

INFORMATION TECHNOLOGY SECURITY ASSESSMENTS

This memorandum is in response to a request for information regarding whether statutory changes are necessary to authorize the State Auditor to conduct or contract for information technology security assessments of state computer systems.

North Dakota Century Code Chapter 54-10 sets forth the responsibilities of the State Auditor. Included among those responsibilities are various duties relating to information technology. Section 54-10-28 provides that the State Auditor shall:

1. Conduct information technology compliance reviews, as determined necessary by the Information Technology Committee, by conducting individual agency audits of information technology management, information technology planning, compliance with information technology plans, and compliance with information technology standards and policies and conducting statewide agency audits of compliance with specific information technology standards and policies.
2. Consult with the Information Technology Department on audits of compliance with information technology plans and compliance with information technology standards and policies.
3. Participate in the Information Technology Department's enterprise architecture process for developing information technology standards and policies.
4. Monitor major information technology projects for compliance with project management and information technology standards and policies.
5. Present results of information technology compliance reviews to the Information Technology Committee and the Information Technology Department's Enterprise Architecture Committee.

Although Section 54-10-28(1) directs the State Auditor to conduct information technology compliance reviews, as determined necessary by the Information Technology Committee, the section does not specifically authorize the State Auditor to conduct information technology security assessments. To accomplish that end, legislation could be proposed that would specifically authorize the State Auditor to conduct or contract for unannounced assessments of state government computer systems and computer security plans established to safeguard the computer systems. The legislation could be drafted to provide that any assessment be of computer system and network internal and external vulnerability, including existence of potential security breaches and susceptibility to computer hacking or other cyber fraud or attack. In addition, issues relating to the confidentiality of the findings of an assessment and the confidentiality of electronic information maintained in the computer systems should be addressed.