

**DEPARTMENT OF DEFENSE****GENERAL SERVICES  
ADMINISTRATION****NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION****48 CFR Chapter 1**

[Docket FAR—2007—0002, Sequence 7]

**Federal Acquisition Regulation;  
Federal Acquisition Circular 2005–22;  
Small Entity Compliance Guide**AGENCIES: Department of Defense (DoD),  
General Services Administration (GSA),and National Aeronautics and Space  
Administration (NASA).**ACTION:** Small Entity Compliance Guide.**SUMMARY:** This document is issued  
under the joint authority of the  
Secretary of Defense, the Administrator  
of General Services and the  
Administrator of the National  
Aeronautics and Space Administration.  
This *Small Entity Compliance Guide* has  
been prepared in accordance with  
Section 212 of the Small Business  
Regulatory Enforcement Fairness Act of  
1996. It consists of a summary of rules  
appearing in Federal Acquisition  
Circular (FAC) 2005–22 which amendthe FAR. An asterisk (\*) next to a rule  
indicates that a regulatory flexibility  
analysis has been prepared. Interested  
parties may obtain further information  
regarding these rules by referring to FAC  
2005–22 which precedes this document.  
These documents are also available via  
the Internet at [http://  
www.regulations.gov](http://www.regulations.gov).**FOR FURTHER INFORMATION CONTACT**Laurieann Duarte, FAR Secretariat, (202)  
501-4225. For clarification of content,  
contact the analyst whose name appears  
in the table below.**LIST OF RULES IN FAC 2005–22**

Item	Subject	FAR case	Analyst
I .....	Implementation of Section 104 of the Energy Policy Act of 2005 .....	2006–008	Clark.
II .....	Contractor Code of Business Ethics and Conduct .....	2006–007	Woodson.

**SUPPLEMENTARY INFORMATION:**Summaries for each FAR rule follow.  
For the actual revisions and/or  
amendments to these FAR cases, refer to  
the specific item number and subject set  
forth in the documents following these  
item summaries.FAC 2005–22 amends the FAR as  
specified below:**Item I—Implementation of Section 104  
of the Energy Policy Act of 2005 (FAR  
Case 2006–008)**This final rule implements Section  
104 of the Energy Policy Act of 2005.  
Section 104 requires that all  
acquisitions of energy consuming-  
products and all contracts that involve  
the furnishing of energy-consuming  
products require acquisition of ENERGYSTAR® or Federal Energy Management  
Program (FEMP) designated products.  
The final rule provides a clause for the  
Contracting Officer to insert in  
solicitations and contracts to ensure that  
suppliers and service and construction  
contractors recognize when energy-  
consuming products must be ENERGY  
STAR® or FEMP-designated.**Item II—Contractor Code of Business  
Ethics and Conduct (FAR Case 2006–  
007)**This final rule amends Federal  
Acquisition Regulation (FAR) Parts 2, 3,  
and 52 to address the requirements for  
a contractor code of business ethics and  
conduct and the display of Federal  
agency Office of the Inspector General  
(OIG) Fraud Hotline Posters. In responseto public comments, this final rule  
reduces the burden on small entities by  
making the requirements for a formal  
training program and internal control  
system inapplicable to small businesses.  
If a small business subsequently finds  
itself in trouble ethically during the  
performance of a contract, the need for  
a training program and internal controls  
will likely be addressed by the Federal  
Government at that time, during a  
criminal or civil lawsuit or debarment  
or suspension.

Dated: November 16, 2007.

**Al Matera,***Director, Office of Acquisition Policy.*

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