



NATIONAL MEDIATION BOARD  
WASHINGTON, D.C. 20572

(202) 692-5000

December 17, 2009

**VIA HAND DELIVERY**

Ilyse Wolens Schuman  
Littler Mendelson, P.C.  
Transportation Core Group  
1150 17<sup>th</sup> Street, N.W.  
Washington, DC 20036

Re: Freedom of Information Act Request  
FOIA File No. F-1498

Dear Ms. Schuman:


This is in response to your November 3, 2009 correspondence filed pursuant to the Freedom of Information Act (FOIA), received by this agency on November 4, 2009, which requests information related to the National Mediation Board's (NMB) Notice of Proposed Rulemaking concerning representation election procedures, Docket No. C-6964.

Your request is granted in part and denied in part. We withheld two documents in full as these documents are privileged from disclosure under the FOIA by Exemption 5 (deliberative process privilege).

Additional relevant documents are accessible from the NMB website ([www.nmb.gov](http://www.nmb.gov)) under the "What's New" button on the main web site page. The full text of the Proposed Rulemaking and related documents, including submissions by speakers at the December 7, 2009 hearing and letters and comments submitted to the NMB, can be found by clicking on the "Proposed NMB Representation Rulemaking" link. The contents of this link are continually updated as additional submissions are received.

The partial denial of your request may be appealed within thirty days by writing to the Chairman, National Mediation Board, 1301 K Street, N.W., Washington, DC, 20005.

Sincerely,

  
Mary L. Johnson  
General Counsel