EPA IT/IM DIRECTIVE PROCEDURE

Software Management and Piracy Procedure

Directive No: CIO 2104-P-01.1	CIO Approval: August 2019	Review Date: August 2021

Issued by the EPA Chief Information Officer,
Pursuant to Delegation 1-19, dated 07/07/2005

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 and Executive Order 13103, Computer Software Piracy. This Procedure is based on the Federal CIO (Chief Information Officer) Council's guidelines.

2.   SCOPE

This Procedure is applicable to all EPA-approved software and the hardware using that software. It governs the actions and behaviors of anyone using or installing software on any EPA computer system and using or installing any EPA-approved software.

3.   AUDIENCE

All 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, which replaces the policy issued in 2003.

5.   AUTHORITY

EPA's Software Management and Piracy Policy, CIO 2104.1, 1/26/10

6. PROCEDURE

Each Program Office or Region must establish auditable procedures to ensure that all software purchased or acquired, and all software 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 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;

- Documents and verifies appropriate licenses;

- Verifies that the licenses authorize EPA to distribute and use the software in the intended manner;

- Maintains a record-keeping system that tracks appropriate documentation for each software license including software name, version, vendor, number of licenses and the date of acquisition or license renewal, expiration date, and installation location;

IMOs are not responsible for enterprise (Agency) licenses, including core-configuration software (Lotus Notes, MS-Word, etc.). The Agency's Chief Technology Officer (CTO) and OMS-EI's Office of Information Technology Operations are responsible for managing enterprise software licenses. OMS-EI 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.

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 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 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) are responsible for:

- Establishing auditable procedures to ensure all software acquired and/or installed within or for their organization adheres to the Software Management and Piracy Policy.

- Ensuring the acquisition of all software includes appropriate EPA-acquired licenses, and use is in accordance with those licenses.

- Maintaining appropriate records or software licenses in an inventory tracking system.

- Ensuring that all their office's contracts and/or assistance agreements include provisions requiring the contractor or grantee to comply with this procedure.

- Approving software for purchase and use within their office.

This IMO responsibility does not apply to enterprise software licenses (see CTO role)

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

IT Managers must ensure that the licensing and use of all software complies with the purchased licenses and establish any appropriate compensating controls to guard against software piracy in their Office.

Network administrators, system administrators and desktop technicians must:

- deploy only software and software upgrades with EPA-acquired licenses onto computer systems of their organizations; and

- monitor all systems to ensure that no unauthorized software is loaded.

End Users must install and use only software that has been appropriately acquired by EPA and is in compliance with the software vendor's license agreement. This includes Agency-purchased software, freeware, and shareware.

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

- Agency Network Security Policy, CIO 2150.0, Nov. 27, 2007
  http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2150-0.pdf

- CIO 2101.0, EPA's Policy on Limited Personal Use of Government Office Equipment http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf

- EPA Delegation of Authority 1-84, Information Resources Management
  http://intranet.epa.gov/rmpolicy/ads/dm/1-84_534.htm

- EPA LAN Operating Procedures (LOPS) Current Version
  http://intranet.epa.gov/nis/lops.html

- 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/0/076ABBBFC3B026A785257F14006929A2/$FILE/SOC%20as%20of%2081%20FR%2081641%20FINAL.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.

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

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

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 procedure.

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-01.0 (January 26, 2010)

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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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