



DoD INSTRUCTION 4105.72

PROCUREMENT OF SUSTAINABLE GOODS AND SERVICES

Originating Component:	Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics
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Approved by:	Frank Kendall, Under Secretary of Defense for Acquisition, Technology, and Logistics

Purpose: This issuance:

- Establishes policy, assigns responsibilities, and prescribes procedures for the procurement of sustainable goods and services to reduce both life-cycle costs and the impact of DoD activities on the environment in accordance with the authority in DoD Directive 5134.01.
- Establishes the DoD Sustainable Procurement Program Working Group (DSPPWG) in accordance with the authority in DoD Instruction (DoDI) 5105.18 to identify, discuss, provide recommendations, and resolve issues to support successful implementation of a Sustainable Procurement Program (SPP).

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This issuance:

a. Applies to:

(1) OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

(2) DoD installations and activities inside the United States and its territories.

(3) Contracts performed outside the United States when the DoD Component head determines that such application is in the U.S. interest.

(4) Permanent overseas installations where practical or required by an applicable country-specific final governing standard.

(5) Contractors operating and purchasing products for use on DoD installations.

(6) Contractors purchasing products for use on installations outside the United States only when the DoD Component head determines that such application is in the U.S. interest.

(7) Nonappropriated fund (NAF) instrumentalities and procurement when purchasing Environmental Protection Agency (EPA)-designated recovered content products pursuant to Section 6962 of Title 42, United States Code (U.S.C.) and Executive Order (E.O.) 13693.

b. Does not apply to:

(1) Acquisition of weapons systems. DoDI 5000.02 and the Defense Acquisition Guidebook provide DoD requirements and guidance for environment, safety, and occupational health risk reduction; hazardous materials minimization; and environmental impact analysis for DoD weapons systems acquisition.

(2) NAF instrumentalities and procurement, which are governed by DoDI 4105.67, with the exception of purchases described in Paragraph 1.1.a.(7).

(3) Acquisition of alternative fuels for operational platform purposes, which is governed by the July 5, 2012, Assistant Secretary of Defense for Operational Energy Plans and Programs Memorandum.

1.2. POLICY. The DoD will:

a. Implement a sustainable procurement program pursuant to federal and DoD policy and standards in:

- (1) Section 141 of Public Law (PL) 110-140 (federal vehicle fleets).
- (2) Section 350 of PL 105-85 and Section 2378 of Title 10, U.S.C. (recycled copier paper).
- (3) Sections 6962 (Resource Conservation and Recovery Act green procurement) and 8259b (energy-efficient products) of Title 42, U.S.C.
- (4) Section 9002 of PL 107-171 (biobased products).
- (5) Section 301 of PL 102-486 (alternative fuels).
- (6) Part 247 of Title 40, Code of Federal Regulations (CFR) (products containing recovered materials).
- (7) Part 23 of Title 48, CFR and other applicable parts of the Federal Acquisition Regulation (FAR).
- (8) E.O. 13693.
- (9) The White House Council on Environmental Quality (CEQ) Implementing Instructions on E.O. 13693.
- (10) DoDI 5000.02.
- (11) DoD Directive 5000.01.
- (12) Defense Acquisition Guidebook.
- (13) The DoD Strategic Sustainability Performance Plan (SSPP).

b. Give preference to procurement of sustainable goods and services using or supplying sustainable goods unless:

- (1) The good or service cannot be acquired competitively within a reasonable performance schedule;
- (2) The good or service cannot be acquired that meets reasonable performance requirements;
- (3) The good or service cannot be acquired at a reasonable price consistent with Section 6962 of Title 42, U.S.C., and Section 9002 of PL 107-171; or

(4) An exception is provided by statute, such as the exception to procuring ENERGY STAR® or Federal Energy Management Program (FEMP)-designated products in accordance with Section 8259b(b)(2) of Title 42, U.S.C.

c. Implement a DoD Sustainable Procurement Program (DSPP) that addresses the following goals and preferences for:

(1) Recycled content products designated by EPA under Part 247 of Title 40, CFR.

