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A. J.  
Approved: **Antonio J. Colorado**  
Secretary of State

CERTIFIED TRANSLATION

By: [Signature]  
No. 4284 Assistant Secretary of State  
Date: July 23, 1990  
2:30 P.M.  
Approved: **Antonio J. Colorado**  
Secretary of State  
By: (signature illegible)  
Assistant Secretary of State

FIRST PART  
GENERAL RULES

SECTION A: INTRODUCTION  
ARTICLE 1: SHORT TITLE

This Regulation shall be known as the Regulation for the Administration of Public Documents of the Executive Branch of the Commonwealth of Puerto Rico.

ARTICLE 2: LEGAL BASIS

This Regulation is adopted pursuant to the faculty granted by Article 20 of Act 164 of July 23, 1974, as amended, known as the "General Services Administration Act", and Article 4, clause a, b, c, d, e and Article 4A, clauses (1,2,3) of Act No. 5 of December 8, 1955, amended, known as the "Public Documents Administration Act", to the General Services Administrator.

ARTICLE 3: PURPOSE

This Regulation is adopted for the purpose of establishing within a single juridical body all the substantive rules which regulate the administration of public documents in the Executive Branch. With these rules we will guarantee effectiveness, economy and speed in the administration of public documents starting with their creation, maintenance, use and disposition in all governmental entities of the Executive Branch of the government of the Commonwealth

of Puerto Rico, including municipal governments and Public Corporations (organisms).

ARTICLE 4: SCOPE

This Regulation will apply to all entities of the Executive Branch of the government of the Commonwealth of Puerto Rico, pursuant to what is established in Act No. 5 of December 8, 1955, as amended and any head of an organism, government official or employee, designated as Administrator of Documents in the organism, to whom the Administrator of the Document Administration Program of the Executive Branch has authorized the function to administrate documents, will have to comply with the provisions of this Regulation.

ARTICLE 5: JURISDICTION

Any effort regarding the administration of public documents carried out in the organisms will be governed by the rules established in this Regulation and by the rules established in Regulation No. 15 of the General Services Administration, known as the "Regulation for Document Administrators" and in the provisions of any other regulation enacted by the General Services Administration, pursuant to Act No. 5 of December 8, 1955, as amended and Article 20 of Act 164 of July 22, 1974.

ARTICLE 6: RELATIONSHIP WITH OTHER RULES

The provisions of this Regulation will not be interpreted alone, but together with other regulations and rules which govern any aspect of the administration of the Executive Branch.

ARTICLE 7: INTERPRETATION OF WORDS AND PHRASES

The words and phrases used in this Regulation will be interpreted pursuant to its content and the meaning

sanctioned by common and ordinary use, except for those hereinafter defined.

ARTICLE 8: DEFINITION OF TERMS

The following phrases and words used in this Regulation have the meaning hereinafter stated:

1. Administration of Documents - the organization, planning, direction, qualification, control, promotion and other managerial activities related with the creation, use, maintenance, conservation and disposition of documents.
2. Document Administrator - employee responsible for administering the Document Administration Program in his/her respective organism.
3. Administrator of the Program - the General Services Administrator, an official designed by Act No. 5 of December 8, 1955 to administer and regulate the Public Documents Administration Program in the Executive Branch and empowered to extend special appointments of Document Administrator, prior consultation and recommendation from the heads of organisms.
4. Archivist - The General Archive of Puerto Rico.
5. General Archive - the General Archive of the Commonwealth of Puerto Rico, created by Act No. 5 of December 8, 1955.
6. Governmental Organism (organism) - includes all the departments, agencies, corporate entities, boards, commissions, bodies, bureaus, offices and all governmental organisms which exist or which may be created in the future in the Executive Branch, the municipalities and the Electric Power Authority.

7. Disposition of Documents - any activity related to the destruction of documents which have already complied with their established period of retention and have lost all utility for the activity of the organism, authorized by a Program Administrator; the transfer of documents from the General Archive when requested by the Archivist for its historical or permanent value; or the transfer of documents from one organism to another.
8. Document - any paper, book, brochure, photograph, photocopy, film, microfiche, magnetophonic tape, map, drawing, plan, magnetic tape, disc, videotape or any other material read by a machine and any other informative material regardless of its form or physical characteristic. Bibliographic or museum material acquired for purposes of exposition, consultation or other related reasons and publications are not included, except for what is provided in the following clause.
9. Public Document - any document that is originated, conserved or received in any organism of the government pursuant to the law or with regard to the management of public affairs and which must be preserved permanently or temporarily as evidence of transactions or for their administrative utility, legal, physical, cultural or informative value, whichever the case and a sample of all the publications of the governmental organisms.  
It will include all documents which are expressly stated by any law in effect or which may be approved in the future.

10. Private Document - any one which has not been included in the definition of public document.
11. Confidential Documents - documents under the custody of the governmental organisms, whose disclosure is protected, controlled or forbidden by law or regulation.
12. Government - the Government of the Commonwealth of Puerto Rico, including each and every one of the organisms which comprise the three Branches of the Government, their political subdivisions and the Office of the Comptroller.
13. Act - Act Number 5 of December 8, 1955 (Public Documents Administration Act).
14. Maintenance and Use of Documents - any activities of the Documents Administration Program of the organisms which entail the location of documents; the filing, recovery of information, consultation and handling of documents filed in or for the organisms; the processing of documents received through any means for any purpose; the selection and utilization of equipment.
15. Inventory and Document Retention Plan - written document which describes in detail all the documentary series of organism establishing periods of retention for same, specifying those which should be preserved for their permanent value.
16. Program - the Public Documents Administration Program for all the organisms of the Executive Branch, including Public Corporations, the municipalities and the Electric Power Authority.

17. Documentary Series - documents which have certain common characteristics which are filed, used, transferred and disposed of as a unit.
18. Retention Period - fixed period of time during which the documents should be retained after which they can be disposed of.

SECTION B: FUNCTIONS AND OBLIGATIONS OF THE PUBLIC DOCUMENTS ADMINISTRATION PROGRAM AND OF THE ORGANISMS

ARTICLE 9: CONTENTS OF THE PROGRAM

The heads of the organisms will establish the necessary mechanisms to facilitate the functions of the Documents Administrator of his organism and will provide for the organization of Document Programs in their respective organisms which:

1. Will provide effective controls for the creation, organization, order, maintenance, security, use and disposition of the documents in the organisms.
2. Will cooperate with the Documents Administration Program of the Executive Branch in the application of the rules, procedures and techniques designed to improve the administration of documents, which will ensure the conservation and safety of documents of a continuous value and which will facilitate the segregation and disposition of all the documents of a temporary value after obtaining the authorization of the Program.
3. Will faithfully comply with the provisions of the Public Documents Administration Program and the regulations enacted pursuant to same.

ARTICLE 10: ON THE PUBLIC DOCUMENTS ADMINISTRATION PROGRAM

1. Liaison Official or Employee

The responsibility for the operation and supervision of the Documents Administration Program in his/her organism pertains to the Document Administrator who is the authorized representative of the head of the organism before the Public Documents Administration Program in matters related to the administration of documents of the organism.

2. Training

The Public Documents Administration Program is obligated to keep the Document Administrators in the Executive Branch informed.

To ensure faithful compliance with this obligation, the Program will provide Document Administrators with a copy of the Law and Regulations of the Program and any information or guidelines, normative material or procedures it deems necessary so they can correctly execute their functions.

3. Orientation

The Program will offer the necessary orientation on document administration to the Document Administrators of the organisms through visits which will be made by the Officers or Technicians of the Program. They will also be offered orientation through visits made by the Document Administrators to the Program; through telephone calls; and through written communication.

4. Supervision

The Program will evaluate the activity of the administration of public documents in the organism to determine if it is complying with the law, the

regulation and guidelines of the Program. To ensure this, the Program will conduct interventions or evaluations on the work performed by the Document Administrators as such.

a. Where and how to conduct the intervention

1. The intervention will be carried out in the organism itself through:

1. evaluation surveys with questionnaires
2. interviews with the Documents Administrator and personnel involved
3. observation of the operations of the document administrators
4. direct sporadic interventions in the work of the Document Administrators in their dependency; observing if the provisions of the Public Documents Administration Act and the regulations enacted pursuant to same are being complied with.

b. Intervention Report

The Program will prepare, for the signature of the Administrator of the Program, a report with comments and recommendations to implement or improve the different aspects which comprise document administration.

ARTICLE 11: ON THE DEPENDENCIES

The organisms are obligated to facilitate, collaborate and coordinate all document administration functions with the Public Documents Administration Program of the Executive Branch. For this purpose, the heads of the organisms will comply with the following:

1. They will establish the necessary mechanisms to facilitate the functions of all the Document Administrators.
2. They will be responsible for ensuring that the function of document administration, in their organisms, is in harmony with the Regulations of the Public Documents Administration Program and Regulation No. 15 for Document Administrators.
3. They will provide the proper mechanisms to internally coordinate the production of the information needed to intervene with the Document Administrators with regard to the application by them of the rules established by the Documents Administration Program of the Executive Branch.

ARTICLE 12: CREATION OF DOCUMENTS

The organisms will establish the proper systems and controls to ensure that important decisions and public policy will remain in documentary form, that the routine paperwork is reduced to the minimum, and to avoid the accumulation of documents and the proliferation of filing equipment. In this documentary phase the most advanced techniques should be used to draft documents, handle correspondence, design and control forms, guideline and information systems, and the reduction of duplicate files through a control of the copies and photocopies.

ARTICLE 13: ORGANIZATION, MAINTENANCE AND USE OF DOCUMENTS

Measures will be taken to improve and analyze in a continuous manner all matters related to the handling and distribution of mail, the classification of documents and index systems, the proper use of materials and filing equipment, the reproduction of

documents and the norms and procedures for the production of work to ensure that the documents are preserved in the most economic and effective manner and that their maximum utilization is being obtained.

ARTICLE 14: DISPOSITION OF DOCUMENTS

Measures will be taken to ensure that documents of a continuous value are permanently retained, and that those which have complied with their retention period and have lost all value for the organism be disposed of.

Effective procedures to achieve these purposes are the preparation of an Inventory and Retention Plan, the transfer of inactive documents to Document Centers or to the General Archive of Puerto Rico, when requested by same, the microfilming of documents which warrant it and the destruction of those which have complied with their established period of retention and which have no value whatsoever, whose disposal has been authorized by the Program.

ARTICLE 15: ANNUAL REPORT OF RETAINED DOCUMENTS

Each organism must submit to the Documents Administration Program of the Executive Branch, thirty days after the closing of each fiscal year, a report on the status of its Inventory and Document Retention Plan.

SECOND PART  
DOCUMENT ADMINISTRATION

SECTION A: ON THE CREATION OF DOCUMENTS

ARTICLE 16: PURPOSE

Article 4 of Act No. 5 of 1955 empowers the General Services Administrator to regulate with regard to any matter related to the Public Documents Administration Program which needs to be regulated for the sound operation of the Program. This section specifically requires that effective controls be provided for the creation of documents, including creating the proper documentation for the organization, functions, public policy, decisions, procedures and essential transactions which provide the necessary information to protect the legal and financial rights of the government and of the persons directly affected by the activities of the dependencies.

2. Effective controls in the creation of documents must include all kinds of documents and at all levels of organization, including central offices and regional offices. There specifically exist four kinds of documents which require continuous action which are common to all organisms: correspondence, reports, forms and guidelines. Generally the information which they contain are conserved on paper, but they may be on cards, film, magnetic tapes and others.

ARTICLE 17: RESPONSIBILITIES OF THE ORGANISMS

1. The head of each organism must observe the rules established in this section to comply with the provisions of Act No. 5 of December 8, 1955. These responsibilities and rules are essential to control

the documents of the organism. Factors such as size, organization and functions of the organism and their documentation activity may modify these rules:

Each head of an organism must:

- a. assign to an office of the organism the responsibility to develop, at the level of the entire organism, uniform rules to administer the processing of correspondence, forms, reports, documents read by machines, guidelines and an adequate documentation.

Those organisms with a large size, organization and complexity will establish controls at the bureau, department, area and office levels, but these controls will function under the general plan of the organism.

- b. issue a directive establishing the objectives and responsibilities to control the creation of documents. A copy of same must be sent to the Public Documents Administration Program of the Executive Branch.

ARTICLE 18: NORMS

To ensure the proper and correct creation of the documents, the following rules will apply to each organism:

1. The documentation of an official transaction in a dependency must be completed as required:
  - a. to provide the information to the incumbents and their successors;
  - b. to provide information to the Legislative Branch, other authorized dependencies and to

other interested persons on how transactions are carried out in the government.

- c. to protect fiscal, legal rights and other rights of the government and of the persons affected by the transactions of the government.
  2. With particular interest, when formulating and carrying out the public policy of the government, government officials are responsible for including in the documentation of their organisms all the essential information of their important activities. Important decisions and facts (from person to person, telephone conferences) must be included in a document. Minutes of important Board, Committee meetings and meeting with officials must be taken and these, together with the copy of the agenda and documents incidental to said meetings must form part of the document.
  3. The programmatic norms and procedures of the government organisms must be issued in directives and a copy of these (even if cancelled) must form an important part of the official archive.
  4. Unofficial papers must be separated from official documents at the office of a government official. In cases where official transactions are included in personal correspondence, the portion of that correspondence which is official in nature must be summarized and form part of the official archives.
  5. Office procedures must be continuously revised to determine their effect on the creation of documents.
- When justified, these procedures must be reviewed, consolidated or eliminated to maintain the creation

of the documents to a minimum. Additionally, specific requirements (for the administration of correspondence, reports, forms, directives, documents read by machines and documents incidental to same) must be observed as established in the following articles.

