




FEB 15 2008

Washington, D.C. 20530

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM: Michael H. Allen   
Procurement Executive

SUBJECT: Procurement Guidance Document (PGD) 08-01, Environmental Issues

The purpose of this directive is to remind our acquisition workforce of the important role we have in implementing the government's environmental programs. There were several recent actions within the Department and government-wide that I want to be sure you are aware of and give consideration to in executing your day to day acquisition duties. The Department's procurement of environmentally friendly green products and services contributes to sound management of our valuable financial resources, natural resources, and energy. We have an opportunity and obligation to be environmentally and energy conscious in our selection and use of products and services. Proper attention to green government will enhance the Department's credibility and demonstrate our commitment to environmental stewardship by becoming a model consumer of green products and services.

The two major environmental documents were issued on December 20, 2007 from the Assistant Attorney General for Administration, who has also been designated the Department's Environmental Executive. The first one is the Department's Green Purchasing Plan (GPP) which applies to all acquisitions regardless of dollar value from major systems acquisition to individual purchase card purchases. Although our acquisition workforce has a major role in implementing this program, the Department's GPP also focuses on the roles and responsibilities of each person involved in the procurement process including those initiating the requirements.

The objectives of this plan are to educate all employees on the requirements of the Federal "green" procurement preference programs; increase purchases of green products and services; reduce the amount of solid and hazardous waste generated; reduce the consumption of energy and natural resources; and to expand markets for green products and services. The GPP can be accessed at <http://www.usdoj.gov/jmd/pe/envproc.htm>.

The other Departmental issuance is the Electronic Stewardship Program (ESP), the purpose of which is to implement sound environmental practices for the life cycle phases of electronic products: acquisition, operations and maintenance, and end of life management. It emphasizes the requirements in Executive Order 13423, for agencies to use Electronic Product Environmental Assessment Tool (EPEAT) registered electronics for 95% of purchases where the EPEAT standard is available; enable the Energy Star features on 100% of computers and

monitors; establish and implement policies to extend the useful life of electronics; and use environmentally sound procedures for the disposition of electronic equipment. The EPS can also be accessed at <http://www.usdoj.gov/jmd/pe/cnvproc.htm>.

EPEAT is a procurement tool designed to help large volume purchasers evaluate, compare, and select desktop computers, laptops, and monitors based upon their environmental attributes. Contracting officers and/or program office people should review with appropriate contractors, their role in the procurement of EPEAT registered products. All desktops, laptops, and computer monitors provided by contract must have achieved Bronze registration or higher under the EPEAT standards. Additional consideration should be given for products that have achieved higher EPEAT Silver and Gold registration.

A copy of the FAR provision implementing the EPEAT requirements (Subpart 23.704) is attached. The registration criteria and a list of all registered equipment are provided at <http://www.epcat.net>.

The recent looseleaf revision to the FAR, December 24, 2007 (attached) includes in Subpart 23.2 requirements to acquire Energy Star or Federal Energy Management Program (FEMP) designated energy consuming products whenever possible, including facility design solicitations and contracts, FAR 36.601-3(a)(2).

I encourage everyone in our acquisition workforce to familiarize themselves with the changes to the FAR Part 23 environmental programs and associated clauses in Part 52. As a reminder, the Biobased Products Preference Program that you were informed of in a memorandum from the Procurement Policy and Review Group on November 20, 2007 has been added as Subpart 23.4.

We will include environmental programs into our DOJ training courses and acquisition workforce requirements as appropriate. We ask that you add these environmental programs into any training performed in or by the bureaus. The GPP has a section on available training on page 8.

The Office of the Environmental Executive is attempting to have environmental data captured in the next rewrite of the FPDS which would help significantly in reporting accomplishments.

Your efforts in implementing these environmental programs into your training classes and into your daily acquisition processes would be greatly appreciated. If you have questions on use of these requirements in our solicitations and contracts please call Larry Silvis on (202) 616-3754. If you have questions about the environmental programs please call Dawn Gunning, Environmental Program Manager, on (202) 353-0761.

