

5 GCA GOVERNMENT OPERATIONS
CH. 14 ELECTRONIC DATA PROTECTION ACT OF 2012

CHAPTER 14
ELECTRONIC DATA PROTECTION ACT OF 2012

SOURCE: Chapter added by P.L. 31-223:2 (June 15, 2012).

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§ 14101. Definitions.

As used in this Chapter:

(a) *Sanitization* is the general process of removing data from storage media, such that there is reasonable assurance that the data may not be easily retrieved or reconstructed.

(b) *Storage media* refers to electronic media including, but not limited to, hard drives, random access memory (RAM), read-only memory (ROM), disks, memory devices, phones, mobile computing devices and networking equipment.

§ 14102. Review.

The Director of the Department of Administration (DOA), the Chief Procurement Officer of the General Services Agency (GSA), and the Chief Information Officer of the Bureau of Information Technology (BIT), or their designees, *shall* be jointly responsible for conducting a review of all current computers, digital copier machines or digital copier machine services utilized by the government of Guam. Additionally, they *shall* be responsible for ensuring that sanitization occur on all storage media before said machines are either replaced or refurbished and resold to non-governmental entities, or discarded. The head of the respective government of Guam entity *shall* work in concert with DOA, GSA and BIT when the review is being conducted at his entity.

§ 14103. Establishment of Rules.

The Director of DOA, the Chief Procurement Officer of GSA, and the Chief Information Officer of BIT, or their designees, *shall* be responsible for developing a single process to be used and rules to be

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followed in ensuring the proper sanitization of storage media for all government of Guam entities, which *shall* be subject to consideration and approval in accordance with Chapter 9, Title 5 of the Guam Code Annotated.

§ 14104. Cost Assessment and Reporting of Data.

It *shall* be the responsibility of the Director of DOA, the Chief Procurement Officer of GSA, and the Chief Information Officer of BIT to conduct a joint cost assessment on the procurement of equipment or software which sanitizes storage media for all computers and digital copier machines utilized by government of Guam entities. The initial cost assessment *shall* be completed *no later than* one hundred twenty (120) days subsequent to the passage of this Act, and the Director of DOA *shall* submit a written report to the Speaker of *I Liheslaturan Guåhan*.

A cost assessment *shall* be conducted and completed no later than September 30 of the subsequent year following the passage of this Act, and every year thereafter. The data resulting from such assessment *shall* be transmitted in writing by the Director of DOA to the Speaker of *I Liheslaturan Guåhan*.

§ 14105. Procurement Process.

Any digital copier machines or digital copier machine services procured after September 31, 2012, *shall* include equipment or software which erases storage media.

The Director of DOA, the Chief Procurement Officer of GSA, and the Chief Information Officer of BIT, or their designees, *shall* be observers throughout the procurement of computers, digital copier machines or digital copier machine services; *shall* receive copies of all documents involved; and *shall* be invited to and participate in any meetings relating to the procurement of said machines and services.