ARTICLE 19: ADMINISTRATION OF CORRESPONDENCE (ART OF DRAFTING AND PREPARING DOCUMENTS:

The aspect of Administration of Correspondence has the objective of limiting correspondence to essential requirements, to improve the quality of the correspondence which may be necessary and to provide for its creation in an economic and effective manner.

1. Definition of "Correspondence"

Generic term which includes letters, form letters, telegrams, memorandums, acknowledgements, post cards, referral or transmittal letters, and other written communications.

2. Requirements

Each dependency, in establishing effective controls in the creation of documents must:

- a. regulate the official form to be used in the official communications of the organism.
- b. establish uniform rules with regard to the quantity and type of copies required, their distribution and purpose
- c. issue guidelines with uniform rules, for the creation of correspondence, with the necessary modifications for special practices in some dependencies.

- d. implement uniform norms for the use of letterheads, copy paper, memorandum forms and envelopes.
- e. continuously revise the practices and procedures for the creation of correspondence to improve and simplify same.
- f. the rules, guidelines and instructions for the administration of correspondence must be set out in writing and must be readily available for reference and review. They must be available for those who draft, review, sign, transcribe and file correspondence.

3. Implementation of the System

The following measures are essential in a correspondence administration program:

- a. Prepare only the correspondence and copies which are essential.
- b. Use form letters whenever necessary.
- c. Use guide letters and paragraphs whenever necessary.
- d. Originate letters which are carefully planned, easy to read and understand and which respond to the needs of the receiver.
- e. Prepare correspondence which is consistent in style and form, clean and attractive in appearance and correctly edited, applying the normal rules of style and orthography.
- f. Develop and implement procedures which will expedite the delivery and handling of correspondence (internal mail)
- g. Conduct periodic reviews, taking samples of the correspondence of the organism to determine if

they comply with the rules established for the preparation of same.

ARTICLE 20: ADMINISTRATION OF REPORTS

The effective administration of reports requires an organized and continuous effort to achieve economy and improve the quality of the reports; to ensure that the officials of the organisms are provided correct information, at the proper time and the most adequate format for its use at the time of making decisions. Include the output of the systems and procedures of the organisms, as well as the report systems themselves. It also has to do with reports between organisms and the delivery of same.

1. Definitions

- a. Report - data or information which is transmitted to be used for establishing public policy; planning, controlling and evaluating operations and performance; making administrative decisions; or to prepare other reports. The data or information may be in narrative, statistical, graphic form or any other form and may be printed in paper, magnetic tape or other means.
- b. Reporting - process whereby the data or information for a report is compiled, organized, processed and retained.
- c. Requirement of Internal report - any responsibility which involves reports prepared and used exclusively within an organism.

2. Responsibilities of the organisms

- a. Each organism in establishing effective controls for the creation of documents, is

expected to establish a proper program, uniform in its internal responsibilities of reporting. It will:

- 1) Establish and implement uniform rules and procedures to identify information which is necessary for planning, control and evaluation.
  - 2) Establish and implement uniform rules and procedures to design management reporting systems, including the design of the reports used in those systems.
  - 3) Establish and implement rules and procedures to initiate, identify, review, approve, prepare and distribute the required internal reports.
  - 4) Provide essential managerial information related to the number and class of reports in use and reports which require a significant amount of personnel and other resources, the estimated cost to develop same, their use and operation.
  - 5) Periodically revise the reports approved to determine their need, if their design and economy is adequate for their preparation and use.
  - 6) Ensure that all applicable statutes and laws have been considered in preparing the report.
- b. Publish rules, guidelines and instructions developed for handling reports, which must be designed for ready review and reference. They must be available to the users and for review

and evaluation by the Public Documents Administration Program.

- c. The approval, modification and approval of an internal report must be based on a cost-objective evaluation.
- d. The following requests for reports are exempt from the rules established in this section (however internal requests for reports made in a dependency to answer this type of request will be governed by these provisions)
  - 1) Requests from the Legislative Branch or its respective Commissions.
  - 2) Requests from the Judicial Branch by order of the Court or other judicial determinations.
  - 3) Requests from the Governor through executive directives.
  - 4) Requests from the Budget and Management Office for the coordination, review of programs and requirements for legislative justification.

3. Implementation of the System

The following norms are essential in a report program:

- a. Establish and maintain an inventory of recurrent internal and external reports.
- b. Develop the reporting systems which best serve the administration.
- c. Analyze all reports inventoried and submitted to determine if:
  - 1) the information is proper, necessary, significant and useful

- 2) the information is obtained from the best source and the simplest manner
  - 3) the frequency of the report is consistent with the moment in which the information is needed, and
  - 4) the estimated cost of compiling the information does not exceed its administrative value.
- d. Request that each petition for a new or revised report explain how the report will be used.
- w. Request that each report be supported by a directive with instruction or guidelines with regard to same.

ARTICLE 21: ADMINISTRATION OF THE DESIGN AND CONTROL OF FORMS

The objective of Administration of Forms is to increase the effectiveness of same, using adequate designs and correct procedures to reduce the incidental costs incurred in filling out, using and filing the forms and achieving economy in the design, printing, storage and distribution of same.

1. Definition

A form is any document (including letters, post cards and memorandums) printed or reproduced in any other manner with space to be filled out with information, descriptive material or postal addresses. Some specific printed items which do not have spaces to be filled out, such as: clauses in contracts, instruction sheets, notices, stickers or signs may be considered as forms when it is useful to identify them and control them as forms

for reference purposes, printing, storage distribution and use with other forms.

2. Responsibilities of the organisms

Each organism, in providing for the effective control of the creation of documents, is expected to establish an appropriate program for the administration of the forms of its own creation.

In this program of forms the organism will:

- a. Establish and implement rules and procedures to submit, review, approve and identify the forms it has created.
- b. Implement the rules on the analysis and design of forms contained in the "Guidelines for the Administration of Forms" issued by the Public Documents Administration Program.
- c. Establish and implement rules for the reproduction, storage and distribution of the forms approved.
- d. Provide essential information on administration related to the number, type and cost of reproduction and storage of the forms being used.
- e. Provide for the periodic review of all the forms approved with regard to their need and design and for possible economy in their reproduction, storage and distribution.
- f. The rules, guidelines, procedures and instructions developed for the administration of forms shall be printed and designed for ready reference and review. They must be readily available to those who initiate, design and approve forms.

### 3. Implementation of the System

For a proper administration of forms, the following actions are generally standard in the dependencies:

- a. Establish and maintain an inventory of all the forms of the organism.
- b. Analyze all the inventoried forms and all the forms submitted for approval in the future pursuant to the rules, guidelines, and principles contained in the "Guidelines for the Administration of Forms".
- c. Review all the inventoried forms and all the forms to be prepared in the future to determine if they have been adequately designed, if they are in agreement with the rules, guidelines, and principles recommended in the "Guidelines for the Administration of Forms".
- d. Assign a code number and an issuance date for each form approved.
- e. Review all the requisitions for requests of new forms proposed and the reproduction of forms approved and in use to ensure that the forms are produced and made available rapidly and economically.

Specifically ensure:

- 1) that the most effective and economic methods of printing and distribution of forms are employed, bearing proportion to the quality required and the use that will be given to the form.
- 2) that rules have been established for the existence of adequate levels of perpetual inventory of these forms.

- 3) the amount of forms requested is compatible with procedural requirements and inventory in existence of the forms.
  - 4) there is an acceptable distribution plan so that the forms will be available whenever and wherever needed.
- f. Require that each form be supported by a directive giving instructions on who is to prepare it, submit it and use it. This does not apply to forms which are self-explanatory, used by a single organization element like an office, division or regional office.
  - g. Require that each requisition of a new form justify that it is essential.

ARTICLE 22: ADMINISTRATION OF DIRECTIVES

The objective of the Administration of the System of Directives is to facilitate the administrative portion and the operations of the organism providing the proper instructions to the employee, producing instructions which are complete, easy to understand, accessible and reviewable, and promptly and economically developing and distributing instructions.

1. Definition of Directives

- a. A directive is a written communication, which initiates or governs a conduct or procedure. Directives are usually printed as circulars, memorandums, notices, regulations, orders and manuals and include material for insertion in manuals on administrative policy and operations.

- b. Certain materials are normally exempt from inclusion in the Program of Administration of Directives of the organism.

These include public information material such as: professional publications, press releases, and the announcement of programs, catalogues and price lists.

- c. Internal as well as external directives are included in a Program of Administration of Directives.

## 2. Responsibilities of the Dependencies

- a. Each organism, in providing effective controls for the creation of documents, is expected to establish the proper program for the administration of the directives of the dependency. For this purpose it must:
  1. Establish and maintain a system to classify, code and supplement the directives to the organism.
  2. Establish and implement rules and procedures for the initiation, review, approval, reproduction and distribution of the proposed directives of the organism.
  3. Establish and implement patterns for the format and editorial style of the directives of the organism.
  4. Periodically review the directives which comprise the system to determine their need and to update them, to identify matters which have been annulled and which must be substituted by creating new directives.

5. Review, on a continuous basis, the system of directives to detect opportunities to improve their design and operational part.
  6. Maintain a collection of the significant directives which document the organization, functions, administrative policy, the decisions and procedures of the organism. This collection will form an integral part of the documentation of the organism wherefore it should be permanently preserved.
- b. The guidelines, rules and instructions developed for the administration of directives will be issued in the form of a publication and will be designed for ready reference or use and review. They must be immediately available for those officials responsible for originating and approving directives.
4. Implementation of the Program of the organism  
The organism may take the following actions, which are generally standard, for the administration of a program of directives:
- Establish patterns for the format, typography, organization, compilation and distribution of the directives of the organism.
- Specifically:
- 1) use 8x11-1/2" as a norm
  - 2) use single pages for ready review
  - 3) print on both sides of the page
  - 4) number and identify the directives to expedite review and addition of pages

- 5) Identify the temporary material from the permanent one with a readily distinguishable mark.
  - 6) perforate all the pages beforehand to make it easier to bind. Three 3/8" perforations are recommended.
  - 7) restrict changes to pencil or ink.
  - 8) distribute each on a "must know" and "should be executed" basis
  - 9) analyze all the proposed directives for their inclusion in the system to determine if:
    - a. the directive is necessary
    - b. there is no duplication, overlapping and conflict with other directives
    - c. the directive is in harmony with pertinent laws, executive orders, regulations and the administrative policy of the dependency.
    - d. There has been a proper coordination and the pertinent authorizations or approvals have been obtained.
    - e. The proposed distribution includes the administrative units which will use same, but will be limited on a "need to know" basis.
5. Analyze all the directives submitted for inclusion in the system so that they will be in harmony with the style of the dependency and with the criteria of format and editorial style.

ARTICLE 23: ADMINISTRATION OF DATA PROCESSING DOCUMENTS

The objective of the administration of documents for automatic data processing is to ensure an effective and economic process using techniques in the registration and preservation of mechanical instructions and operating procedures, establishing rules for the maintenance, storage and proper disposition of machine-read documents; developing rules and optimum procedures for computer locations and related areas and continuously reviewing these work practices to improve same.

1. Definition

The administration of automatic data processing documents includes maintaining an inventory of machine-read documents, existing in each file and all the necessary documents, preserving same in the adequate facilities, pursuant to instructions received, while periodic revisions are being made to verify their eligibility.

The automatic documentation of data processing consists in graphic presentations detailing the functional and operational sequence; the physical characteristics of the file; recording information methods, including the basic coding structure; recording information systems, the arrangement of documents, printed plans (forms) and basic instructions.

2. Responsibilities of the Dependency

To provide effective controls on the creation of documents each organism must establish the appropriate program for the administration of

automatic data processing documents. For this it must:

- a. determine the type of document that is to be used and maintained for the data processing operation.
- b. prescribe the type of machine to be used, the necessary standards to classify, label, record and file.
- c. issue rules for the retention and disposition for the administration of data processing documents.
- d. continuously review the practices of the organism to file mechanically processed documents, improve same and simplify them.
- e. the rules, guidelines and instructions developed by the agency to handle the Document Administration Program in data processing must be published so that it can be readily used as a reference and for review purposes.

3. Implementation of the System

Each dependency must establish rules for the administration of machine-read documents and issue instructions and guidelines in the form of manuals or brochures according to the appropriate norms.

These rules must specifically include:

- a. identify machine processed documents by methods of classification and labeling.
- b. methods of filing and control to locate machine-read documents.
- c. preserve machine-read documents through the use of disposition plans, the appropriate storage methods and preservation techniques.

- d. prepare plans to dispose of documents used in data processing.
- e. prepare forms and formats to record the instructions of the program, functional and operational graphics for the flow of work, plans, code books and basic instructions to perform the work.

