DEPARTMENT OF DEFENSE
6000 DEFENSE PENTAGON
WASHINGTON, DC 20301-6000

MAY 28 2003

CHIEF INFORMATION OFFICER

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Open Source Software (OSS) in the Department of Defense (DoD)

This memorandum reiterates current policy and provides additional guidance on the acquisition, use and development of OSS within DoD.

OSS refers to software that is copyrighted and distributed under a license that provides everyone the right to use, modify and redistribute the source code of software. Open source licenses impose certain obligations on users who exercise these rights. While the specific requirements differ among the many different open source licenses, some examples of common obligations include making the source code available, publishing a copyright notice, placing a disclaimer of warranty on distributed copies, and giving any recipient of the program a copy of the license.

Certain restrictive open source licenses allow users to copy, modify and distribute software provided that modified versions (i.e., derivatives) are subject to the same license terms and conditions as the original code. This is intended to prevent software that is derived from or contains code issued under such a license from becoming a closed-source product that can be marketed and sold exclusively. The most prevalent license of this type is the GNU General Public License (GPL). The GPL requires users to make the source code available when users distribute the original binary code or derivatives. The Linux operating system is an example of an operating system used in DoD that is licensed under the GPL.

DoD Components acquiring, using or developing OSS must ensure that the OSS complies with the same DoD policies that govern Commercial off the Shelf (COTS) and Government off the Shelf (GOTS) software. This includes, but is not limited to, the requirements that all information assurance (IA) or IA-enabled IT hardware, firmware and software components or products incorporated into DoD information systems, whether acquired or originated within DoD:

(i) Comply with the evaluation and validation requirements of National Security Telecommunications and Information Systems Security Policy Number 11 and;

(ii) be configured in accordance with DoD-approved security configuration guidelines available at http://iase.disa.mil/ and http://www.nsa.gov/.

Additional information on these and other IA requirements are located in DoDD 8500.1 "Information Assurance," October 24, 2002, and DoDI 8500.2 "Information Assurance Implementation," February 6, 2003.

DoD Components acquiring, using, or developing OSS must comply with all lawful licensing requirements. As licensing provisions may be complex, the DoD Components are strongly encouraged to consult their legal counsel to ensure that the legal implications of the particular license are fully understood.

Questions concerning this memorandum should be directed to Robert Gorrie, Deputy Director, Defense Information Assurance Program, at (703) 602-5042 or email, Gorrie.Robert@osd.mil.

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