

## **CONFIDENTIAL PROJECT PROCEDURES**

Due to the sensitive communication and document production required for critical infrastructure facility planning and design, the Williamson County Facilities Department has adopted the following procedures for Consultant/ Vendors and Wilco user-groups to comply with the Williamson County Information Technology IT Data Management Policy draft document dated 1/21/2022, or as amended thereafter.

Consultant/ Vendors and Wilco user-groups shall utilize an equal or greater standard of care within their own organizations as the Facilities Department procedures, outlined herein, for the protection of CONFIDENTIAL project information. The intent of these procedures is to identify, maintain, and control the release of any sensitive documents, knowledge, procedures, or vulnerabilities, including but not limited to information:

1. Consisting of documents or portions of documents in the possession of a governmental entity if they identify the technical details of particular vulnerabilities of critical infrastructure to an act of terrorism (exempted under Tex. Gov. Code § 418.181);
2. “[C]ould reasonably be expected to endanger the life or physical safety of any individual” by criminal or terrorist act against a public facility (exempted under 22 CFR § 1102.8(a)(7)(vi));
3. Pertaining to the security of critical infrastructure and protected systems, analysis, warning, interdependency study, recovery, reconstitution, or other informational purpose (exempted under 6 U.S.C. § 673(a)(1)); and
4. Deemed to be confidential under other law, either constitutional, statutory, or by judicial decision (exempted under Tex. Gov. Code §552.101).

### **IDENTIFICATION & NOTIFICATION:**

1. At the inception of a sensitive project, the Facilities Director shall confer with the Sheriff’s Office and legal counsel to review applicable laws, including but not limited to: 1) Ch. 418 of the Tex. Gov’t Code § 418.181 (Confidentiality of Certain Information Relating to Critical Infrastructure); 2) Ch. 552 of the Tex. Gov’t Code (Texas Public Information Act) and any applicable exceptions to public disclosure; 3) Exception 7F of the **Freedom of Information Act (FOIA)** pertaining to relevant information voluntarily submitted to the Federal Government and determine if the sensitive project should be recommended for a CONFIDENTIAL classification.

2. If applicable, the Facilities Senior Director shall recommend to the Commissioners Court that a particular project or portions thereof warrant(s) a CONFIDENTIAL classification for planning, design and construction communications and document security.
3. If approved by the Commissioners Court, the County Architect or Project Manager will notify relevant Consultant/ Vendors and user-groups of the CONFIDENTIAL classification and distribute this project procedures document with attached non-disclosure agreements (NDAs). The Consultant/ Vendors shall have each staff member assigned to the CONFIDENTIAL project sign and return the NDA to the Wilco Facilities Department.

### **COMMUNICATIONS:**

1. CONFIDENTIAL email communications shall include the word "CONFIDENTIAL" in the subject line to automatically apply encryption within the MS Outlook platform. Do not forward to, or courtesy copy (CC), any parties who do not have individual, project-specific, NDAs on file with the Wilco Facilities Department.
2. CONFIDENTIAL phone, video conference and in-person communications shall be conducted within enclosed rooms with only parties who have individual, project-specific, NDAs on-file with the Wilco Facilities Department. If documents are to be reviewed or displayed in hard-copy or digital formats, ensure direct views into the meeting rooms are obscured to prevent disclosure of sensitive information.
3. All correspondence shall contain the required statement of "This information is voluntarily submitted to the Federal Government in expectation of protection from disclosure as provided by the provisions of the **Critical Infrastructure Information Act** of 2002."
4. CONFIDENTIAL project communications shall be limited to designated individuals and as few people as possible to assist in safeguarding the information.
5. For any other Wilco Facilities Departmental communications procedures, contact the County Architect for clarification.

## **DIGITAL DOCUMENTS:**

1. When producing or editing CONFIDENTIAL digital documents, ensure only parties who are signatories to the project-specific NDA on-file with the Wilco Facilities Department are in proximity, have access to, or can see the information being produced or edited.
2. Store all CONFIDENTIAL digital documents in an encrypted project folder. Limit access to only parties who are signatories to the project-specific NDA on-file with the Wilco Facilities Department.
3. When distributing CONFIDENTIAL digital documents via e-mail, follow the procedures for email communications described above. When distributing CONFIDENTIAL digital documents via external hard drive or other physical transfer device, verify recipient of transfer device is a signatory to the project-specific NDA on-file with the Wilco Facilities Department. After CONFIDENTIAL digital documents are transferred into an encrypted project folder, recipient shall zeroize the transfer device before return or disposal.
4. When deleting superseded CONFIDENTIAL digital documents from the encrypted project folder, empty any digital waste baskets after deletion.

## **PHYSICAL DOCUMENTS:**

1. When producing or editing CONFIDENTIAL physical documents, ensure only parties who are signatories to the project-specific NDA on-file with the Wilco Facilities Department are in proximity, have access to, or can see the information being produced or edited.
2. Store all CONFIDENTIAL physical documents in a roll or project file folder with a cover labeled "CONFIDENTIAL." Limit access to only parties who are signatories to the project-specific NDA on-file with the Wilco Facilities Department.
3. When distributing CONFIDENTIAL physical documents via delivery service or in-person, verify addressee has an individual, project-specific, NDA on file with the Wilco Facilities Department. Ensure CONFIDENTIAL physical documents are rolled or packaged with a cover sheet stating that *"Enclosed document(s) are CONFIDENTIAL"* to prevent inadvertent disclosure if package is opened by a third party.
4. When disposing of superseded CONFIDENTIAL physical documents, shred or quarter before recycling.

## **TERMINATION & CLOSE-OUT:**

All physical and digital CONFIDENTIAL project information must be securely disposed of at the end of the Consultant/ Vendor's participation in the Project or at the end of the useful life of the information for the County's purposes.

These procedures may be amended, without notice, by the Wilco Facilities Department as required to meet security, legal, and other County directives.

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