**German Bundestag**

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**Reply**

**of the Federal Government**

**to the small question from MEPs Anke Domscheit-Berg, Nicole Gohlke, Gökay Akbulut, other MEPs and Die LINKE.**

**— Document 20/9417 —**

**The importance of open source software in the Federal Government and the strengthening of the digital sovereignty of the federal administration**

Preliminary remarks by questioner

Open Source Software (OSS) has a great potential to strengthen­sovereignty, both at individual and national level, and contributes in particular to reducing dependence on­commercial groups. This link between digital sovereignty and the use of OSS is set out both in the coalition agreement between SPD, [BÜNDNIS 90/DIE GRÜNEN and FDP (https://www.bundesregierung.de/reso urce](https://www.bundesregierung.de/resource/blob/974430/1990812/04221173eef9a6720059cc353d759a2b/2021-12-10-koav2021-data.pdf) /blob/974430/1990812/04221173eef9a6720059cc353d759a2b/2021-12-1 0-koav2021-data.pdf) and in the Federal Government’s digital strategy (https://digitalstrategie-deutschland.de/static/1a7bee26afd1570d3f0e5950b215 abac/220830\_Digitalstrategie\_fin-free.pdf) [and in central decisions­](https://digitalstrategie-deutschland.de/static/1a7bee26afd1570d3f0e5950b215abac/220830_Digitalstrategie_fin-barrierefrei.pdf)of the IT Planning Council (inter alia: octs/downloads [/Webs/CIO/DE/Digital Loesung/Staerkung-d er](https://www.cio.bund.de/SharedDocs/downloads/Webs/CIO/DE/digitale-loesungen/strategie-zur-staerkung-der-digitalen-souveraenitaet.pdf) -digital-souveraenitaet.pdf). Open source also offers many other benefits (albeit not automatic), such as more IT security and data protection, more flexibility and design opportunities, and more sustainability, e.g. through re-use opportunities for individual components, also shortening development times and­promoting innovatio and competition. Software, once developed as an open source, can also be used by others, which reduces barriers to participation­in diigita lisation and has positive effects on the common good. According to the Public Money – Public Code principle, software developed with tax money should in principle be developed as an OSS. This is why public authorities have­a special responsibility in promoting the OSS ecosy.

It is to be welcomed that, according to the coalition agreement between SPD, BÜNDNIS 90/DIE GRÜNEN and FDP, development contracts are to be ‘normally commissioned as open source’ and the corresponding software ‘in principle­made public’, and that the Centre for Digital Sovereignty of Public Administration (ZenDiS) will explicitly establish an institution to promote digital sovereignty and OSS. So far, the­federal administration still has a very high degree of ownership of individual software providers, including one commissioned by the Federal Government in 2019.

*Advance copy – to be replaced by an edited version.*

*The reply was received on behalf of the Federal Government in a letter from the Federal Ministry of the Interior and Home Affairs dated 5. December 2023.*

*The document also contains the text of the question, in smaller font.*

[Bene Study confirmed (https://www.cio.bund.de/SharedDocs/downloads/Web](https://www.cio.bund.de/SharedDocs/downloads/Webs/CIO/DE/digitale-loesungen/marktanalyse-reduzierung-abhaengigkeit-software-anbieter.pdf) s/CIO/DE/digital drawings/market analysis-reduction-lessness-softwa re-supplier.pdf). The purpose of this small request is to­provide information on the critical dependencies on proprietary software­manufacturers, the role of OSS in the Federal Government and the extent to which the Federal Government intends to­increase the existing dependencies­and increase the share of OSS in the federal administration.

Preliminary remarks by the Federal Government

The questions have been interpreted in such a way as to provide answers beyond the well-known measures of service consolidation and the­Online Access Act. In replying to this small question, the Federal Government endeavoured to ensure the completeness of the­information, despite the considerable scope and level of detail of the information requested. However, as the­questioning group turns to the 6th day. It is not appropriate to agree­to grant a further extension of the deadline on December 2023. In relation to the questions, therefore, only data that could be searched within the response period can be transmitted.”

The requested information on development contracts and IT services of the Federal Chancellery (and its business area)­is poorly kept secret because it contains security-related information or would make it­possible to draw conclusions, the disclosure of which could be detrimental to the security of the Bundesrepu blik­Germany or jeopardise its security or cause it serious damage. In particular, detailed information­on solutions, software, hardware, infrastructures or IT security systems would be targeted (and, in addition, for the Bundesnachrich­tendienst (BND): Inferences on working methods). Therefore, the Federal Chancellery does not provide any open information on the questions.

For the Federal Chancellery itself, for example, a thematic­phase-out for the procurement of trustworthy hardware and software and­the use of open source solutions would already allow conclusions to be drawn about protected in formation and communication systems and their­interaction. As a special service under Section 42 of the General Administrative Regulation­of the Federal Ministry of the Interior on the physical and organisato­protection of classified information (VSA) and in the interest of confidential and highly available government communication, the standard IT is already a confidential environment in the house and is supplemented by a large number of additional security solutions.

