



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

December 17, 2021

Re: FOIA Request NLRB-2022-000289

Dear John Edwards (Capitol Hellway Media Company LLC):

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on December 13, 2021, in which you seek the records from two FOIA requests that you filed: NLRB-2020-000275 and NLRB-2020-000278. Specifically, you seek copies of the two original FOIA requests submitted by you and all official written responses that were sent by the NLRB to you.

We acknowledged your request on December 13, 2021.

A search of the Agency's FOIA casehandling system, FOIAOnline, has been conducted. This search has yielded 31 pages of responsive records, which are attached. Please note that portions of the attached records have solid black markings. These markings were in the original records and were not made by this office pursuant to the FOIA. Redactions made by the FOIA Branch appear as black marks with a white overlay text with the applicable FOIA exemptions noted.

Because your current request is for records from your previous FOIA requests, we are processing this as a first-party request. Accordingly, we have not redacted from the records any personally identifiable information that belongs to you. However, after a review, I have determined that portions of the attached records are exempt from disclosure under Exemption 6 of the FOIA (5 U.S.C. § 552(b)(6)), which pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy. 5 U.S.C. § 552(b)(6).

Specifically, redactions have been made to protect the privacy interests of third party individuals named in the records where there is no public interest in this information. Please note that these redactions have been applied even though we understand that you already know or may be able to identify the information being redacted, such as the names or titles of the involved individuals. *See, e.g., Akin, Gump, Strauss, Hauer & Feld, L.L.P. v. DOJ*, 503 F. Supp. 2d 373, 382 (D.D.C. 2007) ("When the material in the government's control is a compilation of information about private citizens, rather than a record of government actions,

there is little legitimate public interest that would outweigh the invasion of privacy because the information reveals little or nothing about an agency's own conduct.").

For the purpose of assessing fees, we have placed you in Category D, the "all other requesters" category, because you do not fall within any of the other fee categories. Less than two hours of professional time was expended in searching for the requested material. Accordingly, there is no charge assessed for this request.

You may contact me at (202) 273-2995 or by email at synta.keeling@nrlb.gov as well as the Agency's FOIA Public Liaison for any further assistance and/or to discuss any aspect of your request. The contact information for the Agency's FOIA Public Liaison is:

FOIA Public Liaison
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: FOIAPublicLiaison@nrlb.gov
Telephone: (202) 273-0902
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: (877) 684-6448
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at:
<https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt
Chief FOIA Officer
National Labor Relations Board
1015 Half Street, S.E., 4th Floor

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Email: DLCFOIAAppeal@nlrb.gov

Any appeal must be postmarked or electronically submitted within 90 days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

/s/ Synta E. Keeling

Synta E. Keeling
FOIA Officer

Attachment: (31 pages)