Attachments

**Subpart 23.2—Energy and Water Efficiency and Renewable Energy**

**23.200 Scope.**

- (a) This subpart prescribes policies and procedures for—
  - (1) Acquiring energy- and water-efficient products and services, and products that use renewable energy technology; and
  - (2) Using an energy-savings performance contract to obtain energy-efficient technologies at Government facilities without Government capital expense.
- (b) This subpart applies to acquisitions in the United States and its outlying areas. Agencies conducting acquisitions outside of these areas must use their best efforts to comply with this subpart.

**23.201 Authorities.**

- (a) Energy Policy and Conservation Act (42 U.S.C. 6361(a)(1)) and Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901, *et seq.*).
- (b) National Energy Conservation Policy Act (42 U.S.C. 8253, 8259b, 8262g, and 8287).
- (c) Executive Order 11912 of April 13, 1976, Delegations of Authority under the Energy Policy and Conservation Act.
- (d) Executive Order 13123 of June 3, 1999, Greening the Government through Efficient Energy Management.
- (e) Executive Order 13221 of July 31, 2001, Energy-Efficient Standby Power Devices.

**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 technologies. This policy extends to all acquisitions, including those below the simplified acquisition threshold.

**23.203 Energy-efficient products.**

- (a) Unless exempt as provided at 23.204—
  - (1) When acquiring energy-consuming products listed in the ENERGY STAR® Program or Federal Energy Management Program (FEMP)—
    - (i) Agencies shall purchase ENERGY STAR® or FEMP-designated products; and
    - (ii) For products that consume power in a standby mode and are listed on FEMP's Low Standby Power Devices product listing, agencies shall—
      - (A) Purchase items which meet FEMP's standby power wattage recommendation or document the reason for not purchasing such items; or
      - (B) If FEMP has listed a product without a corresponding wattage recommendation, purchase items which use

no more than one watt in their standby power consuming mode. When it is impracticable to meet the one watt requirement, agencies shall purchase items with the lowest standby wattage practicable; and

(2) When contracting for services or construction that will include the provision of energy-consuming products, agencies shall specify products that comply with the applicable requirements in paragraph (a)(1) of this section.

(b) Information is available via the Internet about—

- (1) ENERGY STAR® at <http://www.energystar.gov/products>; and
- (2) FEMP at [http://www1.eere.energy.gov/femp/procurement/ep\\_requirements.html](http://www1.eere.energy.gov/femp/procurement/ep_requirements.html).

**23.204 Procurement exemptions.**

An agency is not required to procure an ENERGY STAR® or FEMP-designated product if the head of the agency determines in writing that—

- (a) No ENERGY STAR® or FEMP-designated product is reasonably available that meets the functional requirements of the agency; or
- (b) No ENERGY STAR® or FEMP-designated product is cost effective over the life of the product taking energy cost savings into account.

**23.205 Energy-savings performance contracts.**

(a) Section 403 of Executive Order 13123 of June 3, 1999, Greening the Government through Efficient Energy Management, requires an agency to make maximum use of the authority provided in the National Energy Conservation Policy Act (42 U.S.C. 8287) to use an energy-savings performance contract (ESPC), when life-cycle cost-effective, to reduce energy use and cost in the agency's facilities and operations.

(b)(1) Under an ESPC, an agency can contract with an energy service company for a period not to exceed 25 years to improve energy efficiency in one or more agency facilities at no direct capital cost to the United States Treasury. The energy service company finances the capital costs of implementing energy conservation measures and receives, in return, a contractually determined share of the cost savings that result.

(2) Except as provided in 10 CFR 436.34, ESPC's are subject to Subpart 17.1.

(c) To solicit and award an ESPC, the contracting officer—

(1) Must use the procedures, selection method, and terms and conditions provided in 10 CFR Part 436, Subpart B; at <http://www.eren.doe.gov/femp/resources/legislation.html>; and

(2) May use the "Qualified List" of energy service companies established by the Department of Energy and other agencies.

