



PUERTO RICO FEDERAL AFFAIRS ADMINISTRATION

ADMINISTRACION DE ASUNTOS FEDERALES DE PUERTO RICO

REGULATION NUMBER 11

Regulations regarding the Use of Information Systems,
Internet and Email

ORDEN ADMINISTRATIVA 09-08

ENMIENDA AL “*Regulation Regarding the Use of Information Systems, the Internet and E-mail*” DE LA ADMINISTRACION DE ASUNTOS FEDERALES DE PUERTO RICO.

Por la presente se enmienda el Reglamento de la Administración de Asuntos Federales de Puerto Rico, “***Regulation Regarding the Use of Information Systems, the Internet and Email***” de 27 de marzo de 2006, a esta fecha vigente, a los fines de que se identifique en su primera página como Reglamento Número 11 de la Administración de la Administración de Asuntos Federales de Puerto Rico.

A dichos fines, la primera página de este Reglamento deberá leer, como sigue:

Regulation Number 11

(Reglamento Número 11)

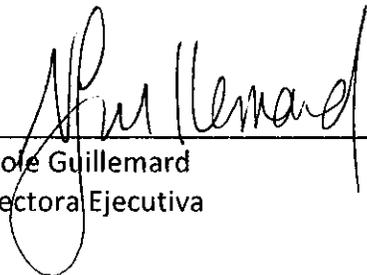
Puerto Rico Federal Affairs Administration

(Administración de Asuntos Federales de Puerto Rico)

***“Regulation Regarding the Use of Information Systems,
the Internet and E-mail”***

(Reglamento sobre el Uso de los Sistemas de Información,
el Internet y el Correo Electrónico)

Esta enmienda al “***Regulation Regarding the Use of Information Systems, the Internet and E-mail***”, será efectiva desde hoy 14 de Noviembre 2009.



Nicole Guillemard
Directora Ejecutiva

Regulation Number 11

(Reglamento Número 11)

Puerto Rico Federal Affairs Administration

(Administración de Asuntos Federales de Puerto Rico)

***“Regulation Regarding the Use of Information Systems,
the Internet and Email”***

(Reglamento sobre el Uso de los Sistemas de Información,
el *Internet* y el Correo Electrónico)

Puerto Rico Federal Affairs Administration

(PRFAA)

**Regulation Regarding the Use of Information Systems,
The Internet, and E-Mail**

Adopted on March 27, 2006

by Eduardo Bhatia Gautier, Esq.

Executive Director

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Puerto Rico Federal Affairs Administration (PRFAA)

Regulation Regarding the Use of Information Svstems
The Internet, and E-Mail

1. INTRODUCTION:

This regulation is based upon “Política Núm. TIG-008” and “Política Núm. TIG-003” of the Office of Management and Budget of Puerto Rico (hereinafter “OGP” by its initials in Spanish), which define and describe the acceptable use of the information managed through the government’s information systems and the tools that are the Internet and e-mail, in order to protect the user and the government from situations that put at risk these systems and the information that they contain.

2. PURPOSE:

The purpose of this Regulation is to facilitate and streamline the operational processes, augment the efficiency and effectiveness of PRFAA’s government services to the public, and make feasible the technological interconnection among entities and agencies, as well as among Divisions, Departments and the other unities of the Agency. The automization of operational processes requires the Agency to regulate the appropriate use of its components and equipment and initiate the necessary measures to guaranty the confidentiality of the information. In conformity with the foregoing, it is necessary to establish policies to guarantee the adequate, effective and secure use of the information systems and the work-related tools that these provide.

This Regulation has the objective of establishing the fundamental norms that shall govern the basic controls established by PRFAA in a manner that guarantees the adequate use of the resources related to the information systems. The Agency issues policies that comply with this objective and oversees compliance with said policies by every user of PRFAA's information systems, including employees, contracted parties, and other authorized users.

3. LEGAL BASIS:

Law Number 151 of June 22, 2004 establishes that OGP has the authority to develop, establish and issue an official public policy to be followed and the guidelines that will govern the issues related to the systems, equipment and programs of information technology of government entities. At the same time, under Law Number 151, OGP can establish policies at a governmental level. This Law applies to all agencies, organisms and instrumentalities, as well as departments, boards, commissions, administrations, offices, and public corporations under the control of the Executive Branch, and these have the duty to comply with the policies issued by OGP regarding the management of information and the technological standards related to the information.

