



Homeland
Security

MEMORANDUM FOR: Heads of Contracting Activities

FROM: Paul Courtney
Chief Procurement Officer

SUBJECT: FAR Class Deviation (Number 25-20) for FAR Part 8 in Support
of the Executive Order 14275, Restoring Common Sense to
Federal Procurement

1. **Purpose.** This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 8 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 8.
2. **Background.** [Executive Order \(E.O.\) 14275, Restoring Common Sense to Federal Procurement](#), signed April 15, 2025, mandates a comprehensive review and simplification of the FAR.

The FAR is being updated to:

- Eliminate non-statutory language
- Remove redundant or obsolete language
- Enhance clarity through plain language
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements.

3. **Summary of Changes.** FAR Part 8, Required Sources of Supplies and Services, is significantly updated. The model deviation language:
 - Enhances usability by restructuring and organizing the part in the logical flow of the acquisition lifecycle.
 - Simplifies mandatory source guidance.
 - Makes the use of Governmentwide Best-In-Class (BIC) contracts mandatory.
 - Retains focus on the Importance of the AbilityOne Program.

This revolutionary change also moves the procedures for ordering under the Federal Supply Schedule (FSS) from the FAR into the General Services Administration Acquisition Regulation (GSAR). The new language represents a significant shift from the overly prescriptive framework found in FAR subpart 8.4. FSS ordering procedures have been revised to create a streamlined structure that provides only the essential requirements needed to place orders and establish blanket purchase agreements (BPAs) against FSS contracts. This streamlined structure enhances the speed of acquisition, and empowers acquisition professionals to use innovative approaches to acquire products/services/solutions under the FSS program.

Statutory requirements retained in the RFO FAR Part 8 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 3905, Products of Federal Prison Industries
- 18 U.S.C. § 4124, Purchase of Prison-Made Products by Federal Departments
- 40 U.S.C. § 501, Services for Executive Agencies
- 41 U.S.C. § 152(3), Competitive Procedures
- 41 U.S.C. § 3302, Requirements for Purchase of Property and Services Pursuant to Multiple Award Contracts
- 41 U.S.C. §§ 8501 et seq, Committee for Purchase from People Who are Blind or Severely Disabled
- 44 U.S.C. §§ 501 et seq, Production and Procurement of Printing and Binding
- Pub. L. 108-136, Title XIV, Services Acquisition Reform Act of 2003

Change	Description
Retained	• The substance of the “Scope” in 8.000 is retained. • Many definitions, previously scattered across different subparts of Part 8, are now consolidated at new section 8.001. • Use of Mandatory Sources. The priorities and requirements for use of mandatory sources are moved from 8.002 to new sections 8.102, and 8.103. Former section 8.003, “Use of Other Mandatory Sources”, is deleted, but its content is preserved and merged into the new section 8.101. • Use of Existing Contracts. 8.104 replaces section 8.004, “Use of Other Sources”. Best-in-class (BIC) contracts or BPAs are now required to be used when a commercial product or commercial services meets an agency’s need, unless approved by the Head of the Contracting Activity (HCA). If a BIC is not suitable, agencies should consider use of an existing governmentwide contract, BPA, or shared service. • Contractor permitted use of Government supply sources. This new content moves from FAR part 51 to the new section at 8.105. A new clause is prescribed in Section 8.105-1 and discussed below.

	• Contractor Use of GSA Fleet. Former subpart 8.11, “Leasing of Motor Vehicles”, is deleted but guidance for authorizing contractor use of GSA Fleet is preserved and moved to section 8.105-3. • Ordering under the Federal Supply Schedule. This new subpart 8.4 directs agencies to follow the ordering procedures established by GSA found at General Services Acquisition Regulation (GSAR) part 538. • Requirements and procedures for Acquisition From Federal Prison Industries, Inc. are retained and streamlined. The content has been moved from subpart 8.6 to the new subpart 8.3. • Requirements and procedures for Acquisition From AbilityOne Participating Nonprofit Agencies are retained and streamlined. The content has been moved from subpart 8.7 to the new subpart 8.2. • Requirements and procedures for Acquisitions of Government Printing and Related Supplies are retained and streamlined. The content has been moved from subpart 8.8 to the new subpart 8.5. • The following clauses are retained or relocated from other parts: ○ Clause 52.208-9, Contractor Use of Mandatory Sources of Supply and Services, is streamlined. ▪ The prescription is now at 8.105-1(b). ○ Clause 52.208-10, Government Supply Sources (previously at 52.251-1). ▪ The prescription is now at 8.105-2(c). ○ Clause 52.208-11, GSA Fleet and Related Services (previously at 52.251-2). ▪ The prescription is now at 8.105-3(c). ○ 52.208-1 through 52.208-8 remain reserved.
Removed	• Section 8.001, “General”, is removed. It contained a general requirement for IT acquisitions to comply with capital planning rules. This information is not specific to the core purpose of Part 8. • Subpart 8.1, “Excess Personal Property” is removed. The new 8.103(a)(2) points readers to the authoritative Federal Management Regulation (41 C.F.R. 102-36) to avoid outdated information. • Subpart 8.4, “Federal Supply Schedules” is retitled to “Ordering under the Federal Supply Schedule”, and streamlined with the majority of the content moving to GSAM/R 538. • The following clauses associated with “Leasing of Motor Vehicles” are removed: ○ 52.208-4, Vehicle Lease Payments ○ 52.208-5, Condition of Leased Vehicles ○ 52.208-6, Marking of Leased Vehicles

	○ 52.208-7, Tagging of Leased Vehicles
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This table is not an exhaustive list.

