

## Office of the Secretary of Labor

## § 70.2

director with the most votes will be the representative.

(b) *Method of transmission.* The Commissioner may distribute the ballots relating to the election under this part by electronic mail or other methods the Commissioner determines to be appropriate and may specify the methods through which votes are to be cast.

(c) *Vacancies.* If a representative does not complete the term, the Commissioner shall conduct an election to elect a replacement for the remainder of the term using the procedures described in paragraph (a) and (b) of this section.

## PART 70—PRODUCTION OR DISCLOSURE OF INFORMATION OR MATERIALS

### Subpart A—General

Sec.

- 70.1 Purpose and scope.
- 70.2 Definitions.
- 70.3 Policy.
- 70.4 Public reading rooms.
- 70.5 Compilation of new records.
- 70.6 Disclosure of originals.
- 70.7–70.18 [Reserved]

### Subpart B—Procedures for Disclosure of Records Under the Freedom of Information Act

- 70.19 Requests for records.
- 70.20 Responsibility for responding to requests.
- 70.21 Form and content of responses.
- 70.22 Appeals from denial of requests.
- 70.23 Action on appeals.
- 70.24 Form and content of action on appeals.
- 70.25 Time limits and order in which requests must be processed.
- 70.26 Business information.
- 70.27 Preservation of records.
- 70.28–70.37 [Reserved]

### Subpart C—Costs for Production of Records

- 70.38 Definitions.
- 70.39 Statutes specifically providing for setting of fees.
- 70.40 Charges assessed for the production of records.
- 70.41 Reduction or waiver of fees.
- 70.42 Consent to pay fees.
- 70.43 Payment of fees.
- 70.44 Other rights and services.
- 70.45–70.52 [Reserved]

### Subpart D—Public Records and Filings

- 70.53 Office of Labor-Management Standards.
- 70.54 Employee Benefits Security Administration.

APPENDIX A TO PART 70—DISCLOSURE OFFICERS

APPENDIX B TO PART 70 [RESERVED]

AUTHORITY: 5 U.S.C. 301, 5 U.S.C. 552, as amended; Reorganization Plan No. 6 of 1950, 5 U.S.C. Appendix; E.O. 12600, 52 FR 23781, 3 CFR, 1988 Comp., p. 235.

SOURCE: 71 FR 30763, May 30, 2006, unless otherwise noted.

### Subpart A—General

#### § 70.1 Purpose and scope.

This part contains the regulations of the Department of Labor implementing the Freedom of Information Act (FOIA), as amended, 5 U.S.C. 552 and Executive Order 12600. It also implements the public information provisions of the Labor-Management Reporting and Disclosure Act (LMRDA), 29 U.S.C. 435, the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1026 (106), and the Federal Advisory Committee Act (FACA), 5 U.S.C. app. 11. Subpart A contains general information about Department of Labor policies and procedures; subpart B sets forth the procedures for obtaining access to records of the Department; subpart C contains the Department's regulations on fees; and subpart D sets forth the procedures for obtaining access to certain public records. Appendix A contains a list of all Department of Labor disclosure officers from whom records may be obtained.

#### § 70.2 Definitions.

As used in this part:

(a) The terms *agency*, *person*, *party*, *rule*, *order*, and *adjudication* have the meaning attributed to these terms by the definitions in 5 U.S.C. 551.

(b) *Component* means each separate bureau, office, board, division, commission, service or administration of the Department of Labor.

(c) *Disclosure officer* means an official of a component who has authority to disclose or withhold records under the FOIA and to whom requests to inspect or copy records in his/her custody