

MANAGEMENT MEMO

	NUMBER: MM 12-01
SUBJECT: REMOVAL OF CONFIDENTIAL, SENSITIVE OR PERSONAL INFORMATION FROM STATE-OWNED SURPLUS PERSONAL PROPERTY, INFORMATION ASSETS, AND STATE-OWNED SURPLUS VEHICLES	DATE ISSUED: FEBRUARY 16, 2012
REFERENCES: STATE ADMINISTRATIVE MANUAL (SAM): CHAPTER 1600, SECTION 1693; CHAPTER 3500, SECTION 3520; CHAPTER 4100, SECTION 4111; Chapter 5100; CHAPTER 5300, SECTIONS 5315.2, 5320, 5335, 5350; CHAPTER 5900, SECTION 5953, GOVERNMENT CODE SECTIONS 6250-6265; CIVIL CODE SECTIONS 1798-29, 1798.3, 56 et seq; HEALTH AND SAFETY CODE SECTIONS 123100-123149.5; HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT 45 C.F.R. PARTS 160 and 164; PUBLIC CONTRACT CODE SECTION 10389.1 and 10389.2 Supersedes Management Memo 07-09	EXPIRES: UNTIL RESCINDED ISSUING AGENCY: THE DEPARTMENT OF GENERAL SERVICES

Policy	State agencies are responsible for removing all confidential, sensitive, or personal information from their surplus property.
Purpose of This Memorandum	This Management Memo announces recently enacted statute (Public Contract Code Section 10389.2) and defines State agencies' responsibilities for removing confidential, sensitive or personal information from State-owned surplus personal property and surplus vehicles prior to disposition. It also defines the Department of General Services (DGS) and agency responsibilities for incident management if employees find confidential, sensitive or personal information in surplus items. Additionally, it defines the new service charges associated with the DGS sanitizing of computing surplus property not properly completed by agencies.
Who is Affected	All State entities under the Governor's executive authority (G.C. 11000).
Who Should Review	Information Security Officers, Privacy Officers, Program Managers, Business Services Officers, Property Controllers, Fleet Managers, and Warehouse Managers should review this memo.
Definition	<p>Personal Property Any property that is not real property and that is movable or not attached to the land. Personal property that may retain confidential information includes, but is not limited to, any information assets, systems, other equipment, or furniture that captures, stores, processes, or transmits information. Examples of Personal Property include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Information technology and equipment: flash drives, personal computers, personal digital assistants, cell or smart phones, fax machines, copiers, multifunction printers, workstations, and laptops • Furniture: file cabinets, desks, storage cabinets, and safes
Agency Responsibility	<p>Surplus Personal Property Before disposing of State-owned surplus personal property, disposing agencies must remove all confidential, sensitive or personal information from the surplus property. Agencies must inspect the property thoroughly for such materials, paying special attention to storage areas in file and storage cabinets, credenzas, and desks, information assets or systems, and provide for its proper disposal (see SAM Sections 1693 and 5953 for disposal requirements).</p> <p>Furniture with locks, such as storage cabinets, desks, and file cabinets, must be delivered to the State Surplus Property Warehouse unlocked. If keys are available, they must be provided to State Surplus Property Warehouse staff upon the delivery of items. For safes, the combination and any key required to open each safe must be included with the delivery.</p>

STATE ADMINISTRATIVE MANUAL

State-owned Surplus Vehicles

Before disposing of State-owned surplus vehicles, disposing agencies must remove from the vehicles all confidential, sensitive or personal information other than Department of Motor Vehicles (DMV)-issued ownership and registration documents. Agencies must inspect vehicles thoroughly for confidential, sensitive or personal information, paying special attention to storage areas such as glove boxes, trunks, consoles, utility boxes, seat pouches and map pockets.

Asset Sanitation

Information assets or computing devices with digital memory and storage capacity must be sanitized prior to disposal. To demonstrate compliance with SAM Section 5900, agencies must include a Certification for Computing Media Sanitation (see attached) listing each sanitized item with the STD 152 or 158. On this form, agencies will certify the method of sanitation and the final disposition of the property. For the purposes of executing Executive Order B-1-11, agencies may continue to use the Cellular Devices Reduced Pursuant to B-1-11 Certification (see attached). Agencies are advised that it is imperative to recover value for the State's surplus assets. Therefore, agencies must use sanitizing methods that do not compromise the value of assets unless destruction is the only reasonable approach to ensure the elimination of confidential information.

DGS Responsibilities

If DGS employees find confidential, sensitive or personal information in State-owned surplus personal property or a State-owned vehicle, DGS will notify the agency that disposed of the property. The disposing agency must retrieve the materials immediately, and is responsible for incident notification and filing of any necessary reports related to any security event or incident that occurred (see SAM Section 5350 for Agency Information Security Incident Management and Notice to Affected Individuals).

