OFFICE OF THE DIRECTOR
DEPARTMENT OF MOTOR VEHICLES
Audits Office
P.O. BOX 932328 MS H-230
SACRAMENTO, CA 94232-3280

June 30, 2009

Terrie Porter, Director
Department of Child Support Services
Sacramento County
3701 Power Inn Road
Sacramento, CA 95826

Audit File: C-47-9103

Dear Ms. Porter:

The Department of Motor Vehicles' (DMV) Audits Office has concluded the audit of the Department of Child Support Services Sacramento County office (DCSS Sacramento). We based our review on the requirements stipulated in the *California Department of Motor Vehicles Electronic Access Requirements (DMVEAR)*, and applicable DMV statutes and regulations stated in the California Vehicle Code and the California Code of Regulations. We conducted an on-site audit at the Power Inn location on May 12, 2009.

This audit covered the period March 1, 2008 through March 30, 2009. The audit was performed in accordance with the Standards set forth in the General Accounting Office's *Generally Accepted Government Auditing Standards.* The objectives of the audit were to determine if DCSS Sacramento:

- Internal controls are adequate to safeguard information obtained from DMV;
- Complies with the provisions of the DMVEAR;
- Adheres to applicable rules and regulations governing the processing, storage, and transmission of DMV information.

We noted two areas for improvement as detailed in the *Findings and Recommendations* section of the attached report; however, they can be summarized as follows:

1. The audit log was not maintained for the required two-year period.
2. There is no regular review of the audit log to identify unauthorized or unusual activity.

The report includes excerpts of the DCSS Sacramento response to our findings, as well as our evaluation. We have included your response in its entirety as Exhibit 1 at the end of the report.

DMV Information Services Branch (ISB) who has jurisdiction over government requester accounts, and California State Department of Child Support Services will receive copies of the attached report.

We thank DCSS Sacramento and their staff for the cooperation and courtesy extended to our auditor during this review. If you have any questions about this audit, please contact Grace Rule-Ali at (916) 657-5828.

Sincerely,

GRACE M. RULE-ALI, Manager
Information Systems-Requester Audit Section
(916) 657- 5828

Attachment

cc: Joan Obert, Director, State DCSS
Jeanne Benuzzi, DMV Acting Chief, ISB
Tam Le, DMV Manager, ISB Policy & Information Privacy Section
Paulette Johnson, DMV Chief, Information Security and Privacy Officer

DEPARTMENT OF CHILD SUPPORT SERVICES
SACRAMENTO COUNTY OFFICE
AUDIT REPORT
C-47-9103

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EXECUTIVE SUMMARY

The California Department of Motor Vehicles (DMV) Information Services Branch (ISB) operates an information requester program that allows external entities to access DMV records pursuant to applicable statutes of the California Vehicle Code (CVC) and California Code of Regulations Title 13, Article 5 except as prohibited by CVC Section 1808.21. As an authorized DMV Government Requester Account holder the Department of Child Support Services Sacramento County (DCSS Sacramento), has access to basic record and address information on California Driver License, Vehicle Registration, Occupational License, and Financial Responsibility. In accordance with its DMV Government Requester Account agreement, DCSS is allowed to make California DMV inquiries for its business needs.

The CVC mandates that DMV protect the privacy rights of the public by releasing only certain information authorized by statutes. Statutes and regulations allow for businesses and individuals to access DMV records containing both confidential and non-confidential information, contingent upon approval of an application and compliance with the program requirements. DMV is dedicated in its mission of securing personal information for consumer protection. To meet our obligation of protecting the public and DMV information, we reviewed DCSS' compliance with the DMV Government Requester Account stipulations, and applicable California laws and regulations.

Our evaluation found that the current security controls in effect at DCSS Sacramento as of May 12, 2009, are sufficient to meet the security objectives of this audit. However, we noted two areas for improvement as detailed in the *Findings and Recommendations* section of the attached report; however, they can be summarized as follows, the audit log was not maintained for the required two-year period, and there is no regular review of the audit log to identify unauthorized or unusual activity.

BACKGROUND

DMV is responsible for administering statewide programs that use and rely on information assets whether they are electronically stored or hard copy documents. DMV conducts audits and evaluations of entities accessing the information of the Department, for compliance purposes.

