



Federal Government and DOD Green Procurement Directives

LAWS, REGULATIONS AND EXECUTIVE ORDERS

Executive Order (EO) 13514 Federal Leadership in Environmental, Energy, and Economic Performance October 5, 2009 strengthens EO 13423 by broadening the scope of the policy while requiring compliance dates and increased reporting of compliance. The policy states that “Federal agencies shall increase energy efficiency; measure, report, and reduce their greenhouse gas emissions from direct and indirect activities; conserve and protect water resources through efficiency, reuse, and storm water management; eliminate waste, recycle, and prevent pollution; leverage agency acquisitions to foster markets for sustainable technologies and environmentally preferable materials, products, and services; design, construct, maintain, and operate high performance sustainable buildings in sustainable locations; strengthen the vitality and livability of the communities in which Federal facilities are located; and inform Federal employees about and involve them in the achievement of these goals.”

Link: [Executive Order 13514 \(Federal Leadership in Environment, Energy, and Economic Performance\)](#)

Executive Order (EO) 13423 Strengthening Federal Environmental, Energy, and Transportation Management requires Federal agencies to set goals to improve environmental, transportation, and energy-related activities in support of their missions. These goals address:

Improving energy efficiency and reducing greenhouse gas emissions;

Ensuring that at least half of the energy consumed is from renewable energy sources;

Reducing water consumption intensity;

Purchasing bio-based, environmentally preferable, energy efficient and water conserving, and recovered material content products;

Ensuring the agency reduces the quantity of toxic and hazardous chemicals and materials acquired, used, or disposed;

Minimizing the use of petroleum based fuel in their fleets;

Ensuring that new construction and major renovations comply with the Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings

Memorandum of Understanding (2006); and

Whenever possible, acquiring EPEAT products, ensuring Energy Star® features on agency computers and monitors; implementing policies to extend the useful life of electronic equipment; and using environmentally sound practices with respect to the disposal of electronic equipment that has reached the end of its useful life.

Link: [Executive Order 13423 \(Strengthening Federal Environmental, Energy, and Transportation Management\)](#)

Federal Acquisition Regulation (FAR) governs Federal agencies and DLA in the following subparts: **Subchapter D, Part 23- ENVIRONMENT CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE**

23.403 Policy- Government policy on the use of recovered materials considers cost, availability of competition, and performance. The objective is to acquire competitively, in a cost-effective manner, products that meet reasonable performance requirements and that are composed of the highest percentage of recovered materials practicable.

23.703 Policy- Government policy on the acquisition of environmentally preferable and energy efficient products and services. Promotes cost-effective waste reduction and consideration of bio-based products.

23.202 Policy- The Government’s policy is to acquire supplies and services that promote energy and water efficiency, advance the use of renewable energy products, and help foster markets for emerging environmental technologies. This policy extends to all acquisitions, including those below the simplified acquisition threshold.



Resource Conservation and Recovery Act (RCRA) Section 6002 acknowledges the importance of recycling in managing the Nation's solid waste. Congress further recognizes that recycling does not end with the collection of materials, but also includes the manufacture of recycled content products that can be purchased and used by consumers.

Link: <http://www.epa.gov/waste/consERVE/tools/cpg/pdf/rcra-6002.pdf>

40 CFR Part 247 Comprehensive Procurement Guidelines (CPG) for Products Containing Recovered Materials covers a wide range of subjects including recycling and affirmative procurement and supports compliance of Section 6002 of RCRA. The CPG addresses the recovered material (or recycled content) of Environmental Protection Agency (EPA)-designated items. Included are paper and paper products, non-paper office products, vehicular fleet maintenance products, construction products, landscaping products, traffic control products, park and recreation products, and miscellaneous products.

Link: <http://www.epa.gov/waste/consERVE/tools/cpg/pdf/nonpaper.pdf>

Farm Security and Rural Investment Act of 2002 Section 9002 requires Federal agencies to show preferences for bio-based products. The United States Department of Agriculture (USDA) is responsible for designating products for mandatory procurement preference and is accomplishing this through a series of rulemaking actions over several years.

Link: <http://www.biopreferred.gov/files/TITLEIX.pdf>

Clean Air Act (CAA) Section 612 specifies a policy to replace Class I and Class II substances by chemicals, product substitutes, or alternative manufacturing processes that reduce overall risks to human health and the environment. Primarily relates to the use of aerosols.

Link: <http://epw.senate.gov/envlaws/cleanair.pdf>

DoD ORDERS

On August 27, 2004, the Under Secretary of Defense issued a policy memorandum entitled "Establishment of the DoD Green Procurement Program (GPP)".

The policy states: "The DoD goal is to achieve 100% compliance with mandatory Federal GPP programs in all acquisition transactions." This goal applies to all acquisitions from major systems programs to individual unit supply and service requisitions. As part of this policy, the DoD also developed the Green Procurement Strategy to provide guidance to the services on achieving this goal. The strategy provides DoD requirements for GP management, defines GP roles and responsibilities, and provides sources of training and DoD metrics. The policy was updated November 2008.

Link: http://www.wbdg.org/pdfs/dod_gpp_082704.pdf

Department of the Navy Green Procurement Program Implementation Guide February 2009

"The Guide provides a clear methodology for implementing the Department of Defense's Green Procurement Program strategy within the organizational structure of the Navy," said Blair Collins, Navy point of contact for green procurement at NAVICP. The Guide, written jointly by Naval Supply Systems Command's (NAVSUP) Naval Inventory Control Point (NAVICP) and Marine Corps Headquarters, makes it easy to set up a Green Procurement Program (GPP) for an installation or activity, and makes buying green products—like energy efficient items, biobased products, non-ozone depleting substances, recovered material, and recovered material—easy. It also helps Department of Navy (DON) personnel understand and execute Department of Defense (DOD) GPP policy.

Link: www.p2sustainabilitylibrary.mil/p2_documents/don_gpp_implementationguide020509.pdf