SECTION B: ORGANIZATION, MAINTENANCE AND USE OF DOCUMENTS

ARTICLE 24: PURPOSE

Article 4, clause b3 and b6 of Act Number 5 of December 8, 1955 empowers the General Services Administrator to regulate matters related to substantive and procedural rules which must be followed by the dependencies under its jurisdiction in the filing systems and with regard to any other matter related to the Public Documents Administration Program, which must be regulated for the proper operation of the Program. This Section specifically establishes rules with regard to the organization, maintenance and use of public documents. To comply with these provisions in the organisms:

1. The Document Administrator must assume the responsibility for the development and implementation of a program for the administration of mail, files, essential documents, the administration of copiers and filing equipment and material and other aspects of the administration of public documents. When due to its large size and complex organizational structure the organism must establish controls at the bureau, area, program or office levels. These officials under the structural plan of the organism. (sic)

2. The head of the organism will issue a directive establishing objectives, responsibilities and designating the pertinent authority. A copy of this directive must be sent to the Public Documents Administration Program of the Executive Branch.

ARTICLE 25: ADMINISTRATION OF MAIL

The objective of the administration of mail is to provide at a minimal cost the quickest and most effective methods to handle incoming and outgoing mail within an organism. The proper procedures must be used to reduce to a minimum the time and cost of the flow of work using modern equipment, materials and tools. In general the operation must be carried out in a simple manner to increase effectiveness.

1. Definition of Mail

Consists of letters, telecommunications, memorandums, cards, documents, packages, publications and other kinds of communication received for distribution or delivery.

2. Responsibilities of the organism

- a) Each organism will establish the proper system for the administration of mail to provide an effective control in handling documents. It will consist of:

1. Establishing and implementing systems and procedures for the receipt, delivery, pick-up and dispatch of mail.
2. Implementing the systems recommended in the Guideline with Rules and Procedures for Handling Mail.
3. Provide essential information on the volume and type of correspondence processed and

the time required for internal and external delivery.

4. Continuously review the practices and procedures to improve or simplify its handling.
- b) Publish guidelines and instructions developed by the organism in forms designed for ready reference and review. They must be available to the personnel in charge of the mail and messengers. Provide ample information to the users of the mail and messenger services.

3. Implementation of the System

The basic activities in the Mail Unit are the following:

- a) The delivery of incoming mail as soon as possible.
- b) Establishing time limits to answer correspondence. Give priority to that of top officials.
- c) Limit the control and follow-up only to correspondence which is important due to its contents.
- d) Use the services and facilities of the U.S. Mail properly and to the maximum.
- e) Develop and implement rules and procedures which will facilitate the answer, review and signing of correspondence to be answered.
- f) Provide a central control for messenger services through the establishment of scheduled rounds and routes.

ARTICLE 26: ADMINISTRATION OF FILES

The objective of the Administration of Files is to organize the files of the organism to facilitate the

recovery of information stored in same when necessary, ensure complete documentation and facilitate the selection and retention of documents which are valuable to the Archives and the disposition of documents. All the services must be rendered with a maximum of economy of personnel, equipment and materials.

1. Definition of Files

Place or location where public or particular and historical documents are under custody.

Conjunction of these documents so preserved.

Filing

The art of placing and preserving in a single location, duly classified, all the correspondence, documents or other papers related to an individual or company, or to a certain geographical division, or regarding a certain matter, etc., so that they are protected against deterioration, destruction or loss, which at the same time facilitates its placement and handling at any time.

Classification

Placing documents by groups using as a guideline established procedures. This is done before filing the papers.

2. Responsibility of the Dependency

Each organism in providing controls on the creation of documents must establish adequate systems for the administration of files.

These will cover the following:

a. Establishment and implementation of rules and procedures to:

1. Classify, order and file documents

2. Provide reference services on the documents filed
  3. Place active files in locations which are accessible so the files can be used.
- b. Implement the classification system in the files and use the Guidelines offered by the Document administration Program.
  - c. Review the system periodically to determine if it is adequate and its degree of effectiveness.
    1. Guidelines and instructions will be published and designed for the administration of files for ready reference and review.
3. Implementation of the System

The following activities are basic for an effective administration of the files.

Implement an organized system of classification and file to:

1. Achieve maximum uniformity and easy maintenance and use of the documents of the dependency.
2. Facilitate the disposition of documents pursuant to the Inventory and Retention Plan.
3. Facilitate the consolidation of the documentary series which are filed in different locations.
4. Formally establish the location of the files prohibiting their placement outside the authorized location.

5. Establish a systematic reference service to facilitate the search, loan and refiling of documents.
6. File the papers received every day.
7. Achieve uniformity in the filing equipment and materials and reference services.

ARTICLE 27: ADMINISTRATION OF EQUIPMENT AND MATERIALS FOR DOCUMENTS

The objective of the administration of equipment and materials for documents is to ensure that the equipment and materials needed to operate with documents adjust to the needs of the organism with regard to procedures, operation and economy and that they are properly used. A large variety of modern and sophisticated equipment and materials are being marketed. With regard to this orientation should be given which will ensure the correct and proper use of special equipment and materials which are acquired.

1. Definition

Included in equipment and materials: filing cabinets, shelves, visible files, mechanical files, guides for files, folders, covers and similar material used in the creation and maintenance of documents and handling of mail. It also includes desk machines, dictaphones and tape recorders, among others.

2. Responsibilities of the organism

Each organism must provide controls for the creation of documents establishing an adequate system for the administration of equipment and materials for documents.

This phase will cover:

1. Preparing regulations for uniformity in the equipment and materials for documents to be used by the organism, and these rules will cover aspects such as:
    - a. submitting, reviewing and approving requests for the purchase of materials and equipment by the unit in charge of this function.
    - b. the appropriate use of equipment and materials presently being used.
  2. Continuous review of the adequate use of the equipment and material to ensure its proper utilization.
  3. Provide for a continuous review in the development of new advances in the administration of equipment and materials and its possible application in the systems of the organism.
  4. Prepare and distribute rules, guidelines and instructions for the administration of equipment and materials for ready reference and review.
3. Implementation of Systems  
The following steps are basic:
- a. reduce the need for equipment, through a document disposition plan. By not occupying equipment you avoid the purchase of new equipment.
  - b. use the regular equipment which appears in the government purchase catalogue. Special

equipment shall be bought only by submitting justification for same, duly approved.

- c. review the requests for the purchase of equipment to determine its need and use.
- d. check material purchased and leased to determine its maintenance.

ARTICLE 28: ADMINISTRATION OF COPIES

This Article helps the organisms in the practice of handling copies and reproduction equipment. Even though the rules herein contained are for general use, the rules for handling equipment relate specifically to copiers and copying machines that are not used in a printing shop. It does not apply to the reproduction of records in micrography, photography or read by machines, nor to the equipment related to same. For the rules regarding micographic records, see the portion on micrography.

The Document Administration Program of the Executive Branch will provide guidelines and technical help to the organisms to evaluate their systems, rules and procedures on the aspect of administration of copies and the use of photocopiers.

1. Definitions

For purposes of this Article, the following definitions will apply:

- a. copy - duplicate of a previously created document.
- b. copier - machine which produces copies on paper, without having to create another intermediate model for each original.

- c. copying machine - machine which produces copies on paper through the use of an intermediate model.
- d. make a copy - make copies through the use of a copier or a copying machine.

2. Objective

Copy management tries to ensure the efficient creation of necessary copies and the elimination of unnecessary ones.

3. Responsibilities of the organisms

Use the proper criteria to make copies, as well as for the proper handling of equipment. Each organism must:

a. Determine the need to make copies.

All decisions on the administration of copies must be based on a knowledge of the reason why they should be documented in each organism.

They must include the following:

- 1) monthly average of copies needed
- 2) physical characteristics of the material routinely copied
- 3) average sheets per document
- 4) average copies per document
- 5) why the copies are needed
- 6) with what urgency are they needed and why

b. Relate the equipment with the need for copies

- 1) Copiers and copying machines have optional capacities and several limitations in their operation, such as productive capacity per rate. Effective production is obtained when the capacities are properly related.

Some organizational entities have sufficient needs which justify the full time use of one or more machines. However, frequently the best balance is obtained when all or part of the needs of an entity are united with the needs of another and the equipment is shared.

- 2) When the class of equipment to be purchased and its location is decided, the direct as well as indirect costs of the copies has to be considered. The direct cost includes the price of leasing or purchasing the equipment; cost of maintenance and materials; full time salary of the operators of the equipment.

The indirect cost includes general expenses and the cost of the time used by the personnel requesting and obtaining the service. The organisms must select the equipment which satisfies their needs, according to the evidence documented, at the lowest cost considering all the expenses.

- 3) To ensure the proper use of the equipment, the organisms must establish for each machine a maximum and a minimum limit in the amount of copies that will be produced per month, the number of pages and the copies per pages allowed for each document, and the total copies to be reproduced of any document. The guidelines must reflect the maximum and efficient operational

capacity of the machine and the minimum volume to achieve economy in its use. These instructions must be affixed to the machine to inform its capacity and the use it should be given. If the use given varies significantly from that established another evaluation of the needs must be made and for more appropriate equipment or alternate service.

c. Training

The persons who reproduce copies must be trained in the proper operation of the equipment. The supervisors must also be instructed on the following practices and ensure that they will be implemented:

- 1) Assign the task of copying to low salary level employees and use full time operators when the cost of an operator can be balanced with the economy.
- 2) Group the work to avoid unnecessary trips to the copier.
- 3) Determine precisely the amount of copies needed for each task and produce only that amount.
- 4) Circulate among the personnel a single copy of the document when it is enough, instead of preparing independent copies for each employee.
- 5) Obtain new forms, publications and other material from the source of origin instead of copying them.

- 6) Accept copies which are legible and can be used instead of insisting on trying to obtain a perfect copy.
- 7) Use carbon copies when it is more cost-effective than copying.
- 8) Avoid reproducing unnecessary copies, establishing the exact amount in the control of the machine.
- 9) Make a test with a single copy to ensure that useless copies will not be produced if the equipment is not operating properly.
- 10) Whenever practical, copy on both sides of the paper.

d. Record of maintenance

To identify equipment that is used improperly or when another kind of equipment is more effective or economical, certain information should be recorded on each equipment. The records must be kept at a pretty high level in the entity, so that its effective use is ensured in comparing the equipment with the needs and for controlling costs. The following data is required:

- 1) Brand, model, number or name and series number.
- 2) Type of acquisition (purchase or lease) and date of installation.
- 3) Essential stipulations of the leasing plan or the purchase price as well as important points for the maintenance plan, if any.
- 4) Number of copies produced per month.

- 5) Characteristics of the equipment such as speed, important or special accessories and any electrical requirement.
  - 6) Record of extraordinary repairs and maintenance.
  - 7) Information on location of equipment, offices it services; if there is any restriction for using the machine.
- e) Check requisitions for equipment:
- Requests for the acquisition of equipment must be checked by top level personnel to ensure the most economic acquisition and installation of the equipment.
- The review must include:
- 1) The determination of the need for copies at the petitioning office.
  - 2) Analysis of the present use which the petitioner is giving the equipment.
  - 3) Determine if the petitioning office can share the existing equipment, acquire its own equipment or combine both alternatives.
  - 4) Determine if any other method of reproduction would be practical.
  - 5) Analysis of the cost and/or benefit of any feasible alternative for the equipment, including what would be more economical: purchase or lease.
  - 6) Determine the best placement for the equipment.

f) Review the rules for the acquisition of material:

The method of acquisition for materials such as carbon paper, duplicating ink and models should be revised at least once a year. Options such as purchase agreements, acquisition in large amounts and purchases through the Purchase, Service and Supplies Area could help to obtain lower prices.

g. Promote responsibility

Dependencies should develop procedures which will increase the knowledge of the administrators with regard to the cost of the copies produced by their organization.

A method to develop responsibility and care in cost management could be the inclusion of funds for copies in the operational budget at the lowest practical levels of the organization.

h. Review the effort in the handling of copies:

The dependencies should conduct an annual review to determine what changes are necessary to comply with the requirements of this regulation. The practices carried out shall be intervened to determine if there are rules and procedures which can be improved. Documents must be checked to identify specific areas which can be improved to achieve progress in the administration of equipment.

i. Determine the objective

According to the review made the organisms must establish annual objectives to improve the copying service and to reduce costs. The

objectives must be specific and the progress obtained from achieving same, must be able to be measured. An objective might be to reduce by 10% during the fiscal year, the general expenses in the cost of the equipment. Of course, the same objective is not recommended for all the organizational units since the possibility of improvement may vary between the units. Some units may reduce costs by more than 10% without reducing the copying services. Objectives must be established for the organizational units and must reflect the current degree of effectiveness of each unit in the management of its copying activities.

j. Annual Report

Each dependency will submit an annual report by December 1 of each year. Another separate report shall be made for each of the bureaus which comprise the organism, including the Central Office and field operations. The report would help the organisms and the Document Administration Program of the Executive Branch to determine guidelines in the volume and cost of copies.

ARTICLE 29: ADMINISTRATION OF MICROGRAPHY

Article 4A (1) of the Public Documents Administration Act empowers the Administrator of the Document Administration Program of the Executive Branch to approve the microphotography projects of the dependencies of the Executive Branch, Public Corporations and Municipalities. This approval will be

subject to compliance with all the technical requirements established in this Regulation.