Consequently, this Regulation shall apply to all the dependencies of the Puerto Rico Federal Affairs Administration (hereinafter PRFAA), without regard to the location or technological level of development of the dependency, in compliance with the provisions of Law Number 151 of June 22, 2004.

PRFAA is responsible for the internal implementation and maintenance of this Regulation.

4. DEFINITIONS:

Agency – The Puerto Rico Federal Affairs Administration (PRFAA) and/or all of its dependencies.

Antivirus – A program that protects systems from attack by known viruses.

Discriminatory Material – Expression, images, or other material that could be perceived as offensive, whether on the basis of obscene or pornographic content, race, sex, origin, nationality, sexual orientation, age, disability, religion or political views.

Encrypt – The process through which information is converted into a format that cannot be deciphered easily by persons without authorization to access the same.

File-Sharing – Any software or system that allows individual users of the Internet to connect to each other and trade files. File-Sharing applications and/or networks are also referred to as “Peer to Peer” or “P2P”.

Firewall – The set of programs that protects the resources from a network of unauthorized access.

Password – The sequence of characters used to prove that the user requesting access to a system is in fact that user.

User – An employee of the Agency, the government or a contracted party who has authorized access to the systems.

Virus – A computer program whose purpose is to harm the computer in which it is located.

5. GENERAL PROVISIONS:

a. The information systems of the Agency, including programs, applications and electronic archives, are the property of the Commonwealth of Puerto Rico. As such, they shall be accounted for in the inventory of the respective community affairs programs, offices, and those responsible and may only be used for purposes that are strictly official and legal.

b. By using PRFAA's information systems, users consent to monitoring and recording with or without cause. Any use of PRFAA systems or technology is made with the understanding that such use is not secure, is not private, and is not anonymous. That is, users shall not expect any privacy with regard to the information stored on their computers or issued or communicated through the information systems of the Commonwealth of Puerto Rico.

c. Each work station shall display an electronic notice indicating to the user or person accessing the information system that he or she is accessing an information system that is the property of this Agency of the Commonwealth of Puerto Rico and that he or she is bound to use the system in compliance with established norms.

d. The information systems and associated tools, such as e-mail and the Internet, may be used only by duly authorized users. It shall be the responsibility of each supervisor to define the tasks that require access to such tools. The use of such resources constitutes a privilege granted for the purpose of facilitating those tasks for PRFAA and is not an entitlement.

e. Information developed, transmitted or stored in PRFAA's information systems is the property of the Agency and the Commonwealth of Puerto Rico, and as such all legal dispositions regarding public documents apply to said information. Divulging such information without authorization is strictly prohibited. Fraudulently altering any document in electronic format shall result in the sanctions applicable to the fraudulent alteration of public documents.

f. The Commonwealth of Puerto Rico is the owner of all rights related to the work product created by public employees or at the request of public employees. The users of information systems are obligated to respect the intellectual property rights of the authors of works, programs, applications or other such product managed or acquired through said systems.

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g. PRFAA and its directors have the responsibility to take any measures necessary to safeguard the confidentiality of information regarding private individuals contained in the Agency's information systems in accordance with applicable laws.

h. The documents created or contained in PRFAA's information systems shall be part of the official files of the Agency. The destruction of said electronic documents shall be subject to the sanctions applicable to the destruction of public documents.

i. To be used, the programs and resources utilized in PRFAA's information systems must have current licenses or authorization for use. Said programs may be installed only by authorized personnel for such purposes. In addition, no program shall be installed without the prior authorization of the Division of Information Systems, even if the program is free of cost.

j. Programs and applications contained in PRFAA's information systems shall not be reproduced without authorization, nor shall they be used for purposes unrelated to PRFAA's functions or authority.

k. PRFAA is responsible for establishing the norms under which access accounts are assigned, including applicable security measures such as: secret passwords, control of access to the servers, and systems to audit the use of the information systems, the integrity and security of the information and the communications that are sent. The systems' users shall comply with all norms related to usage and the security of the information issued by the Agency. Each user shall be individually responsible for the adequate management of any access codes or passwords available to that user.

l. The corresponding assignment of access codes shall not be interpreted to prohibit the Agency's authorized personnel from auditing the use of the information systems for the purpose of guaranteeing the appropriate use of PRFAA's resources.

m. The unauthorized access of information or of an outside account, obtained through the modification of the privileges of access or the interception of information in any other manner is prohibited, and such conduct shall be punished in accordance with local and federal law and the regulations governing the conduct of employees.

n. PRFAA shall be responsible for verifying that the Internet and e-mail function adequately. PRFAA shall also ensure that the information contained in said systems is protected from unauthorized access. The Agency shall utilize antivirus and firewall systems.

