

National Mediation Board
Mary L. Johnson, General Counsel & Chief FOIA Officer

Chief FOIA Officer Report

In 2017, all of the NMB's FOIA professionals attended FOIA training, including a Chief FOIA Officer meeting. FOIA professionals work together to ensure that requesters receive responses quickly and to communicate with requesters when clarification is needed.

The NMB received 20 requests in 2017 and of these, 7 were full grants. There were no denials. There were no administrative appeals in 2017 and the average number of days for a final response was 6.9 days. At the end of the fiscal year, there were no backlogged cases.

Under the foreseeable harm standard, the NMB rarely needs to review because most responses are either no records or full releases with minimal redactions.

In response to the FOIA Improvement Act of 2016, the Public Liaison's information was added to all responses and she has received calls seeking clarification about where to find information not available in NMB records. FOIA professionals have worked with requesters on several occasions to clarify requests, including notifying requesters when they have contacted the wrong agency.

During 2017, the Final Rule implementing changes to the NMB's FOIA regulations to comply with the FOIA Improvement Act was published. This was the completion of the process reviewing and updating in our regulations.

The NMB continued to proactively disclose a number of records on its website. These include all Board determinations, Presidential Emergency Board (PEB) Reports and Public Law Board reports. In addition, the NMB posted all rulemaking materials on its website. Materials can be found at the following links:

- Frequently requested records <http://www.nmb.gov/press-and-contacts/foia/frequently-requested-materials/>
- Determinations <http://www.nmb.gov/services/representation/determinations/>
- Rulemaking Documents <http://www.nmb.gov/services/representation/nmb-information-access-rulemaking/>
- PEB Reports and Law Board reports are on the Knowledge Store <http://knowledgestore.nmb.gov/ks/build.html>

The Knowledge Store continues to be updated to be made more user-friendly. In addition to the reports, it also contains collective bargaining agreements, which are sometimes the subject of FOIA requests.