This Article provides rules and procedures for the use of micrographic techniques in the phases of creation, use, storage, recovery, preservation and disposition of public documents and with regard to the orientation and technical help offered by the Public Documents Administration Program of the Executive Branch to assist the organisms in this aspect of document administration.

It also updates the quality control standards so that they will reflect technological advances and improve micrography practices in government organisms.

1. Definitions

a. Microfilm with filing quality - silver based film which meets the requirements established in the standards of:

1. "American National Standard Institute (ANSI) PH 4.8-1978 Methilene Blue Method for Measuring Thiosulfate and Silver Desnsitometric Method for Measuring Residual Chemical in Films, Plates and Papers."
2. "ANSI Standard PH/.43-1979, Practice for Storage of Processed Safety Photographic Films"
3. "Association for Information and Image Management" MS 23-1983  
Practice for Operational Procedures/  
Inspection and Quality Control of First  
Generation Silver Halide-Microfilm of  
Documents"

- b. "Computer Output Microfilms (COM)- microfilm which contains information produced from a document stored in the computer, which is converted from magnetic impulse to words and/or numbers.
- c. "Microfilm"
  - 1. A virgin and undeveloped film whose characteristics are for microphotographic use.
  - 2. It is the process of recording micro-images on film.
  - 3. It is a fine grain, high resolution film which contains an image which is considerably smaller in size with regard to the original document.
  - 4. Microform - term used to define any medium which contains microimages.
- d. Microphotography - the science and technology of microfilming documents and information under the microform system.
- e. Microimage - an informative unit, such as a text page or a drawing, which has been reduced to a very small size and cannot be read without being amplified.
- f. Permanent document - any document which has been determined by a competent authority to have sufficient historical, legal, informative value and which requires continuous retention by the government.
- g. Original microfilm - is a microfilm, whether produced by a COM method or usual methods, and does not matter if it is emulsion or base.

- h. Original silver microfilm - it is a silver original which meets the requirements of Federal Standard No. 125a. Film Photographic Processed (for permanent record use)
- i. Duplicate silver negative - a second generation duplicate silver negative which meets the requirements of Federal Standard No. 125a produced from an original negative or a positive original negative.
- j. Master silver positive - is a second generation positive microfilm which meets the requirements of Federal Standard No. 125a produced by a negative original or a positive original.
- k. Micrographic system - configuration of equipment and procedures for the production, reproduction, maintenance, storage, recovery, exposure or use of microforms.

2. Responsibilities of the organism

Each organism must:

- a. Issue internal regulations and procedures to submit, renew, approve and disapprove proposed micrographic systems and applications in harmony with the Regulation of the Public Documents Administration Program of the Executive Branch.
- b. Prepare procedures to evaluate the efficiency and effectiveness of micrographic systems and applications.
- c. Periodically review micrographic systems to ensure they are in agreement with established rules and procedures.

- d. Maintain a complete inventory of microphotographic equipment of the dependency, that is, cameras, processors, copiers. The inventory, as a minimum will include: type of equipment, manufacturer's name, model, date of acquisition, location and if it has been acquired by purchase or lease.
- e. Distribute informative material to managers and personnel in charge of developing or operating systems on micrographic standards and any information related to the advantages and limitations of micrographic systems.
- f. Assign to a specific office or official the responsibility to review and approve all micrographic systems. The office or official in charge will revise the systems in operation and proposed to ensure that they are complete and contain all the information described in Clause 4.
- g. Submit a copy of the directives issued with regard to this clause to the Public Documents Administration Program of the Executive Branch.

3. Responsibilities of the Public Documents Administration Program of the Executive Branch

The Public Documents Administration Program must:

- a. Reveal to the dependencies the standards and criteria necessary to develop, evaluate and operate micrographic systems:

This includes:

- 1. Information to familiarize potential users with micrographic technology and its applications.

2. Methods and procedures to conduct feasibility studies.
  3. Criteria to estimate costs and guidelines to compare existing and proposed systems with their alternatives.
  4. Standards for microfilming and formats and guidelines for the proper selection of micrographic systems for specific applications.
  5. Standards and guidelines to evaluate the continuous efficiency and effectiveness of the micrographic systems.
- b. Analyze governmental practices to determine the areas where the application of microphotography will improve efficiency and effectiveness in the creation and use of the documents and the information.
  - c. Conduct periodic inspections of the micrographic projects in the organisms.
  - d. Approve, authorize or disapprove requests from the dependencies to dispose of original documents which have been microfilmed.
4. Analysis of Micrographic Systems
- a. An analysis will be made, including cost/benefit, before reaching the decision to establish a micrographic system.  
The cost/benefit analysis will include:
    1. An examination of the systems in operation to evaluate the need and use of the documents or the information.
    2. The consideration of alternatives to microphotography, including measures such as:

- a. checking the Inventory and Retention Plan to provide for the transfer to the Inactive File of the organism, or the disposition of documents by destruction via transfer to: Documents Center, Intermediate Files or transfers to the Genral Archive of Puerto Rico.
    - b. improve the procedure for the recovery and distribution of paper documents.
  3. The consideration of all feasible methods to create microforms, such as:
    - a. purchase, lease or lease-purchase of equipment,
    - b. sharing the microphotographic equipment which exists at the organism.
    - c. use the microphotographic facilities of another organism.
    - d. hire the services of a private company.
  4. An analysis of the volume of work and trained staff needed to operate and maintain the micrographic system.
  5. An examination of the needs of the user when the degree of reduction, format, quality control procedures, reading equipment and training is determined.
  6. A review to ensure the compatibility of the microforms used at the dependency and those used to provide information to other dependencies and to the public.
- b. The alternative selected must be the most effective and less expensive system, unless

other intangible benefits require an alternate decision.

- c. The acquisition of COM equipment will be subject to the provisions established for the utilization and acquisition of automatic data processing equipment.
5. Procedure to Request authorization to Conduct Micrographic Projects and Dispose of Original Documents

Dependencies interested in microfilming documents under their custody will submit to the Program Administrator, duly filled out, the form entitled "Analysis of documents for Microphotography Projects (ASG-PADP-3)". A sheet will be used for each documentary series to be microfilmed.

## 6. Preparation

- a. The archivistic integrity of the original documentary series authorized for disposition, ensuring that the original microforms are adequate substitutes of the original documents and that they serve the purposes for which said document was created and preserved. These copies must be complete and contain all the information of the original document.
- b. Documents should be ordered, identified and indexed so they can be located. The document must at least include information identifying the organism and administrative unit, title of the documents, the number or identification for each unit of film, the security classification, if any; dates included, name or other data which identifies the first and last document included in the film unit.
- c. All indexes, registers, or resources to search for information should be placed in front of the documents to be microfilmed.

## 7. Microfilming

- a. The microfilms used to make photographs or microphotographs of permanent documents must comply with the requirements established in Standard "ANSI PH 1.25, Specifications for Safety PHotographic Film; PH 1.28, Specifications for Photographic Film for Permanent Record; PH 1.29, Methods for Determining the Curl of Photographic Film and shall comply with Federal Standard No. 125b to ensure the protection of permanent documents

that are not on microfilm which meet these requirements, should be duplicated so that they comply with same. In those cases where the documents are not permanent, the camera negative must comply with these provisions.

- b. Microfilms are organized according to the "Standard Recommended Practice of First Generation Silver Halide Microfilm of the National Micrographics Association MSL" - 1972.
- c. Those systems which produce microfilms of original documents under the COM system must comply with the requirements established in Standard MS1-1971 "Quality Standards for Computer Output Microfilm" and Standard MS2-1976 "Format and Coding for Computer Output Microfilm", both from the Association for Information and Image Management.
- d. Processing Microfilms  
Microfilms produced from permanent documents which will be disposed of, once microfilmed, must be processed in such a manner that the thiosulfate residual does not exceed one microgram per square centimeter in exposed areas. In unexposed areas an optimum residual of 0.7 per square centimeter is required. A minimum of one test for every 10 rolls produced from an unexposed piece of two square centimeters of microfilm shall be carried out. Those organisms which microfilm non-permanent documents which will be disposed of, will be required to change the chemicals of their developers for every 10 rolls revealed; in the

case of a service contract, the same requirement will be made.

8. Quality Standards

1. The minimum acceptable resolution for microforms produced from permanent documents will be the one established in Standard MS 104-1983 "Practice for Inspection and Quality Control of First Generation Silver-Halide Microfilm".
2. The minimum photographic density of microforms of permanent and non-permanent documents will be the one established in ANSI/AIIM-M.
3. Copies of microforms of permanent and non-permanent documents must meet the quality standards of resolution and density for copies, as established in "Standard MS 104-1983" mentioned above.
4. Microfilms through the COM computer must comply with the quality standards "NMA Standard MSI-1971 Quality Standards for Computer Output Microfilm".

9. Microforms and Formats

The following standards will be observed in the microforms produced by the dependencies.

1. Formats described in "ANSI Standard MS-14-1978" for films in 16 MM and 35 MM rolls shall be used to microfilm documents in 35 mm rolls. When microfilming in 35mm for applications of opening cards, format 2 prescribed in MIL-STD 399 A Military Standard Microform Formats" will be mandatory.

2. To microfilm documents in microfiches, the formats prescribed in MIL-STD 399 A and the standards and specifications established in same shall be used when they apply to the size of the documents to be microfilmed.

10. Storage

The copies of original microforms of permanent and non-permanent documents may be stored under the same conditions in which the paper documents were preserved. The camera negatives of permanent and non-permanent documents will be stored as follows:

- a. The rolls or reels used to store the camera negatives must comply with "Standard PH 1.43 1976 Cores for Photographic Film Roles" of the "American National Standard Institute".
- b. Storage boxes for the camera negatives must be made of inert material. The containers must be sealed. Cardboard containers are forbidden to store work copies unless the cardboard is free of acids.
- c. Filing rooms or camera negative vaults must be resistant to fire and shall not be used for other purposes such as to store other materials, office space or work area. Protective measures should be taken against floods, dust, hurricanes, general disasters and environmental contamination.
- d. Required environmental conditions
  1. The maximum relative humidity should not exceed 40%, minimum will be 20%.

2. The maximum temperature accepted shall be 70°F. A maximum temperature change of 5% will be acceptable within a 24 hour period.
3. The environment where the camera negatives are preserved must be free from environmental contamination of chemicals, paper residuals and other contaminating agents. In an area where permanent microfilms are to be stored, films with a nitrate base or emulsion other than silver, cannot be stored.

This type of film cannot be stored in an adjacent room sharing the same ventilation system, since the vapors emitted from same will destroy the camera negatives.

11. Inspection

- a. 10% of the total camera negatives and the corresponding copies, whose original documents have been disposed of may be inspected once a year. The sample shall be taken as follows: 70% of the microforms selected must not have been inspected previously, 20% must have been inspected the last time and 10% must be the control group. This control group must be a representative sample of all the existing microforms, from the oldest to the most recent. The results of these tests must be kept in files which will be inspected by the Public Documents Administration Program of the Executive Branch. These reports must include at least the following information:

1. The amount of microforms owned by the organism whose original documents have been disposed of.
  2. The amount of same, previously inspected, on the inspection date or dates.
  3. The condition of the previously inspected microforms.
  4. Defects discovered in each microfilm.
  5. Action taken with regard to these defects.
- b. Any organism which has a camera negative in a state of deterioration, as appears from a film inspection (silver emulsion), must produce another copy.
- d. The camera negatives and their copies corresponding to permanent documents which will be disposed of once they are microfilmed must certify that the microfilms produced comply with the technical requirements stipulated in the Standard "Recommended Practice Inspection and Quality Control of First Generation Silver-Halide". Camera negatives and the copies produced from non-permanent documents must comply with the requirements mentioned in the aforementioned Standard MS 104-1983".
- The camera negatives and the copies produced from non-permanent documents must comply with the requirements mentioned in the aforementioned Standard MS 104-1983", except for the requirements of chemical residuals and so certified. Those organisms who generate non-permanent camera negatives must change the

chemicals of their developers for every 10 rolls produced.

In the case of service contracts, this requirement will be demanded.

12. Guidelines for the use of microforms

- a. The camera negative will never be for reference purposes. Copies needed for reference purposes will be made from same. When more than one copy of the camera negative is needed, a copy of same shall be made, which shall be called the master copy. It shall be used in substitution of the camera negative to duplicate the necessary microfilms. The duplication process must guarantee that the camera negatives are not broken or dirtied.

13. Disposition of Microfilms

All the provisions established in this Regulation for confidential documents shall apply to m Microforms containing confidential information.

Microfilms which have complied with their retention period may be disposed of pursuant to the procedures established in this Regulation for the disposition of public documents, taking into consideration the following:

- a) the camera negative (or a duplicate) plus one copy (silver, diazine or vesicular) for permanent documents, of each document microfilmed by an organism, must be checked for greater precision. Microforms must be removed to an intermediate deposit or to the General Archive pursuant to the retention

period established for same in the Inventory and Plan of Retention of the organism.