(2) Energy-efficient products and services, such as ENERGY STAR® qualified and FEMP-designated products, identified by the EPA and Department of Energy under Part 436 of Title 10, CFR.

(3) Products the U.S. Department of Agriculture designates “BioPreferred” and “biobased” under PL 107-171.

(4) Significant New Alternatives Policy (SNAP) program chemicals or other alternatives to ozone-depleting substances and high global warming potential hydrofluorocarbons under E.O. 13693.

(5) WaterSense certified products and services (water-efficient products) under E.O. 13693.

(6) Safer Choice labeled products (chemically intensive products that contain safer ingredients) under E.O. 13693.

(7) SmartWay Transport partners and SmartWay products (fuel-efficient products and services) under E.O. 13693.

(8) Alternative fuels and alternative fuel vehicles under PL 102-486.

(9) Low greenhouse gas-emitting vehicles under PL 110-140.

(10) Products that produce renewable energy under E.O. 13693.

(11) Sustainable building products under E.O. 13693.

(12) Environmentally sustainable electronic products under E.O. 13693.

(13) Alternatives to hazardous or toxic chemicals under E.O. 13693.

1.3. INFORMATION COLLECTIONS.

a. The data collected in the DoD SSPP, referred to in Paragraph 3.5.b., is submitted to the Office of Management and Budget. The DoD SSPP does not require licensing with a report control symbol in accordance with Paragraph 1.b.(9) of Enclosure 3 of Volume 1 of DoD Manual (DoDM) 8910.01.

b. DD Form 3025, “Sustainable Procurement Program Acquisition Report,” referred to throughout this issuance, has been assigned report control symbol DD-AT&L(SA)2612 in accordance with the procedures in Volume 1 of DoDM 8910.01.

SECTION 2: RESPONSIBILITIES

2.1. UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS (USD(AT&L)). The USD(AT&L):

- a. Oversees implementation of this issuance.
- b. Serves as the decision-making authority for sustainable procurement, including establishing program scope, goals, and priorities, and issuing and maintaining policy and guidance for SPPs.

2.2. ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT (ASD(EI&E)). Under the authority, direction, and control of the USD(AT&L), the ASD(EI&E):

- a. Promotes DoD sustainable procurement policies and programs in conjunction with the Director, Defense Procurement and Acquisition Policy (DPAP).
- b. Shares best practices for sustainable procurement across the DoD and other federal agencies.
- c. Works with the senior and DoD Component acquisition executives and DPAP to review and analyze sustainable procurement indicators, including consolidation and preparation of the SPP Acquisition Report, using DD Form 3025 to the Office of Federal Procurement Policy and the CEQ.
- d. Serves as the chief sustainability officer providing oversight of the Senior Sustainability Council (SSC) (established by the November 26, 2010, Deputy Under Secretary of Defense for Installations and Environment action memorandum) and advising SSC members on actions necessary to meet DD Form 3025 requirements pursuant to the June 1, 2015, Deputy Secretary of Defense letter.
- e. Supports the incorporation of sustainable procurement training into courses offered through the Defense Acquisition University that are determined to be appropriate for inclusion of such training.
- f. Establishes the charter for and appoints a co-chair to the DSPPWG.
- g. Works with DPAP to oversee and document DoD-level management reviews of DoD Sustainable Procurement Program implementation.
- h. Provides an advisory member for the Joint Group on Environmental Attributes (JGEnvAtt) in accordance with Defense Logistics Agency (DLA) Instruction 4112 and DLA Manual 4112.

