



United States Department of the Interior

NATIONAL PARK SERVICE
12795 W. Alameda Parkway
P.O. Box 25287
Denver, Colorado 80225-0287

September 2, 2021

A7221 (2550)

Elvina Nawaguna
CQ Rollcall
1201 Pennsylvania Avenue, NW 6th Floor
Washington, DC

Dear Ms Nawaguna:

Reference: NPS-2020-00830

Subject: Freedom of Information Act (FOIA) Request

This letter is in response to your Freedom of Information Act (FOIA) request dated May 19, 2020, in which you requested:

...data on the number of National Park Service staff and contractors who have tested positive with the novel coronavirus and those who have died from COVID-19 and its related complications be provided to me. Please provide the number of cases from Jan. 5, 2020 to the most updated number at the time of fulfilling this request, which is made on May 19, 2020.

Regarding the portion of your request for the number of contractors who have tested positive a search of the files in the Office of Public Health (OPH) returned no responsive records. The Office of Public Health has been notified of the COVID-related deaths of two NPS employees and neither case was work related. Regarding, the portion of your request for data on the number of National Park Service staff who have tested positive, we are providing one responsive record, which contains data as of February 4, 2021.

Upon review your request is granted in part and denied in part. Attached is a list containing data as of August 26, 2021. Information on the number of cases for parks with fewer than 51 employees is being withheld under Exemption 6. Data for parks having reported five or fewer cases is also being withheld under Exemption 6.

Exemption 6

Exemption 6 allows an agency to withhold “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6). The phrase “similar files” covers any agency records containing information about a particular individual that can be identified as applying to that individual. To determine whether releasing records containing information about a particular individual would constitute a clearly unwarranted invasion of personal privacy, we are required to balance the privacy interest that would be affected by disclosure against any public interest in the information.

Under the FOIA, the only relevant public interest to consider under the exemption is the extent to which the information sought would shed light on an agency's performance of its statutory duties or otherwise let citizens 'know what their government is up to'. The burden is on the requester to establish that disclosure would serve the public interest. When the privacy interest at stake and the public interest in disclosure have been determined, the two competing interests must be weighed against one another to determine which is the greater result of disclosure: the harm to personal privacy or the benefit to the public. The purposes for which the request for information is made do not impact this balancing test, as a release of information requested under the FOIA constitutes a release to the general public.

We have determined that releasing data for parks with fewer than 50 employees could result in the identification of specific employees who self-reported as testing positive with COVID, accordingly the individuals to whom this information pertains have a substantial privacy interest in withholding it. Additionally, you have not provided information that explains a relevant public interest under the FOIA in the disclosure of this personal information and we have determined that the disclosure of this information would shed little or no light on the performance of the agency's statutory duties. Because the harm to personal privacy is greater than whatever public interest may be served by disclosure, release of the information would constitute a clearly unwarranted invasion of the privacy of these individuals and we are withholding it under Exemption 6.

To protect employee privacy, including details about where the person works, the NPS will not release details about specific cases unless public health officials determine an employee posed a reasonable risk to the public or other staff.

The NPS – with guidance from our Office of Public Health, which includes commissioned US Public Health Service Officers – has taken numerous actions to promote safe operations to best protect the public and our employees from the risks of exposure to COVID-19. The NPS continues to exercise maximum telework flexibilities and most employees are carrying out the NPS mission remotely.

We follow CDC guidance and best practices in notifying the public and our employees of potential exposure to COVID-19, implementing telework policies, cleaning public and work spaces, and other response and mitigation measures. Many situations of confirmed COVID cases within the NPS result from non-work-related activities, however all employees are strongly encouraged to remain vigilant and alert for symptoms, and to follow best practices from the CDC such as hand washing, social distancing and wearing face coverings when social distancing cannot be maintained.

Employee cases are self-reported and NPS data does not indicate whether the employee contracted the disease or was infectious while at work. The purpose of our tracking is to inform park operations and protect staff and visitors. It is not tracked in a way that would provide an accurate source of data for any purposes outside of our agency. Use of our data to inform any outside studies or reporting could be misleading and is duplicative of data gathered from state and local health departments. State and local health departments are the best source of accurate data because laboratories are required to submit test results to those entities.