o. The norms established in this Regulation shall be interpreted as complementary with applicable legal computer norms. PRFAA and the Commonwealth of Puerto Rico reserve the right to begin administrative, civil, or criminal proceedings as applicable in response to acts committed, even if those acts are not expressly prohibited by this Regulation, if said acts directly or indirectly put the security, integrity and/or reliability of the Agency's information, equipment and information systems at risk. These norms as well as those issued pursuant to this Regulation shall be revised and updated periodically. Any violation of these norms may result in the revocation of any privilege of use of the information systems and shall be reported to the Executive Director or the Deputy Director, to the Information Systems Division, and to the employee's supervisor.

6. INTERNET PROVISIONS:

a. The information systems and systems of access to the Internet are the property of PRFAA and shall be used exclusively as a tool for work in conformity with the norms that govern the behavior of the Agency's personnel. They shall never be used for non-official ends or for personal activities or for the purpose of obtaining profit. Examples of the misuse or inappropriate use of PRFAA technology and systems include, but are not limited to:

i. Gaining or attempting to gain unauthorized access to other systems.

ii. Engaging in discriminatory conduct such as hate speech, or viewing or transmitting discriminatory material such as material that ridicules others based on race, creed, religion, color, sex, disability, national, origin or sexual orientation.

iii. Creating, downloading, viewing, storing, copying, or transmitting or retransmitting sexually explicit or sexually oriented materials.

iv. Creating, downloading, viewing, storing, copying, transmitting or retransmitting materials related to illegal gambling, illegal weapons, terrorist activities and any other illegal activities or activities otherwise prohibited.

v. Creating, downloading, viewing, storing, copying, or transmitting or retransmitting political materials.

vi. Acquiring, using, reproducing, transmitting or distributing without authorization any controlled information including computer software and data, including privacy information, material that is copyrighted, trademarked or with other intellectual property rights (beyond fair use), proprietary data, or export controlled software or data.

b. The operations conducted through the Internet may generate responsibility on the part of the Agency. As a result, users who have access to the Internet through PRFAA's systems shall not have any expectation of privacy in relation to the use of and access to the Internet. The Agency reserves the absolute right to intervene and audit any access to the Internet made by users through its information system and the content of any such access.

c. The Agency shall not be responsible for the validity, quality, content, or accuracy of information contained in the Internet.

d. PRFAA shall be responsible for ensuring that the connection to the Internet conforms with information security policies and may monitor the connection to ensure that it functions correctly.

e. The publication of information by the Agency through the Internet shall be duly authorized by the Executive Director or his or her designee.

7. E-MAIL PROVISIONS:

a. The e-mail system is the property of PRFAA and is an integral part of its information systems. As such the Agency reserves the absolute right to intervene, audit, and investigate to insure the appropriate use of the same.

b. The operations realized via e-mail may generate responsibility on the part of the Agency. As a result, users of e-mail accounts shall not have any expectation of privacy as related to the information contained in such accounts. The accounts are subject to audit and review without prior notice by personnel authorized by PRFAA to conduct such audits or review.

c. E-mail shall be used solely for official purposes related to the functions of the Agency. The use of the same for non-official concerns or for personal activities or for profit or in detriment to the image of the Agency or its employees is prohibited. Users shall keep in mind compliance with the applicable norms of conduct for employees of the Agency when using e-mail.

d. Documents that contain confidential information or that contain information in which internal Agency matters are discussed shall not be sent via e-mail, in accordance with the norms that govern the conduct of employees. If it is necessary to send such sensitive information, the information shall be encrypted to avoid disclosure. If an employee suspects that such information has been disclosed or intercepted, he or she should notify the Division of Information Systems immediately, so that the Division can take whatever precautionary measures are necessary.

e. PRFAA has established norms through which e-mail accounts are assigned, including applicable security measures, such as access codes and passwords, control of access to the servers, systems to audit the use of the information systems, and the integrity and security of information and of e-mail communications.

f. Obtaining unauthorized access to e-mail accounts, and to reading, intercepting or reviewing without authorization any electronic document without the consent of the sender and recipient of the communications is prohibited.

g. Creating, copying, transmitting or retransmitting chain letters or other unauthorized mass mailings is prohibited.

h. E-mail may not be used to transmit, retransmit, view, or download fraudulent, harassing, obscene, pornographic, threatening or other discriminatory material.

i. Creating, downloading, viewing, storing, copying, or transmitting or retransmitting political materials is prohibited.

