Torres Rojas, Genara FOI # 14478

From: ML Donovan | The Twin Towers Alliance [mailto:mldonovan@twintowersalliance.com]
Sent: Wednesday, December 18, 2013 3:40 PM
To: Duffy, Daniel
Subject: New Freedom of Information Request

Dear Mr. Duffy,

Please provide the corresponding document to AI 15-04.03 that shows what the email retention policy at the Port Authority was immediately prior to April 6, 2012 revision and at any and all points prior where the retention policy was revised.

Thank you.

Margaret Donovan

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The Twin Towers Alliance | The Twin Towers Journal

"The time is always right to do the right thing" — Martin Luther King Jr.

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

December 23, 2013

Ms. Margaret Donovan
The Twin Towers Alliance

Re: Freedom of Information Reference No. 14478

Dear Ms. Donovan:

This is in response to your December 18, 2013 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code") for a copy of the corresponding document to AI 15-04.03 that shows what the email retention policy at the Port Authority was immediately prior to April 6, 2012 revision and at any and all points prior where the retention policy was revised.

Material responsive to your request and available under the Code can be found on the Port Authority's website at http://www.panynj.gov/corporate-information/foi/14478-O.pdf. Paper copies of the available records are available upon request.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,

Daniel D. Duffy
FOI Administrator

225 Park Avenue South, 17th Floor
New York, NY 10003
T: 212 435 3642
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THE PORT AUTHORITY OF NY & NJ

AI 15-4.03

Office of the Executive Director

Revised: October 26, 2000

COMPUTING RESOURCES

I. Introduction

A. Computing resources provide the Port Authority with significant benefits in productivity and efficiency. The provision of computing resources is intended and designed to facilitate the official business of the Port Authority. Port Authority rules and regulations which govern the responsibilities of employees apply to employee use of computing resources. This Instruction is intended to clarify and ensure that access to computing resources is used in a professionally responsible manner and appropriate steps are taken to safeguard the confidentiality, integrity and availability of business systems, data and equipment.

B. For purposes of this Administrative Instruction, computing resources include, but are not limited to, personal computers, software, peripherals, data storage and devices, personal digital assistants, local and wide area network components, Port Authority provided dial-up connections, E-mail, internet access, laptops, terminals, remote access and any other means of automated information exchange or data access.

II. Instruction

A. Computing resources provided to employees and other authorized persons are Port Authority property and intended for Port Authority business. Computing resources are not to be used for personal gain or in support of any purposes not related to Port Authority business. Because the use of computing resources is both extensive and an efficient and convenient method of communication and data processing, it is understood that there may be incidental personal and non-commercial use of these resources. Such incidental use is subject to this Instruction, and authorized users are expected to use prudent judgment to ensure that all computing resources are used for the intended purpose of Port Authority business.

B. When necessary for official or business purposes, the Port Authority reserves the right to monitor and/or log all computing activity. Requests for monitoring will be made to and authorized by the Executive Director in writing and only then for limited justified and reasonable cases. Further,

the Port Authority reserves the right to inspect computer resources to ensure that actual use is consistent with this Instruction. The Port Authority may use data, logs, diaries, and archives in accordance with its normal business practices and instructions (including compliance with requests from appropriate legal and regulatory authorities and agencies) and for adherence with this Instruction.

1. The Port Authority, through supervisors or other management employees authorized in writing by the Executive Director only, may access or monitor a user's assigned computing resources with justifiable reason.

2. The Port Authority may inventory and inspect all data storage devices and other computing resources for the sole purpose of ensuring their continued proper maintenance and operation.

C. Depending upon content, data stored within computing resources may constitute records of the Port Authority and the organizational data retention schedules (Record Retention Manual) and instructions on access to such data (the Freedom of Information Policy) are applicable. However, users should be aware of the limited retention period for e-mail messages described in Par. IV of the Instruction.

D. Directors are responsible for implementation of this Instruction within their departments.

III. Procedures

A. Passwords

1. Users should be aware that the existence of individual confidential passwords does not suggest that computing resources may be used for personal confidential purposes, or that any data or information is the property of the individual user or is personally confidential.

2. Employees are responsible for maintaining the confidentiality of passwords and may be held accountable for use of computing resources in their name accessed with their password.

3. Passwords should be difficult to guess and changed at least once every 90 days or in accordance with information system standards.

B. Usage Requirements

1. Authorized users of Port Authority computing resources, when communicating with others, are required to:

a. Identify themselves honestly, accurately and completely.

b. Maintain a professional demeanor.

c. Protect Port Authority data from unauthorized use or disclosure.

2. At all times, authorized users must respect the legal protection provided to programs and data by copyright and license.