Pursuant to regulation, 43 CFR 2.24(b) the following person is responsible for this denial:

Charis Wilson
NPS FOIA Officer

Additionally, the following attorney was consulted during the preparation of this response:

Tony Irish, Office of the Solicitor
U.S. Department of the Interior, Washington, DC

You have the right to appeal this denial of your request. You may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your appeal must be received no later than 30 workdays after the date of this final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe the records are available, including where they might be found, if the location is known to you. Please note, appeals received after 5 p.m. EST will be considered to have been received as of the following day.

Also, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation.

You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Phone: 301-837-1996
Fax: 301-837-0348
Toll-free: 1-877-684-6448

Because the National Park Service creates and maintains law enforcement records, we are required by the Department of Justice to provide the following information, even though it may or may not apply to your specific request. Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that we are required to give all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Should you have any further questions regarding this request, please feel free to contact me, as the person responsible for processing your request. I can be reached at npsfoia@nps.gov. Information regarding the NPS FOIA Liaison can be found at: <https://www.doi.gov/foia/foiacenters>.

Sincerely,

CHARIS
WILSON

Digitally signed
by CHARIS
WILSON
Date: 2021.09.02
17:30:12 -06'00'

Charis Wilson
NPS FOIA Officer

Park	Cases
ABLI	(b) (6)
ACAD	
ADAM	
AFBG	
AGFO	
AKRO	
ALFL	
ALPO	
AMIS	
ANDE	
ANIA	
ANJO	
ANTI	
APCO	
APIS	
APPA	
ARCH	
ARHO	
ARPO	
ASIS	7
AZRU	(b) (6)
BADL	7
BAND	(b) (6)
BELA	
BEOL	
BEPA	
BIBE	
BICA	
BICR	
BICY	13
BIHO	(b) (6)
BISC	
BISO	12
BITH	(b) (6)
BLCA	
BLRI	8
BLRV	(b) (6)

Park	Cases
BLUE	(b) (6)
BOAF	
BOHA	
BOST	15
BOWA	(b) (6)
BRCA	7
BRCR	(b) (6)
BRVB	
BUFF	21
BUIS	(b) (6)
CABR	
CACH	
CACL	
CACO	
CAGR	
CAHA	9
CAKR	(b) (6)
CALO	
CAMO	
CANA	
CANY	10
CARE	(b) (6)
CARI	
CARL	
CASA	
CATO	
CAVE	
CAVO	
CAWO	
CEBE	
CEBR	
CECH	
CHAM	
CHAT	
CHBA	
CHCH	
CHCU	

Park	Cases
CHIC	(b) (6)
CHIR	
CHIS	
CHOH	
CHPI	
CHRI	
CHSC	
CHYO	
CIRO	
CLBA	
COGA	
COLM	9
COLO	(b) (6)
COLT	
CONG	
CORO	
COWP	
CRLA	
CRMO	
CUGA	
CUIS	
CURE	
CUVA	18
DAAV	(b) (6)
DENA	
DESO	
DETO	
DEVA	
DEWA	10
DINO	(b) (6)
DRTO	
EBLA	
EDAL	
EDIS	
EFMO	
EISE	
ELMA	

Park	Cases
ELMO	(b) (6)
ELRO	
EUON	
EVER	20
FAIR	(b) (6)
FEHA	
FIIS	
FILA	
FLAG	
FLFO	
FLNI	
FOBO	
FOBU	
FOCA	
FOCL	
FODA	
FODO	
FOFR	
FOLA	
FOLS	
FOMA	
FOMC	
FOMR	
FONE	
FOPO	
FOPU	
FORA	
FOSC	
FOSM	
FOST	
FOSU	
FOTH	
FOUN	
FOUS	
FOVA	
FOWA	
FRDE	

Park	Cases
FRDO	(b) (6)
FRHI	
FRLA	
FRRJ	
FRSP	
FRST	
GAAR	
GARI	
GATE	8
GEGR	(b) (6)
GERO	
GETT	
GEWA	
GICL	
GLAC	16
GLBA	(b) (6)
GLCA	
GOGA	
GOIS	
GOSP	
GRBA	
GRCA	16
GREE	(b) (6)
GREG	
GRKO	
GRPO	
GRSA	
GRSM	40
GRTE	8
GUCO	(b) (6)
GUIS	11
GUMO	(b) (6)
GWCA	
GWMP	12
HACE	(b) (6)
HAFE	10
HAFO	(b) (6)