FAC 2005-22 DECEMBER 24, 2007

23.206

FEDERAL ACQUISITION REGULATION

**23.206 Contract clause.**

Unless exempt pursuant to 23.204, insert the clause at 52.223-15, Energy Efficiency in Energy-Consuming Products, in solicitations and contracts when energy-consuming products listed in the ENERGY STAR® Program or FEMP will be—

(a) Delivered;

(b) Acquired by the contractor for use in performing services at a Federally-controlled facility;

(c) Furnished by the contractor for use by the Government; or

(d) Specified in the design of a building or work, or incorporated during its construction, renovation, or maintenance.

so that any of its owned or operated facilities used in the performance of this contract is no longer exempt—

(1) The Contractor shall notify the Contracting Officer; and

(2) The Contractor, as owner or operator of a facility used in the performance of this contract that is no longer exempt, shall—

(i) Submit a Toxic Chemical Release Inventory Form (Form R) on or before July 1 for the prior calendar year during which the facility becomes eligible; and

(ii) Continue to file the annual Form R for the life of the contract for such facility.

(d) The Contracting Officer may terminate this contract or take other action as appropriate, if the Contractor fails to comply accurately and fully with the EPCRA and PPA toxic chemical release filing and reporting requirements.

(e) Except for acquisitions of commercial items as defined in FAR Part 2, the Contractor shall—

(1) For competitive subcontracts expected to exceed \$100,000 (including all options), include a solicitation provision substantially the same as the provision at FAR 52.223-13, Certification of Toxic Chemical Release Reporting; and

(2) Include in any resultant subcontract exceeding \$100,000 (including all options), the substance of this clause, except this paragraph (e).

(End of clause)

**52.223-15 Energy Efficiency in Energy-Consuming Products.**

As prescribed in 23.206, insert the following clause:

**ENERGY EFFICIENCY IN ENERGY-CONSUMING PRODUCTS  
(DEC 2007)**

(a) *Definition.* As used in this clause—

“Energy-efficient product”— (1) Means a product that—

(i) Meets Department of Energy and Environmental Protection Agency criteria for use of the Energy Star trademark label; or

(ii) Is in the upper 25 percent of efficiency for all similar products as designated by the Department of Energy’s Federal Energy Management Program.

(2) The term “product” does not include any energy-consuming product or system designed or procured for combat or combat-related missions (42 U.S.C. 8259b).

(b) The Contractor shall ensure that energy-consuming products are energy efficient products (*i.e.*, ENERGY STAR® products or FEMP-designated products) at the time of contract award, for products that are—

(1) Delivered;

(2) Acquired by the Contractor for use in performing services at a Federally-controlled facility;

(3) Furnished by the Contractor for use by the Government; or

(4) Specified in the design of a building or work, or incorporated during its construction, renovation, or maintenance.

(c) The requirements of paragraph (b) apply to the Contractor (including any subcontractor) unless—

(1) The energy-consuming product is not listed in the ENERGY STAR® Program or FEMP; or

(2) Otherwise approved in writing by the Contracting Officer.

(d) Information about these products is available for—

(1) ENERGY STAR® at <http://www.energystar.gov/products>; and

(2) FEMP at [http://www1.eere.energy.gov/femp/procurement/cep\\_requirements.html](http://www1.eere.energy.gov/femp/procurement/cep_requirements.html).

(End of clause)

**52.224-1 Privacy Act Notification.**

As prescribed in 24.104, insert the following clause in solicitations and contracts, when the design, development, or operation of a system of records on individuals is required to accomplish an agency function:

**PRIVACY ACT NOTIFICATION (APR 1984)**

The Contractor will be required to design, develop, or operate a system of records on individuals, to accomplish an agency function subject to the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 U.S.C. 552a) and applicable agency regulations. Violation of the Act may involve the imposition of criminal penalties.

(End of clause)

**52.224-2 Privacy Act.**

As prescribed in 24.104, insert the following clause in solicitations and contracts, when the design, development, or operation of a system of records on individuals is required to accomplish an agency function:

**PRIVACY ACT (APR 1984)**

(a) The Contractor agrees to—

(1) Comply with the Privacy Act of 1974 (the Act) and the agency rules and regulations issued under the Act in the design, development, or operation of any system of records on individuals to accomplish an agency function when the contract specifically identifies—

(i) The systems of records; and

(ii) The design, development, or operation work that the contractor is to perform;

(2) Include the Privacy Act notification contained in this contract in every solicitation and resulting subcontract and in every subcontract awarded without a solicitation, when the work statement in the proposed subcontract requires the

### Subpart 23.7—Contracting for Environmentally Preferable Products and Services

#### 23.700 Scope.

This subpart prescribes policies for acquiring environmentally preferable products and services.

