

GSA Acquisition Policy Federal Advisory Committee (GAP FAC) Policy & Practice Subcommittee Meeting

February 16, 2023

The General Services Administration (GSA) Acquisition Policy Federal Advisory Policy & Practice Subcommittee (PPS) convened for its sixth public meeting at 3:00 PM on February 16, 2023, virtually via Zoom, with Steven Schooner, Chair, and Luke Bassis, Co-Chair, presiding.

In accordance with FACA, as amended, 5 U.S.C. App 2, the meeting was open to the public from 3:00 PM to 5:00 PM EST

Committee Members Present:

Steven Schooner, Chairperson	<i>George Washington University</i>
Luke Bassis, Co-Chair	<i>Port Authority of New York and New Jersey</i>
Richard Beutel	<i>George Mason University</i>
Jennie Romer	<i>Environmental Protection Agency</i>
Nigel Stephens	<i>US Black Chamber of Commerce</i>
Anish Tilak	<i>Rocky Mountain Institute</i>
Leslie Cordes	<i>Ceres</i>
Dr. Kimberly White	<i>American Chemistry Council</i>
Dr. David Wagger	<i>Institute of Scrap Recycling Industries</i>
Mark Hayden	<i>State of New Mexico</i>

Absent: Antoine Doss, Mamie Mallory, Dr. Amlan Mukherjee, and Stacey Smedley

Guest Speakers & Presenters:

Jenna Larkin	<i>Environmental Protection Specialist, Environmentally Preferable Purchasing Program, EPA</i>
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GSA Staff Present:

Boris Arratia	<i>Designated Federal Officer</i>
Stephanie Hardison	<i>Deputy Designated Federal Officer</i>
Adam Sheldrick	<i>GAP FAC Support Team</i>
Skylar Holloway	<i>GAP FAC Support Team</i>
Jill Pesti	<i>Closed Captioner</i>
Daniel Swartz	<i>ASL Interpreters</i>

Jill Lamoreaux

ASL Interpreters

CALL TO ORDER

Boris Arratia, Designated Federal Officer, opened the public meeting by welcoming the group before reminding the public that there would be time for comments and statements at the end of the meeting. He then performed a roll call to confirm attendance and a quorum. After meeting the quorum, he turned the meeting over to Chairman Steven Schooner.

INTRODUCTORY REMARKS

Chairman Steven Schooner opened the meeting by reminding the subcommittee they would meet every three weeks. The subcommittee continues to look for speakers who can present to the committee on single-use plastics.

GUEST SPEAKER & DISCUSSION

Jennie Romer introduced speaker Jenna Larkins. Jenna is with EPA's Environmentally Preferable Purchasing Program.

Jenna Larkin: EPA has taken a lifecycle multi-attribute approach to defining an environmentally preferable product. They not only engage in developing and updating private-sector sustainability standards and eco-labels but also assess and recommend them to be used within federal purchasing. They also assist the feds and others in buying environmentally preferable products and services, assist small businesses selling their products and services to the federal government, and hope to measure compliance and benefits from buying those products.

Many people are looking to the EPA to set the bar for implementing sustainable procurement within the federal government. They are collaborating with different levels of the government.

There are many sustainable purchasing elements with Executive Order (EO) 14057, Federal Sustainability Plan, and Office of Management and Budget Memo 22-06. Not only does it set a zero-emissions procurement goal by 2050, but it also directs federal purchasers to maximize the procurement of sustainable products and services identified and recommended by the EPA. It directs federal purchasers to prioritize products and services that address multiple environmental impacts at once, which recognizes that the life cycle multi-attribute approach is the best approach.

There are many priorities sustainable purchasing can help address. By recommending multi-attribute standards and eco-labels, they can help to address several priorities, such as climate change impact reductions, chemical safety, circular economy, and environmental justice.

