

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 13 PUBLIC RECORDS
PART 20 STORAGE OF DISASTER RECOVERY BACKUP FILES AT THE STATE
COMMISSION OF PUBLIC RECORDS - STATE RECORDS CENTER AND ARCHIVES

1.13.20.1 ISSUING AGENCY: State Commission of Public Records - State Records Center and Archives
[1.13.20.1 NMAC - Rp, 1 NMAC 3.2.20.3.1, 6/30/2005]

1.13.20.2 SCOPE: All state agencies.
[1.13.20.2 NMAC - Rp, 1 NMAC 3.2.20.3.2, 6/30/2005]

1.13.20.3 STATUTORY AUTHORITY: Section 14-3-8 NMSA 1978. A records center is established in Santa Fe under the supervision and control of the administrator. The center, in accordance with the regulations established by the administrator and the commission, shall be the facility for the receipt, storage or disposition of all inactive and infrequently used records. Section 14-3-6 NMSA 1978 provides the state records administrator the authority to establish records and information management programs for the application of efficient and economical management methods for the creation, utilization, maintenance, retention, preservation and disposal of public records.
[1.13.20.3 NMAC - Rp, 1 NMAC 3.2.20.3.3, 6/30/2005]

1.13.20.4 DURATION: Permanent.
[1.13.20.4 NMAC - Rp, 1 NMAC 3.2.20.3.4, 6/30/2005]

1.13.20.5 EFFECTIVE DATE: June 30, 2005 unless a later date is cited at the end of a section.
[1.13.20.5 NMAC - Rp, 1 NMAC 3.2.20.3.5, 6/30/2005]

1.13.20.6 OBJECTIVE: To establish procedures for offsite storage of disaster recovery backup files and electronic media at the state records center and archives.
[1.13.20.6 NMAC - Rp, 1 NMAC 3.2.20.3.6, 6/30/2005]

1.13.20.7 DEFINITIONS:

- A. “Administrator”** means the state records administrator (Section 14-3-2 NMSA 1978).
- B. “Agency”** means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico (Section 14-3-2 NMSA 1978).
- C. “Commission”** means the state commission of public records (Section 14-3-2 NMSA 1978).
- D. “Electronic disaster recovery files”** means the process of creating a secondary copy of data for the purpose of disaster recovery, i.e., being able to recover or restore the data should an unplanned event make the primary data inaccessible.
[1.13.20.7 NMAC - Rp, 1 NMAC 3.2.20.3.7, 6/30/2005]

1.13.20.8 SPACE AVAILABILITY: The state records center and archives provides secure, vault storage for public records contained in electronic disaster recovery files. This service is dependent on the space available.
[1.13.20.8 NMAC - Rp, 1 NMAC 3.2.20.3.8, 6/30/2005]

1.13.20.9 DISASTER RECOVERY BACKUP FILES:

- A. An agency requesting permission to store electronic disaster recovery files with the state records center shall complete the request to store electronic disaster recovery files form approved by the administrator.**
- B. The form shall include but not be limited to the following: agency name; name of contact person; division; phone number; fax number; physical address; mailing address; e-mail address; names of persons authorized to access and retrieve disaster recovery files; signature of authorized personnel; type and quantity of media; description of electronic media contents; name and signature of agency record custodian; and signature of the administrator.**
- C. The request to store electronic disaster recovery files form shall be re-submitted to the administrator when changes are made that differ from the original request (e.g., deleting or adding authorized personnel).**

D. At a minimum, each individual unit (tape, disk, etc.) of disaster recovery backup files shall be clearly identified with the agency name.

E. Access.

(1) Access to disaster recovery backup files is permitted through the use of an automated key system. Key cards shall be issued at cost plus five percent processing fee to agencies by the administrator when a request for storage of electronic disaster recovery files is approved.

(2) Lost key cards shall be reported immediately to the records management division so that the keys can be deactivated on the automated key system. Key cards shall be replaced at cost plus five percent processing fee.

(3) Regular access to electronic media shall be between the hours of 8:00 a.m. to 12:00 noon and 1:00 p.m. to 5:00 p.m., Monday through Friday.

(4) Authorized agency personnel requesting after hours access to electronic media shall be required to provide personal identification prior to access.

(5) Agencies requiring twenty-four hour Monday through Sunday access to disaster recovery backup files shall make such requests in writing to the administrator. Requests shall state the reasons for requiring around the clock access to disaster recovery backup files. The administrator shall review all requests and shall either approve or deny such access.

F. Storage and terms of use.

(1) The records management division shall provide locker(s) within a secured environmentally controlled vault.

(2) The requesting agency shall be required to provide the pad lock for the locker(s).

(3) If an agency abandons a locker it may forfeit future use of the vault storage.

(4) No food or drink is allowed in the vault.

(5) Only authorized personnel are allowed in the vault.

(6) Authorized personnel are not allowed to move furniture or equipment into the vault.

(7) Agencies that fail to comply with the "terms of use" may have their vault services terminated.

G. Renewal of authorization.

(1) At the close of the calendar year, agencies shall receive a notice from the records management division asking agencies to review and update the authorization list.

(2) Agencies shall have 15 working days to respond to the notice. If no response is received services may be terminated.

[1.13.20.9 NMAC - Rp, 1 NMAC 3.2.20.3.9, 6/30/2005; A, 9/3/2014]

HISTORY OF 1.13.20 NMAC:

History of Repealed Material:

1 NMAC 3.2.20.3, Storage of Electronic Media at the State Records Center and Archives - Repealed 6/30/2005