

23.103 Sustainable acquisitions.

(a) *Federal agencies shall advance sustainable acquisition* by ensuring that 95 percent of new *contract actions* for the supply of *products* and for the *acquisition* of services (including *construction*) require that the *products* are-

- (1) Energy-efficient (ENERGY STAR® or Federal Energy Management Program (FEMP)-designated);
- (2) Water-efficient;
- (3) Biobased;
- (4) *Environmentally preferable* (e.g., EPEAT®-registered, or non-toxic or less toxic alternatives);
- (5) Non-ozone depleting; or
- (6) Made with *recovered materials*.

(b) The required *products* in the *contract actions* for services include *products* that are-

- (1) Delivered to the Government during performance;
- (2) Acquired by the contractor for use in performing services at a Federally-controlled facility; or
- (3) Furnished by the contractor for use by the Government.

(c) The required *products* in the *contract actions* must meet agency performance requirements.

(d) For purposes of meeting the 95 percent *sustainable acquisition* requirement, the term "*contract actions*" includes new contracts (and task and *delivery orders* placed against them) and new task and *delivery orders* on existing contracts.

Parent topic: [Subpart 23.1 - Sustainable Acquisition Policy](#)