

CHAPTER 2
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES
[Prior to 8/21/91, see Public Defense Department[650] Ch 2]
[Prior to 12/1/21, see Military Division[611] Ch 2]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

601—2.1(17A,22) Definitions. As used in this chapter:

“*Agency.*” In lieu of the words “(official or body issuing these rules)”, insert “department of public defense”.

“*Custodian.*” Delete “agency” and insert “adjutant general”.

“*Federal records*” means all records, documents, tape, or other information, stored or preserved in any medium, the maintenance, use, or disclosure of which is governed by federal government law or regulation.

“*Records*” or “*state records*” means all or part of a “public record” as defined in Iowa Code section 22.1 but does not include federal records as here defined.

[Editorial change: IAC Supplement 12/1/21]

601—2.3(17A,22) Requests for access to records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

601—2.9(17A,22) Disclosures without the consent of the subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

601—2.10(17A,22) Routine use. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

601—2.11(17A,22) Consensual disclosure of confidential record. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

601—2.12(17A,22) Release to subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

601—2.13(17A,22) Availability of records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

601—2.14(17A,22) Personally identifiable information. This rule describes the nature and extent of personally identifiable information which is collected, maintained, and retrieved by the agency by personal identifier in record systems as defined in rule 2.1(17A,22). For each record system, this rule describes the legal authority for the collection of that information, the means of storage of that information and indicates whether a data processing system matches, collates, or permits the comparison of personally identifiable information in one record system with personally identifiable information in another record system. The record systems maintained by the agency are:

2.14(1) Quartermaster supply records prepared under the authority of Iowa Code sections 29A.19 and 7A.30. Request for examination of these records which are retrievable by personal identifier will be directed to the Office of the State Quartermaster, Camp Dodge. Records are maintained on AGO Form 1-5 for hard copy and computer generated files.

2.14(2) Purchase and disposition of real property records, prepared under the authority of Iowa Code chapter 29A.57. Records are available from the State Quartermaster, Warehouse #3, Camp Dodge. Real estate records are available in hard copy format.

2.14(3) Armory board minutes including supporting documentation are prepared under the authority of Iowa Code section 29A.57. Records are available from the State Quartermaster, Warehouse #3, Camp Dodge. Records are maintained in hard copy format.

2.14(4) Armory lease records including supporting documentation are prepared under the authority of Iowa Code section 29A.57. Records are available from the State Quartermaster, Warehouse #3, Camp Dodge. Records are maintained in hard copy format.

2.14(5) Headquarters allowance and per capita allowance records and documentation for expenditures made from these accounts are prepared under the authority of Iowa Code sections 29A.33 and 29A.57(8). Records are available from the State Quartermaster, Warehouse #3, Camp Dodge. Records are maintained in hard copy format.

2.14(6) State contracting files prepared under the authority of Iowa Code section 72.1 which include personally identifiable information in the form of bidders lists, requests for quotation, professional contracts, vendors lists, wage rates, purchase orders, claim orders, and project books. Sealed bids become public information once the bid opening has been completed. The information is maintained in hard copy and may be obtained from the Facilities Office, Camp Dodge.

2.14(7) Personnel files. The agency maintains files containing information about state employees, families and dependents, and applicants for positions with the agency. The files include payroll records, biographical information, medical information relating to disability, performance reviews and evaluations, disciplinary information, information required for tax withholding, information concerning employee benefits, affirmative action reports, and other information concerning the employer-employee relationship. Some of this information is confidential under Iowa Code section 22.7(11).

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601—2.15(17A,22) Federal records. Pursuant to Iowa Code section 22.9, the department of public defense finds that maintenance, use or disclosure of federal records described in this subsection, except as allowed by federal law and regulation, would result in denial to the agency of United States government funds, services and essential information that would otherwise definitely be available and have in the past been available to the agency. Iowa Code section 29A.5 provides that the Iowa National Guard shall be subject to the provisions of federal laws and regulations. Applicable federal laws and regulations include: 32 U.S.C. 105 (providing that Army National Guard records shall be kept in accordance with Title 32 of the United States Code), 32 U.S.C. 108 (providing that federal funds may be barred from a state national guard where compliance with Title 32 is not maintained), 5 U.S.C. 552 stating the manner in which federal records shall be made available to the public, and Air Force regulation 12-35 (June 3, 1985), Army Regulation 340-21 (July 5, 1985), National Guard Regulation 340-17 and Air National Guard Regulation 12-30 (all of which relate to maintenance and public availability of federal records). Copies of the regulations may be obtained at the cost of reproduction from the office of the Adjutant General, Camp Dodge, 7700 Northwest Beaver Drive, Johnston, Iowa 50131-1902.

2.15(1) The department of public defense maintains the following categories of federal records, the maintenance of which is governed by federal law and regulation:

a. Personnel records. This category contains biographical, medical, and career development data on civilian and military personnel who are employed by the federal government.

b. Fiscal records. This category contains the record of service for pay, allowances, and retirement on civilian and military personnel who are employed by the federal government. It further includes budget and financial data required for audit purposes.

c. Training records. This category contains the training activities, accomplishments, and objectives of units, and personnel civilian and military who are employed by the federal government.

d. Legal files. This category contains legal assistance records, claims and litigation against the United States, contracts review, and attorney work product.

e. Inspector general files. This category contains records of evaluation of units, personnel assistance, and recommendations of the office of the inspector general.

f. Operations records. This category contains information on the movement of personnel and equipment to meet the mission requirements of the Army and Air Force.

g. Equipment maintenance records. This category contains the functional or repair status of military equipment maintained by the Army and Air National Guard.

h. Procurement record. This category contains a history of acquisition goods and services by the United States Property and Fiscal Office at Camp Dodge.

i. Equipment inventories. This category contains a record of property accounts for all federal equipment issued to the Iowa Air or Army National Guard.

j. Publications library. This category contains federal publications, regulations, directives and pamphlets which provide procedural guidance for the operations and activities of the Iowa National Guard.

The federal records described in paragraphs “*a*” to “*e*” above, contain personally identifiable information compiled under the authority of Iowa Code chapter 29A and Title 32 United States Code, Section 105, and implementing regulations. A more comprehensive description of the above noted federal records is contained in Air Force Regulation 12-50, “Disposition of Air Force Records,” and Department of the Army regulations 340-18, “The Army Functional File System.”

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601—2.16(17A,22) Other groups of records. This rule describes groups of records maintained by the agency other than record systems defined in rule 2.1(17A,22). These records are routinely available to the public. However, the agency’s files of these records may contain confidential information, as discussed in rule 2.13(17A,22). In addition, the records may contain information about individuals.

2.16(1) Rule making. Rule-making records may contain information about individuals making written or oral comments on proposed rules. This information is collected pursuant to Iowa Code section 17A.4. This information is not stored in an automated data processing system.

2.16(2) Publications. News releases, literature, reports, newsletters from various military associations or from the federal government are available from the public affairs officer, department of public defense. Agency news releases, project reports and newsletters may contain information about individuals, including agency staff or members of agency committees. This information is not retrieved by individual identifier and is not currently stored on an automated data processing system.

2.16(3) All other records that are not exempted from disclosure by law.

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601—2.17(17A,22) Data processing systems. Data processing systems used by this agency do not permit the comparison of personally identifiable information in one record system with personally identifiable information in another system.

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601—2.18(17A,22) Applicability. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

These rules are intended to implement Iowa Code chapter 22 and section 29A.12.

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