2.3. ASSISTANT SECRETARY OF DEFENSE FOR LOGISTICS AND MATERIEL READINESS (ASD(L&MR)). Under the authority, direction, and control of the USD(AT&L), the ASD(L&MR):

- a. Develops and distributes DoD sustainable procurement policies and regulations in conjunction with the ASD(EI&E) and the Director, DPAP.
- b. Develops and issues supply chain materiel management policies and guidance to support sustainable procurement operations.
- c. Serves as a member of the SSC.
- d. Provides a staff member with appropriate expertise to serve permanently on the DSPPWG.
- e. Oversees the DLA sustainable procurement activities to ensure:
 - (1) Implementation of SPPs.
 - (2) Operation of the JGEnvAtt.

2.4. DIRECTOR, DPAP. Under the authority, direction, and control of the USD(AT&L), the Director, DPAP:

- a. Develops and distributes DoD sustainable procurement policies and regulations in conjunction with the ASD(EI&E) and in accordance with the FAR and the Defense Federal Acquisition Regulation Supplement (DFARS).
- b. Develops contract clauses in accordance with the FAR and DFARS to support sustainable procurement operations.
- c. Promotes DoD sustainable procurement policy and shares best practices for sustainable procurement across DoD and other federal agencies.
- d. Works with the ASD(EI&E) to:
 - (1) Review and analyze sustainable procurement indicators.
 - (2) Support the chief sustainability officer requirements, including:
 - (a) Establishing reporting requirements.
 - (b) Advising SSC members on actions necessary to meet reporting requirements.
 - (c) Preparing the DD Form 3025 to submit to the Office of Federal Procurement Policy and CEQ.

e. Confirms the contract data needed to monitor compliance with sustainable procurement requirements and the intent of this issuance are included in procurement data standards, and monitors contract data to track performance for achieving sustainable procurement goals.

f. Serves as a co-chair of the DSPPWG and works with ASD(EI&E) to oversee and document DoD-level management reviews of DSPP implementation.

g. Through the Defense Acquisition Regulations System, leads and guides the Defense Acquisition Regulation Council (established in Subpart 1.201-1 of the FAR) in the implementation of sustainable procurement requirements in the FAR and DFARS.

h. Through the DPAP Contract Policy and International Contracting Directorate, serves on the DFARS Environmental Committee (established in the DFARS Operating Guide).

i. Ensure that guidance is issued to contracting offices executing sustainable contracts that requires contract specialists and contracting officers to include all required clause(s) and language in the performance work statement or statement of work requiring use, to the maximum extent possible, of recycled, recovered, environmentally preferable, or biobased materials or energy- or water-efficient products, where applicable.

2.5. DIRECTOR, DLA. Under the authority, direction, and control of the USD(AT&L), through the ASD(L&MR), and in addition to the responsibilities in Paragraph 2.6., the Director, DLA:

a. Develops and maintains DLA-managed tools. Provides information to enable customers to identify and use sustainable products, and to track and provide contract data for the DD Form 3025.

b. Reviews and updates procurement policies and programs to support the acquisition workforce in the execution of sustainable procurement requirements, and identifies opportunities to incorporate sustainable procurement into these policies and programs.

c. Lists and clearly identifies in DLA catalogs ENERGY STAR[®] products or FEMP-designated products for all product categories covered by the ENERGY STAR[®] program or the FEMP. Supplies only ENERGY STAR[®] or FEMP-designated products, unless the agency ordering a product specifies in writing that no ENERGY STAR[®] product or FEMP-designated product is available to meet the buyer's functional requirements, or that no ENERGY STAR[®] product or FEMP-designated product is cost-effective for the intended application over the life of the product, taking energy cost savings into account in accordance with Section 8259b of Title 42, U.S.C.

d. Chairs and operates the JGEnvAtt to identify positive environmental characteristics that are the basis for:

(1) Coding products with Environmental Attribute Codes, in accordance with Table 194 in Volume 10 of DoD 4100.39-M.

(2) Applying national stock number items in the Federal Catalog System.

e. Supports the incorporation of sustainable procurement training into courses offered through the Defense Acquisition University that are determined to be appropriate for inclusion of such training.