4. Instructions.

- The DHS acquisition workforce must follow the RFO Part 8 and corresponding 52 model deviation text instead of FAR Part 8 and 52 as codified at 48 CFR Chapter 1. The Council's RFO Part 8 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-8> and is incorporated into this class deviation.
- GSA's deviation moving the FSS Ordering Procedures into the GSAM/R can also be found at https://www.acquisition.gov/sites/default/files/page_file_uploads/GSA_RFO_FSS-Ordering-Procedures_538.pdf.
- To access the new FSS Ordering Procedures, you can:
 - Click the hyperlinked "538" in the Part 8 model deviation text at 8.401(b).
 - Click the hyperlinked "NEW – FSS Ordering Procedures" link in the new box at the top right of [Acquisition.gov/far-overhaul/far-part-deviation-guide](https://www.acquisition.gov/far-overhaul/far-part-deviation-guide).
 - Type [acquisition.gov/FSS-ordering-procedures](https://www.acquisition.gov/FSS-ordering-procedures) in your URL address bar.
- For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation language in Attachment 1. Do not include any of the removed provisions or clauses in future solicitations and contracts.
- For open solicitations or awarded contracts, the contracting officer has discretion regarding the need to enforce or amend the provisions or clauses. Note that without some of the removed provisions or clauses, the contracting officer may be required to separately address certain aspects in the contract.
- Contracting activities must review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

5. **Applicability.** This class deviation applies to all DHS procurements.

6. **Authority.** This class deviation is issued under the authority of E.O. 14275, [OMB M- 25-26](#), and 48 CFR 1.4., and RFO FAR 1.304

7. **Effective Date.** This class deviation is effective November 3, 2025, and remains in effect until rescinded or incorporated into the FAR.

8. **Points of Contact.** Questions regarding this class deviation may be directed to Acquisition Policy and Legislation at Acquisition.Policy@hq.dhs.gov.

Attachment:

1. FAR Part 8 Solicitation Provisions and Contract Clauses Revisions

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Subpart 52.2—Text of Provisions and Clauses

52.208-4 [Reserved (AUG 2025) (DEVIATION 25-20)]

52.208-5 [Reserved (AUG 2025) (DEVIATION 25-20)]

52.208-6 [Reserved (AUG 2025) (DEVIATION 25-20)]

52.208-7 [Reserved (AUG 2025) (DEVIATION 25-20)]

52.208-9 Contractor Use of Mandatory Sources of Supply or Service.

As prescribed in 8.105-1(b), insert the following clause:

Contractor Use of Mandatory Sources of Supply or Services (AUG 2025) (DEVIATION 25-20)

(a) Certain supplies or services to be provided under this contract for use by the Government are required by law to be obtained from nonprofit agencies participating in the program operated by the Committee for Purchase From People Who Are Blind or Severely Disabled (the Committee) under 41 U.S.C. 8504. The Committee operates under the name AbilityOne Commission. Additionally, some of these supplies are available from the Defense Logistics Agency (DLA), the General Services Administration (GSA), or the Department of Veterans Affairs (VA). The Contractor shall obtain mandatory supplies or services to be provided for Government use under this contract from the specific sources indicated in the contract schedule.

(b) The Contractor shall immediately notify the Contracting Officer if a mandatory source is unable to provide the supplies or services by the time required, or if the quality of supplies or services provided by the mandatory source is unsatisfactory. The Contractor shall not purchase the supplies or services from other sources until the Contracting Officer has notified the Contractor that the Committee or an AbilityOne central nonprofit agency has authorized purchase from other sources.

(c) Price and delivery information for the mandatory supplies is available from the Contracting Officer for the supplies obtained through the DLA/GSA/VA distribution facilities. For mandatory supplies or services that are not available from DLA/GSA/VA, price and delivery information is available from the appropriate central nonprofit agency. Payments shall be made

directly to the source making delivery. Points of contact for AbilityOne central nonprofit agencies are:

(1) National Industries for the Blind (www.NIB.org), 1310 Braddock Place, Alexandria, VA 22314-1691, (703) 310-0500; and

(2) NISH/SourceAmerica (www.SourceAmerica.org), 8401 Old Courthouse Road, Vienna, VA 22182, (571) 226-4660.

(End of clause)

52.208-10 Government Supply Sources.

As prescribed in 8.105-2(c), insert the following clause:

Government Supply Sources (AUG 2025) (DEVIATION 25-20)

The Contracting Officer may issue the Contractor an authorization to use Government supply sources in the performance of this contract. Title to all property acquired by the Contractor under such an authorization shall vest in the Government unless otherwise specified in the contract. The provisions of the clause at FAR 52.245-1, Government Property, apply to all property acquired under such authorization.

(End of clause)

52.208-11 GSA Fleet Vehicles and Related Services.

As prescribed in 8.105-3(c), insert the following clause:

GSA Fleet Vehicles and Related Services (AUG 2025) (DEVIATION 25-20)

The Contracting Officer may issue the Contractor an authorization to obtain GSA Fleet vehicles and related services for use in the performance of this contract. The use, service, and maintenance of GSA Fleet vehicles and the use of related services by the Contractor shall be in accordance with 41 CFR 101-39 and 41 CFR 102-34.

(End of clause)