The main tool to help purchasers identify sustainable products is the Recommendation of Specifications, Standards, and eco-labels for Federal Purchasing (Recommendations), which clarifies the marketplace. Currently, there are over 460 standards and eco-labels in the marketplace making it difficult for purchasers to figure out which one to use based on requirements. The Recommendations figure it out for federal purchasers. There are two ways to get added to the Recommendations based on review and use by another federal agency. The second option is based on an assessment against the multi-stakeholder developed framework.

They are currently expanding the recommendations into more purchasing product categories: building/construction, infrastructure, landscaping, food and cafeteria services, uniforms/clothing, professional services, laboratories, and healthcare, and identifying products that don't contain Per and Polyfluoroalkyl Substances (PFAS).

There are four different sections within the framework used to assess performance standards and eco-labels to see if they are appropriate for government use. Section 1 is the standards development process. Section 2 ensures effectiveness in addressing human and environmental health. Section 3 is conformity assessment procedures. Section 4 is eco-label program management.

We are helping purchasers identify products that don't contain PFAS by looking through standards and eco-labels already recommended, pulling the ones restricting or eliminating PFAS from their products, and publishing a new webpage with these standards. The webpage also contains the criteria and language standards addressing the entire class of PFAS and making things transparent for purchasers. After publishing the webpage, a webinar was posted with these standard and eco-label organizations to encourage them to update or create brand new criteria to address PFAS within their products.

Purchasers use GSA tools and contracts, so the EPA collaborates with GSA to get their recommendations on sustainable purchasing requirements into those contracts and purchasing tools. They do this through the Sustainability Check Initiative, where they review the biggest GSA contracts and get the category managers to review them to ensure they incorporate sustainable purchasing requirements.

GSA manages different tools that purchasers use often, so they have incorporated sustainable purchasing requirements into these tools. The Green Procurement Compilation tool tells the statutory mandates within a category if there are other eco-labels and what the private sector standards and eco-labels are for this category. An Sustainable Facilities (SF) Tool product search allows you to filter certain categories and requirements to find products. Another tool is GSA Advantage, which has an environmental program aisle where they can edit labels to ensure they are correct and

have the EPA's recommendations. It relies heavily on vendor self-declaration which can lead to mislabeled products. The last tool is the Commercial Platforms Effort which purchase cardholders can use for routine commercial products.

There are barriers that they have been running into with these tools that can help the subcommittee with their recommendations. There is a lack of sustainability standards and eco-labels in some categories. There are several purchasing requirements that apply to a single product category. There is a lack of automated tools to incorporate sustainable purchasing requirements into Request for Proposal (RFP) and contracts. There is a lack of unified product data or robust product registries. Part of the reason the GSA tools are not amazing is that the actual data coming from the eco-labels also is not great, so we actively try to encourage better data with the new private sector eco-labels, but it is hard to get them to all use the same thing which can make this an issue. The GSA tools need to be updated and improved to reflect the latest sustainable purchasing requirements. There needs to be better integration between market research tools and procurement tools. Finally, there is a lack of tools to track compliance with sustainable purchasing requirements and an inability to measure the environmental benefits of purchasing the product.

SPEAKER QUESTION & ANSWERS

Q: Mark Hayden – In all these applied ratings, do we have any indication as to if carbon is included in that equation?

A: Jenna Larkin – We currently don't recommend any carbon neutral or carbon negative certification because we focus on actual products and product types. In this expansion we have right now, we have received feedback on carbon neutral and negative certification, and we will see how we can add them to the recommendations. The other multi-attribute standards we recommend typically have criteria around carbon.

Q: Kimberly Wise White – How often is there a review for recommendations for the numerous eco-labels and standards you have?

A: Jenna Larkin – We were only given 90 days to create recommendations which is why you will see many adopted from GSA & Department of Energy (DOE) due to the time constraint. We launched a pilot to test the framework of our product categories, but none of the others have been tested. We haven't done assessments against the framework since 2016. We never received the go-ahead in the last administration to test the framework, so we are playing catch-up.