For the Federal Intelligence Service, the answer to the questions concerning the­procurement of trustworthy hardware and software and the use of open source louds is information which is particularly relevant to the public interest of the­State and therefore cannot be answered even in a classified form. The constitutionally guaranteed right of the­Bundestag to ask questions and information vis-à-vis the Federal Government is limited by interests worthy of protection­, such as the welfare of the State, which also enjoy­constitutional rights. Disclosure of the requested information risks revealing details of the specific methodology and highly protected specific capabilities of the Federal Intelligence Service, as well as IT infrastructures. As a result, both state and non-state actors­could draw conclusions about specific practices and capabilities of the BND. This could lead to severe restrictions on the gathering of information, which would ultimately mean that the Federal Intelligence Service’s statutory mandate – to collect and analyse information on foreign countries which are of foreign andsecurity policy importance for the Federal Republic of Germany (Section 1(2) of the Federal Intelligence Service Act (BNDG)) – could no longer be properly fulfilled. However, the extraction of foreign-related­in formations is essential for the security of the Federal Republic of Germany and for the performance of the Federal Intelligence Service’s tasks. If such information were to be omitted or substantially reduced, there would be a risk of­sensitive information gaps also with regard to the security situation of the Federal Republic of Germany.

Even classified information (VS) classification and deposit of the requested information­in the German Bundestag security office would not take sufficient account of their considerable sensitivity with regard to their importance for the­performance of the Federal Intelligence Service’s tasks. The content requested describes the capabilities and working methods of the Federal Intelligence Service in sufficient detail that disclosure cannot meet its need for protection. If the information in need of protection becomes known, it would not be possible to replace it with other means of gathering information. Nor can it be accepted­that there is a terrible risk of becoming aware of it.

It follows from the above that the requested information touches on interests of secrecy which are so vulnerable that the welfare of the State­substantially outweighs the parliamentary right to information. In addition­, the right of Members to ask questions must, exceptionally, lie with the Federal Government’s interest in confidentiality. The fact that the­reply is refused is not to be regarded either as a confirmation or­a failure to answer the question.

Questions 10, 12 and 13 cannot be answered openly for reasons of public well-being, because the information, due to its level of detail and the listing of the projects of the Federal Government as a whole, allows conclusions to be drawn on the working procedures and working methods of the Federal Government and their disclosure could be detrimental to the security of the Federal Republic of Germany. An open answer would therefore be detrimental to the interests of the Federal Republic of Germany. In this case, the interest in confidentiality in order to protect the security of the Federal Republic of Germany therefore prevails over the right of the Par laments protected by the Basic Law­to exercise its right to information. The relevant computers­shall therefore be classified as classified VS at the level “VS – Restricted only” (NfD) in accordance with the VSA.

1. In the Federal Government’s view, how has the Federal administration’s dependence on individual proprietary software providers, such as Microsoft, developed, increased or decreased since the publication of the PwC (PwC) study in 2019 (https://www.cio.bun d.de/SharedDocs/downloads/Webs/CIO/DE/digitale-loesungen/marktana lysis -reduction-phengability software providers.pdf), and to what extent, and has this dependency been investigated in depth since 2019, or if not, what is the basis­of the Federal Government’s assessment?

Since the publication of the PWC study in 2019, the federal administration­of products from individual proprietary soft­providers has in principle continued to exist. The Federal Government therefore works with a wide range of activities to reduce these dependencies and offer alternative products, e.g. with contracts for open source soft services or migration support for open source data banks, the Centre for Digital Sovereignty (ZenDiS), the Open Code platform or the German Administrationcloud Strategy (DVS). These activities arefundamental and will have an impact in the future. There is therefore currently no corresponding analysis of the associated reduction in dependencies.

1. What specific measures is the Federal Government planning or already implementing to reduce the dependencies on proprietary software providers identified in the PwC study referred to in Question 1 and the associated­problems?

At the end of 2022, ZenDiS was established as a GmbH. ZenDiS GmbH aims to address the identified dependencies. As a central­start for the public administration, the ZenDiS can combine different­alternatives on an open-source basis to existing software offers and thus make them more easily accessible to the Federal Government and­the Länder. An essential building block for the digital sovereignty of public administration is the increased use of Open Source Software (OSS). As the source code is openly visible, OSS promotes freedom of choice and allows for flexible adaptation of the source code or transparency of changes to the source code.

The Federal Ministry of the Interior and Community (BMI) initiated­various measures to strengthen digital sovereignty (https:// www.cio.bund.de/Webs/CIO/DE/digitale-loesungen/digitale-souveraenitaet/dig [itale](https://www.cio.bund.de/Webs/CIO/DE/digitale-loesungen/digitale-souveraenitaet/digitale-souveraenitaet-node.html) -Souveraenitaet-node.html).

Two relevant measures are to be implemented by ZenDiS GmbH in a timely manner by­means of nominating:

* **Open Code** [(www.opencode.de)](http://www.opencode.de): Open Code is­the public administration’s common platt for the exchange of Open Source­Soft. By centralising open source codes, the aim is to­promote re-use and joint work on public administration software solutions between­the administration, industry and society.
* **open** [Desk (https://gitlab.opencode.de/bmi/souveraener\_arbeitsplatz/info)](https://gitlab.opencode.de/bmi/souveraener_arbeitsplatz/info): openDesk, the Sovereign workplace, is a privacy-compliant­, mo dular and flexible complete solution for the collaborative­office in public authorities. To this end, well-established open source solutions­are technologically integrated and accessible via a central interface (e.g. e-mail, videoconferencing, file filing/processing).Open Desk is an integral part­of an autonomous, secure and future-proof information technology for public administration.

