



U.S. Department of Justice

Justice Management Division

Washington, D.C. 20530

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM: William N. Taylor II
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SUBJECT: Class Deviation from the Federal Acquisition Regulation (FAR) Part 10 in support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

1. **PURPOSE**

This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 10 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 10 available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-10>.

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 10, concerning market research, has been updated to offer acquisition teams more flexibility in their research methods. A high-level summary of the content updates, additions, and removals is as follows:

- Subparts “10.001 Policy” and “10.002 Procedures” have been combined and streamlined to remove duplicative and discretionary guidance.
- Language encouraging exchanges with industry has been moved from FAR Part 1 to FAR Part 10.
- Mandatory requirements that are addressed in other parts of the FAR, such as 15 U.S.C. § 644(e) and 15 U.S.C. § 657(q) in FAR Part 7 and 6 U.S.C. § 796 in Part 26 have been removed from FAR Part 10.
- Flexibility has been added to allow acquisition professionals to apply market research concepts to procurements of any size.

Statutory requirements retained in the RFO FAR part 10 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 3453, Preference for Commercial Products and Commercial Services
- 41 U.S.C. § 3306, Planning and Solicitation Requirements
- 41 U.S.C. § 3307, Preference for Commercial Products and Commercial Services
- 41 U.S.C. § 1703 note, Effective Communication Between Government and Industry

Additionally, acquisition professionals must still comply with the Competition in Contracting Act (CICA) (41 U.S.C. § 3301 et seq), which may necessitate market research.

FAR clause 52.210-1, Market Research, in solicitations and contracts for noncommercial acquisitions over \$6 million has been retained.

4. AUTHORITY

This class deviation is issued under the authority of [E.O. 14275](#), [OMB M-25-26](#), and RFO FAR 1.304 and JAR 2801.404.

5. DEVIATION

The DOJ acquisition workforce must follow the RFO Part 10 model deviation text instead of FAR Part 10 as codified at 48 CFR Chapter 1. The Council’s RFO Part 10 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-10>. A line-in/line-out version is included as Attachment 1 to this deviation to demonstrate the overall changes made to the FAR part.

There are no changes to the associated Part 10 clause (FAR 52.210-1) as a result of the deviated text for Part 10. The prescription reference is revised to 10.002 from 10.003. COs should continue to use the clause as prescribed.

6. EFFECTIVE DATE AND EXPIRATION

This class deviation is effective immediately and remains in effect until rescinded or incorporated into the FAR.

7. SCOPE AND APPLICABILITY

This class deviation applies to all DOJ procurements.

8. ADDITIONAL INFORMATION

If you have questions, please contact DOJAcquisitionPolicy@usdoj.gov.

9. ATTACHMENTS

Attachment 1 – Deviation to FAR Text – FAR Part 10 (Line-In/Line-Out)