



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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for Management and Compliance
Senior Procurement Executive

SUBJECT: Class Deviation from the Federal Acquisition Regulation (FAR) Part 41 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 41 for the purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 41 available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-41>.

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 41, concerning acquisition of utility services has been retained, streamlined, and improved for clarity. All subparts have been retained. Plain language edits or other updates have been made throughout the part to remove unnecessary information or otherwise clarify the content. All clauses and provisions are retained.

Notably, the definition of “utility service” is updated. Services such as broadband internet and information technology services, which were nascent or nonexistent when the original regulation was drafted, are now explicitly carved out. This prevents agencies from incorrectly applying utility acquisition procedures. This change reduces the risk of improper sole-source justifications and promotes full and open competition in those dynamic markets.

Statutory requirements retained in the RFO FAR part 41 model deviation include, but may not be limited to, the following:

- 40 U.S.C. § 501, Services for Executive Agencies
- 42 U.S.C. § 2204, Electric Utility Contracts
- 42 U.S.C. §§ 7251 et. seq., Department of Energy Organization Act
- 42 U.S.C. § 8287, Authority to Enter into Contracts

4. AUTHORITY

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

5. DEVIATION

The DOJ acquisition workforce must follow the RFO Part 41 model deviation text instead of FAR Part 41 as codified at 48 CFR Chapter 1. The Council’s RFO Part 41 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-41>.

6. EFFECTIVE DATE AND EXPIRATION

This class deviation is effective November 3, 2025, 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

None.