



Laura Belin <desmoinesdem@bleedingheartland.com>

Fwd: FOIA request attached

Laura Belin <desmoinesdem@bleedingheartland.com>
To: Jodie Butler <jodiebutler1@me.com>

Tue, Mar 21, 2017 at 9:33 AM

Can you give me a call today at 276-6971? I don't know what my schedule will be exactly this afternoon. Very interested.

On Mon, Mar 20, 2017 at 5:06 PM, Jodie Butler <jodiebutler1@me.com> wrote:

I don't know what there is, but likely not much. I'm going to pick them up tomorrow. Would you like to meet me somewhere as it appears there are approximately 300 e-mails we can review together?

Let me know! Thanks!

Jodie
515-336-2819 mobile

Begin forwarded message:

From: "Smith, Colin" <colin.smith@iowa.gov>
Subject: Re: FOIA request attached
Date: March 20, 2017 at 5:02:53 PM CDT
To: Jodie Butler <jodiebutler1@me.com>

Correct, there is no charge for this request. -Colin

On Mon, Mar 20, 2017 at 4:56 PM, Jodie Butler <jodiebutler1@me.com> wrote:

Thank you Colin. I will plan to pick up the information tomorrow morning. Given your earlier e-mails and this one, am I to assume that there is no charge?

Sincerely,

Jodie

On Mar 20, 2017, at 4:51 PM, Smith, Colin <colin.smith@iowa.gov> wrote:

Dear Jodie,

Your Open Records request is ready for pick-up in our office. Our office is located in the State Capitol in G-9. Our office is open from 8 a.m. – 5 p.m.

Our office provides up to ten copies and three hours of staff time free of charge. Additional copies are ten cents a page and \$33 an hour for my review time. There is no charge for your open records request.

If you choose to have this request mailed to you, please contact Christina Bettini at [515-725-3517](tel:515-725-3517) or Christina.Bettini@iowa.gov. Thank you.

Thanks,

-Colin

On Wed, Mar 8, 2017 at 9:44 AM, Smith, Colin <colin.smith@iowa.gov> wrote:

Jodie,

Thanks. I will have the technology office sort out as many of the news clip emails as possible.

Thanks,

-Colin

On Wed, Mar 8, 2017 at 9:40 AM, Jodie Butler <jodiebutler1@me.com> wrote:

Yes Colin that would be much appreciated. Thank you for your consideration.

Jodie

On Mar 8, 2017, at 9:35 AM, Smith, Colin <colin.smith@iowa.gov> wrote:

Jodie,

I asked the technology office to begin the processing of the request, however, I think you should be aware of the following:

The vast majority of the 3,500 emails appear to be "news clip"-type emails according to the technology office. In order to streamline your request, I believe the technology office can exclude those news clip emails in order for them to zero in on potentially responsive emails. If you'd like us to do that, I think it would substantially reduce the time and cost for this request. Please let us know how you would like us to proceed. Thanks, -Colin

FROM THE TECHNOLOGY OFFICE:

There is a large number of Morning Clips. I had to run 3 separate but similar searches in Gmail to fulfill the request. The 1st search returned 1168 emails and approximately 1033 are clips. The other two searches probably have the same type of results. So maybe 300 valid emails is my guess.

When I load them to Discovery Accelerator I can eliminate the Morning Clips emails.

On Tue, Mar 7, 2017 at 8:25 AM, Jodie Butler <jodiebutler1@me.com> wrote:

Hello Colin,

Thank you for the clarification on all points.

Please proceed with the request as is and let me know what is required at this point.

Sincerely,

Jodie

On Mar 7, 2017, at 7:54 AM, Smith, Colin <colin.smith@iowa.gov> wrote:

Jodie,

Thanks for your response. A few answers to your comments and questions:

Iowa Code Chapter 22 provides that public records are available for copying unless the content of certain records are considered

confidential as provided by law. As such, all 3,500 or so emails estimated by the technology office in connection with this request must be reviewed for potentially protected information before they can be released.

As to your question about citing exemptions to Iowa's open records law, our office cites the exemptions we rely upon in our responses, should any exemptions apply.

As to your inquiry about our non-binding estimates, because we do not know how long it may actually take to review and produce potentially responsive records in advance, we can only give a non-binding prediction for how long a particular request will take and how much a particular request may cost. All requests are processed as quickly as possible and in accordance with Iowa law. Our office will only charge you for the actual time and effort it takes to fulfill a particular request.

As to your request for copies of invitations to those that were invited to the bill signing you reference, we will provide that information to you in accordance with Iowa law.

Please let our office know how you would like us to proceed.

Thank you,

-Colin

On Mon, Mar 6, 2017 at 2:03 PM, Jodie Butler <jodiebutler1@me.com> wrote:

Hello Colin,

Thank you for the information and the estimate. I am somewhat surprised by the cost, however. Given the IT staff clearly can run electronic queries and electronically provide the information on a thumb drive, which I am happy to provide if needed, the cost is estimated at \$1441 seems a bit high to me having worked in the IT arena for over a decade. I was not asking for a review of the e-mails just simply for the information to be downloaded which should not take more than a couple of hours from my previous experience.