DGS Services

The DGS can provide sanitizing services if arranged in advance of receipt. The DGS will make reasonable efforts to maintain the security of confidential, sensitive or personal information. Refer to SAM Section 5300 for definitions and agencies role and responsibility in protecting State information assets. Please contact the DGS Office of Fleet and Asset Management for current fees associated with its sanitizing services.

References

Additional information can be found on the Certification for Computing Media Sanitation form at DGS OFAM website www.dgs.ca.gov/ofam/.

Additional online resources can be found at:

<http://www.cio.ca.gov/OIS/Government/policy.asp>

If you need additional information or assistance, please contact:

Steve Paul, Surplus Property Program Manager
DGS Office of Fleet and Asset Management,
1700 National Drive, Sacramento, CA 95834
(916) 928-2183
steve.paul@dgs.ca.gov.

The Office of Fleet and Asset Management main number is (916) 928-5800.

Original signed by Fred Klass Director of Department of General Services on file.

Signature

Fred Klass, Director
Department of General Services

EXECUTIVE ORDER B-1-11

1-11-2011

EXECUTIVE ORDER B-1-11

WHEREAS; the Governor's 2011-12 budget proposes to close California's chronic structural budget deficit and provide a strong and stable foundation to meet future needs; and

WHEREAS the Governor's 2011-12 budget relies on real and ongoing solutions; and

WHEREAS the Governor's 2011-12 budget proposes to close the State's structural budget deficit in a balanced and sustainable manner, in part through substantial reductions to state operations that will create a more efficient and effective government, while protecting core services; and

WHEREAS the Governor's 2011-12 budget proposes to cut state operations by reducing waste and redundancies and associated costs; and

WHEREAS State agency secretaries and department directors, in consultation with the Department of Finance, are being ordered to review operational costs and to identify ways to reduce waste, redundancies and associated costs; and

WHEREAS the Governor's 2011-12 budget sets a goal, among others, of cutting by 50 percent the roughly 96,000 cell phones authorized for use by state employees, to achieve savings of at least \$20 million; and

WHEREAS state agencies and departments under the Governor's direct executive authority are being ordered to demonstrate a significant business need for an employee's use of a state-issued cell phone or smart phone, and to procure the most appropriate and cost-effective phone, data, internet and other usage plans for those cell phones and smart phones for which a significant business need does exist.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the power vested in me by the Constitution and the statutes of the State of California, do hereby issue the following orders to become effective immediately:

IT IS ORDERED that all State agency secretaries and department directors, in consultation with the Department of Finance and any of its designees, document and review all authorized cell phone and smart phone procurement and related phone, data, internet and other usage plans for and by their employees and identify and implement, by June 1, 2011, cuts sufficient to meet or exceed a 50 percent reduction in the number of cell phones and smart phones for which the State is currently responsible and achieve at least \$20 million in savings.

IT IS REQUESTED that other entities of State government not under my direct executive authority implement similar cuts.

This Executive Order is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of California or its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 11th day of January 2011

EDMUND G. BROWN JR.
Governor of California

Certification for Computing Media Sanitation

DATE

FROM (Department, Unit, or Office)

AGENCY DOCUMENT NUMBER

DGS DOCUMENT NUMBER

This document certifies the removal or destruction of data on computing devices with digital memory and storage capacity. Information systems capture, process, store, and transmit information using a wide variety of media such as, but not limited to, magnetic tapes, flash drives, personal computers, personal digital assistants (PDA), cell or smart phones, multifunction printers, workstations and laptops. These media may require special disposition in order to mitigate the risk of unauthorized disclosure and ensure the confidentiality of information.

ITEM	SERIAL NUMBER	OPERATION PERFORMED VERIFICATION
		Conducted by Validated by

The Department guarantees any information on the device is irretrievable and complies with State Administrative Manual Section 5100.

The DGS will audit the destruction of confidential information by review of items submitted for disposal to the Office of Surplus Property Reutilization. This surplus disposal process complies with State Administrative Manual Section 5300 in the managed protection of information assets and reporting incidents of inappropriate disclosure or access through the asset's life cycle.

CERTIFIED BY MANAGER	Title Address
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Instructions for Completing the Form

State agencies and employees are reminded to follow the formal disposal and surplus process and securely remove old data using a secure wipe program for information technology equipment BEFORE releasing state equipment for recycling. State policy, State Administrative Manual Section 5953, speaks to the agency's responsibility for disposal of IT supplies, paper goods, and magnetic media, specifically SAM 5320.5 and 5320.2.

If disposition code 8 is used, a copy of this form will need to accompany the delivery to the Surplus Property warehouse.

You may also want to refer to the following for additional information and guidance:

<http://www.cio.ca.gov/OIS/Government/policy.asp>