In June 2002 statutory changes reshaped the California child support program. The local county child support agencies (LCSA) were no longer considered law enforcement agencies and had to change the access methods to obtain data from DMV.

Formerly, LCSA requested access to DMV's databases via CLETS. Effective April 9th, 2002, DMV granted approval to allow DCSS Sacramento electronic access via the Department of Technology Services (DTS), formerly the Teale Data Center. DMV's approval was granted with the condition that the appropriate access, logging and auditing controls are in place. The requester code has the following access to DMV information:

- Driver license – to locate parents in order to establish or enforce a child support court order.
- Vehicle registration – to locate asset to collect upon a delinquents account on a child support court order.
- Financial Responsibility – to locate asset to collect upon a delinquents account on a child support court order.
- Occupational License – to locate asset to collect upon a delinquents account on a child support court order. DCSS may request license not be renewed or suspended.

DCSS Sacramento uses their requester code to access DMV to locate absent parents in order to secure child support for the child.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of the review were to determine if DCSS Sacramento:

- Internal controls are adequate to safeguard information obtained from DMV
- Complies with the provisions of the MOU
- Adheres to applicable rules and regulations governing the processing, storage, and transmission of DMV information

The audit was performed in accordance with *Government Auditing Standards*, Generally Accepted Auditing Standards, the California Department of Motor Vehicles' Government Requester Account Requirements and applicable California laws and regulations.

Our evaluation methodology included such tests as considered necessary to meet our objectives. Interviews were conducted with DCSS management, physical observation of the DCSS Sacramento facility made to determine the levels of security, and confidentiality over DMV information.

We conducted the audit fieldwork at the DCSS Sacramento in May 2009. Our audit included an examination of the administrative security procedures, and the monitoring of programs that are in place to protect DMV information.

FINDINGS AND RECOMMENDATIONS

FINDING #1 – AUDIT LOG NOT MAINTAINED FOR REQUIRED TWO-YEAR PERIOD

Condition: We requested audit logs for 10 information requests randomly selected from the time period March 1, 2008 through March 30, 2009. Our testing found that DCSS Sacramento did not maintain audit logs for the required two-year period.

At the time of the field visit, the information request logs could not be produced for examination. However, on May 28, 2009, we received the DCSS Sacramento audit logs for August 28, 2008 and January 15, 2009. Subsequently, on June 11, 2009, we received a system access report for the final work date in question, April 7, 2008. As this system access report contained incomplete information, we are unable to trace specific transaction activity.

The purpose of creating and maintaining a log is to permit review and examination of information requests. The logging mechanism and the ability to track user activities are critical when determining appropriate access. In order to protect DMV information and verify approved access and use of information requests, the log must contain information in accordance with DCSS Sacramento MOU with DMV.

We acknowledge that effective July 1, 2008, DCSS Sacramento made system changes to their on-line information request log. We concur the August 28, 2008 and January 15, 2009 audit logs contain complete information for associated on-line information requests.

Criteria: The California Department of Motor Vehicles Memorandum of Understanding #23, states, "Record access information shall be electronically logged and stored for a period of two years from the date of the transaction. The information shall be effectively preserved for audit purposes for a period of two years and must include, at a minimum, the following:

a. Transaction and information codes
b. Requestor code
c. Record identifiers
d. All individual user identifiers, including individual user ID
e. Dates and time of the transactions
f. Terminal ID"

Recommendation: DCSS Sacramento developed system changes to record complete information for on-line inquires. All logs should be available for inspection, and retained for a period of two years from the date of the transaction.

DCSS Sacramento Response: "Sacramento County already has the logging mechanism in place and will keep the logs for the required minimum of two years…"

Department Response: We concur with DCSS Sacramento's corrective action plan. We have confirmed that the new logs are acceptable and comply with DMV requirements. Therefore, no further action is required.

FINDING #2 – NO AUDIT LOG MONITORING

Condition: We confirmed that the DCSS Sacramento does not review the audit log (log) or employ other methods to detect inappropriate or unusual activity.