#### 23.701 Definitions.

As used in this subpart—

“Computer monitor” means a video display unit used with a computer.

“Desktop computer” means a computer designed for use on a desk or table.

“Notebook computer” means a portable-style or laptop-style computer system.

“Personal computer product” means a notebook computer, a desktop computer, or a computer monitor, and any peripheral equipment that is integral to the operation of such items. For example, the desktop computer together with the keyboard, the mouse, and the power cord would be a personal computer product. Printers, copiers, and fax machines are not included in peripheral equipment, as used in this definition.

#### 23.702 Authorities.

(a) Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901, *et seq.*).

(b) National Energy Conservation Policy Act (42 U.S.C. 8262g).

(c) Pollution Prevention Act of 1990 (42 U.S.C. 13101, *et seq.*).

(d) Executive Order 13148 of April 21, 2000, Greening the Government through Leadership in Environmental Management.

(e) Executive Order 13101 of September 14, 1998, Greening the Government through Waste Prevention, Recycling, and Federal Acquisition.

(f) Executive Order 13123 of June 3, 1999, Greening the Government through Efficient Energy Management.

(g) Farm Security and Rural Investment Act of 2002 (FSRIA) (7 U.S.C. 8102).

(h) Executive Order 13221 of July 31, 2001, Energy Efficient Standby Power Devices.

(i) Executive Order 13423 of January 24, 2007, Strengthening Federal Environmental, Energy, and Transportation Management.

#### 23.703 Policy.

Agencies must—

(a) Implement cost-effective contracting preference programs promoting energy-efficiency, water conservation, and the acquisition of environmentally preferable products and services; and

(b) Employ acquisition strategies that affirmatively implement the following environmental objectives:

(1) Maximize the utilization of environmentally preferable products and services (based on EPA-issued guidance).

(2) Promote energy-efficiency and water conservation.

(3) Eliminate or reduce the generation of hazardous waste and the need for special material processing (including special handling, storage, treatment, and disposal).

(4) Promote the use of nonhazardous and recovered materials.

(5) Realize life-cycle cost savings.

(6) Promote cost-effective waste reduction when creating plans, drawings, specifications, standards, and other product descriptions authorizing material substitutions, extensions of shelf-life, and process improvements.

(7) Promote the use of biobased products.

(8) Purchase only plastic ring carriers that are degradable (7 USC 8102(c)(1), 40 CFR part 238).

#### 23.704 Application to Government-owned or -leased facilities.

Executive Order 13101, Section 701, requires that contracts for contractor operation of a Government-owned or -leased facility and contracts for support services at a Government-owned or -operated facility include provisions that obligate the contractor to comply with the requirements of the order. Compliance includes developing programs to promote and implement cost-effective waste reduction and affirmative procurement programs required by 42 U.S.C. 6962 for all products designated in EPA's Comprehensive Procurement Guideline (40 CFR Part 247).

#### 23.705 Electronic products environmental assessment tool.

(a) *General.* As required by E.O. 13423, agencies must ensure that they meet at least 95 percent of their annual acquisition requirement for electronic products with Electronic Product Environmental Assessment Tool (EPEAT)-registered electronic products, unless there is no EPEAT standard for such products. This policy applies to contracts performed in the United States, unless otherwise provided by agency procedures.

(b) *Personal computer products.* Personal computer products is a category of EPEAT-registered electronic products.

(1) The IEEE 1680 standard for personal computer products—

(i) Was issued by the Institute of Electrical and Electronics Engineers on April 28, 2006;

(ii) Is a voluntary consensus standard consistent with Section 12(d) of Pub. L. 104-113, the “National Technology Transfer and Advancement Act of 1995”, (see 11.102(c));

(iii) Meets EPA-issued guidance on environmentally preferable products and services; and

(iv) Is described in more detail at [www.epeat.net](http://www.epeat.net).

(2) A list of EPEAT-registered products that meet the IEEE 1680 standard can be found at [www.epeat.net](http://www.epeat.net).