(a) Is there a specific plan with specific objectives,­milestones and a timetable, and if so, what are these goals and­skies?

In the course of the application pursuant to Section 65(2) of the Federal Budget Code (BHO) for the approval of the Federal Ministry of Finance (BMF) for the establishment of a limited liability company in the BMI’s business area, key objectives for the ZenDiS were submitted:

* Initiate collaborative (further) development projects and provide tailor­-made OSS solutions for public­administration (as well as for civil society)
* Compilation of solutions and service concepts based on operati­ver and legal requirements of public administration
* Improving the framework conditions within the public­administration for the use of OSS in public administration
* Raising awareness of the value of OSS in public­administration (as well as civil society)
* Promoting a powerful German and European OSS­ecosy

The implementation of these operational objectives depends on the progress of the upgrading of ZenDiS GmbH. Milestones for achieving the target will be finalised as ZenDiS GmbH upgrades. Further milestones may also be provided in connection with the expected­assignments.

Open Code is in production. The number of beneficiaries and projects on the platform is steadily increasing (currently: 2800 users, 900 repo-scriptories/projects). The platform is continuously optimised (e.g. by feed­back the users).

OpenDesk is currently being developed and is already being tested by various authorities as part of the User Ex Perience. The development is carried out in cooperation with the IT service provider Dataport and open source­provider. The results of the development are continuously­shared with Open Code and a reference installation for the use of open desk samples is already possible. Another release is foreseen by the end of 2023. Further relea­ses to increase the product’s readiness for use is planned for 2024.

(b) How is progress measured to reduce dependence on proprietary software?

In recent years, methods and tools have been developed­to systematically capture problems. Queries on digital sovereignty are included in the annual outturn.

1. When is the open source job to be developed by ZenDiS for public administration to be available for the roll-out in the federal administration?
2. What is the roll-out plan for this OSS workstation, i.e. what are the milestones and timetables for it?

Questions 3 and 3a are answered together.

OpenDesk (former Sovereign Workplace) is currently­developing. The focus is on functional extensions, but also on increasing­IT security, data protection, accessibility and IT developments. From 2024 onwards, the ownership of the duct­will be transferred from the BMI to ZenDiS. In 2024, it is planned that, inter alia, other IT service providers will be able to operate open desk. Subsequently­, piloting the rollout in selected authorities may­follow. From 2025 onwards, openDesk is to be implemented and the broad rollout of open Desk will take place as a measure in the federal IT framework concept.

1. By when does the Federal Government estimate that one in four­office work in the federal administration will be an open source job with regard to classical office, collaboration and communication­applications?

The future dissemination of open desk in the federal administration depends on various factors and is not yet fully predictable.

1. What specific tasks should the ZenDiS perform by the end of the current legislature, with reference to:

In detail, the specific tasks of the ZenDiS depend on the tasks, as the­ZenDiS is financed on a fee-based and contract-based basis. Please refer­to the answer to question 2(a).

1. the development and roll-out of the open source workstation;

The basic tasks of the ZenDiS in relation to the open-source arm’s seat ‘openDesk’ include various packages focusing on further­developing and making the product available, including: Product management, community engagement, provision of testing environments­, Deve lopment, Security, Operations (DevSecOps), User Experience Testing, Pilo Tierugen, compliance with framework conditions (e.g. accessibility, basic IT protection), further development of requirements already collected,­advice on possible service and support options.

1. OpenCode,

The basic tasks of the ZenDiS in relation to OpenCoDE will include the following:

* the control of the technical operation;
* the governance of further development; and
* the IT security audit of projects within the platform to measure­the security and quality of open source components.
1. Cloud services and the multi-cloud strategy of the Deutsche Verwal-tungscloud-Strategie (DVS),

The German Administrationcloud Strategy (DVS) serves as a strategic­basis for making existing federal cloud solutions interoperable and modular. Among other things, the DVS is the starting point for the development of the common platform, including the code ‘Open Code’ by and for the public administration for the exchange and joint development of open source software. The tasks related to OpenCoDE were explained in the answer to question 4(b).

1. other, such as support for know-how transfer,­licensing, procurement and development of OSS through the­management and deployment of the OSS workstation at other federal levels?

In addition to the answers already provided, the ZenDiS will­continue to deliver by the end of the current legislature in order to meet­the operational objectives described above. To this end, the ZenDiS shall be responsible for the tasks of scou-ting, community engagement, provision of information and

Strategic Partnerships. With regard to scouting, a­well-targeted scouting of existing­OSS products and technology oriented towards public administration is envisaged. The aim is to carry out market surveys, feasibility analyses and evaluations of­identified OSS alternative products.

1. Does the Federal Government expect a further increase in Microsoft­’s licensing costs for the use of Microsoft’s products in the federal administration over the course of the current legislature, after almost five- fold increase in[costs between 2015 and 2021 (https://perl](https://perli.de/2022/02/24/pressestatement-kosten-microsoft-lizenzen/) i.de/2022/02/24/pressestatement-kosten-microsoft-lizenzen/)?
2. If so, what is the expected annual increase?
3. If not, why not, and what is the expected lower annual cost­of censure by the end of 2025?