As an approved on-line requester to DMV information, DCSS Sacramento is required to maintain record access information (log). The required audit log information records individual inquiry transactions of DMV information made by DCSS Sacramento and serves as a basis to identify potential inappropriate and/or unauthorized access attempts. DCSS is required to notify DMV if there is any suspicious or questionable access or disclosure of DMV information.

Criteria: The Memorandum of Understanding - DMV #11 states, in part, "DCSS shall within one (1) business day notify the Information Services Branch Customer Agreement Administration Section Man ager regarding any indication of known, suspected and/or questionable misuse or unauthorized access or disclosure of DMV information at…"

In addition, the Government Requester Account Application, under General Security Requirements, section C.2 states in part, "Requester shall ensure compliance with all security provisions of this Agreement. If fraud or abuse is suspected or confirmed, Requester shall notify the Department…"

Recommendation: DCSS Sacramento should regularly review system audit records for indications of inappropriate or unusual activity. Immediately report any suspicious or questionable activity to DMV, and where warranted, take corrective action to prohibit repeat occurrences.

DCSS Sacramento Response: "DCSS Sacramento will…require supervisors to review a minimum of 10 DMV access transactions…MIS Unit will review logs every 6 months for inappropriate or unusual activity…will report to the DMV Audits Office…inappropriate DMV use…"

Department Response: We concur with DCSS Sacramento's corrective action plan, and await the status reports at six months (December 2009), and again at one year (June 2010). However, we would like to notify you that any indication of known, suspected and/or questionable misuse or unauthorized access or disclosure of DMV information should be reported to the DMV Information Services Branch, Customer Service Agreement Administration Section Manager, at (916) 657-5582.

CONCLUSION

DCSS Sacramento operates a system and program that permits its employees access to DMV information, and provides assurance that access to the information is appropriately controlled and monitored in accordance with the requirements of its Government Requester Account. We noted that current audit logs meet compliance requirements; however, there was no monitoring of audits logs. However, taken as a whole the mechanisms and controls in place to protect information received from DMV are sufficient and functioning properly to fulfill the program objectives. Therefore, implementing the report's recommendations should result in improving the likelihood of detecting potential misuse and/or unauthorized access. Because of inherent limitations in control systems, errors or irregularities may occur and not be detected. Consequently, projection of any evaluation of systems to future periods is subject to risk since procedures may become inadequate because of changes, or the degree of compliance with procedures may deteriorate.

GRACE M. RULE-ALI, MANAGER
Information Systems-Requester Audit Section
Audits Office
(916) 657-5828

June 11, 2009

Review Team:
Carolyn Manuel, Auditor In-Charge, Auditor
Benedicta Ikhalo, Auditor
Andrew Lau, Auditor

Exhibit 1

Countywide Services Agency

Department of Child Support Services
Terrie E. Porter, Director

County of Sacramento

Terry Schutten, County Executive
James W. Hunt, Acting Agency Administrator

June 10, 2009

Mr. Andrew Lau
Auditor
California Department of Motor Vehicles
Audits Office
2570 24th Street, M/S H121
Sacramento, CA 95818

Dear Mr. Lau,

Re: Sacramento County Department of Child Support Services DMV Audit Corrective Action Plan

In your e-mail of June 6, 2008 with subject of "DMV Audits Office" you indicate the following findings:

1. DCSS's Audit log is [*not*] reviewed regularly for inappropriate or unusual activity
2. DCSS does not maintain audit logs for a minimum of two years

In regards to finding number 1, Sacramento County DCSS will take the following corrective measures:

a. Require supervisors to review a minimum of 10 DMV access transactions quarterly for one year for justification and quality of documentation in the Child Support Enforcement System (CSE). Supervisors will report their findings to the Sacramento County DCSS MIS unit.
b. Sacramento County DCSS MIS Unit will review the logs every 6 months for inappropriate or unusual activity, and for missing participant or case identifiers. The review will include an audit of 10 transactions chosen at random and of the documentation entered into CSE.
c. Sacramento County DCSS will report to the DMV Audits Office any findings of inappropriate DMV use.

In regards to finding number 2, Sacramento County already has the logging mechanism in place and will keep the logs for the required minimum of two years, starting with July 1, 2008. You have already received two logs for days you requested.

[redacted]

Terrie Porter
Director,
Sacramento County Department of Child Support Services