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## Part II

Department of Defense

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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.