- b) Microforms must be accompanied by information identifying the organism, the title of the documents or documentary series, identification numbers for each film, classification of confidentiality, if any, dates comprised, names or any other facts which identify the first and last documents of the film; and a certification from an officer of the organism indicating that the microforms were produced in the normal course of operations of the organism and that they are true and exact copies of the original documents.

14. Services Available

The following microphotographic services rendered by the Public Documents Administration Program of the Executive Branch are available for the dependencies:

- a) technical advice on the design and implementation of projects or programs of document conservation, reduction of volume, production of security copies, making duplicate copies, or how to improve the general information recovery system.
- b) approval and authorization, recommend specifications for the acquisition of equipment
- c) evaluation of already approved microfilm projects
- d) up to date information on the uses of microphotography and new techniques and advances in the field.

15. Requests for Services

Those dependencies who desire technical assistance in microfilming must make a written request to the Administrator of the Public Documents Administration Program of the Executive Branch, who will refer same to the Public Documents Administration Program for its study and recommendation.

SECTION C: DISPOSITION OF PUBLIC DOCUMENTS

ARTICLE 30: PURPOSE

It is essential that the Document Disposition Programs in the organisms use the Inventory and Retention Plan to promote a prompt and orderly reduction in the amount of documents at each dependency of the government.

Four basic elements must be present in the preparation of the Document Inventory and Retention Plans of the dependency:

1. Conduct a complete inventory of the documents of the dependency.
2. The formulation of a norm regarding the disposition of each document type or series.
3. The application of the retention plans to carry out the destruction or transfer of documents.
4. The identification and selection of permanent documents according to the retention plans.

ARTICLE 31: FORMULATION OF RETENTION PLANS

The following steps must be carried out to prepare the Inventory and Retention Plan of the organism:

1. Each organism must prepare and maintain its document retention plan under its custody up to date in terms of contents, volume, space and equipment occupied. For all the dependencies these

retention plans must be completed one year after the creation of the dependency.

2. Clearly identify and describe the documentary series contained and must contain instructions which, once approved, can be applied immediately. They must adapt to the uses of the entire dependency, so that each office will have specific instructions for the disposition or retention of the documents under its custody.
3. All the retention plans must take into consideration the existing filing systems so that the disposition of the documents may be carried out with the greatest volume of documents.
4. Non-documentary material such as: extra copies preserved for reference purposes (non-regulatory copies), processed documents which constitute work documents and other similar ones which should not become documentary material, should not be incorporated into the official files of the organism. Whenever possible the material not required for documentary purposes, which can be disposed of, should not be sent to the file. In those cases where transitory files of this material is kept in filing equipment, they must be controlled through instructions in the retention plan.
5. Retention plans must be reviewed annually to carry out the necessary changes to keep them current.

ARTICLE 32: PROVISIONS CONTAINED IN THE RETENTION PLANS

Retention plans must provide for:

1. Disposition, after complying with the specified period of time, of those documentary series which

have lost all value to justify their future retention. The procedure to obtain authorization to dispose of same are established in article 38 of this Regulation.

2. The transfer to an Inactive File of the dependency of those documents which are consulted with little or no frequency and which cannot be disposed of immediately because they have not complied with their retention period, but which do not need to be kept in office space and equipment. These inactive documents will be kept in the Inactive File pending their transfer or destruction.
3. The retention of a minimum volume of documents, which are used very frequently, in office space and equipment compatible with an efficient operation.
4. The identification of permanent documents pursuant to the retention plans.
5. The transfer to the General Archive of Puerto Rico of documents over 50 years old, excluding the files of Notarial Protocols at the Registry of the Property, on the date the Public Documents Administration Act was approved. Also transferred will be the documents which the General Archive of Puerto Rico requests they be transferred.

**ARTICLE 33: APPLICATION OF RETENTION PLAN**

The head of each organism must take the necessary action to apply the retention plan, for a maximum economy of space and equipment and personnel, and to expedite the recovery of information. Two copies of each directive, and of the Inventory and Retention Plan affecting the Documents Administration Program of the

Executive Branch, must be sent to the Documents Administration Program of the Executive Branch.

ARTICLE 34: STANDARDS FOR A SELECTIVE RETENTION OF DOCUMENTS

The head of each organism will produce and preserve those writs and other forms of information containing the adequate and convenient documentation of the essential organization, functions, public policy, decisions, procedures and transactions of the organism. The Administrator of the Program in the Executive Branch will establish standards for the selective retention of documents with a permanent value and will provide assistance to the dependencies with the application of these standards in the documents under their custody.

The following standard will be applied to the retention and disposition of the documents of the dependencies:

1. Inventories and Retention Plans - the inventory and retention plans developed by each organism for all the documents under its custody will identify, among others, documents of a permanent value, and certify same.

It will also specify periods of retention for documents which do not have a permanent value.

ARTICLE 35: RETENTION OF DOCUMENTS OF A PERMANENT VALUE

In each organism the following four basic elements must be considered to select documents of a permanent value.

1. Conduct a complete inventory of the documents under its custody at the dependency.
2. Develop a retention plan, designating the classes of documents of a permanent value which are derived from the functions of the dependency.

3. Identify documents or documentary series, specifically in the classes determined for retention in harmony with a general retention plan for public documents prepared by the Document Administration Program of the Executive Branch.
4. Place in order, segregate and preserve the documents identified in clause 3 of this Article.

ARTICLE 36: PREPARATION OF THE GENERAL RETENTION PLANS

1. The Public Documents Administration Program of the Executive Branch will provide the organisms with general retention plans as soon as they are produced.
2. Within the term of six months after receipt of the general retention plan, the organism will revise it for the purpose of ensuring that all the documents described in it are retained and periodically transferred to the Intermediate File; or to the General Archive if they are documents of a permanent value.
3. Until the General Retention Plan is produced, the Inventory and Retention Plan prepared by the organism and approved by the Public Documents Administration Program of the Executive Branch will prevail.
4. The Inventory and Document Retention Plans have to be revised annually by the organism so that it can recommend any necessary change to the Public Documents Administration Program of the Executive Branch.
5. The Public Documents Administration Program will conduct periodic interventions to ensure that what

is provided in Article 35, Clause 4 is complied with.

ARTICLE 37: GENERAL RETENTION AND DISPOSITION PLAN

1. The Public Documents Administration Program will establish standards for the selective retention of documents of a continuous value.
2. No document whatsoever belonging to any organism shall be destroyed, transferred, given away or disposed of unless it is in accordance with the provisions of this Regulation.
3. The Administrator of the Program in the Executive Branch may enact Retention Plans authorizing disposition, after the established period of retention has elapsed, of documents of different forms or common characteristics to some or several dependencies if said documents have lost all administrative, legal, investigative value or any other value which requires its retention.
4. These general plans will constitute authority to dispose of the documents included and described in same.

The general retention plan for documents may be applied by the General Archivist to documents under the custody of the General Archive of Puerto Rico, at his/her discretion.

ARTICLE 39: REQUESTS FOR DISPOSITION

The requests for authorization of disposition of documents must be initiated by the organisms by submitting form ASG-PADP-2 List of Disposition of Documents and the Continuation Sheet form with the same title.

The organism will prepare the list obtaining the information from the Document Inventory and Retention Plan. However, the program may receive and authorize Lists of Disposition of Documents while the organism prepares its Inventory and Retention Plan.

ARTICLE 39: APPROVAL OF REQUESTS FOR DISPOSITION

After having evaluated the information contained in Form PADP-2 the Public Documents Administration Program will approve and send these Lists of Disposition of Documents and will abstain from ordering the destruction of any document until it receives a communication from the Archivist as to the documents in said lists which should be transferred to the General Archive of Puerto Rico because they have a permanent interest or an informative or historical value.

The Public Documents Administration Program will authorize the transfer of these documents to the General Archive and the destruction of the remaining documents. The organism will faithfully comply with the instructions of the Program, except in cases where there are unforeseen facts which shall immediately be reported to the program.

ARTICLE 40: CERTIFICATION

The signing of Form ASG-PADP-2 by the Document Administrator or an authorized representative of the head of the organism, will constitute a certification that the documents have complied with their established retention period and have lost all value for the organism.

**ARTICLE 41: CERTIFICATION OF THE ORGANISM**

All Lists of Disposition of Documents must contain the following certification: "The documents included in this List are not in litigation, nor relate to claims against the State, nor have they been listed in the final reports of the Comptroller of Puerto Rico." This certification must be indicated on the List itself, at the end of the column "Observations of the Dependency" when submitted to the Document Administration Program.

**ARTICLE 42: EXTENSION OF RETENTION PERIOD**

In an emergency or when it is necessary to retain same, the head of an organism can retain documents whose disposition has been authorized. After the situation has normalized he/she may dispose of said documents when it has been considered possible administratively.

**ARTICLE 43: CANCELLATION OF AUTHORIZATION TO DISPOSE**

In an emergency or whenever necessary for greater efficiency in the operations of the Government, the Document Administration Program may cancel the approval of retention periods on previously approved Inventory and Retention Plans. These cancellations may apply to items of documentary series in said Inventory and Retention Plans or may apply to all existing approvals for certain specific kinds of documents in some or all of the organisms of the governments. If applicable to more than one organism, the notification shall be made through a circular issued and signed by the Administrator of the Program.

**ARTICLE 44: DEROGATION OF APPROVAL TO DISPOSE**

The Inventory and Retention Plans which have been approved may be derogated through the approval of Inventory and Retention Plans applicable to the same

documents, unless said plan specifically provides that both plans, the previous and the subsequent one are applicable at the discretion of the organism.

ARTICLE 45: EMERGENCY AUTHORIZATIONS TO DISPOSE

Under the following special circumstances documents can be disposed of through a dispensation from the Public Documents Administration Program, releasing it from the obligation to comply with the provisions established in Article 39:

1. When it is determined that the documents constitute a continuous threat to health, life or property. The head of an organism will notify the Public Documents Administration Program, specifying the nature of the documents, titles of the documentary series and years comprised, their location and volume and the nature of the danger. If the Document Administration Program, in consultation with the General Archivist of Puerto Rico concurs with the determination of the organism, instructions will be given in that regard. However, if the determination concerns films with a nitrocellulose base which have deteriorated, the organism will observe the following:
  - A. When nitrocellulose based films deteriorate to the point that they are soft, issue noxious odors, contain bubbles and gases or have degenerated into a corrosive powder and the head of the dependency determines that this constitutes a threat to health or property, they should be eliminated immediately:

- 1) coordinating for their destruction or processing so that their silver contents can be saved.
  - 2) burying them in a dump, if their silver contents is insufficient or by any other adequate means.
- B. Said films must be removed from inhabited buildings as soon as possible.
- C. Those films which must be burned should be submerged in tanks full of water and transferred to a remote location approved by the pertinent authorities to be used to burn waste. The rolls must be destroyed preferably one by one and under no circumstances should more than 25 pounds be burned at the same time. The rapid production of noxious gases produced in burning the rolls is extremely dangerous, especially if incinerated in an oven or closed location.

Within thirty days after the destruction of the films the head of the organism will submit a written report to the Document Administration Program describing the nature of the films and how and when and in what manner the destruction was carried out.

ARTICLE 46: STORAGE

1. When the documents have complied with their established active period and must remain for some time in an inactive state, they will be transferred to the Inactive File, which the organism must establish and organize, where they will remain until they can be disposed of. The documents will

be duly packaged, labeled, separated by subject and years comprised and shall be preserved in good condition, observing the provisions of the Guidelines for Inactive Files issued by the Document Administration Program.

2. The organism will take the necessary precautions to protect its documents against risk of fire, hurricane and other disasters and will ensure that the storage locations have sufficient protection and are protected against excessive humidity and dryness, are free of bugs and have sufficient natural and artificial ventilation and illumination.

ARTICLE 47: SALE OF PAPER

Documents whose disposition has been authorized can be sold as surplus material. These documents, once destroyed in an irreproducible manner may be sold in public auction only by the General Services Administrator. The income obtained from these sales will enter the General Fund of the State Government. If the documents are of a confidential nature, the contractor that has been awarded the paper bid will be required to pulverize or shred same. Two employees from the organism must witness the destruction and will issue a certification indicating that they saw when the documents contained in List No. \_\_\_ on \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ were destroyed. The witnesses will sign the Certification of Destruction, and the organism will keep a copy and submit the original to the Public Documents Administration Program. Documents such as films, recordings and other can be sold in the same manner as documents considered as

paper. All sales will be made in the same manner as the procedures established for the sale of surplus material.

Papers which are not considered documents pursuant to the law, which can be disposed of in large quantities, such as obsolete or damaged forms, publications, and others, will be considered surplus property and can be disposed of as provided by the General Services Administrator in its Regulation on Surplus Property. The income obtained from the sale of the paper, if sold, will enter the General Fund, after reimbursing the General Services Administration for the expenses incurred.

ARTICLE 48: TRANSFER OF DOCUMENTS FROM ONE DEPENDENCY TO ANOTHER

A document cannot be transferred from one dependency to the custody of another without the authorization of the Public Documents Administration Program. Said authorization will be requested via written petition which will include:

1. A brief description of the documents to be transferred, including the volume in cubic feet.
2. A report of the restrictions, if any, imposed on the use of the documents.
3. Number of references per month of the documents, with information of the organisms and persons who use the documents and the purposes of the use.
4. Number of persons, if any, assigned to handle the documents.
5. Information on the proposed physical and organizational location of the documents.

