

August 13, 2009

General Services Administration  
Regulatory Secretariat (VPR)  
1800 F Street, NW., Room 4041  
ATTN: Hada Flowers  
Washington, DC 20405

**RE: FAR Case 2009-005, Use of Project Labor Agreements For Federal Construction Projects**

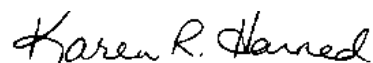
Dear Sir or Madam:

The National Federation of Independent Business Small Business Legal Center (NFIB Legal Center) hereby submits these comments in opposition to the Notice of Proposed Rulemaking in the above-referenced matter.

In particular, the NFIB Legal Center concurs with the practical concerns that the Associated Builders and Contractors (ABC) expressed in their comments regarding the detrimental impact that the proposed regulations will have on our contractor members if the regulations are adopted by the Councils. The organizations also agree with ABC's legal analysis of the proposed regulations and the reasons cited by ABC as to why there is no legal authority for the proposed regulations, or the Executive Order 13502 that triggered the proposed regulations. Accordingly, rather than repeat the same concerns and analysis submitted by ABC in its comments, for the Councils' convenience, the NFIB Legal Center incorporates ABC's comments in their entirety herein by reference.

The NFIB Legal Center also would call the overseeing agencies' attention to ABC's comments on the lack of an initial regulatory flexibility analysis. This analysis is an essential component of any major regulation and is legally required to ensure that the impact of small entities is disclosed and evaluated.

Sincerely,



Karen R. Harned, Esq.  
Executive Director