C. Prohibited Uses

1. Authorized users of Port Authority computing resources may not utilize them:

a. For transmitting, retrieving, creating, viewing, displaying or storing any pornographic, harassing, threatening, abusive, defamatory, obscene, or sexually explicit materials or materials which contain ethnic slurs or racial epithets, or which generally disparage others based on race, national origin, sex, sexual orientation, age, disability, religious beliefs, or political affiliation, or which contain other unlawful material.

b. To transmit confidential, proprietary or business sensitive information.

c. To interfere with or disrupt network users, services or equipment either within the Port Authority or on the Internet.

d. To access other computing resources without authorization or attempt to circumvent authorization procedures or controls.

e. For private purposes such as marketing or business transactions.

f. For religious, political or outside business purposes.

g. For unauthorized not-for-profit business activities.

h. For advertising of products or services.

i. For personal gain.

j. To obtain or utilize unauthorized entertainment software, music or games.

k. To permit access by unauthorized users.

l. To send material in violation of the copyright.

m. For solicitation of funds.

n. For employee organization business.

2. Electronic mail practices such as "spamming" (unauthorized mass mailings to Port Authority employees or external recipients or postings to bulletin boards), hostile communications, "chain letters", "spoofing" (taking the identity of another person for the purpose of concealing one's own identity), or knowingly transmitting software containing harmful components such as a virus, are prohibited.

3. Allegations of misuse of computing resources may be made to supervisors or managers, consistent with existing Port Authority instructions applicable to misuse of property or improprieties or inappropriate or illegal behavior in the workplace.

IV. Retention of Electronically Stored Data

A. E-mail messages are generally of short-term import and should be discarded routinely. E-mail is automatically deleted from a user's mailbox and backup storage 120 days from the date of receipt or creation, without notice.

1. Depending on the content of the message and/or its attachments, it may be desirable to retain the information for longer periods. Such messages or attachments should be stored on local or server drives as necessary.

2. As suggested in Par.II.C., depending on the content of the message and/or its attachments, care and consideration should be given as to which documents should be retained based on the appropriate record retention schedules.

B. Users should take appropriate steps to ensure that important Port Authority data other than e-mail is backed up in case of equipment failure. This includes data stored on Port Authority computing resources in the office and, where authorized, at home. Data stored on shared devices which are part of the Port Authority's enterprise wide network system are backed up and retained for a period of time in accordance with standards issued by the Chief Technology Officer.

C. Users should also be aware that deletion of an e-mail message or attachments or other data may not automatically delete the message from

electronic storage devices. The data may continue to reside in the user's local or network drives, or may be stored in backups of the system.

V. Applicability to Employees and Other Users

A. This Computing Resources Instruction applies to all employees, volunteers, contractors, supplemental staff, consultants, and other individuals who are provided access to any or all Port Authority computing resources.

B. Non-employees

1. Third parties (i.e., individuals who are not employees of the Port Authority or its subsidiaries) should only be provided access to Port Authority computing resources as necessary for the business purposes of the Port Authority and only if they comply with all applicable rules.

2. Non-employees who are in violation of the provisions of this Computing Resources Instruction will be removed from access to all Port Authority computing resources. In addition, other legal remedies, civil (including contract revocation) or criminal, may be pursued.

C. Employees

1. Employees of the Port Authority (or its subsidiaries) whose employment is terminated or suspended have no right to access any Port Authority computing resource, including Internet access and e-mail accounts and content.

2. The misuse of computing resources privileges may subject the employee to disciplinary action in accordance with Port Authority rules, and/or other applicable rules or laws, and may be grounds for loss of such privileges, dismissal from employment, or other administrative action. In addition, violations of this Computing Resources Instruction or other misuse of computing resources may be referred for criminal prosecution.

DISCLAIMER

Although issued in revised format, the information contained in these Administrative Instructions (AIs) reflects the content of previously issued Administrative Policy Statements (APs) and, in certain limited instances, Port Authority Instructions (PAIs). The rules set forth in these AIs will remain in effect until changing conditions require their revision. This body of instructions is not intended to be exhaustive with respect to all the responsibilities of employees and it does not constitute a contract. These AIs will be updated from time to time to reflect changes or additions as appropriate, at the direction of the Executive Director.

Torres Rojas, Genara

From: Hood, Dave
Sent: Thursday, December 19, 2013 4:36 PM
To: Torres Rojas, Genara
Cc: Hannell, MaryLee; Duffy, Daniel; Van Duyne, Sheree
Subject: FOI NO. 14478 (DONOVAN)
Attachments: ai15403.pdf

Please find attached a copy of the prior revised version of AI 15-03.04 in response to the FOI request in the referenced matter. If you have any questions, please let me know.
Thanks!

Dave Hood
Human Resource Executive
Human Resources Department
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225 Park Avenue South, 10th Floor
New York, New York 10003
Telephone: (212) 435-2703
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