2.6. DoD COMPONENT HEADS. The DoD Component heads:

a. Develop and distribute DoD Component-specific policy, responsibilities, and program implementation guidance for sustainable procurement that is consistent with this issuance, meets or exceeds all applicable standards of the references in Paragraph 1.2.a, and follows supply chain materiel management procedures in DoDI 4140.01 and Volume 1 of DoDM 4140.01.

b. Provide training opportunities for personnel on:

(1) Standards to procure sustainable goods and services.

(2) Availability of sustainable product and service options.

(3) Resources for additional information.

(4) Roles and responsibilities relevant to sustainable procurement.

(5) Procedures for purchasing and contracting for sustainable goods and services, including preparing or reviewing work statements or contract specifications and incorporating applicable sustainability specifications, provisions, and clauses into contracts.

c. Develop DoD Component-specific procedures to delineate procurement and requiring activities, as defined in this Instruction, (e.g., logistics, supply, environmental) roles and responsibilities for implementation of sustainable procurement requirements.

d. Designate the chief procurement officer or other responsible party, as appropriate, to make decisions not to procure sustainable goods and services based on a determination that:

(1) The product or service cannot be acquired competitively within a reasonable performance schedule;

(2) The product or service cannot be acquired that meets reasonable performance requirements;

(3) The product or service cannot be acquired at a reasonable price consistent with Section 6962 of Title 42, U.S.C. and Section 9002 of PL 107-171; or

(4) An exception is provided by statute, such as the exception to procuring ENERGY STAR[®] or FEMP-designated products in accordance with Section 8259b(b)(2) of Title 42, U.S.C.

e. Establish procedures to collect data on the DoD Component's implementation of sustainable procurement requirements that meet federal and OSD reporting requirements, and provide instructions for tracking and providing data for the DD Form 3025.

(1) Analyze data to evaluate performance and track progress for achieving sustainable procurement goals.

(2) Report progress toward achieving sustainable procurement goals as required by OSD.

f. Provide oversight of implementation of SPPs.

(1) Identify a DoD Component SSC member or designee to conduct management reviews of SPPs and activities, and participate in OSD-led management reviews as required. Implement the requirements of this issuance in relevant and appropriate management reviews and procurement audits.

(2) Ensure that each organization or activity has an effective sustainable procurement policy that is appropriate for the nature of its purchasing and contracting activities.

g. Ensure new contract actions include provisions, specifications, and clauses for the procurement and required reporting of sustainable goods and services. Contracts must include:

(1) Authorized provisions and clauses when using Part 12 of the FAR procedures for the acquisition of commercial items.

(2) Any terms and conditions consistent with customary commercial practices for the item(s) being procured, unless a waiver is approved in accordance with Section 12.302(c) of the FAR and Defense Agency procedures.

(3) Part 23 of the FAR clauses, as applicable.

h. Ensure that all contract actions for the operation, maintenance, repair, and alteration of government-owned facilities, including government-owned contractor-operated installations and facilities, and vehicles comply with federal and DoD sustainable procurement goals and requirements.

i. Require tenant organizations and, as practical, concessionaires—through agreements, permits, leases, licenses, or other legally binding obligations—at DoD facilities to comply with federal and DoD sustainable procurement goals and requirements and participate in the DoD Component SPPs.

j. Provide adequate resources to implement the requirements of this issuance.

k. Provide a voting member for the JGEnvAtt in accordance with DLA Instruction 4112 and DLA Manual 4112.

l. Provide a staff member from their respective Components with appropriate expertise to serve permanently on the DSPPWG.

m. Comply with this issuance to the extent practical during life-cycle operation of weapons systems and, when representing the best value to NAF instrumentalities, NAF procurement.

SECTION 3: PROCEDURES

3.1. DSPP FRAMEWORK. The DoD framework for the DSPP is a management system approach including policy, planning, implementation, evaluation and corrective action, and management review. Personnel involved in the sustainable procurement process are responsible for implementing the DSPP pursuant to federal and DoD policy and standards. This section describes the process that DoD Component heads should use to develop an effective SPP.