6. Information on the reasons for the proposed transfer.
7. Justification for the transfer of documents over five years old.
8. Copies of agreement to transfer between organisms.

ARTICLE 49: DOCUMENTS OF ORGANISMS WHICH CEASE TO EXIST

The transfer of documents from organisms which cease operations will be made subject to the provisions of this Section, and once approved will be made without reimbursing money to the originating organism, unless there has been an agreement between them.

ARTICLE 50: RESTRICTIONS IN THE USE OF DOCUMENTS

Whenever the documents transferred are subject to restrictions in their use pursuant to statute, Executive Order or determination of the organism, said restrictions will continue in effect after the transfer. The restrictions imposed through a determination of the organism may be set aside by agreement between them.

ARTICLE 51: EXCEPTIONS

The approval of the Public Documents Administration Program is not necessary to transfer documents when:

1. The documents are transferred to an Intermediate File.
2. The documents are loaned for official use.
3. The transfer of the documents or functions is required by legislative, Executive Order, Reorganization Plan or specific findings produced to that effect.

ARTICLE 52: TRANSFER OF DOCUMENTS TO FILE

The Archivist will be authorized to require the transfer of the following documents:

1. All existing documents on Spanish sovereignty.

2. All documents which are over fifty years old, excluding those which pursuant to law require additional or permanent retention in a specific organism.
3. All public documents which have belonged to an organism who has ceased operations, unless said papers have been transferred by law to another dependency of the government.
4. All public documents, regardless of their antiquity, which in the judgment of the Administrators of the Public Document Administration Program are considered to have lost their administrative usefulness.
5. All public documents, regardless of their antiquity, which have been reproduced as established in Article 7 of this Act No. 5. The transfer to the File shall not apply for the documents described in paragraphs 1 and 2, when the Administrator of the corresponding Program certifies in writing that the documents must remain under custody to be used in the current administration of the affairs of the dependency under its jurisdiction.

ARTICLE 53: ADMINISTRATION OF ESSENTIAL DOCUMENTS

1. Requirements

The standards for a program for the protection of essential documents were issued in the Circular Letter of the General Services Administration No. 83-2 "Guideline for the Preservation of Essential Documents" issuing instructions to the organisms to take preventive protective measures for vital documents, and that these measures be incorporated

into the respective Emergency Plans of the organisms.

2. Definitions

Essential documents are those which are vital and indispensable, which cannot be replaced immediately after a disaster and which are required to continue the functions of the organism.

They are classified into three classes:

First category - documents which contain essential information to carry out survival operations during the disaster, which includes the operating plans of several emergency services.

Second category - documents which contain essential information for the phase of recovery, immediately after the occurrence of the disaster to establish the structures and responsibilities of the government, including for example, documents related to public health, protection of life, property, etc.

Third category - documents which contain essential information for the recovery phase after the disaster to reestablish the basic rights of the individuals and corporate entities, including legal, property rights, titles and others.

3. Responsibilities of the organisms

- a. A strong support for this program is required from the organism to comply with emergency needs. The essential documents of the organism should be correctly identify. The organisms must be aware that during or immediately after an emergency those persons who will use the documents may not be the same persons who use them under normal conditions.
- b. In identifying its essential documents the organism must maintain the volume of same to a manageable level and the procedure for the recovery of information must require the least possible effort. The program must be simple and concise, avoiding whenever possible complex and difficult procedures.
- c. The essential document protection program in the organism must be revised annually. It can be considered effective if the documents selected as essential have up to date information, are complete, adequately protected, accessible and can be used immediately.

4. Protection and conservation of essential documents

- a. The Document Administration Program will provide orientation for the protection and conservation of essential documents.
- b. In general, essential documents may be protected against loss of information through the pertinent combination of the following methods:

1. Dispersion - saving a copy of same in a safe place
2. Use of duplicates - increasing the amount of copies and distributing them in different locations of the organism.
3. Storing them in vaults - using safety deposit boxes or constructing vaults.
4. Improving the capacity of protection of the existing facilities - increasing their resistance to fire and other hazards.

## THIRD PART: ADMINISTRATION OF CONFIDENTIAL DOCUMENTS

## SECTION A: GENERAL RULES

ARTICLE 54: AUTHORITY

The Administrator of the Program, pursuant to the faculty granted by Article 4, clause (b) 2 of Act Number 5 of December 8, 1955, as amended, establishes the guidelines to follow to operate systems of confidential classified documents by provision of law or regulation or resolution of the heads of the dependencies; which must be specific and limiting due to their contents, origin or purpose; guidelines and standards which they must follow to determine the documents that will be included in the confidential document systems. Included only will be those documents which have all the characteristics and comply with all the requirements established in the regulations adopted by the Administrator; as well as with regard to the use, conservation and disposition of same. Any document which the Administrator of the Program has not expressly defined in this regulation cannot be considered to fall within these classes.

These standards guarantee efficiency in the administration of the filing systems for confidential documents in the organisms and reduces the possibility that the confidential documents can be used by unauthorized persons; the security of the documents is guaranteed and mechanisms of fair and legitimate access to same are created, unnecessary expenses in the organisms and possible legal actions due to the condition of confidentiality of these documents. (sic)

**ARTICLE 55: CATEGORIES**

All documents falling within the following categories or which are declared to be so expressly by any law in effect or which is approved in the future, will be considered a confidential document:

1. All the documents identifying an individual which requests benefits such as: clients, patients, students, employees, including but not limited to personal, medical treatment, social welfare, job security, student documents and all documents concerning the relationship between a client and attorney or between a physician and patient, whose disclosure may constitute a clear and unwarranted invasion of personal privacy.
2. Documents on infant custody or adoption, births derived from parents not married to each other and documents on juvenile proceedings before a family court.
3. All documents conserved by organisms which have to do with law enforcement. It being stipulated that any document which reflects the initial arrest of an adult, filed in court by an organism in charge of law enforcement, shall be made public.
4. Any document that is not available by law or disposition of a court for the litigating party in a lawsuit.
5. Technological or scientific secrets and security plans of military agencies or those in charge of law enforcement whose disclosure could endanger public welfare and security.
6. Documents which would disclose the identity of a contributor to a bona fide institution when

anonymity has been requested regarding the contribution given by the donor.

7. Reports and statements on labor strategy or negotiations, labor management arbitration, collective bargaining agreements of a specific organism.
8. Reports and statements of strategy or negotiations related to investments or loans of public funds, up to the time when said transactions are entered into.
9. Any document regarding a discussion to be held during an executive session.
10. Test questions, codes and other data to administer bar examinations, job, promotion or academic examinations, provided that any person will be entitled to review the results of their examination.
11. Correspondence from elected officials related to or from those who they represent and correspondence from these elected officials in their official functions.
12. The contents of real estate, engineering appraisals or estimates and feasibility evaluations made for or by a dependency related to the acquisition of properties or possible public materials and construction contracts, up to the moment in which the property is acquired or all the proceedings and transactions have been concluded or abandoned; provided the eminent domain act is not affected by this provision.
13. All tax returns.

14. All documents from investigative public entities pertaining to possible violations of statutes, rules or regulations different from documents on final actions taken; provided that all the prior documents regarding notifications or violations or breaches are not made public.
15. Documents of the results of examinations for professional certifications or licenses.
16. Requests for consulting opinions up to the time in which the public entity issues the opinion.
17. Documents within information which should be kept secret pursuant to executive order for the security of the Commonwealth of Puerto Rico.
18. Documents related exclusively to internal policies and practices of personnel of any organism.
19. Notes, memoranda, correspondence and written documents of governmental officials which are incidental to the administration of the affairs of the office, without any authorization or statutory requirements, whose disclosure could cause prejudice to the sound operation of the organism which possesses said documents.
20. Internal or interagency letters or communications which cannot be available by law to private persons or groups in litigation with the organism.
21. Information declared confidential and exempt of disclosure pursuant to law and the regulations approved pursuant to same.
22. Documents received by an organism in a confidential manner and accumulated and maintained to regulate a commercial entity or financial institution (Trade Secrets).

23. Documents accumulated for the purpose of an investigation for legal proceedings, but only to the degree that the production of same could:
  - a. Interfere with the compliance of legal procedures.
  - b. Deprive a person of a right to fair trial or impartial adjudication.
  - c. Constitute an unexcusable invasion of personal privacy.
  - d. Disclose the identity of a confidential source and in the case of documents compiled by an authority in charge of law enforcement, in the course of a criminal investigation, or by an agency that is conducting, pursuant to legal mandate, a criminal investigation, or by an organism that is conducting, pursuant to legal mandate an investigation on national security, the confidential information supplied only by the confidential source.
  - e. Disclose investigative techniques and procedures.
  - f. Endanger the life or safety of personnel in charge of law enforcement.
24. Documents with geologic or geophysics information, including oil well maps and mine deposits, if said information could affect the interests of the Commonwealth of Puerto Rico.
25. Some documents of the Governor, Secretaries of the Government, Courts of First and Last Instance of Puerto Rico, members of the Legislature, Heads of Organizations, and others, which may be considered personal or private documents.

26. Documents with personal information of public and private social welfare organizations.
27. Documents, reports, opinions, information, statements that should be kept confidential pursuant to State or Federal law, rules, disposition of a Court or regulation.
28. Judicial bodies are included in the definition only with regard to their administrative functions; it being provided that the documents preserved by the provisions of general laws are exempt from the effects of same.

However, as determined by the maximum authority of the organism, a segregated portion of a public document excluded by this section will be available for disclosure after deleting or erasing the information which should be excluded if the disclosure of the segregated portion does not violate the intention of this section.

ARTICLE 56: RULES1. To establish Confidential Files Systems

- a. There must be a person responsible for being the custodian of the confidential files system.
- b. An inventory must be made of all the confidential documents.
- c. Once the inventory of the confidential files has been made, it shall form part of the Inventory and Retention Plan of the dependency.
- d. The circulation of information from a confidential files systems should not be allowed within any dependency without the authorization of the custodian if the purpose is to carry out official business.
- e. Confidential files must be checked annually and systematically in order to reclassify and conduct the disposition of same.
- f. At the end of the retention period for confidential documents, the dependency must prepare Lists of Disposition of these documents and submit them to the Public Documents Administration Program, pursuant to what is established in Article 39 of this Regulation.

2. On Specification and Limitation

- a. Any confidential information used must be pertinent to the purpose for which it is used.
- b. The purpose for which the confidential information is required and used must be specifically stated, at the time when that information is needed or requested.
- c. The use of confidential information must be limited to the previously established purpose.

- d. Any other change of purpose for the use of the confidential information must be notified to the custodian of said information.
  - e. The confidential document must not be disclosed, be available or used for any other purpose, other than the one specified and authorized, unless:
    - 1. the subject of the information is in agreement.
    - 2. it is authorized by law
  - f. The classification of confidential documents must be limited, as well as the accumulation of personal information, must be specific, and said information must be obtained by legal and fair methods, and whenever possible with the knowledge and consent of the subject.
3. On the Processing of Confidential Information through Electronic Systems
- Confidential information which goes through an automatic process must:
- a. Be a fair process, which complies with the law.
  - b. Be accumulated for a legitimate and specific purpose, and is not used in a manner which is incompatible with the established purpose.
  - c. Be adequate and relevant and not excessive with regard to the purpose for which it is accumulated.
  - d. Conserved, stored and preserved in such a way that it will not allow the identification of the subject, beyond what is required for the purpose for which it was obtained or is being used.

4. Classification and Reclassification

- a. The confidentiality of the document must be in agreement with the provisions of this regulation.
- b. The authority to determine the confidentiality of a document must be exercised by the heads of the organisms or their specific delegates.
- c. Confidential documents may be reclassified by the authorized person, by a successor in capacity or by a superior of both.
- d. The person with authority to determine if certain documents are confidential or not, must use said authority wisely.
- e. Unnecessary or ineffective classifications must be avoided.
- f. The classification must be based on whether the document with confidential information upon disclosure would affect the organism, the Commonwealth of Puerto Rico or the citizen.
- g. Documents should not be classified as confidential to hide administrative inefficiency or errors, to avoid problems for a person, or to restrict the professional competence and independent initiative of an employee or an officer.
- h. Persons who in the performance of their functions intervene with confidential information or documents must respect the classification of said documents.
- i. If a person in their capacity as custodian and in charge of maintaining a filing system for confidential documents, believes that said

document should not be classified as confidential, or that the classification is improper, should state so to the person who has the authority to determine the confidentiality of the document so that he/she can reexamine the classification in question.

- j. Confidential documents transferred to the General Archive of Puerto Rico or to a specific file or to a Document Center may be reclassified only with the express authorization of the head of the organism or a competent authority from which the documents were transferred or from the donor of same.
- k. The head of the organism, when transferring documents to the General Archive of Puerto Rico may determine the period of the confidential classification of same.  
For this he shall consider if in classifying he will not endanger the security of a person or the country.

ARTICLE 57: RIGHTS OF THE PETITIONER

1. A person is entitled to request in writing, to review and discuss errors on personal information related to him in an organism.
2. Whenever possible, when information that is not considered confidential is requested, but it has been placed together with information that is confidential, the dependency may segregate the non-confidential document and make it available to the petitioner.
3. A person is entitled to request from an organism that personal information related to him be

eliminated if the purpose has already been complied with and there is no reason for it to remain in the files.