8. FILE-SHARING:

Downloading, storing, transmitting, or retransmitting copyrighted materials places PRFAA at significant risk for legal action by the copyright holder. File-sharing networks also provide ready access to prohibited material. The performance of PRFAA's systems can degrade significantly when file-sharing applications are used and can introduce significant gaps in an otherwise secure network. Threats such as worms and viruses can easily be introduced into the Agency's networks and can allow users outside the Agency to gain access to data residing on PRFAA networks.

Therefore, PRFAA systems and technology may not be used for the downloading, transmittal, retransmittal, or storage of unauthorized copyrighted content, including content obtained through file-sharing. Failure to comply with this prohibition may result in administrative penalties or civil or criminal prosecution.

9. COMPLIANCE:

The failure to comply with this Regulation and/or with the policies related to information systems may result in sanctions and/or the suspension of access to services.

10. EXEMPTIONS:

This Regulation applies to all dependencies made reference to in this Regulation.

11. EFFECTIVE DATE AND AMENDMENTS

This Regulation shall be effective immediately upon signature by the Executive Director. This Regulation supersedes any other Regulation previously written regarding the use of information systems, the Internet, and e-mail. This Regulation shall be amended or supplemented at the Executive Director's discretion. Any amendments or supplements shall be made in writing and signed by the Executive Director.

Approved today, March 27, 2006



Eduardo Bhatia Gautier, Esq.
Executive Director



Puerto Rico Federal Affairs Administration

Administrative Order

GOVERNMENT OF PUERTO RICO
Federal Affairs Administration

[PRFAA Administrative Order No. 2010-08]

Use of Information Systems, Internet and E-mail

ACTION: Amendment to PRFAA Regulation No. 11

SUMMARY: This document amends the rules dealing with employee use of agency information management systems, internet and e-mail. These revisions are necessary to reflect recent changes in government-wide policies adopted by the P.R. Office of Management and Budget.

EFFECTIVE DATE: This rule is effective December 30, 2010.

FOR FURTHER INFORMATION CONTACT: For information concerning information technology policies, contact Mr. Emilio del Toro, Director, Information Technology, telephone (202) 778-0710 ext. 1544.

SUPPLEMENTARY INFORMATION:

Background

The Puerto Rico Federal Affairs Administration (PRFAA) adopted an internal rule to manage use of agency information systems, internet and e-mail on March 27, 2006. A technical amendment to the rule was adopted on December 14, 2009 to re-number the rule so that it would conform to PRFAA's current regulatory codification framework.

In accordance with government-wide guidelines issued by the P.R. Office of Management and Budget, PRFAA is amending the regulation to incorporate technology not existent at the rule's inception.

It must be noted that this rule applies only to PRFAA employees and other authorized users, and do not impact the general public.



Signing Authority

This document is being issued in accordance with 3 L.P.R.A. § 1705(d), the statutory authority to promulgate regulations for agency administration matters.

AMENDMENTS TO THE REGULATIONS:

For the reasons stated above, sections 4 and 6 of PRFAA Regulation No. 11 is amended as follows:

REGULATION 11 -- USE OF INFORMATION SYSTEMS, INTERNET AND E-MAIL

1. Section 4 is amended by adding certain definitions and reordering the existing ones to read as follows:

4. DEFINITIONS:

Agency — * * *

Antivirus — * * *

Authentication — process by which an user presents information for identification purposes to an information system for its validation against a security database.

Authorization — is the process by which specific privileges are granted to a person for the use of information system resources.

Confidentiality — is the character granted to information that may be seen only by authorized personnel.

Discriminatory Material — * * *

Encrypt — * * *

File-Sharing — * * *

Firewall — * * *

Integrity — is the process that protects information from unauthorized alterations.

Password — * * *



Program — sequence of instructions that allows a computer to perform specified functions.

Social media — refers to the use of internet for interactive social communications. Some types of social media are forums, message boards, blogs, wikis and podcasts. Examples of social media applications include Facebook, YouTube, Tumblr, MySpace and Twitter among others.

User — * * *

Virus — * * *

2. In Section 6, paragraph (a) is amended by adding subparagraphs (vii) and (viii) as follows:

6. INTERNET PROVISIONS:

(a) * * *

(i) * * *

* * * * *

(vii) Creating, downloading, viewing, storing, copying, transmitting or retransmitting materials related to games or lotteries.

(viii) Access and engage in interactive communications through social media networks for non-official purposes.

Fernando Peña
Acting Executive Director
Puerto Rico Federal Affairs Administration