3.2. PLANNING.

a. Establish and document a process to review applicable procurement actions for applicable federal, DoD, and DoD Component sustainable procurement requirements, and the procedures used to implement the requirements of this issuance.

(1) Review and update documentation as sustainable goods and services become available to support mission requirements.

(2) Develop documentation at a level within the organization where the DoD Component defines initial purchasing requirements.

b. Integrate implementation of the DSPP into the DoD Component's management systems.

c. Develop or update existing sustainable procurement or DSPP plans to incorporate requirements, such as management system structure and changes in requirements, goals, and guidance relative to all applicable federal sustainability purchasing programs and mission objectives.

3.3. IMPLEMENTATION.

a. Define and document roles and responsibilities for personnel and organizations across all functional communities to establish accountability for DSPP implementation and operation.

(1) Provide updated information on the DSPP and make training available for all personnel who are responsible for the implementation of SPPs, including contracting and requirements-generating personnel.

(2) Maximize the use of cross-functional teams to implement and maintain the DSPP, as appropriate.

(a) Teams may also include personnel in technical support functional areas and other functional areas, as appropriate.

(b) Managers should integrate DSPP with existing and future procurement systems (e.g., contracting systems, DoD Electronic Mall). Where separate systems exist, managers will coordinate to improve overall performance.

b. Implement DSPP training at the DoD Component level.

(1) Provide and document initial DSPP training for all personnel involved in the procurement process from requirements generation to contracting, Government Purchase Card, or other purchase actions. Provide refresher training, as necessary, based on changes to DSPP requirements.

(2) Establish a process to identify and tailor DSPP training based on organization and mission requirements and targeted audiences.

(3) During the next update or revision to established training programs for DoD Component management and staff, incorporate DSPP awareness modules, including:

(a) New employee orientation.

(b) Environmental awareness training.

(c) Contracting officer, contracting officer's representative, Government Purchase Card, and other procurement training.

(d) Office administrative staff training.

c. Develop and conduct internal and external DSPP outreach programs.

(1) Educate government personnel and contractors about complying with the requirements of federal sustainable purchasing programs.

(2) Use the following communication tools, as appropriate, to increase DSPP awareness:

(a) Electronic broadcast messages and social media.

(b) Articles in DoD Component newsletters, brochures, and newspapers.

(c) Websites and communities of practice to provide information and notices on sustainable procurement goods and services, waste prevention, and recycling.

(d) Publications, speeches, and presentations in association with DoD-sponsored and national events such as Earth Day, America Recycles Day, Energy Awareness Month, and DoD procurement conferences and training seminars.

(e) Bulletin boards, marquees, or other means of posting information.

(f) Acquisition policy alerts or other means of notification.

(3) Share best practices for sustainable procurement (e.g., through internal procurement SharePoint sites or other websites, through the Defense Environmental Network and Information Exchange).

d. Using DSPPWG guidance, define and document DSPP data requirements, including, but not limited to:

- (1) Consideration of environmental and energy aspects of planned procurement actions.
- (2) Training for personnel to understand their responsibilities under the DSPP.
- (3) Vendor product certifications and related reporting requirements.
- (4) Performance data and metrics, as defined by the annual DoD SSPP or successor report.

e. Implement operational controls and establish:

- (1) Oversight procedures for the DoD Component to address DSPP requirements in all applicable procurement actions and at each appropriate stage of the procurement process.
- (2) Procedures and approval authorities for determining and documenting DSPP requirements, exemptions, and automatic substitution where appropriate and feasible.

3.4. EVALUATION AND CORRECTIVE ACTION.

a. Establish a process for evaluating and reporting DSPP performance if a corrective action program does not already exist through the DoD Component's management system.

b. Measure performance based on federal, DoD, and DoD Component goals and management system objectives and targets.

c. Use DoD data tracking and audit systems, as available, to measure performance consistent with DoD and federal metrics and reporting requirements.

d. Report, through appropriate DoD leadership and DoD Component command structure, to meet federal, DoD, and DoD Component reporting requirements.

e. Incorporate DSPP requirements into internal and external assessments, compliance inspections, audits, and evaluations, as appropriate.

f. Develop corrective action procedures to address deficiencies identified in assessments, inspections, audits, and evaluations. Using root-cause analysis, develop recommendations for follow-on actions. Track follow-on actions through the appropriate corrective action plan.