(3) The IEEE 1680 standard sets forth required and optional criteria. EPEAT "Bronze" registered products must meet all required criteria. EPEAT "Silver" registered products meet all required criteria and 50 percent of the optional criteria. EPEAT "Gold" registered products meet all required criteria and 75 percent of the optional criteria. These are the levels discussed in clause 1.4 of the IEEE 1680 Standard. The clause at 52.223-16, IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, makes EPEAT Bronze registration the standard that contractors must meet. In accordance with guidance from the Office of the Federal Environmental Executive encouraging agencies to procure EPEAT Silver registered products, Alternate I of the clause makes EPEAT Silver registration the standard that contractors must meet. Agencies also may use EPEAT Silver or Gold registration in the evaluation of proposals.

(c) The agency shall establish procedures for granting exceptions to the requirement in paragraph (a) of this section, with the goal that the dollar value of exceptions granted will not exceed 5 percent of the total dollar value of electronic products acquired by the agency, for which EPEAT-registered

products are available. For example, agencies may grant an exception if the agency determines that no EPEAT-registered product meets agency requirements, or that the EPEAT-registered product will not be cost effective over the life of the product.

#### 23.706 Contract clauses.

(a) Insert the clause at 52.223-10, Waste Reduction Program, in all solicitations and contracts for contractor operation of Government-owned or -leased facilities and all solicitations and contracts for support services at Government-owned or -operated facilities.

(b)(1) Unless an exception has been approved in accordance with 23.705(c), insert the clause at 52.223-16, IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, in all solicitations and contracts for—

- (i) Personal computer products;
- (ii) Services that require furnishing of personal computer products for use by the Government; or
- (iii) Contractor operation of Government-owned facilities.

(2) Agencies may use the clause with its Alternate I when there are sufficient EPEAT Silver registered products available to meet agency needs.

so that any of its owned or operated facilities used in the performance of this contract is no longer exempt—

(1) The Contractor shall notify the Contracting Officer; and

(2) The Contractor, as owner or operator of a facility used in the performance of this contract that is no longer exempt, shall—

(i) Submit a Toxic Chemical Release Inventory Form (Form R) on or before July 1 for the prior calendar year during which the facility becomes eligible; and

(ii) Continue to file the annual Form R for the life of the contract for such facility.

(d) The Contracting Officer may terminate this contract or take other action as appropriate, if the Contractor fails to comply accurately and fully with the EPCRA and PPA toxic chemical release filing and reporting requirements.

(e) Except for acquisitions of commercial items as defined in FAR Part 2, the Contractor shall—

(1) For competitive subcontracts expected to exceed \$100,000 (including all options), include a solicitation provision substantially the same as the provision at FAR 52.223-13, Certification of Toxic Chemical Release Reporting; and

(2) Include in any resultant subcontract exceeding \$100,000 (including all options), the substance of this clause, except this paragraph (e).

(End of clause)

**52.223-15 Energy Efficiency in Energy-Consuming Products.**

As prescribed in 23.206, insert the following clause:

**ENERGY EFFICIENCY IN ENERGY-CONSUMING PRODUCTS  
(DEC 2007)**

(a) *Definition.* As used in this clause—

“Energy-efficient product”— (1) Means a product that—

(i) Meets Department of Energy and Environmental Protection Agency criteria for use of the Energy Star trademark label; or

(ii) Is in the upper 25 percent of efficiency for all similar products as designated by the Department of Energy’s Federal Energy Management Program.

(2) The term “product” does not include any energy-consuming product or system designed or procured for combat or combat-related missions (42 U.S.C. 8259b).

(b) The Contractor shall ensure that energy-consuming products are energy efficient products (*i.e.*, ENERGY STAR® products or FEMP-designated products) at the time of contract award, for products that are—

(1) Delivered;

(2) Acquired by the Contractor for use in performing services at a Federally-controlled facility;

(3) Furnished by the Contractor for use by the Government; or

(4) Specified in the design of a building or work, or incorporated during its construction, renovation, or maintenance.

(c) The requirements of paragraph (b) apply to the Contractor (including any subcontractor) unless—

(1) The energy-consuming product is not listed in the ENERGY STAR® Program or FEMP; or

(2) Otherwise approved in writing by the Contracting Officer.