Questions 5 to 5(b) are answered coherently. Currently, the Federal Administration obtains its Microsoft licences through Microsoft’s Commercial­Partner Agreements RV 21251 and RV 21252. At present, around 45 % of these have been exhausted. Since a new demand survey is initiated by the­Federal Government only from a significantly higher level of contract utilisation, it is currently not possible to make a corresponding statement on possible changes in licence costs.

1. Does the Federal Government plan to extend the existing framework contracts of the Bun desverwaltung­(e.g. the Federal Ministry of the Interior and Home Affairs) with Microsoft after their expiry date?
2. If so, why?
3. If not, what will change in concrete terms, to what extent and when (please specify whether other Rah contracts will be concluded­with Microsoft as a substitute and to what extent they differ, for example in terms of the number of­licences withheld, their duration or other factors)?

Questions 6 to 6b are answered coherently. There are currently no plans to extend the two trading partners’ framework contracts for Microsoft software products after their expiry date. Before the end of the contract period, however, a demand request will be carried out in the federal administration in­order to determine the need for Microsoft software products. The reported needs are likely to be reflected in a new trading partner framework agreement.

1. To what extent does the Federal Government plan or is checking that­all or part of the Federal Government’s IT will be converted to OSS before the expiry of the­framework agreements with Microsoft, so that it would not be­necessary to renew the framework agreements, or would not need to be extended so far, as[implemented by the Land Government in Schleswig](https://www.sueddeutsche.de/politik/regierung-kiel-albrecht-land-will-bis-2025-auf-microsoft-verzichten-dpa.urn-newsml-dpa-com-20090101-200617-99-457136) -Holstein(https://www.sueddeutsche.de/politik/regierung-kiel-albre cht-land-will-bis-2025-auf-microsoft-waiver-dpa.urn-newsml-dpa-co m-20090101-200617-99-457136)?

A complete switch from Microsoft Office products to OSS – an­example of the Land Government in Schleswig-Holstein – is not planned for the IT of the federal administration. However, we refer to the open desk mentioned in the answer to question 2.

1. Does the Federal Government assume that proprietary office applications,­like proprietary specialist applications, are offered­in the future only as a cloud solution?

(a) If so, what risks does this potentially­pose to the digital sovereignty of the Federal Government, and what action does this entail for the use of OSS?

Questions 8 and 8a are answered together.

The Federal Government does not know which applications will be­used exclusively as a cloud solution in the future. The use of cloud-based proprietary software does not necessarily pose a risk to digital sovereignty. Action only needs to be taken if this leads­to unwilling dependencies. Whether these can be reduated by using OSS must­then be assessed on a case-by-case basis.

1. How does the Federal Government set the objectives enshrined in­the coalition agreement (“We set open standards for public IT projects”. Development contracts are usually commissioned as open source,­and the relevant software will in principle be­made public.’) in practice, and what specific legal measures­is the Federal Government planning to implement these objectives?
2. What measures does the Federal Government take to ensure compliance with the objectives set out in the coalition agreement between SPD, BÜNDNIS 90/DIE Grü­NEN and FDP?

Questions 9 and 9a are answered together.

Section 4(3) of the draft Online Access Act (OZG-E) provides that open source software is to be used as a priority in­the provision of IT components for the processing of administrative users. According to the Act, if an open source software­used is further developed, the developed­source code must be issued and published under an open software and open source licence, as long as it does not securely carry out­tasks relevant to property and this is permitted under licensing law.

1. What measurable sub-objectives does the Federal Government have with regard to the declared general objective, i.e. what proportion should the ‘general cases’ have been achieved by when?

Within the scope of Section 4(3) of the OZG-E, the rule provides for a fundamental primacy of open source software, which can only be broken in justified cases.

1. How is this target monitored and is there a baseline from which an increase in the share of OSS is measured?

One way to collect the share of OSS is the Federal Licence­Management Project. A number of measures are currently in the process of being implemented or developed, which can be used to support the use of OSS and monitoring. On the one hand, in 2024, it is planned to implement a tool-based software management system in the first federal authorities in order to obtain transparency on the software used and the associated usage rights (Federal SAM tool). This will enable authorities to be able to provide information about the status­of OSS they use and their rights of use. The FederalLicensing Management project also envisages a standardisation­project that can increase the procurement, legal certainty and management of, inter alia, OSS within the administration through the development of standardisation components. The standardisation­component should take into account and unsupport the ZenDiS OSS­strategies. It allows for the inventory of, inter alia, OSS in the­IT applications seen for this purpose (Federal SAM tool) and provides a­basis for the exchange of OSS data across system boundaries without any media breaks. This will allow for a consolidated view of stocks and their analysis. This analysis (central evaluation held a­licence) may concern, among other things, the nature and distribution of OSS in the federal­administration, the identification of potentially further OSS deployment scenarios in the replacement of­proprietary software and, ultimately, the identification of support contracts to cover OSS operations in­public administration.

1. What data will be collected in which locations,­where are they published or where are they planned to be­published?

The decentralised data are to be pooled in a central body to be set up (a central licensing management unit of the Federal Government – ZLB) is planned for consolidation and analysis. The data models are currently being developed and coordinated with a wide range of stakeholders.

1. Is there a central point where these data are collected and analysed?

The ALB referred to in 9d and planned can contribute to the OSS sector.

1. What consequences does it have if authorities clearly deviate significantly from these provisions of the coalition agreement, i.e. do not normally require­and publish software developments as open source?