3.5. MANAGEMENT REVIEW.

a. Conduct senior management review to assess the status, progress, compliance, and overall effectiveness of the DSPP pursuant to the December 30, 2009, USD(AT&L) Memorandum.

b. Maintain and report records of management reviews to the DSPPWG, which will identify and assist in addressing DoD-wide deficiencies and corrective actions.

c. Maintain and report records of management reviews to the DSPPWG, which will document the review, as appropriate, in the DoD SSPP or successor report.

GLOSSARY

G.1. ACRONYMS.

ASD(EI&E)	Assistant Secretary of Defense for Energy, Installations, and Environment
ASD(L&MR)	Assistant Secretary of Defense for Logistics and Materiel Readiness
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
DFARS	Defense Federal Acquisition Regulation Supplement
DLA	Defense Logistics Agency
DoDI	DoD instruction
DoDM	DoD manual
DPAP	Defense Procurement and Acquisition Policy
DSPP	DoD Sustainable Procurement Program
DSPPWG	DoD Sustainable Procurement Program Working Group
E.O.	Executive order
EPA	Environmental Protection Agency
FAR	Federal Acquisition Regulation
FEMP	Federal Energy Management Program
JGEnvAtt	Joint Group on Environmental Attributes
NAF	nonappropriated fund
PL	public law
SPP	Sustainable Procurement Program
SSC	Senior Sustainability Council
SSPP	Strategic Sustainability Performance Plan
U.S.C.	United States Code
USD(AT&L)	Under Secretary of Defense for Acquisitions, Technology, and Logistics

G.2. DEFINITIONS. Unless otherwise noted, these terms and their definitions are for the purposes of this issuance.

alternative fuels and alternative fuel vehicles. Defined in Section 301 of PL 102-486.

biobased product. A commercial or industrial product (other than food or feed) that is composed in whole or significant part of biological products or renewable domestic agricultural

(plant, animal, and marine) or forestry materials, as defined by the U.S. Department of Agriculture.

chief sustainability officer. The individual accountable for federal agency conformance with the requirements of E.O. 13693, and responsible for preparing the targets for agency-wide reductions and inventory of greenhouse gas emissions; preparing, implementing, and assessing the efficacy of an SSPP; and submitting results to the CEQ and the Office of Management and Budget.

cross-functional team. A group of personnel, including, but not limited to, procurement, contracting, engineering, environmental management, energy management, logistics, transportation, supply, public affairs, legal, government purchase card program, pollution prevention, quality assurance, planning, budgeting, tenant, and NAF organization personnel.

DoD Electronic Mall. An online ordering platform meant to provide a full service e-Commerce site to find and acquire off-the-shelf, finished goods and services from the commercial marketplace and government sources for DoD.

energy-efficient product. A product in the upper 25 percent of efficiency for all similar products, or a product that is at least 10 percent more efficient than applicable minimum federal product, appliance, or equipment efficiency standards.

ENERGY STAR[®] products. Products certified and labeled by the EPA through a voluntary program to identify and promote products that meet specific energy efficiency standards based on product type.

environmentally preferable. Products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services serving the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal.

environmentally sustainable electronic products. Electronic products that meet or exceed specifications, standards, or labels recommended by EPA that have been determined to assist agencies in meeting their needs and further advance sustainable procurement goals of this order; or meet environmental performance criteria developed or adopted by voluntary consensus standards bodies consistent with Section 12(d) of PL 104-113 and Office of Management and Budget Circular A-119.

exemption. A decision to not give preference to procurement of a sustainable good or service because the good or service cannot be acquired competitively within a reasonable performance schedule; the good or service cannot be acquired that meets reasonable performance requirements; the good or service cannot be acquired at a reasonable price consistent with Section 6962 of Title 42, U.S.C. and Section 9002 of PL 107-171; or an exception is provided by statute, such as the exception to procuring ENERGY STAR[®] or FEMP-designated products in accordance with Section 8259b(b)(2) of Title 42, U.S.C.

