



I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 234-32 (COR)

Introduced by:

Michael F.Q. San Nicolas 

AN ACT TO REQUIRE THAT THE OFFICE OF TECHNOLOGY ESTABLISH A PROTOCOL TO BACK-UP CRITICAL ELECTRONIC DATA NECESSARY FOR THE EFFICIENT OPERATION OF AGENCIES BY *ADDING A NEW SUBSECTION (I) TO §20204.1 OF ARTICLE 2, CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.*

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Short Title. This Act *shall* be referred to as the
3 "Responsible Electronic Data Back-up Act".

4 Section 2. Legislative Findings and Intent. *I Liheslaturan Guåhan*
5 finds that, for many government agencies, electronic data has become
6 increasingly critical for the maintenance of high levels of operational
7 efficiency and effective service to the people of Guam. Recently, the
8 Department of Public Health and Social Services' Office of Vital Statistics
9 has lost approximately three thousand (3,000) electronic public records,
10 which has resulted in reduced services to the community, as government
11 employees diligently work to manually re-enter such the information into

1 the Vital Statistics database. Electronic back-up of such data could have
2 averted much of the service impacts by this data loss.

3 *I Liheslatura* further finds that, under Public Law 32-10, the Chief
4 Technology Officer of the Office of Technology has the responsibility to
5 develop and maintain an information systems disaster recovery system, in
6 consultation with the Adjutant General, Chief of Police, Fire Chief and
7 Director of Homeland Security, however, this does not require the
8 establishment of such redundant storage for all agencies based upon their
9 own needs for maximum continuity of operations. There are discretionary
10 duties which indicate that the Chief Technology Officer could establish
11 policies, guidelines, standards and specifications for the development of
12 such back-up storage capacity for government of Guam agencies and *I*
13 *Liheslatura* finds that it is imperative that the Chief Technology Officer do
14 so to maintain the highest levels of government services in the event that
15 electronic data integral to such services may be lost.

16 It is therefore the intent of *I Liheslaturan Guåhan* to require the Chief
17 Technology Officer to adopt a standard protocols for use by agencies of the
18 government of Guam for the secure back-up storage of critical electronic
19 data, by adding a new subsection (l) to §20204.1 of Article 2, Chapter 20,
20 Title 5, Guam Code Annotated.

21 **Section 3. Back-up Required for Critical Electronic Data.** *A new*
22 subsection (l) to §20204.1 of Article 2, Chapter 20, Title 5, Guam Code
23 Annotated, is hereby *added*, to read:

1 “(l) The Chief Technology Officer *shall* adopt a standard protocol for
2 use by agencies of the government of Guam for the secure back-up storage
3 of critical electronic data within ninety (90) days from the enactment of this
4 Act. Each agency of the government of Guam *shall* inventory viable
5 electronic data which is deemed critical for the operations of such agency
6 and report the same to the Office of Technology within thirty (30) days
7 from the enactment of this Act. The Chief Technology Officer *shall*
8 determine the cost of implementation of such secure back-up storage on a
9 per agency basis and report such findings to *I Maga’låhen Guåhan* and to *I*
10 *Liheslaturan Guåhan* to determine the fiscal impact of the implementation of
11 this subsection.”