(d) Information about these products is available for—

(1) ENERGY STAR® at <http://www.energystar.gov/products>; and

(2) FEMP at [http://www1.eere.energy.gov/femp/procurement/eep\\_requirements.html](http://www1.eere.energy.gov/femp/procurement/eep_requirements.html).

(End of clause)

**52.223-16 IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products.**

As prescribed in 23.706(b)(1), insert the following clause:

**IEEE 1680 STANDARD FOR THE ENVIRONMENTAL  
ASSESSMENT OF PERSONAL COMPUTER PRODUCTS  
(DEC 2007)**

(a) *Definitions.* As used in this clause—

“Computer monitor” means a video display unit used with a computer.

“Desktop computer” means a computer designed for use on a desk or table.

“Notebook computer” means a portable-style or laptop-style computer system.

“Personal computer product” means a notebook computer, a desktop computer, or a computer monitor, and any peripheral equipment that is integral to the operation of such items. For example, the desktop computer together with the keyboard, the mouse, and the power cord would be a personal computer product. Printers, copiers, and fax machines are not included in peripheral equipment, as used in this definition.

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for contractor use at a Government-owned facility, only personal computer products that at the time of submission of proposals were EPEAT Bronze registered or higher. Bronze is the first level discussed in clause 1.4 of the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products.

(c) For information about the standard, see [www.epeat.net](http://www.epeat.net).

(End of clause)

*Alternate 1 (DEC 2007).* As prescribed in 23.706(b)(2), substitute the following paragraph (b) for paragraph (b) of the basic clause:

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for contractor use at a Gov-



ernment-owned facility, only personal computer products that at the time of submission of proposals were EPEAT Silver registered or higher. Silver is the second level discussed in clause 1.4 of the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products.

**52.224-1 Privacy Act Notification.**

As prescribed in 24.104, insert the following clause in solicitations and contracts, when the design, development, or operation of a system of records on individuals is required to accomplish an agency function:

PRIVACY ACT NOTIFICATION (APR 1984)

The Contractor will be required to design, develop, or operate a system of records on individuals, to accomplish an agency function subject to the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 U.S.C. 552a) and applicable agency regulations. Violation of the Act may involve the imposition of criminal penalties.

(End of clause)

**52.224-2 Privacy Act.**

As prescribed in 24.104, insert the following clause in solicitations and contracts, when the design, development, or operation of a system of records on individuals is required to accomplish an agency function:

PRIVACY ACT (APR 1984)

(a) The Contractor agrees to—

(1) Comply with the Privacy Act of 1974 (the Act) and the agency rules and regulations issued under the Act in the design, development, or operation of any system of records on individuals to accomplish an agency function when the contract specifically identifies—

(i) The systems of records; and

(ii) The design, development, or operation work that the contractor is to perform;

(2) Include the Privacy Act notification contained in this contract in every solicitation and resulting subcontract and in every subcontract awarded without a solicitation, when the work statement in the proposed subcontract requires the redesign, development, or operation of a system of records on individuals that is subject to the Act; and

(3) Include this clause, including this paragraph (3), in all subcontracts awarded under this contract which requires the design, development, or operation of such a system of records.

(b) In the event of violations of the Act, a civil action may be brought against the agency involved when the violation concerns the design, development, or operation of a system of records on individuals to accomplish an agency function, and criminal penalties may be imposed upon the officers or employees of the agency when the violation concerns the operation of a system of records on individuals to accomplish an agency function. For purposes of the Act, when the contract is for the operation of a system of records on individuals to accomplish an agency function, the Contractor is considered to be an employee of the agency.

(c)(1) "Operation of a system of records," as used in this clause, means performance of any of the activities associated with maintaining the system of records, including the collection, use, and dissemination of records.

(2) "Record," as used in this clause, means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, education, financial transactions, medical history, and criminal or employment history and that contains the person's name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a fingerprint or voiceprint or a photograph.

(3) "System of records on individuals," as used in this clause, means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(End of clause)

**52.225-1 Buy American Act—Supplies.**

As prescribed in 25.1101(a)(1), insert the following clause:

BUY AMERICAN ACT—SUPPLIES (JUNE 2003)

(a) *Definitions.* As used in this clause—

"Component" means an article, material, or supply incorporated directly into an end product.