So, now I have more questions that I hope you can help me to understand.

As I understand Chapter 22, commonly known as the Iowa public records law, it makes all documents, including correspondence and emails, available to the public unless there is a specific exception to this presumption of openness that is enumerated in Chapter 22. So, if your review is intended to restrict some documents, if you believe any of the documents I am requesting cannot be released, would you please cite the specific exception on which you base that belief?

Additionally, can you explain to me what "non-binding" estimate means?

Also, can you please send me the list of those invited to the bill signing as soon as possible? Thank you.

Sincerely,

Jodie

On Mar 6, 2017, at 11:50 AM, Smith, Colin
<colin.smith@iowa.gov> wrote:

Jodie,

The folks in the technology office have run a preliminary search of just emails for you. According to the search criteria as confirmed by you, at least 3,500 emails were returned as possible (though not necessarily responsive) hits. The reason for this, as I understand it, is that some of the search criteria being used is very broad and encompasses a very long period of time (nearly two years). This may mean that the search criteria (as crafted) is capturing items that may not necessarily be responsive to your request regarding the recent Chapter 20 reform bill.

To give you some perspective on the size of this particular request, our office typically uses a non-binding estimate formula that indicates that we can review about 70 emails an hour. Accounting for the three free hours of staff review time our office provides, and accounting for the \$33 per hour our office charges for each additional review-time hour, reviewing 3,500 emails would cost approximately \$1,441 to fulfill, not including any charges for documents that may need to be produced in hard copy).

If you would like us to proceed with your request "as is," please let us know. If you would like to narrow your search criteria, we are willing to work with you on search terms, etc.

Please let us know how you would like our office to proceed.

Thanks,

-Colin

On Tue, Feb 28, 2017 at 12:58 PM, Smith, Colin
<colin.smith@iowa.gov> wrote:

Thanks, Jodie. Our office will start processing your request.

-Colin

On Tue, Feb 28, 2017 at 12:11 PM, Jodie Butler <jodiebutler1@me.com> wrote:

Thank you Colin,

I would like to confirm that I would like a list of those individuals who were invited to attend the bill signing.

And, yes, a preliminary search with an estimate and the retention of the records would be most appreciated.

Thank you.

Jodie

On Feb 28, 2017, at 11:55 AM, Smith, Colin <colin.smith@iowa.gov> wrote:

Jodie,

I appreciate the confirmation. I can have a preliminary search run for you on the first part of your request and then give you an estimate prior to proceeding if you would like. We will try to provide documents in electronic form to the extent possible, but until we know the universe of potentially responsive documents, we do not know how many documents may be subject to being produced in electronic versus hard copy form.

As to the second part of your request, your clarification is helpful. It is my understanding you are seeking a list of those individuals who were invited by the Governor's Office to attend. Please confirm that my understanding of your clarification on this point is correct, and if so, we can proceed with this part of your request as well.

If you have any questions, please let me know.

Thanks,

-Colin

On Tue, Feb 28, 2017 at 11:05 AM, Jodie Butler <jodiebutler1@me.com> wrote:

Dear Colin,

Thank you for your response. The listing of information requested is correct. I would prefer to have the documents in electronic form rather than hard copies. Please give me an estimate of the time and expense

likely to be involved so that I can either confirm or narrow the listing.

As to the request related to those attending the bill signing for the collective bargaining reform legislation on February 17, 2017, I find it hard to believe that such a list does not exist or cannot be recreated. Both you and I know that individuals just don't walk into the Governor's office to attend a bill signing; they are invited to attend. So, someone on the Governor's staff must have invited individuals to attend (or must have directed lobbyists or others involved in the bill's passage to invite individuals to attend). That is the information I am seeking. I expect that the information can in fact be obtained with some diligence on your part.

I'll look forward to receipt of the estimate of time and dollars involved in complying with my information request.

Thank you.

Jodie

On Feb 28, 2017, at 10:33 AM, Smith, Colin <colin.smith@iowa.gov> wrote:

Jodie,

Thank you for submitting your open records request. I received your request today, February 28, 2017.

It is my understanding you are seeking the following: All correspondence by and between the Office of the Governor (which includes the Office of the Lt. Governor) and the following entities/persons:

- The Department of Administrative Services
- The Department of Management
- The Iowa Finance Authority

- Taxpayers of Central Iowa, including Gretchen Tegler
- Americans for Prosperity, including Drew Klein
- Iowans for Tax Relief, including Chris Ingstad and Ernie Adkison
- The Associated Builders and Contractors, including Sandra Conlin
- The Iowa Chamber Alliance, including Brad Epperly, Dustin Miller, and Paula Dierenfeld
- The Association of Business and Industry, including Make Ralson and Nicole Crain, and
- Iowa Senate and House Republicans and caucus staff members.

dated between July 1, 2015 and February 25, 2017 regarding Chapter 20 of the Iowa Code, HF291, and SF213.