FEMP-designated products. Products not certified under the ENERGY STAR[®] program that the FEMP has identified as energy efficient.

JGEnvAtt. A group formed and chaired by the Director, DLA, to identify, evaluate and, through consensus, approve clearly definable environmental product criteria from recognized environmental organizations for products within the Federal Supply System. The group's members include the Military Services, General Services Administration, and other stakeholders.

low greenhouse gas-emitting vehicles. Defined in Section 141 of PL 110-140.

NAF. Defined in DoDI 1015.15.

NAF instrumentality. Defined in DoDI 1015.15.

procurement. The act of acquiring, with appropriated funds, supplies or services by and for the use of the Federal Government through purchase, contract, lease, or other agreement.

recovered content. Waste materials and by-products recovered or diverted from solid waste, excluding those materials and by-products generated from, and commonly reused within, an original manufacturing process.

recycling. The series of activities, including collection, separation, and processing, where products or other materials are recovered from the solid waste stream for use in the form of feed materials in the manufacture of new products other than fuel for producing heat or power by combustion.

requiring activity. An organization with a need or demand for specific personnel, equipment, facilities, other resources, or services. The requiring activity may also be the organizational unit that submits a written requirement or statement of need for goods or services required by a contract.

SNAP program. A program designed to identify and evaluate substitutes in end-uses that have historically used ozone-depleting substances; look at overall risk to human health and the environment of both existing and new substitutes; publish lists of acceptable and unacceptable substitutes by end-use; promote the use of acceptable substitutes; and provide the public with information about the potential environmental and human health impacts of substitutes. EPA reviews characteristics, including the following, when evaluating each proposed substitute: ozone depletion potential, global warming potential, toxicity, flammability, occupational and consumer health/safety, local air quality, and ecosystem effects.

specification. A clear and accurate description of the technical requirements for procurement of materials, goods, or services that includes the minimum requirement for materials quality and construction and any equipment necessary for an acceptable product. In general, specifications are in the form of written descriptions, drawings, prints, commercial designations, industry standards, and other descriptive references.

SSC. The body charged with developing strategy, recommending policy, and ensuring coordination on sustainability initiatives across organizational and functional lines to support implementation of E.O. 13693. The council is chaired by the ASD(EI&E).

sustainability. Creating and maintaining conditions where humans and nature can exist in productive harmony that fulfills the social, economic, and other requirements of present and future generations.

sustainable procurement. Procurement using sustainable environmental practices, including but not limited to, acquisition of EPA-designated recycled content products, environmentally sustainable electronics products, environmentally preferable goods and services, ENERGY STAR[®] and FEMP-designated energy-efficient products, water-efficient products, U.S. Department of Agriculture-designated biobased products, alternative fuels and alternative fuel vehicles, non-ozone depleting substances, low or non-toxic substances or products containing low or non-toxic constituents, renewable energy sources, and sustainable building materials. Formerly known as “green procurement.”

sustainable services. Services in which sustainable goods are supplied or used. Includes, but is not limited to, services in construction, facilities operation and maintenance, janitorial and custodial, landscaping, cafeteria, information technology (including equipment leasing), fleet vehicle maintenance, meeting and conference planning, laundry, furnishing and interior design, and freight and transportation.

tenant. Military Departments or DoD activities that are located within the confines of another installation and occupying portions of the land, buildings, or structures of the main installation. Tenant organizations do not include non-federal public or private entities operating under a lease, easement, or license granted by the DoD Component.

WaterSense. Products and services certified to be at least 20 percent more efficient without sacrificing performance.

weapons system. Defined in DoDI 5000.02.

