



JUL 23 1982

MEMORANDUM NO. 134

TO: ALL GOVERNMENT CONTRACTING AGENCIES OF
THE FEDERAL GOVERNMENT AND THE DISTRICT
OF COLUMBIA

FROM: WILLIAM M. OTTER *W. M. Otter*
Administrator

SUBJECT: Revisions of the Davis-Bacon Regulations,
29 CFR Part 1; Part 3; and Part 5, Subpart A

The purpose of this memorandum is to defer the implementation of the instructions contained in Memorandum No. 133, dated July 8, 1982.

On May 28, 1982, the Department of Labor issued revised final regulations regarding the administration and enforcement of the Davis-Bacon and Related Acts with a scheduled effective date of July 27. Memorandum No. 133 transmitted copies of the revised regulations and provided implementing instructions for contracting agencies to make appropriate changes in their procurement regulations and contract documents to reflect these revised regulations.

The Building and Construction Trades Department, AFL-CIO and a number of affiliated unions filed suit against the Department in U.S. District Court for the District of Columbia on June 11, 1982, seeking to prevent the implementation of the revised regulations (Building and Construction Trades Department, AFL-CIO, et al., v. Raymond J. Donovan, et al., Civil Action No. 82-1631 (U.S. D.C., D.C., June 11, 1982)). On July 22, 1982, the Court issued a preliminary injunction enjoining the Department from implementing certain provisions of the revised regulations pending a decision on the merits.

Accordingly, to prevent the disruption which would be caused by partial effectuation of the revised regulations, the effective dates of the entire regulations as published in the Federal Register on May 28, 1982, 29 CFR Part 1 (47 FR 23644), 29 CFR Part 5, Subpart A (47 FR 23658), and 29 CFR Section 3.3(b) (47 FR 23678), are stayed until further notice.