For emails, we will use the following search terms and combinations when searching emails under the custody of the Office of the Governor:

- "Chapter 20"
- "Collective bargaining"
- "House File 291"
- "Senate File 213"
- "HF291" *or*
- "SF213"

Plus any of the following

- "Department of

Management"

- "David Roederer"
- "Department of Administrative Services"
- "Janet Phipps"
- "Iowa Finance Authority"
- "Wes Peterson"
- "Gretchen Tegler"
- "Taxpayers of Central Iowa"
- "Andrew Klein"
- "Americans for Prosperity"
- "Chris Ingstad"
- "Ernie Adkison"
- "Iowans for Tax Relief"
- "Matt Everson"
- "National Federation of Independent Businesses"
- "NFIB"
- "Sandra Conlin"
- "Associated Builders and Contractors"
- "Brad Epperly"
- "Dustin Miller"
- "Paula Dierenfeld"
- "Mike Ralston"
- "Nicole Crain"
- "Association of Business and Industry"
- "Bill Anderson"
- Jerry Behn"
- "Rick Bertrand"
- "Michael Breitbach"
- "Waylon Brown"

- "Jake Chapman"
- "Mark Chelgren"
- "Mark Costello"
- "Bill Dix"
- "Jeff Edler"
- "Randy Feenstra"
- "Julian Garrett"
- "Thomas Greene"
- "Dennis Guth"
- "Craig Johnson"
- "Tim Kapucian"
- "Tim Kraayenbrink"
- "Mark Lofgren"
- "Ken Rozenboom"
- "Charles Schneider"
- "Jason Schultz"
- "Mark Segebart"
- "Tom Shipley"
- "Amy Sinclair"
- "Roby Smith"
- "Jack Whitver"
- "Brad Zaun"
- "Dan Zumbach"
- "Chuck Holz"
- "Jim Carlin"
- "Daniel Huseman"
- "Gary Carlson"
- "Terry Baxter"
- "Megan Jones"
- "Peter Cownie"
- "Bobby Kaufmann"
- "Dave Deyoe"
- "Cecil Dolecheck"
- "Jarad Klein"

- "Kevin Koester"
- "Louie Zumbach"
- "Dean Fisher"
- "John Landon"
- "Rob Bacon"
- "Shannon Lundgren"
- "Greg Forristall"
- "Dave Maxwell"
- "Joel Fry"
- "Andy McKean"
- "Michael Bergan"
- "Brian Best"
- "Gary Mohr"
- "Norlin Mommsen"
- "Tom Moore"
- "Ted Gassman"
- "Zach Nunn"
- "Pat Grassley"
- "Stan Gustafson"
- "Christopher Hagenow"
- "Ross Paustian"
- "Dawn Pettengill"
- "Kristi Hager"
- "Ken Rizer"
- "Walt Rogers"
- "Jane Bloomingdale"
- "Sandy Salmon"
- "Mike Sexton"
- "Larry Sheets"
- "David Sieck"
- "Chip Baltimore"
- "Mary Ann Hanusa"
- "Greg Heartsill"

- "David Heaton"
- "Rob Taylor"
- "Clel Baudler"
- "Lee Hein"
- "Linda Upmeyer"
- "Guy Vander Linden"
- "Ralph Watts"
- "Jake highfill"
- "Skyler Wheeler"
- "John Wills"
- "Ashley Hinson"
- "Matthew Winschitl"
- "Steven Holt"
- "Gary Worthan"
- "David Kerr"
- "Eric Johansen"
- "Pam Dugdale"
- "Russ Trimble"
- "Tom Ashworth"
- "Jim Friedrich"
- "Gannon Hendrick"
- "Josh Bronsink"
- "Jake Heard"
- "Megan Mutchler"
- "Andy Conlin"
- "Larissa Wurm"
- "Caleb Hunter"
- "Ed Failor, Jr."
- "Mary Earnhardt"
- "Chris Dorsey"
- "Jeff Mitchell"
- "Brad Trow"
- "Lew Olson"
- "Jason Chapman"

- "Fristi Kious"
 - "Amanda Wille"
 - "Carrie Malone"
 - "Brittany Telk"
 - "Mackenzie Nadig"
- or
- "Ashley Beall."

It is my understanding you are also seeking a list of individuals who attended the Governor's bill signing for the collective bargaining reform legislation on February 17, 2017. No list of individuals who attended that bill signing was created or kept, so there are no responsive documents as to this part of your request.

Our office charges for open records requests. Our office provides three free hours of staff review time and ten pages of hard copy documents free of charge. Beyond that, our office charges ten cents per page of hard copy documents and \$33 per hour for additional staff review time.

Please confirm that my understanding of your search criteria is correct, and that you understand and accept our office's records charging policy.

Thank you,

-Colin

On Mon, Feb 27, 2017
at 3:27 PM, Jodie Butler
<jodiebutler1@me.com>
wrote:

Dear Mr. Smith,

Please see the
attached letter and

request for
information.
Thank you.

Sincerely,

Jodie
Jodie Butler

--
Colin C. Smith |
Deputy Legal Counsel

Office of the Governor,
State of Iowa

Gov. Terry Branstad &
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