
Software Management and Piracy Procedure

Directive No: 2104-P-01.2

*Issued by the EPA Chief Information Officer,
Pursuant to Delegation 1-19*

Software Management and Piracy Procedure

1. PURPOSE

The purpose of this procedure is to describe the process EPA Program Offices and Regions must follow to comply with the Environmental Protection Agency's (EPA or Agency) Software Management and Piracy Policy, Executive Order 13103, Computer Software Piracy, and OMB guidance. This Procedure is based on the Federal CIO (Chief Information Officer) Council's guidelines. The Agency is committed to the effective utilization of resources during the entire lifecycle of software products and licenses.

2. SCOPE

This Procedure is applicable to all EPA-approved software, licenses, service agreements, maintenance and the hardware using that software (computers, laptops, servers, and mobile devices). It governs the actions and behaviors of anyone using or installing software on any EPA computer system and using or installing any software.

3. AUDIENCE

All managers and users of EPA-owned or leased computers, systems, and/or software; EPA contractors; and recipients of EPA federal financial assistance must adhere to this procedure.

4. BACKGROUND

Executive Order (EO) 13103 (September 30, 1998) on Computer Software Piracy states that each federal agency must develop a software management policy on the acquisition and use of software by the Agency and its employees. Compliance with EO 13103 establishes and ensures that the Agency does not acquire, reproduce, distribute, or transmit computer software in violation of applicable copyright laws. In addition, effective software management helps to protect EPA information as a valuable national resource. EPA issued a Software Management and Piracy Policy to ensure that the Agency continues to meet the requirements of EO 13103.

To provide specific procedural information to managers and staff across EPA, the Office of Mission Support – Environmental Information (OMS-EI) developed this Software Management and Piracy Procedure to accompany the updated Software Management and Piracy Policy.

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5. AUTHORITY

EPA's Software Management and Piracy Policy, CIO 2104.3

6. PROCEDURE

Each Program Office or Region must establish auditable procedures to ensure that all software purchased, acquired, and installed on EPA computer systems adheres to EPA's Software Management and Piracy Policy. This includes freeware, shareware and demonstration software.

To avoid purchasing or installing illegal and/or unapproved software, each Information Management Officer must ensure that their Program Office or Region:

- Installs only software that is properly licensed and approved for use on EPA computer systems, including personal computers (PCs) and servers;
- Purchases software from reputable resellers: demands proper licenses and accompanying materials and validates licenses from these resellers;
- Ensure that software is not prohibited for use for security or other reasons which may present vulnerabilities or liabilities;
- Documents and verifies appropriate licenses;
- Verifies that the licenses authorize EPA to distribute and use the software in the intended manner;
- Maintains the agency's centralized software management system in order to track appropriate attributes for each software license including at a minimum: software name, version, vendor, license-counts authorized, overall costs of licenses, maintenance fees (if any), contracts used for each licensed software with the date of acquisition or license renewal, expiration date, sponsor's name; hostnames and usernames of system where software was installed;
- At least annually, reviews inventory of installed software for unlicensed or unauthorized versions and promptly conducts removal. This includes uninstalling and/or reassigning software and licenses that are underutilized to other end-users who can most benefit;
- When renewing software license agreements, review the current inventory of installed instances, and actual usage metrics if available, to avoid purchasing too many or too few;
- All software must be routinely patched and updated to guard against security vulnerabilities and to maintain reliability, compatibility, and vendor support;

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- Software products shall not be installed or utilized without commercial vendor or local technical support services for the entire lifecycle. This includes support for custom created and developed software or code. Utilizing software that is obsolete and/or does not receive support or updates from the original vendor is highly discouraged;
- Follow current National Institute of Standards and Technology (NIST) and Federal Information Security Modernization Act (FISMA) recommendations on ensuring that the producers of software utilize a risk-based approach. The agency must only use software provided by software producers who can attest to complying with the Government-specified secure software development practices;

The Office of Information Technology Operations (OITO) Director is responsible for managing enterprise software licenses. OITO will provide training/awareness to end users on the requirements of the Software Management and Piracy Policy and Procedure in the required, annual Cybersecurity Awareness Training. Personnel managing software will be provided guidance on the proper recording and inventory of software purchases and installations by OITO.

Agency software purchasers, managers, IT technicians and end users must be knowledgeable of applicable license requirements. Employees should report any violations of the Software Management and Piracy Policy to their Information Management Officer for appropriate investigation, enforcement or possible disciplinary action. Questions regarding license requirements should be directed to the official or manager who approved the software's installation. Questions regarding enterprise-wide licenses should be directed to the Office of Information Technology Operations. Any questions about copyright law or terms and conditions of license agreements should be directed to EPA's Office of General Counsel.

7. ROLES AND RESPONSIBILITIES

Office of Information Technology Operations (OITO) Director is responsible for providing procedures, standards, and guidance to senior level managers in support of the Agency's Software Management and Piracy Policy, for managing enterprise software licenses, and for providing covered users within their office with training/awareness on the Software Management and Piracy Policy through the annual Cybersecurity Awareness Training.

Senior Information Officials (SIOs) have primary responsibility for ensuring that their office is in compliance with the Software Management and Piracy Policy and Procedures.

