

29 C.F.R. § 1401.23

Responsibility for responding to requests.

- (a) *In general.* Where the FMCS first receives a request for a record and maintains that record, it is responsible for responding to the request. In determining which records are responsive to a request, the Agency ordinarily will include only records in its possession as of the date that it begins its search. If any other date is used, the Agency must inform the requester of that date. If the FMCS uses any other date due to needing to clarify the request or obtain a fee agreement, it must inform the requester of that date. A record that is excluded from the requirements of the FOIA, pursuant to 5 U.S.C. 552(c), is not considered responsive to a request.
- (b) *Authority to grant or deny requests.* The Director of FMCS or designee is authorized to grant or to deny any requests for records that are maintained by the Agency.

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