

2.1 (17A,22) Purpose and scope.

2.1(1) This chapter implements Iowa Code section 22.11 by establishing agency policies and procedures for the maintenance of records. The purpose of this chapter is to facilitate public access to open records. It also seeks to facilitate sound agency determinations with respect to the handling of confidential records and the implementation of the fair information practices Act. This agency is committed to the policies set forth in Iowa Code chapter 22; agency staff shall cooperate with members of the public in implementing the provisions of that chapter.

2.1(2) This chapter does not:

- a. Require the agency to index or retrieve records which contain information about individuals by that person's name or other personal identifier.
- b. Make available to the general public records which would otherwise not be available under the public records law, Iowa Code chapter 22.
- c. Govern the maintenance or disclosure of, notification of or access to, records in the possession of the agency which are governed by the regulations of another agency.
- d. Apply to grantees, including local governments or subdivisions thereof, administering state-funded programs, unless otherwise provided by law or agreement.
- e. Make available records compiled in reasonable anticipation of court litigation or formal administrative proceedings. The availability of such records to the general public or to any subject individual or party to such litigation or proceedings shall be governed by applicable legal and constitutional principles, statutes, rules of discovery, evidentiary privileges, and applicable regulations.

2.1(3) This chapter applies to the department of natural resources.

561-2.1

EPA Rulemakings

CFR: 40 C.F.R. 70, Appendix A, Iowa (a)
FRM: 60 FR 45671 (9/1/95)
PRM: 60 FR 20465 (4/26/95)
State Submission: 11/10/93
State Proposal: N/A
State Final: IAC 9/7/88 (Effective 8/17/88)
APDB File: IA-36

Description: The EPA approved a new chapter "Public Records and Fair Information Practices." This chapter establishes procedures for maintenance of records, facilitates public access to open records, and sets policy with respect to the handling of confidential information. This chapter was approved in conjunction with Title V rules.

Difference Between the State and EPA-Approved Regulation

None.