



Federal Register

**Thursday,
July 8, 2010**

Part V

**Department of
Defense**

**General Services
Administration**

**National Aeronautics
and Space
Administration**

48 CFR Chapter 1

**Federal Acquisition Regulations; Final
Rules**

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Chapter 1****[Docket FAR–2010–0076, Sequence 6]****Federal Acquisition Regulation;
Federal Acquisition Circular 2005–44;
Introduction****AGENCY:** Department of Defense (DoD),
General Services Administration (GSA),and National Aeronautics and Space
Administration (NASA).**ACTION:** Summary presentation of an
interim rule.**SUMMARY:** This document summarizes
the Federal Acquisition Regulation
(FAR) rule agreed to by the Civilian
Agency Acquisition Council and the
Defense Acquisition Regulations
Council in this Federal Acquisition
Circular (FAC) 2005–44. A companion
document, the Small Entity Compliance
Guide (SECG), follows this FAC. The
FAC, including the SECG, is available
via the Internet at [http://
regulations.gov/](http://regulations.gov/).**DATES:** For effective date, see separate
document, which follows.**FOR FURTHER INFORMATION CONTACT:** For
clarification of content, contact the
analyst whose name appears in the table
below in relation to the FAR case or
subject area. Please cite FAC 2005–44
and the FAR case number. Interested
parties may also visit our Web site at
<http://acquisition.gov/far>. For
information pertaining to status or
publication schedules, contact the
Regulatory Secretariat at (202) 501–
4755.**RULE LISTED IN FAC 2005–44**

Subject	FAR case	Analyst
Reporting Executive Compensation and First-Tier Subcontract Awards	2008–039	Woodson

SUPPLEMENTARY INFORMATION: A
summary for the FAR rule follows. For
the actual revisions and/or amendments
to this FAR case, refer to FAR case
2008–039.FAC 2005–44 amends the FAR as
specified below:**Reporting Executive Compensation and
First-Tier Subcontract Awards (FAR
Case 2008–039)**

This interim rule amends the Federal Acquisition Regulation to implement section 2 of Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109–282), as amended by section 6202 of the Government Funding Transparency Act of 2008 (Pub. L. 110–252), which requires the Office of Management and Budget (OMB) to establish a free, public, website containing full disclosure of all Federal contract award information. This rule will require contractors to report executive compensation and first-tier subcontract awards on contracts and orders expected to be \$25,000 or more (including all options), except classified contracts and contracts with individuals. This information will be available to the public. To minimize the burden implementing the Transparency Act will impose on both Federal agencies and contractors, the Councils intend to implement the reporting requirements in a phased approach:

1. Until September 30, 2010, any newly awarded subcontract must be reported if the prime contract award amount was \$20,000,000 or more.

2. From October 1, 2010, until February 28, 2011, any newly awarded subcontract must be reported if the

prime contract award amount was
\$550,000 or more.

3. Starting March 1, 2011, any newly awarded subcontract must be reported if the prime contract award amount was \$25,000 or more.

The rule is applicable to all solicitations and contracts with a value of \$25,000 or more. The clause is required in commercial item contracts, including commercially available off-the-shelf (COTS) item contracts, as well as actions under the simplified acquisition threshold, meeting the \$25,000 threshold. The clause is not required in classified solicitations and contracts, and contracts with individuals.

Dated: July 2, 2010.

Edward Loeb,*Director, Acquisition Policy Division.***Federal Acquisition Circular**

Federal Acquisition Circular (FAC) 2005–44 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 2005–44 is effective July 8, 2010.

Dated: July 2, 2010.

Linda W. Nielson,*Deputy Director, Defense Procurement and
Acquisition Policy (Defense Acquisition
Regulations System).*

Dated: June 30, 2010.

Edward Loeb,*Acting Deputy Associate Administrator for
Acquisition Policy, Office of Acquisition
Policy, U.S. General Services Administration.*

Dated: June 29, 2010.

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

[FR Doc. 2010–16693 Filed 7–7–10; 8:45 am]

BILLING CODE 6820–EP–P**DEPARTMENT OF DEFENSE****GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Parts 4, 12, 42, and 52****[FAC 2005–44; FAR Case 2008–039; Docket
2010–0093, Sequence 1]****RIN 9000–AL66****Federal Acquisition Regulation; FAR
Case 2008–039, Reporting Executive
Compensation and First-Tier
Subcontract Awards****AGENCY:** Department of Defense (DoD),
General Services Administration (GSA),
and National Aeronautics and Space
Administration (NASA).**ACTION:** Interim rule with request for
comments.