SOCIETY OF PROFESSIONAL JOURNALISTS.
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VIA EMAIL

Doug Burgum
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, N.W.
Washington DC 20240

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Dear Secretary Burgum:

The Society of Professional Journalists and 11 other journalism and civil society organizations are concerned about the impact of a recent memo limiting the information National Park Service employees are permitted to share about deaths and serious injuries in the parks. This policy stifles the free flow of information, keeping pressing information about our public lands from Americans while also potentially violating public employees' First Amendment rights.

The memo, reportedly issued last December, states that all Department of the Interior employees may not confirm deaths and applies to "all Interior communications involving fatalities, suspected fatalities, serious injuries, or emotionally sensitive incidents." In 2025, NPS reported more than 323 million recreation visits; publicly available data from the Parks Service lists 198 deaths in national parks during 2025 and 20 so far in 2026, although the current year's number appears to be under-reported.

Depriving the public of information about deaths in national parks does not prevent deaths from happening or make them disappear. In fact, it may put future park visitors at risk by withholding pertinent information about park conditions, safety and environmental risks. When visitors are pushed to seek out information from unofficial channels and non-affiliated sources, they may end up misinformed about the parks' actual risks or conditions.

In addition to the impact on park visitors, the memo may infringe upon the First Amendment rights of public employees. The First Amendment protects the right of public employees, including Interior employees, to speak on matters of public concern,

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which could include deaths and serious injuries occurring in the parks.[1] So long as public employees do not purport to speak on behalf of their employer and speak in their personal capacity rather than as a part of their official duties, their speech receives First Amendment protection, which even extends to speech concerning their work.[2] As a ban on speech about a particular subject matter, the memo could act as an unlawful prior restraint that would survive First Amendment scrutiny only if the government can demonstrate the rule is tailored to prevent real -- not conjectural -- harm.[3] Speculative concerns about employees revealing identifying information on those involved in park incidents are unlikely to meet this burden. Even so, a ban on *all* speech concerning deaths and serious injuries is not in any way tailored to prevent the disclosure of sensitive information in particular. While it is unclear whether the memo restricts private speech outside of the employees' job duties, it nevertheless chills them from speaking openly about their working conditions and pressing incidents in the parks out of fear of repercussions.

The circumstances surrounding recent bison attacks at Yellowstone National Park demonstrate this chilling effect and the memo's practical effects. On July 10, a bison attacked park visitor Carl Isom-McDaniel, charging at him and throwing him 8 feet into the air, which was captured in a video that received significant attention on social media and in the press. Notably, the media coverage of the incident lacks commentary from park employees, and NPS itself has yet to release an official statement about it despite the fact that another bison attack happened at Yellowstone only weeks prior. The lack of information from NPS itself and the ban on information from Yellowstone staffers leaves the public and, more specifically, prospective Yellowstone visitors, with unanswered questions about the ongoing conditions and the safety of the park.

NPS staff are the best sources of accurate, timely information about what goes on in their workplace, including when someone is injured or loses their life, but the memo clearly bars them from sharing it. While there are valid concerns on releasing information about the injured and deceased prematurely or against their or their families' wishes, these can be addressed without cutting off speech about these incidents entirely. That the memo purportedly limits employees from sharing information about

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[1] *Garcetti v. Ceballos,* 547 U.S. 410, 413 (2006).

[2] "[T]he mere fact that a citizen's speech concerns information acquired by virtue of his public employment does not transform that speech into employee—rather than citizen—speech . . . It bears emphasis that our precedents dating back to Pickering have recognized that speech by public employees on subject matter related to their employment holds special value precisely because those employees gain knowledge of matters of public concern through their employment." *Lane v. Franks,* 573 U.S. 228, 240 (2014).

[3] *United States v. Nat'l Treasury Emples. Union,* 513 U.S. 454, 475 (1995).

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undefined “emotionally sensitive incidents” suggests its goal is not to protect the privacy interests of those involved but rather the public image of the department. Virtually anything could be deemed an emotionally sensitive incident, giving the department unbridled authority to censor its employees and punish those who deviate from the desired narrative.

Americans deserve transparency about the natural and cultural resources supported by our tax dollars, and Interior employees should not be chilled from sharing urgent information about park safety and conditions with the public. We urge you to reconsider the memo and ensure that it is not intended to and will not be used to punish employees for private speech on matters of public concern.

Signed,

Anne Marie Tamburro
SPJ Press Freedom Counsel

Chris Vaccaro
SPJ President

On behalf of the Society of Professional Journalists and the following organizations:

American Society of Journalists and Authors
Coalition For Women In Journalism
Council for the Advancement of Science Writing
Demand Progress
Freedom of the Press Foundation
Government Information Watch
National Press Photographers Association
PEN America
Reporters Without Borders (RSF)
Society of Environmental Journalists
Women Press Freedom