4. All requests for confidential information must state in writing the purpose for which said information is being requested and a certification that the information requested, if provided, shall be for the exclusive use of the petitioner and will not be transferred to other persons or used for any other purpose not stated in the request.
5. All custodians of confidential information must:
  - a. Determine within ten labor days after receipt of a request for confidential information, if he/she will comply with said request.
  - b. Notify the petitioner of confidential in writing within ten business days, after the receipt of the request, of the progress of their request.
  - c. Notify the petitioner of the reason for a refusal for confidential information and the reason for said decision.
  - d. Establish charges, if any, for the information requested, which shall not exceed the expenses incurred.
  - e. Provide the confidential information in a legible manner for the petitioner.
  - f. Orient the petitioner of the right to appeal to the head of the organism to review any adverse determination on his request for information.
  - g. Orient the petitioner of the right to request, from a competent court, a judicial examination

if the denial of the request for confidential information prevails.

6. The head of the organism must make a determination within twenty business days regarding the receipt of an appeal of the petitioner for confidential information.

ARTICLE 58: CONDITIONS OF DISCLOSURE

1. No organism may disclose a confidential document via any communication media, to any person or to any other organism, unless there is a written request and the consent of the person subject of the information. Unless the information is for:
  - a. Officers and employees of the organism who need the document to perform the official functions pertaining to the position they occupy.
  - b. Routine and ordinary use, essential to the work of the organism for which the documents were accumulated.
  - c. The Census Bureau in order to plan or conduct a census.
  - d. Transfer of the confidential documents to the General Archive of Puerto Rico for its permanent value to guarantee its preservation, or for evaluation by the Public Documents Administration Program as to its established period of retention.
  - e. Transfer to a Document Center or an Intermediate File with proper security measures.
  - f. An authorized organism or person when complying with a criminal or civil law, if authorized by law, if there is a written request from a

competent authority or a judicial order providing the necessary means to protect the disclosure of the information.

- g. A person authorized to show the finding of circumstances which affect the reputation and security of a person. A notice of said disclosure must be sent to the person subject of the information to his/her last known address.
- h. The Comptroller's Office or its authorized representatives during the course of a fiscal audit in the organism.
- i. For individuals acting for the benefit of the health or security of the subject of the information.
- j. Qualified personnel who has insured the dependency, through a written request and the proper identification, that the confidential document will be used only for statistical investigations, scientific and historic research, administrative interventions, financial interventions or to evaluate programs; but said personnel should not directly or indirectly identify the subject of the information in reports which are produced from the information obtained. Whenever possible a reasonable portion of a confidential documentary series can be segregated and provided to the petitioner, after extracting the portions which can identify the subject of the information.

- k. Legislative bodies and their committees or sub-committees.
2. Any government employee who fails to comply with the above provision shall be subject to the corresponding disciplinary action pursuant to the Public Service Personnel Act.
  3. To authorize the examination of a confidential document a form must be prepared with the following information:
    - a. The authority (granted by statute or Executive Order) and if said disclosure is pursuant to legal or voluntary mandate.
    - b. The purpose of the information.
    - c. The effects of the disclosure on the person subject of the information.
    - d. The routine use which can be given to the information.
    - e. The effects on the petitioner, if any, of not providing all or part of the information required.
  4. The persons involved in the design, development, operation, maintenance and custody of any confidential file system must observe the following:
    - a. Ensure that there will be no discrimination will ensue from the use of the personal information.
    - b. Not allow the examination or the inspection of confidential information through fraudulent means.
    - c. Notify in writing and within a reasonable time, any person, when any information considered confidential related to said person becomes a

public matter pursuant to an obligatory legal procedure.

- d. Should verify, with the proper identification of the person requesting the confidential information, that the condition and accreditation of a legitimate interest is complied with, as defined in this Regulation.
5. Those organisms who have regulations in effect with a legal force of law regarding provisions related to the disclosure of their confidential documents, be they federal, state or local provisions, must prevail over the provisions established in this Regulation.
6. A person is entitled to determine when, how and up to what degree the confidential information related to him/her is communicated to third persons.
7. No organism or agent of same may request, solicit or in any manner induce an individual to sign any statement authorizing any person or institution to disclose information on him/her or on any other individual unless said statement:
  - a. is written in simple language;
  - b. indicates the date;
  - c. is specific as to the individuals or institutions who are authorized to disclose information and which are known at the time the authorization is signed;
  - d. be specific as to the nature of the information that is to be disclosed;
  - e. is specific as to what individuals or institutions are authorized by the individual in particular (petitioner, employee or former

- employee) to receive the information that is to be disclosed;
- f. is specific as to the purpose for which the information can be used by the individuals or the institutions in clause (5) above- and
  - g. is specific as to the date in which the agreement to disclose will expire; which effective date must comprise a reasonable period of time.
8. The head of an organism will have the faculty to authorize the disclosure of confidential information when in his/her judgment and pursuant to this Regulation the confidential information requested is indispensable for the petitioning person to carry out his governmental endeavor and he/she cannot obtain the information through other means.

ARTICLE 59: PERSONNEL FILES

The organisms must, through adequate internal mechanisms, review and evaluate their practices of employment and of filing Personnel Files, including state laws and applicable personnel regulations and determine:

1. The number and types of files that are kept of each individual, including management personnel, former employees of the institution and applicants;
2. The items of information contained in the Personnel Files and each type of personnel file that is maintained;
3. The use given by the organism to each one of the items of information in each type of file and the circumstances pursuant to which information can be

disclosed to interested parties outside the organism; and

4. the measure in which the directors and the personnel are familiar with the type of file kept by the institution on them and the uses given to the information contained in same.

The following guidelines, which every organism must consider in formulating their policy on the right to privacy of the employee are provided. The term "individual" will be used to designate an applicant, employee or former employee.

1. External Investigations

- a. Before compiling information on any individual or hiring others to compile information on any individual, the organism must notify the individual, pursuant to the prevailing institutional policy related to:
  1. the type of information that is to be compiled;
  2. the technique that will be used and the sources from where information will be requested concerning the character or reputation of the individual.
- b. The organism should not hire any organization whatsoever that performs investigative work without first verifying that the practices used by said organization with regard to personal information are in agreement with the policy of the organism.
- c. The organism should not seek or keep any kind of information on an individual which is not relevant to a personnel decision.

- d. The organism should not try to obtain, nor allow any of its agents to try to obtain, information on an individual using deceitful methods or means or which in any manner hides the purposes of the investigation or the identity of the organism.

2. Criminal Files

- a. No organism may request or consider information related to the arrest record of an individual, unless it is specified by the statutes, regulations of the government or decisions of the courts.
- b. When the organism requests through legal means and uses the criminal record of an individual to make a specific decision with regard to said individual, it cannot keep the file longer than what is specifically authorized by law, if any, unless there is an accusation pending.
- c. No organism may, unless otherwise required by law, seek to obtain or consider information related to convictions, except in circumstances where said information has a direct relevance to any kind of personnel decision.

3. Designation of Available Files

- a. The organism must clearly designate those files of an individual which the organism:
  - (1) will allow the individual to review if he/she so requests and subject to reasonable procedures; or
  - (2) will make available to the individual, subject to prescribed limitations; or

(3) will not allow the individual to have access to same.

4. Review and Correction of Files

The organism must, if an individual so requires:

1. inform the individual, after verifying his/her identity, if it has information in its files related to him/her which appears in documents or files which the individual has access to; and
2. allow the individual to check said files, or if he/she prefers, inform him/her of the nature and contents of said files. (If the organism has medical information on an individual, it must allow him/her, after a request, to check said information directly or through a professional licensed to practice medicine, designated by the organism or by the individual him/herself).
  - b. The organism must allow an individual to request the correction or amendment of any file which identifies him/her and which the individual has access to, pursuant to a determination of the organism. The organism must:
    1. make the correction or amendment required within a reasonable period of time; or
    2. if the organism does not make the correction or amendment required, allow the individual to submit a statement stating the reasons why the correction or amendment is being requested. The

organism may, in turn submit a statement stating the reasons why it refused to make such a correction or amendment.

- c. The organism must provide or send a notice of the correction or amendment to any party who the individual specifically designates and the organism believes or has reason to believe that it might have received the information, subject to correction or amendment, during the two year period prior to the date in which the correction or amendment is made.
- d. When disclosing any information subject to controversy, the organism must indicate this clearly at the time of the disclosure.

5. Internal Use

The access to all Personnel Files, employment files or any other related file must be restricted to authorized personnel and a determination must be made as to the use that will be authorized for same. The institution must have separate access to said files using the following categories or similar categories:

- a. personnel
- b. payroll
- c. security
- d. medical related to the job
- e. voluntary health care
- f. life or health insurance
- g. job related insurance

6. External Use of Information

No organism may disclose any kind of information from its official files which will identify the person of an individual without the explicit consent of said individual, except under the following circumstances:

- a. in response to a request to check or provide information of the kind designated by the dependency as "directory information" which should not include more than the following facts:
  - 1) the fact of past or present employment;
  - 2) dates of employment; and
  - 3) title or position
- b. in response to the petition made by a law enforcement authority that it be provided the dates the individual went to work and his residential address.
- c. to protect the legal interests of the organism when it believes that the actions of the individual violate employment conditions or in any manner represents a physical threat to the property of the institution or to other individuals.
- d. to a law enforcement authority when the organism reasonably believes that a petitioner, employee or former employee may have participated in illegal activities.
- e. pursuant to requirement of a statute of the federal, state or local government of any regulation which specifically requires the

disclosure of certain information to specific parties.

- f. to a collective bargaining agent pursuant to a collective bargaining agreement.
- g. to an agent or contractor of the organism provided:
  - 1) only the information necessary for said agent or contractor to perform his functions with the organism is disclosed; and
  - 2) the agent or contractor is barred from disclosing the information to third parties.
- h. in response to a legally issued summons or judicial order, including a search warrant or a citation.
- i. in critical circumstances which affect the immediate health or security of an individual.

The organism must clearly inform petitioners who so request it, and automatically to personnel of the organism, the type of information contained in the files, which the organism maintains on the individuals, which can be disclosed and what are the procedures to involve the individual in each type of disclosure.

ARTICLE 60: STUDENT FILES

- 1. This part will apply to academic files of students which contain information directly related to the student and are kept by an educational organism or institution.

2. The term "academic file" will not refer to:
- a) Personal files of the teaching or administrative staff under the custody of the person who prepared them and which are not made available or revealed to any other person, except a substitute.
  - b) Disciplinary files which are kept apart from academic ones, which are used for disciplinary purposes only and are not made available to persons other than officials or persons in charge of enforcing the law or the regulations of the institution.
  - c) In the case of persons employed by an educational organism or institution, but which are not serving said organism or institution, the files prepared and preserved during the normal course of the procedures developed in the organism or institution and which relate exclusively to the person or with his/her capacity as an employee and which are not available to be used for any other purpose.
  - d) The files of a student who is 18 years old, or which attends a post-secondary educational institution, prepared or preserved by a physician, a psychiatrist, a psychologist or other recognized professional or paraprofessional while acting in his professional or paraprofessional capacity, or who rendered help in such capacity, and which are created, preserved and used solely for purposes related to the treatment administered to the student and is not made available to any person other

than the person in charge of offering the treatment; provided, however, that a physician or other qualified professional selected by the student may personally review said files.

3. Accessibility to Academic Files by other Persons other than the Students Themselves

a. With the exception of the persons hereinafter mentioned, only the student will have access to his/her academic file. However, the student or his/her parents may authorize in writing, and give permission for certain organizations or individuals to see the file for purposes of employment, graduate studies or scholarship concessions. When a student is already eighteen years old or is studying at a post-secondary educational institution, the permission or consent of the parents and the rights granted to the parents thereafter shall only be required from the student and be granted to the student.

1) Members of the faculty or top management, which is the Rector or Director of the institutional unit determines that it has a legitimate educational interest in examining the files in question.

2) Officials of other post-secondary educational institutions to which the student has requested admission, under the following conditions:

a. the student is informed of the request for transfer of his/her file,

b. a copy of same is given if desired,

- c. the opportunity is given for a visit to question the contents of said file
- 3) Federal officials authorized to audit the programs sponsored by the U.S. Government and officials of the State Government to whom the law requires they be revealed the information contained in the files.
  - 4) Officials or employees who process economic aid requests.
  - 5) Organizations conducting studies for, or on behalf of educational organisms or institutions for the purpose of developing, validating or administering diagnostic tests, of administering student aid programs and of improving the institution if said studies are carried out in such a way that the personal identification of the students and his/her parents by persons other than the organizations is not allowed and if the information is destroyed when it is no longer necessary for the purposes for which the study is being conducted.
  6. Accrediting organizations in the development of said functions.
  7. The parents of a student considered as a dependent of said parents for Income Tax purposes.
  - 8) In an emergency, the appropriate persons, if it is known that the information in the file is necessary to protect the health or security of the student him/herself or that of any other person.

