



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 19, 2007

MEMORANDUM FOR CHIEF INFORMATION OFFICERS
CHIEF ACQUISITION OFFICERS

FROM: Karen S. Evans 
Administrator
Office of E-Government and Information Technology

Paul A. Denett 
Administrator for Federal Procurement Policy

SUBJECT: Reminder - Ensuring Competition When Acquiring Information Technology and
Using Common Security Configurations

The Office of Management and Budget (OMB) issued policy earlier this year requiring agencies using or acquiring Windows XP and VISTA to adopt the Federal Desktop Core Configuration by February 1, 2008. (OMB Memorandum M-0-7-11 of March 22, 2007, on *Implementation of Commonly Accepted Security Configurations for Windows Operating Systems*, available at <http://www.whitehouse.gov/omb/memoranda/fy2007/m07-11.pdf>). This policy is consistent with 44 U.S.C. § 3544(b)(2)(D)(iii) of the Federal Information Security Management Act of 2002, which requires agencies to ensure compliance with minimally acceptable security configurations when acquiring information technology. This policy does not, however, limit selection and acquisition to only information technology with established security configurations (e.g., the Federal Desktop Core Configuration).

When acquiring information technology it is important agencies make use of adequate competition and maintain vendor neutral capital planning and control procedures. The effective use of competition reduces the risk of poor contract execution and yields better value at lower prices. OMB Circulars A-11 and A-130, as well as the Federal Acquisition Regulation (FAR), guide agency information technology investment decisions. These policies are intentionally technology and vendor neutral, and to the maximum extent practicable, agency implementation should be similarly neutral.

Additionally, Part 39 of the FAR will be revised to require agencies to include appropriate information technology security policies and requirements when acquiring information technology, including use of common security configurations published by the National Institute of Standards and Technology. Published configurations for various information technology products can be found at: <http://checklists.nist.gov>.

The Office of Federal Procurement Policy reminded agencies, in the November 28, 2007 memorandum, *Appropriate Use of Brand Name or Equal Purchase Descriptions*, that brand name or equal and brand name purchase descriptions should be used only when it is considered

advantageous or necessary to meet agency needs. This memorandum is available on http://www.whitehouse.gov/omb/procurement/memo/2008_brand_name.pdf, and the relevant FAR provisions are summarized below:

- Use of Brand Name or Equal Purchase Descriptions, see FAR 11.104. Although brand name or equal purchase descriptions do permit full and open competition, see FAR 6.302-1(c), the preferred practice is to use performance specifications. When it is considered beneficial for the Government to use brand name or equal purchase descriptions, the purchase description must contain, in addition to the brand name, the main physical, functional, or performance characteristics of the brand name item that an “or equal” item must contain.
- Use of Brand Name Purchase Descriptions, see FAR 11.105. The use of brand name purchase descriptions does not permit full and open competition, so agencies must not use them unless no other product or feature of a product will satisfy the requirement. The use of a brand name purchase description must be supported by market research and a required justification or documentation and appropriate approvals. The purchase description must also comply with the public posting requirements outlined in the FAR, see FAR 5.102(a)(6), 6.302-1(c), 8.405-6(d), 13.106-1(b), and 13.501(a).

Agencies were also asked to establish internal controls to monitor the use of brand name or equal and brand name purchase descriptions in order to ensure compliance with the FAR.

If you have any questions about using security configurations, please contact Daniel Costello at (202) 395-7857. If you have any questions about the appropriate use of brand name or equal purchase descriptions and brand name purchase descriptions, please contact Julia Wise at (202) 395-7561.