

From: Stephanie Carroll
Sent: Wednesday, April 12, 2017 10:36 PM
To: DOL Energy Advisory Board Information
Subject: Example Policy Teleconference Call Notes

To:

Office of Workers Compensation Programs, Department Of Labor
The Advisory Board on Toxic Substances and Worker Health
Meeting April 19-20,2017

I wish to speak during the Public Comment Period regarding ongoing problems within the program relating to Part B respiratory conditions. I am a professional Authorized Representative for Nuclear Workers and I have been very successful in my pursuit of justice and compensation for Workers related to their claims for "established chronic beryllium disease" (CBD) under Part B of the ACT.

Concerning Policy Call Notes:

During the October 17-19, 2016 meeting of the Board the following recommendation was adopted.

We recommend DOL review the teleconference notes, redact confidential information, and post the information in a publicly available database searchable by topic area.

ANWAG submitted a FOIA request for the POLICY TELECONFERENCE CALL notes and its request was denied. ANWAG was told that the notes were developed under the deliberative process and are pre decisional in nature and are not intended to be final opinions or statements of agency policy. Please see the attached Policy Teleconference call note found in a claimant's file. This policy teleconference note indicated that the information discussed in policy teleconference reflected program policy and should be release to the public. Unfortunately, DEEOIC policy changed its mine and refused to release these notes.

Now if these Policy Teleconference Notes are not intended to be final policy determinations, then why are they quoted in recommended decisions and final decision as statements of DEEOIC policy. These policy teleconference calls are quoted as the basis for why the FAB is denying a claim. There is no dispute that claimants are entitled to know the content of the law, the regulations of the agency and the policies and procedures of the agency in its implementation of the law. When the DEEOIC hides its teleconference notes from the public, it is hiding the policies and procedures of a federal agency andand this is unlawful and unfair. There is no valid reason to hide DEEOIC policy determinations from the public. Permitting the DEEOIC to continue to hide the agencies policies from the public is contrary to principles of openness and transparency.

I am an active member of the Beryllium Health Safety Committee and have presented comments in Washington DC on the new proposed Beryllium Rules.

I appreciate the opportunity to submit comments to the Board.

Thank You,
Stephanie Carroll

Stephanie Carroll
Atomic Worker Advocate