

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Chapter 1****[Docket FAR 2009-0001, Sequence 6]****Federal Acquisition Regulation;
Federal Acquisition Circular 2005-35;
Introduction****AGENCY:** 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 the Civilian
Agency Acquisition Council and the
Defense Acquisition Regulations
Council in this Federal Acquisition
Circular (FAC) 2005-35. A companion
document, the Small Entity Compliance
Guide (SECG), follows this FAC. The
FAC, including the SECG, is available
via the Internet at [http://acquisition.gov/](http://acquisition.gov/far)
far.**DATES:** July 14, 2009.**FOR FURTHER INFORMATION CONTACT:** For
clarification of content, contact the
analyst whose name appears in the table
below in relation to the FAR case.
Please cite FAC 2005-35 and the FAR
case number. Interested parties may also
visit our Web site at [http://](http://acquisition.gov/far)
acquisition.gov/far. For information
pertaining to status or publication
schedules, contact the FAR Secretariat
at (202) 501-4755.**RULE LISTED IN FAC 2005-35**

| Subject | FAR case | Analyst |
|---|----------|---------|
| Revocation of Executive Order 13202 | 2009-015 | 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
2009-015.FAC 2005-35 amends the FAR as
specified below:**Revocation of Executive Order 13202
(FAR Case 2009-015)**In accordance with Executive Order
13502—Use of Project Labor
Agreements for Federal Construction
Projects, this final rule amends FAR
36.202(d) to delete references to the
revoked Executive Order 13202. The
E.O. prohibited executive departments
and agencies from requiring or
prohibiting Federal Government
contractors and subcontractors' entrance
into project labor agreements. This rule
requires no action on the part of
contracting officers.

Dated: July 9, 2009.

Al Matera,*Director, Office of Acquisition Policy***Federal Acquisition Circular**Federal Acquisition Circular (FAC)
2005-35 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 2005-35 is effective July 14,
2009.

Dated: July 8, 2009.

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

Dated: July 9, 2009.

David A. Drabkin,*Acting Chief Acquisition Officer, Office of
the Chief Acquisition Officer, U.S. General
Services Administration.*

Dated: July 8, 2009.

James A. Balinskask,*Acting Assistant Administrator for
Procurement, National Aeronautics and
Space Administration.*

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BILLING CODE 6820-EP-P**DEPARTMENT OF DEFENSE****GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Parts 17, 22, 36****[FAC 2005-35; FAR Case 2009-015; Docket
2009-0025; Sequence 1]****RIN 9000-AL35****Federal Acquisition Regulation; FAR
Case 2009-015, Revocation of
Executive Order 13202****AGENCIES:** Department of Defense (DoD),
General Services Administration (GSA),
and National Aeronautics and Space
Administration (NASA).**ACTION:** Final rule.**SUMMARY:** The Civilian Agency
Acquisition Council and the Defense
Acquisition Regulations Council
(Councils) have agreed on a final rule
amending the Federal Acquisition
Regulation (FAR) to delete the
implementation of Executive Order
(E.O.) 13202 of February 17, 2001, as
amended. The E.O. prohibited executive
departments and agencies from
requiring or prohibiting Federal
Government contractors and
subcontractors' entrance into project
labor agreements.**DATES:** *Effective Date:* July 14, 2009.**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
Secretariat at (202) 501-4755. Please
cite FAC 2005-35, FAR case 2009-015.**SUPPLEMENTARY INFORMATION:****A. Background**On February 6, 2009, the President
issued E.O. 13502 which encourages
executive agencies to consider requiring
the use of project labor agreements in
connection with large scale construction
projects in order to promote economy
and efficiency in Federal procurement.
The term "project labor agreement"
means a pre-hire collective bargaining
agreement with one or more labor
organizations that establishes the terms
and conditions of employment for a
specific construction project and is an
agreement described in 29 U.S.C. 158(f).The President revoked E.O. 13202
issued on February 17, 2001 (66 FR
11225, published February 22, 2001)