REFERENCES

- Deputy Secretary of Defense Chief Sustainability Officer Designation Letter, June 1, 2015¹
- Assistant Secretary of Defense for Operational Energy Plans and Programs Memorandum, “Department of Defense Alternative Fuels Policy for Operational Platforms,” July 5, 2012
- Code of Federal Regulations, Title 10
- Code of Federal Regulations, Title 40, Part 247
- Code of Federal Regulations, Title 48
- Defense Acquisition Guidebook, current edition
- Defense Federal Acquisition Regulation Supplement Operating Guide, January 2015²
- Defense Federal Acquisition Regulation Supplement, current edition
- Defense Logistics Agency Instruction 4112, “Pollution Prevention and Green Procurement,” August 15, 2003
- Defense Logistics Agency Manual 4112, “DLA Green Procurement Program,” April 2, 2014
- Deputy Under Secretary of Defense for Installations and Environment Action Memorandum, “Senior Sustainability Council Charter,” November 26, 2010¹
- DoD 4100.39-M, Volume 10, “Federal Logistics Information System (FLIS) Procedures Manual: Multiple Application References/Instructions/Tables and Grids,” October 2010
- DoD Directive 5000.01, “The Defense Acquisition System,” May 12, 2003, as amended
- DoD Directive 5134.01, “Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)),” December 9, 2005, as amended
- DoD Instruction 1015.15, “Establishment, Management, and Control of Nonappropriated Fund Instrumentalities and Financial Management of Supporting Resources,” October 31, 2007, as amended
- DoD Instruction 4105.67, “Nonappropriated Fund (NAF) Procurement Policy and Procedure,” February 26, 2014, as amended
- DoD Instruction 4140.01, “DoD Supply Chain Materiel Management Policy,” December 14, 2011
- DoD Instruction 5000.02, “Operation of the Defense Acquisition System,” January 7, 2015
- DoD Instruction 5105.18, “DoD Intergovernmental and Intragovernmental Committee Management Program,” July 10, 2009, as amended
- DoD Manual 4140.01, Volume 1, “DoD Supply Chain Materiel Management Procedures: Operational Requirements,” February 10, 2014
- DoD Manual 8910.01, Volume 1, “DoD Information Collections Manual: Procedures for DoD Internal Information Collections,” June 30, 2014, as amended
- DoD Strategic Sustainability Performance Plan, current edition³

¹ Available from the ASD(EI&E) front office.

² Copies may be obtained from the Internet at http://www.acq.osd.mil/dpap/dars/docs/FAR_Operating_Guide_July_2015.pdf

³ Copies may be obtained from the Internet at <http://www.denix.osd.mil/sustainability/PlansGuidance.cfm>

Executive Order 13693, “Planning for Federal Sustainability in the Next Decade,” March 19, 2015

Federal Acquisition Regulation, current edition

Office of Management and Budget Circular A-119, “Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities,” February 10, 1998, as amended

Public Law 102-486, Section 301, “Energy Policy Act of 1992,” October 24, 1992

Public Law 104-113, Section 12(d), “National Technology Transfer and Advancement Act of 1995,” March 7, 1996

Public Law 105-85, Section 350, (codified at Section 2378 of Title 10, U.S.C.), “National Defense Authorization Act for Fiscal Year 1998,” November 18, 1997

Public Law 107-171, Section 9002, “Farm Security and Rural Investment Act of 2002,” May 13, 2002

Public Law 110-140, Section 141, “Energy Independence and Security Act Of 2007,” December 19, 2007

Under Secretary of Defense for Acquisition, Technology, and Logistics Memorandum, “Fiscal Year (FY) 2009 Reporting on Green Purchase Requirements,” December 30, 2009

United States Code, Title 10

United States Code, Title 42

White House Council on Environmental Quality, “Implementing Instructions for Executive Order 13693: Planning for Federal Sustainability in the Next Decade,” June 10, 2015