Section 4(3) of the OZG-E constitutes a priority for open source software within the scope of the scheme. Deviations are permitted only if they correspond­to the reasons, the existence of which is checked on the demand side.

1. How many software development contracts have been contracted and implemented internally or externally since the­publication of the coalition agreement between SPD, BÜNDNIS 90/DIE Grü­NEN and FDP­(including ongoing projects; please break down in tabular form for each Federal Ministry and the­Federal Chancellery and, in the case of external procurement, indicate the volume of the contract);
2. as an OSS with published source code;
3. as an OSS with (previously) unpublished source code,
4. proprietary software,
5. with open standards;
6. without open standards?

Questions 10 to 10e are answered together.

The information requested cannot be provided or can not be provided openly. Please refer to the Federal Government’s preliminary observation as justification.

The response parts classified as VS-NfD can be[[1]](#footnote-2) found in Appendix 1­to this document.

1. What further concrete measures is the Federal Government planning to increase the share of OSS in software procurement, software development­and software use by the federal administration, and with what measurable objective, and how will the effectiveness of the measures­or the quality of the achievement of the objectives be measured and made clear?

Open source software is prioritised as a basic principle and continuously developed in its use. In the context of licensing management, once the measures have been introduced, the effectiveness of the measures can be made clear. See answer to question 9c.

1. To what extent have IT services relating to proprietary software and for the use, licensing and procurement of proprietary software been purchased from the federal administration since the beginning of the legislative period (please, according to the Federal Ministry and the subordinate authority and the Federal Chancellery­, also include calls from framework contracts and list separately new­framework contracts)?

The information requested cannot be provided or can not be provided openly. Please refer to the Federal Government’s preliminary observation as justification.

The response parts classified as VS-NfD can be removed from Appendices 1 to 4\*­.

1. To what extent have IT services related to OSS and for the use or procurement of OSS been purchased from the federal administration since the beginning of the legislative period (please break down by Federal Ministry and subordinate authority and Federal Chancellor on­an ad hoc basis)?

The information requested cannot be provided or can not be provided openly. Please refer to the Federal Government’s preliminary observation as justification.

The response parts classified as VS-NfD can be removed from Appendices 1 to 4\*­.

1. Is the Federal Government planning to lay down a statutory­requirement for the primary procurement of OSS in the procurement and development of software by the public administration, similar to that laid down by the Federal State of­Schleswig-Holstein and Thuringia in its e-Government Act­or Bavaria in its digital law­, and if not why not?

Please refer to the answer to question 9a.

1. Is there any provision in the draft amendment to the Online Access Act (OZG) that the Federal Government will make standards and cuts available­centrally (§ 3 OZG) and, as a priority, use OSS in the development of digital administrative services (§ 4 OZG) a strategy with an action plan in which the steps for timely­implementation are recorded?

It is assumed that the first part of the question relates to the­publication of standards and interfaces pursuant to § 3b OZG-E. Section 3b OZG-E merely provides that the BMI or a body mandated by it is to publish at central level the stalks applied by the Federal Government and the Länder­within the scope of the OZG. The provision does not justify any requirements relating to­the technical characteristics of the published standards and interfaces. With regard to the part of the question relating to Paragraph 4 of the OZG-E, please refer to the answer to question 15a.

1. Are there any specific plans as to when or not to­use OSS in such digitisation projects, i.e. in which cases OSS should be given priority and in which­cases are not, and for example, are there any binding criteria for such award decisions or are they planned to be determined?

Pursuant to Section 4(3) of the OZG-E, open source software is to be used as a priority in the provision of IT components. As Section 4(3) OZG-E is a target provision, the use of­open source software may be waived in justified exceptional cases. It is­up to the competent authority responsible for providing an IT component­to decide whether in a specific case open source software is used by the authority responsible for providing an IT component, which must also comply with the relevant procurement and budgetary provisions.

1. How is the expression ‘technically possible and economically’ in the version­of the amendment to the OZG for the inclusion of OSS in the ‘provision­of the IT components’ (§ 4 OZG) to be understood, which­criteria should be taken into account, and how is it ensured that this passage cannot be used as a general ground for avoiding the use of OSS?

Situations are conceivable where the use of open source software would either not be technically possible or economically disproportionate. With regard to the assessment of this question in a specific case, please refer to the answer to question 15a.

1. What plans does the Federal Government have to impose OSS as a mandatory standard and as a minimum requirement for the development of centralised­OZG basic services such as citizens’ account or post box (in accordance with § 9a(3) of the amendment to the Federal E-Government Act [EGovG] proposed in the framework of the OZG) and proof that these services can be operated in parallel with different operators?

These CSO generic services are already available at high technical maturity. There is no provision for a subsequent obligation to use open source software, given the financial, technical and time involved in exchanging the software. In the future, the main focus will be on using the basic services and, for example, linking the federal portal to specialist portals. To this end, open standards are used to enable all specialised process­manufacturers to connect and have non-discriminatory access to these basic­services.

1. Is there a development platform and a common set of rules for OSS­developers that facilitate the cloud-based use of OSS in public administration?

Open Code [(www.opencode.de)](http://www.opencode.de) already provides a common public administration platform where Open Source Soft can­be shared and further developed. Open Code never gives­clear guidance, guidance and clear licensing requirements to facilitate and encourage the re-use of open­source software in public administration.

