

U.S. Department of Labor

Office of Labor-Management Standards
Washington, D.C. 20210



AUG 16 2010

Nathan Paul Mehrens
Counsel
Americans for Limited Government
9900 Main Street
Suite 303
Fairfax, VA 22031

Dear Mr. Mehrens:

This is to acknowledge your August 12, 2010 request made pursuant to the Freedom of Information Act (FOIA). The Office of Labor-Management Standards (OLMS) received your request August 13, 2010. Your request was for "(1) [a]ll documents that refer to, reflect, or mention communications discussing revocation of the LM-30" and "(2) [a]ll documents reflecting any meeting, phone call, e-mail, letter, or other communication regarding revocation of the LM-30" created between January 20, 2009 and the present.

OLMS files and index systems will be searched for potentially responsive materials relative to your request. Please be advised that pursuant to 5 U.S.C. §552(a)(6)(A)(i) of the FOIA, federal agencies are required to determine within twenty days after the receipt of a request – not including weekends and legal holidays – whether to comply with such request and to notify the requestor of such determination, the rationale and the right of the requestor to appeal any adverse determination. OLMS will make every effort to complete your request in a timely manner. However, your comprehensive request is expected to yield voluminous results, the search, review, reproduction, and disclosure determination of which will exceed twenty days.

Based on the information you provided, OLMS is denying your request for a fee waiver because your FOIA request does not qualify for a fee waiver in accordance with the requirements set forth in the Department of Labor's FOIA regulations at 29 C.F.R. §70.41(a)(2).

You may file an appeal of this decision to deny a fee waiver with the Solicitor of Labor within 90 days from the date of this letter. The appeal must state, in writing, the grounds for the appeal, including any supporting statements or arguments. When filing an appeal, you should include a copy of your initial FOIA request and a copy of this letter. To facilitate processing, you may wish to fax your appeal to: (202) 693-5539. The appeal must be addressed to: Solicitor of Labor, U.S. Department of Labor, Rm. N-2428, 200 Constitution Avenue, N.W., Washington, D.C. 20210. If mailed, both the envelope, and the letter of appeal itself should be clearly marked: "Freedom of Information Act Appeal."

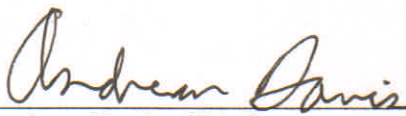
Pursuant to the Department of Labor's FOIA regulations, you have been determined to be a Category 4 Requestor, pursuant to 29 C.F.R. §70.40(c)(4). Requestors in this category are responsible for search costs and reproduction costs, with the exception of the first 100 pages of reproduction and the first two hours of search time which is provided without charge. 29 C.F.R. §70.40(c)(4). Pursuant to 29 C.F.R. §70.40(d)(1) and (d)(2), respectively, search costs are assessed at \$5.00 per quarter hour and reproduction costs assessed at the rate of 15 cents per page.

In accordance with departmental policy, we will assume that by filing this request you are willing to pay fees up to \$25.00. Please be advised that the estimated assessable costs are likely to exceed that amount. OLMS will contact you with a fee estimate at a later date.

In the interim, should you have any questions concerning the procedural handling and processing of your inquiry, you may contact the OLMS FOIA Coordinator at Room N-5609, 200 Constitution Avenue, N.W., Washington, D.C., 20210. Please refer to tracking number 617117 in any future correspondence relative to this FOIA request.

Sincerely,

Andrew Auerbach
Deputy Director

By: 
Andrew Davis, Chief
Division of Interpretations and Standards