



Federal Register

**Tuesday,
April 13, 2010**

Part III

Department of Defense General Services Administration

National Aeronautics and Space Administration

48 CFR Chapter 1

Federal Acquisition Regulations; Federal Acquisition Circular 2005–41; Introduction; FAR Case 2009–005, Use of Project Labor Agreements for Federal Construction Projects; Federal Acquisition Circular 2005–41; Small Entity Compliance Guide; Final Rules

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Chapter 1****[Docket FAR 2010-0076, Sequence 3]****Federal Acquisition Regulation;
Federal Acquisition Circular 2005-41;
Introduction****AGENCIES:** Department of Defense (DoD),
General Services Administration (GSA),and National Aeronautics and Space
Administration (NASA).**ACTION:** Summary presentation of final
rule.**SUMMARY:** This document summarizes
the Federal Acquisition Regulation
(FAR) rule agreed to by GSA, DoD, and
NASA in this Federal Acquisition
Circular (FAC) 2005-41. 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 date, see separate
document, which follows.**FOR FURTHER INFORMATION CONTACT:** The
analyst whose name appears in the table
below. Please cite FAC 2005-41 and the
specific FAR case number. For
information pertaining to status or
publication schedules, contact the FAR
Secretariat at (202) 501-4755.**RULE LISTED IN FAC 2005-41**

Subject	FAR case	Analyst
Use of Project Labor Agreements for Federal Construction Projects	2009-005	Woodson.

SUPPLEMENTARY INFORMATION: A
summary for the FAR rule follows. For
the actual revisions and/or amendments
made by this FAR case, refer to FAR
Case 2009-005.FAC 2005-41 amends the FAR as
specified below:**Use of Project Labor Agreements for
Federal Construction Projects (FAR
Case 2009-005)**

This final rule amends the FAR to implement Executive Order (E.O.) 13502, Use of Project Labor Agreements for Federal Construction Projects. The E.O. encourages the use of project labor agreements for Federal construction projects where the total cost to the Government is \$25 million or more in order to promote economy and efficiency in Federal procurement. The rule provides that an agency may, if appropriate, require that every contractor and subcontractor engaged in construction on a construction project agree, for that project, to negotiate or become a party to a project labor agreement with one or more labor organizations. The rule identifies factors that agencies may consider to help them decide, on a case-by-case basis, whether the use of a project labor agreement is likely to promote economy and efficiency in the performance of a specific construction project, and multiple strategies for timing the Federal Government's receipt of project labor agreements.

Dated: April 2, 2010.

Al Matera,
*Director, Acquisition Policy Division.***Federal Acquisition Circular**Federal Acquisition Circular (FAC)
2005-41 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 2005-41 is effective May 13,
2010.

Dated: April 1, 2010.

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

Dated: April 2, 2010.

Rodney P. Lantier,
*Acting Senior Procurement Executive, Office
of Acquisition Policy, U.S. General Services
Administration.*

Dated: April 1, 2010.

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

[FR Doc. 2010-8117 Filed 4-12-10; 8:45 am]

BILLING CODE 6820-EP-S**DEPARTMENT OF DEFENSE****GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Parts 2, 7, 17, 22, and 52****[FAC 2005-41; FAR Case 2009-005; Item
I; Docket 2009-0024, Sequence 1]****RIN 9000-AL31****Federal Acquisition Regulation; FAR
Case 2009-005, Use of Project Labor
Agreements for Federal Construction
Projects****AGENCIES:** Department of Defense (DoD),
General Services Administration (GSA),
and National Aeronautics and Space
Administration (NASA).**ACTION:** Final rule.**SUMMARY:** GSA, DOD, and NASA are
issuing a final rule amending the
Federal Acquisition Regulation (FAR) to
implement Executive Order (E.O.)
13502, Use of Project Labor Agreements
for Federal Construction Projects. The
E.O. encourages the use of project labor
agreements for large-scale Federal
construction projects in order to
promote economy and efficiency in
Federal procurement.**DATES:** *Effective Date:* May 13, 2010.**FOR FURTHER INFORMATION CONTACT:** For
clarification of content, contact Mr.
Ernest Woodson, Procurement Analyst,
at (202) 501-3775. For information
pertaining to status or publication
schedules, contact the Regulatory