



## **National Mediation Board Freedom of Information Act Improvement Plan Pursuant to Executive Order 13392**

Pursuant to requirements of Executive Order 13392 and guidance issued by the Office of Information and Privacy of the U. S. Department of Justice the National Mediation Board's (NMB) plan to improve its FOIA operations, is set forth below.

### **A. The NMB's FOIA Operations**

The National Mediation Board (NMB), established by the 1934 amendments to the Railway Labor Act of 1926, is an independent agency that performs a central role in facilitating harmonious labor-management relations within two of the nation's key transportation modes--the railroads and airlines. FOIA requests submitted to the NMB are processed by the Office of Legal Affairs (OLA). The FOIA program staff consist of the General Counsel, Associate General Counsel, and the Primary FOIA Officer. The General Counsel is the Chief FOIA Officer and signs off on all FOIA responses. The Chief Officer has designated the Associate General Counsel to serve as the NMB's Public Liaison.

The NMB staff currently includes approximately 52 employees with a single headquarters location in Washington, DC. The agency's small size result in between 30-40 FOIA requests annually. In 2005, the NMB established a new public information service on its website known as "The NMB Knowledge Store." The Knowledge Store makes publicly available many of the categories of documents that were the subject of FOIA requests, such as collective bargaining agreements, arbitration awards, and Presidential Emergency Board reports. Internet availability of these documents has reduced the number of FOIA requests by one-third so far this year. This allows us to focus on the remaining requests, which tend to be more complex. Complex requests can involve participation by, and consultation with, any number of program personnel.

### **B. Areas Selected for Review**

We reviewed the FOIA program and considered specifically the following areas:

1. Affirmative disclosure.
2. Proactive disclosure of information.
3. Timeliness in responding to FOIA requests.
4. Communication with requesters.
5. FOIA website improvement.
6. FOIA Reference Guide.
7. Electronic FOIA – Receiving/responding to requests electronically.
8. Process of coordinating with program personnel who are familiar with responsive agency records.
9. Staff training.

10. Billing and collection.

### **C. Results of Review**

Review of the NMB's FOIA operations are consistent with the guidelines and directives of the Executive Order. The NMB gives significant effort to complying with the statutory time periods for responding to FOIA requests. Simple requests are processed within a few days of receipt. The FOIA Officer's commitment to regular communication with requesters has led to narrowing or withdrawal of many requests.

### **D. Areas chosen for improvement:**

1. FOIA website improvement.
2. FOIA Reference Guide.
3. Electronic FOIA – receiving/responding to requests electronically.
4. Training.
5. Billing and Collection.

### **E. Improvement Areas:**

1. Website improvement.  
Goals:  
Enhance the NMB's FOIA webpage to increase public awareness of and access to information by December 31, 2006.
2. FOIA Reference Guide.  
Goal: The agency's goal is to create a guide to inform the public of the NMB's program by September 30, 2006.
3. Electronic FOIA – receiving/responding to requests electronically.  
Goal: The agency will encourage electronic submission of FOIA requests. and to the extent possible, the agency will respond to requests electronically.
4. Training.  
Goal: Prepare an agency-specific training manual for staff personnel by September 30, 2006.
5. Billing and Collection.  
Goal: Improve billing and tracking of collections to ensure the agency is assessing and collecting the appropriate fees by December 31, 2006.