However, a central public administration­development platform for developing open source software for cloud-based use does not yet exist. Open Code Source Code Repository can be seen as an important part of such a future development platform­where the source code and other artefacts of developer teams are­co-laboratively created.

1. How does the volume of the EUR 3.88 billion framework contract concluded with Oracle in summer 2023 influences the­development of digital sovereignty at federal level, especially in view of its increasing dependence on a single US bank­and the decreasing likelihood that federal­authorities will use alternative providers from Germany and the EU for products and services?

The volume of contracts itself has no direct impact on digital sovereignty. From the point of view of ensuring the digital sou­consensitivity of the federal administration, such dependencies should be regarded as­critical. Accordingly, a reservation was introduced in the Federal Architecture Directive. In addition, alternatives to Oracle are already being used­in cash.

1. What is the total contract volume of contracts currently in force­for each of the ten largest contracting parties (according to contract­volume) of the Federal Government in the IT sector, and in which Länder do these companies have their headquarters (please give a table for each of the 10 companies the total amount of the current framework contracts and list each individual framework contract of type, duration and­lumen)?

The requested data are[[2]](#footnote-3) attached in Annex 5. The volume of contracts reported in the context of this enquiry merely indicates the maximum volume­limit, which is purely mathematical and as a result of transparency requirements under public procurement law, up to which a contractually agreed service provision could lead to a corresponding outflow of funds. This volume is therefore not strong in terms of the actual use of the­budget. In addition, framework agreements which conclude the procurement on­behalf of the BMI (Bescha) as one of the four federal procurement bodies operating across departments­are generally all or many federal authorities.

are availableas eligible for retrieval and do not justify a requirement for­the federal administration to make a request. In the area of IT,­departmental framework agreements for standardised IT products are generally put out to tender by the Central Office for IT Procurement in Bescha.

Annex 5 to the Federal Government’s reply to the small question from the Die LINKE Group to Bundestag document 20/9417

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| **Contractors (main­contractor)** | **Subject of the framework agreement** | **Contract volume (in EUR)** | **Duration of the framework­association****(Date from – to)** | **Indication of the country of the head office of the contractual­partner** | **Total contract­volume (TEuro)** | **Ranking No.** |
| Contractor 1 | Technology-specific software of the manufacturer Oracle | 4.624.340.000,00 | 25/05/2023 —24.05.2030 | Germany |  |  |
| Contractor 1 | Oracle services | 15.462.100,00 | 14/06/2023 —13.06.2027 | Germany | **4.639.802** | **1** |
| Contractor 2 | Transfer ofSpecial software check MK Enterprise edition Subscribing and retrievals of workflow management system licences | 17.807,00 | 01.03.2022­29.02.2024 | Germany |  |  |
| Contractor 2 | IBM Software | 357.000.000,00 | 1 DECEMBER 2020 —30.11.2024 | Germany |  |  |
| Contractor 2 | Lenovo server systems | 42.840.000,00 | 1 JANUARY 2021 —31.12.2024 | Germany |  |  |
| Contractor 2 | Lotus Notes and other HCL software | 83.300.000,00 | 1 JANUARY 2021 —31.12.2024 | Germany |  |  |
| Contractor 2 | IBM server system, maintenance and services | 92.820.000,00 | 14/01/2021 —13.01.2025 | Germany |  |  |
| Contractor 2 | IBM Storage Systems, – Maintenance and Services | 190.400.000,00 | 11/03/2021 —10.03.3024 | Germany |  |  |
| Contractor 2 | Dell EMC Storage | 91.630.000,00 | 12 JULY 2021 —11.07.2025 | Germany |  |  |
| Contractor 2 | Hardware, software and related services for all server products Lot 1 offered by the manufacturer Fujitsu | 119.000.000,00 | 5 MAY 2022 —04.05.2026 | Germany |  |  |

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| **Contractors (main­contractor)** | **Subject of the framework agreement** | **Contract volume (in EUR)** | **Duration of the framework­association****(Date from – to)** | **Indication of the country of the head office of the contractual­partner** | **Total contract­volume (TEuro)** | **Ranking No.** |
| Contractor 2 | Hardware, software and related services for all server products Lot 2 offered by the manufacturer Fujitsu | 188.020.000,00 | 5 MAY 2022 —04.05.2025 | Germany |  |  |
| Contractor 2 | Products of the manufacturer RedAndSupport services— Lot 1: ITZBund | 259.420.000,00 | 01/10/2023 —30.09.2027 | Germany |  |  |
| Contractor 2 | Products of the manufacturer Red Hat; andSupporting services – Lot 7: RemainingFederal administration | 40.460.000,00 | 01/10/2023 —30.09.2027 | Germany | **1.464.908** | **2** |
| Contractor 3 | Oracle Hardware Lot 1SPARC-Solaris Based | 57.715.000,00 | 13.10.2020 —12.10.2024 | Germany |  |  |
| Contractor 3 | Oracle Hardware Lot 2 Engineered Systems | 70.210.000,00 | 13.10.2020 —12.10.2024 | Germany |  |  |
| Contractor 3 | HPE store and associatedServices, here: Storage products | 61.880.000,00 | 1 AUGUST 2021 —31.07.2025 | Germany |  |  |
| Contractor 3 | Dell EMC Storage | 330.820.000,00 | 1 JULY 2021 —30.06.2025 | Germany |  |  |
| Contractor 3 | Virtualisation products of the manufacturer VMWare for BWI | 493.850.000,00 | 1.12.2022 —30.11.2026 | Germany |  |  |
| Contractor 3 | Flash-based file/object storage systems (product neutral) | 95.200.000,00 | 1 FEBRUARY 2023 —31.01.2027 | Germany |  |  |
| Contractor 3 | Flash-based block/SAN storage systems (product neutral) | 107.100.000,00 | 22.12.2022 —21.12.2026 | Germany |  |  |
| Contractor 3 | Virtualisation products manufactured by Citrix | 47.600.000,00 | 22.07.2023 —21.07.2024 | Germany |  |  |