- b. The files sent to any organization, governmental organism, or individual will be sent with a letter informing the recipient that the information contained in the file can be examined only by the persons directly involved in the deliberations which justify the request for the file and advising them that if they disclose the information and prejudice the student, they will be responsible for the damages caused. Additionally, the recipient will be notified in writing that if this requirement is not acceptable the files will be returned, unopened, to the University or school.
  - c. Each office in charge of academic files will maintain a record which will be kept next to the academic file of the student which will contain the names of the persons (except officials of the entity), organism or organization which have requested and obtained access to said files and which will specifically indicate the legitimate interest which prompted them to obtain that information.
4. Accessibility to academic files by the students themselves.
- a. The financial statements of the parents or information related to the finances of the parents will not be disclosed to the students. The official in charge of antecedents or information of this kind will keep them apart from the file provided they are in a closed

envelope, marked "The information contained is not available to the student".

- b. Confidential letters or letters of recommendation included in the academic files of the students will not be available to the students, if said documents are used for purposes other than the specific purposes for which they were written. Any other information in the academic file will be available for inspection by the student unless said accessibility is restricted, as allowed by the following clause (c) of this Article.
- c. A student or a person who requests admission may waive his/her right, except that said waiver must refer to recommendations only if:
  - 1) at the student's request, he/she is notified of the names of all the persons who have given confidential recommendations and;
  - 2) if said recommendations are used only for the specific purpose for which they were offered.  
Said waiver shall not be used as a requirement to be admitted into, receive economic aid from, or receive any other service or benefit from said organism or institution.
- d. Any organism or educational institution who publishes an informative directory must give public notice of the type of information it will offer with regard to each student attending the institution or organism and must allow

a period of fifteen business days to elapse after said notice to allow one of the parents of the student to inform the institution or organism that a portion or all of the information designated should not be disclosed without first having obtained the consent of that parent.

5. Procedure

- a. To request the examination of academic files and appeals in case of notification, when applicable, if a student or his/her parent, in such case, wish to examine the academic file, they will make the request in writing, using a form entitled "Request to Examine Academic File" to the Dean of Students or his authorized representative, who they will identify themselves to. Each office with custody over files will designate an employee who they will go to to process the aforementioned requests. The person designated will send the student a confirmation that the request was received and will inform the date and time when the file can be seen, within a period of time which shall not exceed thirty business days after having received the request.
- b. After the person designated has removed from the file of the student those documents which are considered confidential with regard to the student under Article 62, clauses b and c, the academic file will be made available to the student, at the time and date specified (after he/she duly identifies him/herself) for

inspection and review by the designated person. A copy of the academic file may be delivered to the petitioner, within ten days, through the corresponding payment per one sided page.

- c. Within fifteen days of the petitioner having reviewed the academic file, he/she will be entitled to allege that the contents of same is not correct, that it can be misinterpreted or if it violates the privacy and other rights of the student. The student may not question grades which he/she has been given for academic work; but can allege that a grade has not been correctly noted.
- 1) If the student is not initially in agreement with all or a portion of his/her file, he/she will inform the person designated at the office where his/her file was under custody and will try to resolve the problem through an informal dialogue with said person or with the person in charge of the office.
  - 2) If no agreement is reached through the informal dialogue, then the petitioner, within the term of fifteen days mentioned above, will request an interview in writing with the Director or with the Dean of Students of the corresponding institutional unit, stating the portion of the file he/she is not in agreement with.
  - 3) If after this interview no agreement is reached, the Director or the Dean of Students will designate an official from

that office, which has no interest whatsoever in the result of the hearing, to meet with the student and to discuss the matter.

Unless the student withdraws his/her petition or requests a postponement of the hearing, it shall be held within thirty days after having received the petitioner's request. He/she shall be given the opportunity at the hearing to present evidence in support of his/her petition. The officer who pursuant to delegation of the Dean conducts the hearing, will issue his/her decision in writing, within thirty days after the hearing was held.

4. If the decision is adverse to the student, he/she may appeal in writing to the Rector or the Director of the institutional unit which he/she belongs to or to the organism in the next higher hierarchy in the institution.
- d. These rules will be provided to each student on the day of his/her enrollment.
- e. As soon as these rules are approved by the President, the University Board and the Council of Higher Education, they will be published in all the bulletin boards and distributed to the administrative and teaching staff, especially to the officers and employees in charge of the offices mentioned in Article V e.

SECTION B: PROCEDURES  
ARTICLE 61: CONTROLS AND USE

The loss of documents of a confidential nature may be avoided by using a system of locks, special keys, alarms or special files.

To avoid the use or reproduction, without authorization, of confidential documents, it is necessary to establish controls for the loan and reproduction of same, to wit:

- 1) Any document considered confidential should be marked as such.
- 2) These must be made conspicuously through the use of a color in the sticker that is used in the tabs of the folders or through colored folders.
- 3) The custodian must number same when they are lent and they will be removed from the file through a loan and recovery system.
- 4) The access and distribution of confidential documents must be strictly limited to persons who use them to perform their work, but not to other persons, as established in the conditions for disclosure in Article 60.
- 5) Confidential documents should not be taken to private residences to work on them, nor transported in public vehicles. These documents will only be transported outside the Confidential File with the authorization of the Supervisor in Charge of the File and for cases where it is considered warranted, and with the security measures which the file demands.
- 6) Drafts of confidential documents must be destroyed together with the carbon copies used to prepare the final document and also the photocopies which have

no use. It is recommended that they be destroyed through a paper shredder.

- 7) Originals of documents will not be removed outside the area of the files unless it is absolutely necessary. Example: if the Legal Division needs an original of the document to present it in Court, a certified copy of the document may suffice; auditors in their audits may need to see the original invoices to prepare their reports.

ARTICLE 62: HANDLING

The handling of confidential documents will be controlled in the organism by observing the following measures:

1. The custodian or the supervisor of the file who is responsible for opening and closing the filing cabinets in the office units will be made responsible.
2. This person will be in charge of a set of keys and will know the combination.
3. Two sets of keys per filing cabinet shall be made for those offices where confidential documents are stored. One set will be kept by the custodian or supervisor of the file and the other set (copy) shall be stored in a safe place with controlled access.
4. A substitute of the supervisor of the file will be designated, who will substitute him/her with the same responsibilities when he/she is absent.
5. All the copies of the keys of the confidential files and the room where these files are kept, if apart from the rest of the office equipment will be stored there, and each set of keys will be

identified so they will not be confused with others.

6. The custodian or person in charge of the file will keep a control of the use of the keys. This can be a record containing the number of the key, the name of the custodian, the name of the office to which the key belongs and his/her authorized substitute to use the key.
7. The copies of the keys stores in the safety deposit box will be removed from same only when a specific document is urgently needed and the person authorized to handle it is absent from the office.
8. The key must be returned to the safety deposit box as soon as the document is located and the registry will be signed.
9. An inventory of the keys in the box will be made to ensure that they are not lost.

ARTICLE 63: LOAN AND RECOVERY

1. To remove the confidential documents from the files, a form in triplicate will be designed which will indicate, among others:
  - a. name of the document;
  - b. name of the person authorized to request the document;
  - c. office, position occupied and number of the employee;
  - d. reason for using the document;
  - e. time the document will be kept;
  - f. place where it shall be used;
  - g. date given to the petitioner;
  - h. date returned to the confidential file
  - i. signature of person delivering and receiving

2. If triplicate forms are used the original will be filed under the petitioner's name, the first copy will be joined to the folder of the document to be loaned and the second copy in the file, in a card file for documents which have been loaned.
3. A follow-up shall be made with a column in the Registry on the second copy if a form is used, as the case may be, according to the number of days that the document will be kept.
4. When the document is returned to the file, the person in charge of the file or the substitute, will corroborate that it has not been altered, that it is complete and after signing the copies of the receipt will be destroyed. The original of the receipt will be kept in a file by the name of the document loaned, for possible future references on the loan of that document.
5. If a registry is used, it should include a column indicating the person who receives the document and the date it was returned.

FOURTH PART: ORIENTATION AND TECHNICAL HELP OFFERED BY THE PROGRAM

ARTICLE 64: SERVICES OFFERED

The Public Documents Administration Program offers training, orientation or technical help to the organisms on the activities of document administration as described in this Article and conducts studies, evaluations and interventions on different aspects of document administration.

1. Orientation on Document administration programs

The Public Documents Administration Program offers orientation to the organisms, through visits, in the aspects of public document administration according to the laws, regulations, guidelines and other directives in that regard. It also offers formal training in this field of public administration which delve into each one of the facets which comprise document administration.

2. Technical Help

At the request of the organisms, the Public Documents Administration Program conducts studies and evaluations in one or more aspects of public document administration in the organism.

- a. the general study of document systems is defined as a systematic cost/benefit analysis which identifies and defines the requirements of the systems for an efficient and economic administration and the alternate methods to satisfy these requirements; and recommends the optimum arrangement of the document system for the approval by management.

The general study of the document systems covers all the administration and operating procedures. Whenever the service of electronic data processing is involved, the general study of document systems will be provided by the Electronic Information Systems Orientation Program of the General Services Administration and will include all (1) the manual and machine steps, from the beginning of the process to the prescription of the final product and the transfer of an entry (input) of valid data to the Computer Center and (2) the processes which cover a satisfactory and correct output of data and its use.

- b. A general study of the document systems does not involve the actions which are taken to convert the input of data to the automatic data processing equipment to the output of data prescribed by the computer. The dependencies who need help to design said detailed systems for automatic data processing must communicate with the Electronic Information Systems Orientation Program of the General Services Administration.

3. Request for Services

The organisms who desire the orientation services and technical help in any of the different aspects of public document administration must communicate with the Public Documents Administration Program of the Executive Branch.

Studies in microfilming, processing correspondence, controlling copies and photocopiers, files, forms,

utilization of space and equipment for documents, and other aspects of public document administration are offered.

ARTICLE 65: INTERVENTIONS

A. Interventions conducted by the Public Documents Administration Program

Section 6 of Article 4 of Act No. 5 of December 8, 1955, as amended, provides that the Administrator of the Public Documents Administration Program, through the Public Documents Administration Program must conduct as many evaluations as he/she considers necessary on the practices and effectiveness of document administration at the dependencies of the Executive Branch and of the municipal governments. These evaluations may be carried out through interventions of the Document Administrators with regard to the application by them of the rules established by the Administrator of the Program and as to any other matter related to the Program which should be regulated for the sound operation of same. The documents or the practices and programs of document administration of any organism will be inspected for the purpose of submitting recommendations to improve the administration of the practices and programs of document administration.

B. Interventions Carried out by the Document Administrator of the organism

Each organism must periodically examine its internal document administration programs with the frequency and depth allowed by its resources.

These interventions will be carried out by the Document Administrator of the organism.

C. Action and Report on the Intervention

Each organism must submit to the Program Administrator an action plan implementing the recommendations contained in the intervention report which must be drafted within the following three months from the date in which the final intervention report was sent to the head of the organism.

The action plan of the organism must include:

1. The specific actions which the organism will carry out on each recommendation contained in the intervention report. If the organism considers the implementation of a recommendation, it must indicate in the action plan why it will not do so.
2. The month and year in which it intends to conclude each action it has planned.

D. Progress Report on the Implementation of the Action Plan

Each organism must submit to the Administrator of the Program a quarterly progress report on the implementation of the action plan until the action plan of the organism is implemented. The Public Documents Administration Program:

1. Will analyze the action plan of the organism to determine if it is adequate to implement the recommendations contained in the intervention report.
2. Will submit comments to the organism about the plan within a two month period and

3. Will notify the organism when no further progress reports are required.

E. Evaluations and Interagency Studies

The Administrator of the Program may conduct inspections or studies on the administration of documents which involve the review of the programs and practices of more than one organism and which examine the interaction and relationship between organisms with regard to documents and the administration of document.

**FIFTH PART: FINAL PROVISIONS****ARTICLE 66: DEROGATION**

The "Regulation for the Administration of the Program for the Conservation and Disposition of Public Documents in the Executive Branch", which was approved in June 1961, or any other provision which is in conflict with same, is hereby derogated.

**ARTICLE 67: SEPARABILITY**

If any provision of this Regulation or the application of same to any person or circumstance is declared unconstitutional, said declaration will not affect the other provisions nor the application of the Regulation which may have effect without the provisions which were found unconstitutional or null and for such purpose it is stated that the provisions of this Regulation are separable one from the others.

**ARTICLE 68: VIOLATIONS AND PENALTIES**

Any violation of the provisions of this Regulation will constitute a misdemeanor and if the person is convicted he/she shall be punished with a jail sentence which shall not exceed six (6) months or a fine which shall not exceed Five Hundred Dollars (\$500) or both at the discretion of the Court.

**ARTICLE 69: EFFECTIVE TERM**

This Regulation will enter into effect thirty (30) days after it is filed at the Department of State of the Commonwealth of Puerto Rico, pursuant to the provisions of Act 170 of August 12, 1988, as amended, known as the "Uniform Administrative Procedures Act of the Commonwealth of Puerto Rico".

Approved in San Juan, Puerto Rico, today July 19, 1990.

(signature illegible)

ADMINISTRATOR

CERTIFIED To be a true and correct translation from its original. *Aida Torres*

AIDA TORRES, CERTIFIED INTERPRETER  
ADMINISTRATIVE OFFICE OF THE UNITED  
STATES COURT. 9/17/90