Information Management Officers (IMOs) and IRM Branch Chiefs (IRMBCs) are responsible for:

- Approving the installation and use of software, as well as the purchase of software below the micro purchase threshold, within their office or area of responsibility
- Adhere to all established auditable procedures to ensure all software acquired and/or installed within or for their organization is in accordance with the Software Management and Piracy Policy, and that removal procedures are initiated for all

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- unauthorized software. This includes removing products which are unsupported, unused, obsolete, present security vulnerabilities and/or do not meet Agency standards for records or other policies;
- Ensuring the acquisition of all software includes appropriate EPA-acquired licenses, and use is in accordance with those licenses.
 - Ensuring approved purchases of licenses are effectively allocated and utilized by employees;
 - Reviewing the EPA's Enterprise Architecture and Standards to ensure software is not procured or utilized which is redundant or conflicts with Agency standards or support models;
(https://usepa.sharepoint.com/sites/oei_Work/ODSTA/ITPortfolio/Lists/IT%20Standards%20Profile/AllItems.aspx)
 - Ensuring software licenses, products and services only transmit, store records or information in accordance with EPA's records management and security policies.
 - Maintaining appropriate records of software licenses, end-users, and attributes in an inventory tracking system;
 - Ensuring that all their office's contracts and/or assistance agreements include provisions requiring the contractor or grantee compliance with this procedure;
 - Ensuring that all software is properly supported and maintained throughout the lifecycle including patches, vendor updates, performance enhancements, compatibility with enterprise software and systems to ensure interoperability;
 - Establish appropriate compensating controls, processes and staff training to guard against software piracy and unauthorized use in their Office.

Information Security Officers (ISOs) are responsible for any security activities that pertain to software management and piracy.

System administrators and desktop technicians must:

- Deploy only software and upgrades with approved, EPA-acquired licenses onto computer systems of their organizations;
- Monitor all systems and inventories to ensure that no unauthorized software is installed;
- Provide troubleshooting, support, deliver current patches, updates, performance enhancements and fixes as necessary;
- Promptly uninstall unauthorized, obsolete, unsupported software.

IMO's, local administrators, technicians and ISOs do not have responsibility for management of enterprise software licenses (Microsoft Windows OS, MS-Office, Adobe, etc), see OITO Director role.

End Users shall install and use only software that has been appropriately acquired and approved by EPA and is in compliance with the software vendor's license agreement and meets security and other requirements. This includes Agency-purchased software, freeware, and shareware. Employees shall not install any software without prior authorization from their local IT organization.

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Office of Mission Support – Environmental Information, Office of Information Technology Operations, Endpoint & Collaborations Solutions Division (OMS-EI-OITO-ECSD) addresses questions and concerns regarding interpretation of these procedures.

8. RELATED INFORMATION

- Information Security Policy, CIO 2150.5
https://www.epa.gov/sites/default/files/2019-09/documents/information_security_policy_20190820_508_vwn.pdf
- CIO 2101.0, EPA's Policy on Limited Personal Use of Government Office Equipment
<https://www.epa.gov/irmpoli8/limited-personal-use-government-office-equipment-policy>
- EPA Delegation of Authority 1-84, Information Resources Management
http://intranet.epa.gov/rmpolicy/ads/dm/1-84_534.htm
- EPA Order 3120.1, Conduct and Discipline Manual
http://intranet.epa.gov/rmpolicy/ads/orders/3120_1.pdf
- Executive Order 13103 on Computer Software Piracy
<https://www.govinfo.gov/link/cpd/executiveorder/13103>
- U.S. Office of Government Ethics, Standards of Ethical Conduct for Employees of the Executive Branch, U.S. Office of Government Ethics, October 2017
https://www.oge.gov/web/oge.nsf/resources_standards-of-conduct
- OMB Memorandum M-16-12: Software Licensing Memo to Heads of Department and Agencies
https://obamawhitehouse.archives.gov/sites/default/files/omb/memoranda/2016/m-16-12_1.pdf
- Enhancing the Security of the Software Supply Chain through Secure Software Development Practices
<https://www.whitehouse.gov/wp-content/uploads/2022/09/M-22-18.pdf>

9. DEFINITIONS

Software: Programs and applications that run on a computer, for example word processors, spreadsheets, and databases. This procedure is inclusive of all software applications including those that are original equipment manufacturer or 'bundled' software, freeware, shareware and demonstration software.

Personal Computer (PC): All Agency-owned or leased laptop and desktop computers.

Personally-owned Computer: Any laptop or desktop computer owned by the employee.

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Piracy: Illegally copying software, using software that violates licensing restrictions, and/or other misuse of the license agreement.

10. WAIVERS

No waivers will be accepted from the requirements of this policy.

11. MATERIAL SUPERSEDED

Guidelines for the Software Management and Piracy Policy, CIO 2104-G-01.0 (June 2003)
Software Management and Piracy Procedure, CIO-2104.0-P-01.1 (August 29, 2019)

12. CONTACTS

For more information on this procedure, please contact the Office of Mission Support – Environmental Information, Office of Information Technology Operations, Endpoint & Collaboration Solutions Division.

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and Chief Information Officer
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