simply when will this happen.

To accelerate the change towards an era of openness and transparency, perhaps the Park Service should require each and every new Park Service employee to take a basic on-line course on the Freedom of Information Act. If everyone knew that every citizen is entitled to have access to information about budgets, the minutes of meetings, reports, memorandums, etc, then money might be spent more carefully and better decisions might be made.

Managers at each and every level of the Park Service need to be reminded of the memorandum of the Attorney General dated March 19, 2009, in which he wrote that the government would no longer defend denial of FOIA requests unless they were clearly denied for legitimate reasons as defined by law. If superintendents and regional managers realized they were personally liable for not releasing information as directed, I suspect this would become a powerful incentive towards openness and transparency!

So what will it take? What will make every one of our parks a place that is not just “America’s Best Idea” but “America’s Best Run Idea”--- an idea that is so well run that its managers and administrators are eager and willing to share information and embrace an era of openness and transparency in government?

What will it take to get every employee of the Executive Branch to follow both the spirit and the letter of the President’s memorandum and the Secretary of Interior’s directives concerning a new era of openness and transparency?

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