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48 CFR Chapter 1

Federal Acquisition Regulations; Federal Acquisition Circular 2005–51; Introduction; Women-Owned Small Business (WOSB) Program; Clarification of Standard Form 26—Award/Contract; Small Entity Compliance Guide; Final and Interim Rules

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Chapter 1****[Docket FAR 2011–0076, Sequence 3]****Federal Acquisition Regulation;
Federal Acquisition Circular 2005–51;
Introduction****AGENCIES:** Department of Defense (DoD),
General Services Administration (GSA),and National Aeronautics and Space
Administration (NASA).**ACTION:** Summary presentation of final
and interim rules.**SUMMARY:** This document summarizes
the Federal Acquisition Regulation
(FAR) rules agreed to by DoD, GSA, and
NASA in this Federal Acquisition
Circular (FAC) 2005–51. 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 2005–51 and the
specific FAR case numbers. For
information pertaining to status or
publication schedules, contact the
Regulatory Secretariat at (202) 501–
4755.**LIST OF RULES IN FAC 2005–51**

| Item | Subject | FAR case | Analyst |
|----------|---|----------|----------|
| I | Women-Owned Small Business (WOSB) Program (Interim) | 2010–015 | Morgan. |
| II | Clarification of Standard Form 26—Award/Contract | 2009–029 | Jackson. |

SUPPLEMENTARY INFORMATION:

Summaries for each FAR rule follow.
For the actual revisions and/or
amendments made by these FAR cases,
refer to the specific item numbers and
subject set forth in the documents
following these item summaries. FAC
2005–51 amends the FAR as specified
below:

**Item I—Women-Owned Small Business
(WOSB) Program (FAR Case 2010–015)
(Interim)**

This interim rule amends the FAR to
add subpart 19.15, Women-Owned
Small Business Program, which will
assist Federal agencies in achieving the
5 percent statutory goal for contracting
with women-owned small business
(WOSB) concerns.

Agencies may restrict competition to
economically disadvantaged women-
owned small business (EDWOSB)
concerns for contracts assigned a North
American Industry Classification
Systems (NAICS) code in an industry in
which the Small Business
Administration has determined that
WOSB concerns are underrepresented
in Federal procurement. For NAICS
code industries where WOSB concerns
are not just underrepresented, but
substantially underrepresented,
agencies may restrict competition to
WOSB concerns eligible under the
WOSB Program.

EDWOSB concerns and WOSB
concerns eligible under the WOSB
Program must be owned and controlled
by one or more women who are citizens
of the United States. An EDWOSB
concern is automatically a WOSB

concern eligible under the WOSB
Program.**Item II—Clarification of Standard Form
26—Award/Contract (FAR Case 2009–
029)**

This final rule amends the FAR to
revise FAR part 53 to amend the
Standard Form (SF) 26, Award/Contract,
above blocks 17 and 18 and in block 18
to clarify that block 18 should not be
used when awarding a negotiated
procurement and should only be
checked when awarding a sealed bid
contract. The changes will not prevent
contracting officers from using block 17
of the SF 26 when awarding negotiated
procurements in which the signature of
both parties, on a single document, is
required; it will only prohibit them from
using block 18 of the SF 26 when
awarding negotiated procurements.

Dated: March 24, 2011.

Millisa Gary,*Acting Director, Office of Governmentwide
Acquisition Policy.*

Federal Acquisition Circular (FAC)
2005–51 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 2005–51 is effective April 1,
2011, except for Item II which is
effective May 2, 2011.

Dated: March 23, 2011.

Richard Ginman,*Deputy Director, Defense Procurement and
Acquisition Policy (Contingency Contracting
and Acquisition Policy).*

Dated: March 23, 2011.

Joseph A. Neurauter,*Senior Procurement Executive/Deputy CAO,
Office of Acquisition Policy, U.S. General
Services Administration.*

Dated: March 18, 2011.

Leigh Pomponio,*Procurement Analyst, National Aeronautics
and Space Administration.*

[FR Doc. 2011–7367 Filed 3–31–11; 8:45 am]

BILLING CODE 6820–EP–P**DEPARTMENT OF DEFENSE****GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Parts 2, 4, 6, 13, 14, 15, 18, 19,
26, 33, 36, 42, 52, and 53****[FAC 2005–51; FAR Case 2010–015; Item
I; Docket 2010–0015, Sequence 1]****RIN 9000–AL97****Federal Acquisition Regulation;
Women-Owned Small Business
(WOSB) Program****AGENCIES:** Department of Defense (DoD),
General Services Administration (GSA),
and National Aeronautics and Space
Administration (NASA).**ACTION:** Interim rule.