

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane Street, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

Standard Statement — Personnel Security

Title: Personnel Security

Document Number: SS-70-007

Effective Date: 02/28/2003

Published by: Office of the State ECIO

1.0 Purpose

All information assets handled by computer systems must be adequately protected against unauthorized modification, disclosure, or destruction. Personnel security is necessary to uphold access control and to limit information retrieval to a need to know basis.

2.0 Scope

This standard statement applies to all state agencies, public schools, institutions of higher education, boards and commissions.

3.0 Background

The Arkansas Information Systems Act of 1997 (Act 914, 1997) gives the Office of Information Technology the authority to define standards, policies and procedures to manage the information resources within the state. This is accomplished through work with a multi-agency working group known as the Shared Technical Architecture Team.

In addition, Act 1042 of 2001 states that the Executive Chief Information Officer oversees the development of information technology security policy for state agencies.

4.0 References

4.1 Act 914 of 1997: Authorized the Office of Information Technology (OIT) to develop statewide policies.

4.2 Act 1042 of 2001: Authorized the Executive CIO to develop security policy.

5.0 Standard

5.1 Each affected organization shall implement an ongoing IT security awareness program which communicates the IT security policy to each user and promotes a complete understanding of the importance of IT security. It should convey the message that IT security is to the benefit of the organization and all its employees, and that all employees are responsible for IT security.

5.2 IT management should ensure that their personnel, including contracted personnel, are subjected to an appropriate level of security clearance before they are hired, transferred or promoted, depending on the sensitivity of the position. An employee who was not

~~subjected to such a clearance when first hired, should not be placed in a sensitive position until a security clearance has been obtained.~~

~~5.3 IT management should maintain a record of individuals currently authorized to access sensitive information.~~

~~5.4 IT management should ensure that operations and maintenance personnel, such as vendors or other service providers, have appropriate access to IT resources.~~

6.0 Procedures

~~The agency shall be able to demonstrate compliance with this policy.~~

7.0 Revision History

Date	Description of Change
02/28/2004	Original Standard Statement Published

8.0 Definitions

~~8.1 Training: Any information sharing, orientation process, ongoing supervision, or counseling. This may also include training by methods of an informal classroom, the intranet, and any posted internet information.~~

~~8.2 Security Clearance: Security clearance may include a law enforcement background check and may be combined with some form of biometric identification (i.e., fingerprints)~~

9.0 Resources

~~9.1 COBIT Standards: <http://www.isaca.org/cobit.htm>~~

~~9.2 HIPAA Proposed Security Standards: <http://www.hipaadvisory.com/regs/securityandelectronicsign/>~~

~~9.3 United States Department of Agriculture's Personnel Security Process: http://www.usda.gov/da/ocpm/Web_PESE.htm#Types~~

10.0 Inquiries

~~Direct inquiries about this policy to:~~

~~Office of Information Technology
Shared Technical Architecture
124 West Capitol Avenue Suite 200, Little Rock, Arkansas 72201
Voice: 501-682-4300
FAX: 501-682-2040
Email: ITarch@mail.state.ar.us
OIT policies can be found on the Internet at: <http://www.techarch.state.ar.us>~~

11.0 Attachments

~~As required~~

Jennifer Davis

From: Legal Ads <legalads@arkansasonline.com>
Sent: Thursday, December 26, 2024 12:00 PM
To: Jennifer Davis
Subject: Re: Notice of Rulemaking

Will run Sat 12/28, Sun 12/29, and Mon 12/30/

Thank you,

Gregg Sterne, Legal Advertising
Arkansas Democrat-Gazette
legalads@arkansasonline.com

From: "Jennifer Davis, DIS" <Jennifer.Davis@arkansas.gov>
To: "legalads" <legalads@arkansasonline.com>
Sent: Thursday, December 26, 2024 11:50:32 AM
Subject: Notice of Rulemaking

Greetings,

Please run the attached Notice of Rulemaking for 3 consecutive days as soon as possible to include Sunday as one of the three days. The billing address is the Arkansas Department of Transformation and Shared Services, PO Box 3522, Little Rock, AR 72203. If you have any questions, please contact me at 501-683-1672.

Please confirm the dates in which the notice will run.

Thank you,
Jennifer



Jennifer Davis
Chief Privacy Officer
Transformation and Shared Services
E: Jennifer.Davis@arkansas.gov
O: 501-683-1672

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT _____
BOARD/COMMISSION _____
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ **EMAIL** _____

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

TITLE OF THIS RULE _____

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes No

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes No

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:
(a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

Notice of Rulemaking

Pursuant to Arkansas Code Annotated § 25-15-201 et seq., notice is hereby given that the Arkansas Department of Transformation and Shared Services, Division of Information Systems is considering a repeal of the following rules: (1) Policy Statement – Project Management; (2) Standard Statement – Password Management; (3) Standard Statement – Virus Scanning; (4) Standard Statement – Warning Banner; (5) Standard Statement – Personnel Security; (6) Standard Statement – Encryption; and (7) Department of Information System Rules dated October 17, 1997. A public hearing will be held on January 21, 2025, at 1:30pm in the River Valley Conference Room, 501 Woodlane Avenue, Suite G-08, Little Rock, AR 72201. Written comments should be mailed to TSS, Attn: Public Comments at P.O. Box 3522, Little Rock, AR 72203. Comments may also be e-mailed to TSS.RulesComments@arkansas.gov. Copies of the proposed rule may also be obtained from the Department of Transformation and Shared Services, 501 Woodlane Avenue, Little Rock, AR 72201, or by accessing the Department's website at <https://transform.ar.gov/secretarys-office/legal/rules-hearings/>.