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| Contractor 3 | HPE Aruba network products and related services | 49.980.000,00 | 01/10/2023 —30.09.2027 | Germany |  |  |
| Contractor 3 | Products of the manufacturer Red Hat; andSupport services – Lot 6: Direct BV (without BMI business) | 53.550.000,00 | 01/10/2023 —30.09.2027 | Germany | **1.367.905** | **3** |
| Contractor 4 | Security software and services provided by the manufacturer Symantec (ITZBund FOR ITZBund) | 21.420.000,00 | 1/10/2020 —30.09.2024 | Germany |  |  |
| Contractor 4 | MicrosoftTrade partner contract, Lot 1: For allFederal administration other than BWI/BMVg | 624.750.000,00 | 1 JUNE 2021 —31.05.2025 | Germany |  |  |
| Contractor 4 | MicrosoftTrade partner contract, Lot 2: For the service providers BWI/BMVg | 654.500.000,00 | 1 JUNE 2021 —31.05.2025 | Germany |  |  |
| Contractor 4 | Microsoft Training Lot 3: Region North | 3.808.000,00 | 1 SEPTEMBER 2022 —31.08.2026 | Germany |  |  |
| Contractor 4 | Microsoft Training ServicesLot 1: North Rhine-Westphalia region | 6.307.000,00 | 1 SEPTEMBER 2022 —31.08.2026 | Germany |  |  |
| Contractor 4 | Microsoft Training Lot 2: Region of Berlin | 4.403.000,00 | 1 SEPTEMBER 2022 —31.08.2026 | Germany |  |  |
| Contractor 4 | Microsoft Training Lot 4: Region East | 2.142.000,00 | 1 SEPTEMBER 2022 —31.08.2026 | Germany |  |  |
| Contractor 4 | Microsoft Training Lot 5: Region West | 4.046.000,00 | 1 SEPTEMBER 2022 —31.08.2026 | Germany |  |  |

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| Contractor 4 | Microsoft Training Lot 6: Region South | 2.856.000,00 | 1 SEPTEMBER 2022 —31.08.2026 | Germany | **1.324.232** | **4** |
| Contractor 5 | Sina new (replaces RV 5070) | 1.190.000.000,00 | 25/05/2022 —24.05.2029 | Germany |  |  |
| Contractor 5 | Provision of technical advice andSupport services in the standardisation of cyber andInformation security for the BSI | 1.487.500,00 | 1 JANUARY 2023 —31.12.2026 | Germany |  |  |
| Contractor 5 | Standardisation and further development of eIDs and eMRTDs | 1.250.000,00 | 1 FEBRUARY 2023 —31.01.2027 | Germany | **1.192.738** | **5** |
| Contractor 6 | It services and building services in the SAP ETS sector | 1.904.000,00 | 1 JANUARY 2022 —31.12.2025 | Germany |  |  |
| Contractor 6 | It services for software development in the field of:Requirements Management – Business of the BMI | 21.222.605,04 | 27 JUNE 2022 —26.06.2026 | Germany |  |  |
| Contractor 6 | It service and work service for quality assurance in the area of software development, here: Quality responsibility, test management, testing – Lot 1: BAMF | 60.665.724,00 | 30/01/2023 —29.01.2027 | Germany |  |  |
| Contractor 6 | It-WL and IT-DL for software development in the Java sector (BAMF only) | 776.713.000,00 | 13/04/2023 —12.04.2027 | Germany |  |  |

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| **Contractors (main­contractor)** | **Subject of the framework agreement** | **Contract volume (in EUR)** | **Duration of the framework­association****(Date from – to)** | **Indication of the country of the head office of the contractual­partner** | **Total contract­volume (TEuro)** | **Ranking No.** |
| Contractor 6 | Products of the manufacturer RedAndSupport services – Lot 3: BAMF | 110.670.000,00 | 01/10/2023 —30.09.2027 | Germany |  |  |
| Contractor 6 | Software­Java Spring Boot development services (lot 2)(FORM FOR BAMF) | 47.595.240,00 | 04/04/2023 —03.04.2027 | Germany |  |  |
| Contractor 6 | Test management and performance (lot 3) (FORM FOR BAMF) | 23.300.200,00 | 16/05/2023 —15.05.2027 | Germany |  |  |
| Contractor 6 | Software­Development servicesMicrosoft.NET (lot 1) | 23.766.204,00 | 30/05/2023 —29.05.2027 | Germany | **1.065.837** | **6** |
| Contractor 7 | Call for tenders Establishment and operation of data retention and backup infrastructure from 2020 onwardsB14.22 – 0405/19/VV:2 | 8.000.000,00 | 06.10.2020­06.10.2027 | Germany |  |  |
| Contractor 7 | Operational support FB A/AB C/AB I/FB IS B14.15 – 0020/18:1 | 6.400.000,00 | 01.01.2020­31.12.2025 | Germany |  |  |
| Contractor 7 | Bromium-Secure plateform | 103.887.000,00 | 30.12.2019 —29.12.2023 | Germany |  |  |
| Contractor 7 | Checkpoint products and services | 119.000.000,00 | 2 JANUARY 2020 —01.01.2024 | Germany |  |  |
| Contractor 7 | RSA SecurID | 5.355.000,00 | 1 AUGUST 2020 —31.07.2024 | Germany |  |  |
| Contractor 7 | Products of the manufacturer F5 Networks | 128.520.000,00 | 20.01.2021 —19.01.2025 | Germany |  |  |
| Contractor 7 | Hitachi’s store products and related services | 399.840.000,00 | 1 FEBRUARY 2021 —31.01.2025 | Germany |  |  |

