

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;
Introduction**

AGENCIES: Department of Defense (DoD),
General Services Administration (GSA),

and National Aeronautics and Space
Administration (NASA).

ACTION: Summary presentation of final
rules.

SUMMARY: This document summarizes
the Federal Acquisition Regulation
(FAR) rules agreed to by the Civilian
Agency Acquisition Council and the
Defense Acquisition Regulations
Council in this Federal Acquisition
Circular (FAC) 2005–22. A companion
document, the Small Entity Compliance
Guide (SECG), follows this FAC. The
FAC, including the SECG, is available
via the Internet at [http://
www.regulations.gov](http://www.regulations.gov).

DATES: For effective dates and comment
dates, see separate documents, which
follow.

FOR FURTHER INFORMATION CONTACT The
analyst whose name appears in the table
below in relation to each FAR case.
Please cite FAC 2005–22 and the
specific FAR case number(s). For
information pertaining to status or
publication schedules, contact the FAR
Secretariat at (202) 501–4755.

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 ENERGY
STAR® 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 response
to 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.

Federal Acquisition Circular

Federal Acquisition Circular (FAC)
2005–22 is issued under the authority of
the Secretary of Defense, the
Administrator of General Services, and
the Administrator for the National
Aeronautics and Space Administration.

Unless otherwise specified, all
Federal Acquisition Regulation (FAR)
and other directive material contained
in FAC 2005–22 is effective December
24, 2007.

Dated: November 15, 2007.

Shay D. Assad,
*Director, Defense Procurement and
Acquisition Policy.*

Dated: November 16, 2007.

Al Matera,
*Acting Deputy Chief Acquisition Officer,
Office of the Chief Acquisition Officer,
General Services Administration.*

Dated: November 14, 2007.

William P. McNally,
*Assistant Administrator for Procurement,
National Aeronautics and Space
Administration.*

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DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Parts 2, 22, 23, 36, and 52**

[FAC 2005–22; FAR Case 2006–008; Item
I; Docket 2006–020; Sequence 12]

RIN 9000–AK63

**Federal Acquisition Regulation; FAR
Case 2006–008, Implementation of
Section 104 of the Energy Policy Act of
2005**

AGENCIES: Department of Defense (DoD),
General Services Administration (GSA),
and National Aeronautics and Space
Administration (NASA).

ACTION: Final rule.