Park	Cases
HAGR	(b) (6)
HALE	
HAMP	
HART	
HATU	
HAVO	
HEHO	
HOBE	
HOCU	
HOFR	
HOME	
HONO	
HOSP	
HOVE	
HPTC	
HSTR	
HTLN	
HUTR	
INDE	17
INDU	9
ISRO	(b) (6)
JAGA	
JAZZ	
JECA	
JEFF	17
JELA	(b) (6)
JICA	
JODA	
JODR	
JOFI	
JOFL	
JOMU	
JOTR	12
KAHO	(b) (6)
KALA	
KATM	
KAWW	

Park	Cases
KEFJ	(b) (6)
KEMO	
KEWE	
KIMO	
KLGO	
KLSE	
KNRI	
KOVA	
KOWA	
LABE	
LACH	
LACL	
LAKE	11
LAMR	(b) (6)
LARO	
LAVO	
LECL	
LEWI	
LIBI	
LIBO	
LIHO	
LIME	
LIRI	
LONG	
LOWE	7
LYJO	(b) (6)
MABI	
MACA	22
MALU	(b) (6)
MAMC	
MANA	
MANZ	
MAPR	
MASI	
MAVA	
MAWA	
MEVE	

Park	Cases
MIIN	(b) (6)
MIMA	
MIMI	
MISS	
MNRR	
MOCA	
MOCR	
MOJA	
MONO	
MORA	
MORR	
MORU	
MUWO	
NABR	
NACE	7
NAMA	13
NATC	(b) (6)
NATR	22
NAVA	(b) (6)
NAWO	
NCRO	
NEBE	
NEPE	
NERI	8
NERO	(b) (6)
NICO	
NIOB	
NISI	
NOAT	
NOCA	7
NPNH	(b) (6)
NPSA	
OBRI	
OCMU	
OLYM	
ORCA	
ORPI	

Park	Cases
Other	(b) (6)
OVVI	
OZAR	10
PAAL	(b) (6)
PAAV	
PAGR	
PAIS	
PARA	
PECO	
PEFO	6
PERI	(b) (6)
PERL	
PETE	
PETR	
PEVI	
PIMA	
PINN	
PIPE	
PIRO	
PISC	
PISP	
POCH	
POHT	
POPO	
PORE	
PRPA	
PRWI	
PUHE	
PUHO	
PULL	
RABR	
REDW	11
REER	(b) (6)
RICH	
RIGR	
RIRA	
ROCR	

Park	Cases
ROLA	(b) (6)
ROMO	6
RORI	(b) (6)
ROVA	
ROWI	
RUCA	
SAAN	
SACN	
SACR	
SAFR	
SAGA	
SAGU	
SAHI	
SAIR	
SAJH	
SAJU	
SAMA	
SAMO	
SAND	
SAPA	
SAPU	
SARA	
SARI	
SCBL	
SEAC	
SEKI	8
SEMO	(b) (6)
SERO	11
SHEN	6
SHIL	(b) (6)
SITK	
SLBE	
SPAR	
STEA	
STGE	
STLI	
STON	

Park	Cases
STRI	(b) (6)
SUCR	
TAPR	
THIS	
THJE	
THKO	
THRB	
THRO	
THST	
TICA	
TIMU	
TONT	
TUAI	
TUIN	
TULE	
TUMA	
TUPE	
TUSK	
TUZI	
ULSG	
UPDE	
VAFO	
VALL	
VAMA	
VICK	
VICR	
VIIS	
VIVE	
VOYA	9
WABA	(b) (6)
WACA	
WACC	
WACO	
WAMO	
WAPA	
WASO	7
WEFA	(b) (6)

Park	Cases
WWHO	(b) (6)
WHIS	
WHMI	
WHSA	
WICA	
WICL	
WICR	
WIHO	
WORI	
WOTR	
WRBR	
WRST	
WUPA	
YELL	16
YOSE	21
YUCH	(b) (6)
YUHO	
ZION	11