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| **Contractors (main­contractor)** | **Subject of the framework agreement** | **Contract volume (in EUR)** | **Duration of the framework­association****(Date from – to)** | **Indication of the country of the head office of the contractual­partner** | **Total contract­volume (TEuro)** | **Ranking No.** |
| Contractor 7 | Network security products of the manufacturer Infoblox | 7.140.000,00 | 1 MARCH 2021 —28.02.2025 | Germany |  |  |
| Contractor 7 | Products and services manufactured by HashiCorp, in this case HashiCorp Vault | 31.546.900,00 | 4 JANUARY 2022 —03.01.2026 | Germany |  |  |
| Contractor 7 | ConfigurableWorkstation computers | 40.460.000,00 | 1 MARCH 2022 —28.02.2026 | Germany |  |  |
| Contractor 7 | Products of the manufacturer Red Hat; andSupport services – Lot 4: German Bundesbank, | 108.290.000,00 | 01/10/2023 —30.09.2027 | Germany |  |  |
| Contractor 7 | Central IT and area support (FOR BAMF) | 4.541.040,00 | 1 SEPTEMBER 2023 —31.08.2027 | Germany |  |  |
| Contractor 7 | Extension of User Environment Management Systems Ivanti | 122.986,00 | 01.04.21-31.03.2024 | Germany |  |  |
| Contractor 7 | It Operations Support, Operatung and Monitoring 14.15 – 0020/18:1 | 11.000.000,00 | 01.01.2020­31.12.2025 | Germany | **974.103** | **7** |
| Contractor 8 | Network components of theManufacturer Cisco | 683.655.000,00 | 01.09.2021­30.09.2027 | Germany |  |  |
| Contractor 8 | Supply, service and support services for:Cisco UCC Voice/video | 83.300.000,00 | 27/10/2022 —26.10.2025 | Germany | **766.955** | **8** |
| Contractor 9 | Network components of theManufacturer NetApp | 446.250.000,00 | 30.10.2021 —29.10.2025 | Germany | **446.250** | **9** |
| Contractor 10 | Advisory andSupport services for:Project management —Individual project management | 190.590.400,00 | 2 JANUARY 2019 —02.01.2024 | Germany |  |  |

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| Contractor 10 | Consultancy and testing of accessibility of software and mobile derivatives Lot 3 | 5.253.193,12 | 16.10.2020 —15.10.2024 | Germany |  |  |
| Contractor 10 | Consultancy and testing of accessibility of websites and mobile derivatives Lot 6 | 2.233.449,12 | 16.10.2020 —15.10.2024 | Germany |  |  |
| Contractor 10 | Advice on IT standards, open standards, OSS, collaboration platforms and social media | 30.378.320,00 | 1 JANUARY 2021 —31.12.2024 | Germany |  |  |
| Contractor 10 | Services for:Accessibility, here: Creation of accessible documents (quantity 2); | 9.996.000,00 | 29 MARCH 2022 —28.03.2026 | Germany |  |  |
| Contractor 10 | It services for software development in the field of:Requirements management – residual federal administration | 24.416.420,00 | 27 JUNE 2022 —26.06.2026 | Germany |  |  |
| Contractor 10 | Specific project and requirements management in the IT field (FOR ITZBund) | 64.260.000,00 | 1 SEPTEMBER 2022 —31.08.2026 | Germany |  |  |
| Contractor 10 | It-DL and IT-WL in the Oracle database sector (rest of the federal administration) | 21.082.040,00 | 12 SEPTEMBER 2022 —11.09.2026 | Germany |  |  |
| Contractor 10 | It services and engineering services in the field of software architecture – BMI’s business | 13.800.487,12 | 28.11.2022 —27.11.2026 | Germany |  |  |

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| Contractor 10 | It service and work service for quality assurance in the area of software development, here: Quality responsibility, test management, testing – Lot 2: GB of the BMI (excluding BAMF) | 24.897.672,18 | 30/01/2023 —29.01.2027 | Germany | **386.908** | **10** |

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1. The Federal Ministry of the Interior and Community classified the reply as ‘VS – Restricted only’. The reply has been deposited in the parliamentary secretariat of the German Bundestag and can be­seen there by entitled persons. [↑](#footnote-ref-2)
2. The installation shall not be printed. This is available on the website of the German Bundestag in Bundestag document 20/9641. [↑](#footnote-ref-3)