Q: Kimberly Wise White – How does this program address environmental justice?

A: Jenna Larkins – This is connected to a new grant program being established. The new grant will increase access to more sustainable products and services. One of the tools used will be our recommendations for standards and eco-labels. We are going through each category and making those connections to environmental justice. We are not too far along in that process.

Q: Nigel Stephens – You mentioned the tools being available for market research but not procurement. What are the challenges there? What recommendations would you make in order to bridge that gap?

A: Jenna Larkins – I'm not sure why since both tools are managed by GSA. We actively encourage them to connect with them, but it's GSA's decision at the end of the day.

Q: Steven Schooner – Can you talk about single-attribute and multi-attribute labels? Any thoughts on how the contractor can self-designate their labels?

A: Jenna Larkin – We have statutory sustainable purchasing requirements that are written into law, which are BioPreferred, EPG, Energy Star and SNAP. Each only focuses on certain content, but because it's written into law it goes above all private sector standards and eco-labels. The SF Tool is great to understand if a product is accurately being labeled, but it doesn't have the purchasing element needed.

Q: Rich Beutel – In the instances where the eco-labels become a procurement mandate, is there concern that placing this governmental determination into the hands of private sector parties who serve as a gatekeeper to the federal market creates policy conflict?

A: Jenna Larkins – We assess the framework to ensure all the right people sit at the table. We don't assess the certification cost to a standard or eco-label. We hope the new grant program will help with certification costs, but I know it can't fix the issue of private sector parties being gatekeepers.

Q: Boris Arratia – What are the current top priorities for the sustainability check initiative, and is there anything this committee can do to help?

A: Jenna Larkin – Helping to merge or update the GSA tools would be huge. Also developing or implementing an automated tool that gets the sustainable purchasing language into the RFPs would alleviate the workload.

Q: Steven Schooner – In terms of strengthening your stance, do you have any thoughts about how the data collection could be better?

A: Jenna Larkins - My colleague Steven Sylvan would know the answer to that question as he likes the National Lab tracking tool.

Q: Steven Schooner – How can you help us visualize or describe what GSA could be doing that doesn't require statute or a FAR case that could bring these tools together?

A: Jenna Larkins – There is something called Choice Editing which means only compliant products show up first. If you don't like those products then you can see the other ones. I've spoken to SF Tools about their potential and developing a tool for Pica and they respond that they can't implement new filters without additional funding.

Q: Steven Schooner – How effectively could we drive this to the first and lower-tier subcontractor suppliers? What are your thoughts on whether there's a pathway to expanding the cooperative purchasing program so that more states could buy through the environmental aisle or SF Tools?

A: Jenna Larkins – GSA Advantage tool could be a simple fix. I've seen the backend of what checklist vendors can choose from and the options to choose from for sustainable products are limited and not descriptive, which is the cause of many products being mislabeled. If we can help them edit the options of what the vendor sees when it comes to sustainable products and be more descriptive, it would vastly improve the products that show up. We haven't dived into states buying through these tools.

PRIORITIZATION DISCUSSION

The subcommittee decided to pick up the prioritization discussion for the next subcommittee meeting.

PUBLIC COMMENTS

The subcommittee opened the conversation to the public, but there were no comments.

CLOSING REMARKS


Steven Schooner asked the subcommittee to look at Luke's email on the topical issues and administrative volunteers. If there are any thoughts during the week, please let them know.

Luke Bassis thanked the guest for presenting today to the subcommittee before handing the conversation to Boris Arratia.

ADJOURNMENT

Boris Arratia adjourned the meeting at 5:00 P.M. EST.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

DocuSigned by:

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2/15/2024

Luke Bassis
Co-Chairperson
GAP FAC Policy & Practice Subcommittee

Former Chair, Steven Schooner was succeeded by Luke Bassis on September 28, 2023.