



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 Policy, Management, and Procurement
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SUBJECT: Class Deviation from the Federal Acquisition Regulation (FAR) Part 49 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 49 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 49 available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-49>.

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 49, concerning terminations, has been streamlined and updated with plain language edits. A high-level summary of the content updates, additions, and removals is as follows:

The following items are updated or retained:

- Statutory requirements:
 - 31 U.S.C. § 3729, False Claims
 - 41 U.S.C. §§ 7101 et seq (Pub. L. 95-563), The Contract Disputes Act of 1978
- Section 49.000, “Scope of Part”, is simplified and retains the core scope of establishing policies and procedures for terminating contracts early
- Section 49.001, “Definitions”, is retained and updated for plain language
- Section 49.002, “Applicability”, is retained and updated for plain language with a simpler structure
- Subparts 49.1, 49.2, 49.3, 49.4, 49.5, 49.6 and the sections therein, remain mostly intact and are streamlined with some shifting and reorganizing of sections and subsections throughout.
- All existing clauses are retained (or remain reserved if previously reserved) with no changes to the text.

The following items have been removed:

- Plain language edits were made throughout to enhance readability and remove redundant, unclear, or non-essential language, decreasing the word count by more than 2,500 words.
- Subsection 49.108-7 “Government assistance in settling subcontracts”, Section 49.113 “Cost principles”, and Section 49.405 “Completion by another contractor” have been removed and may be moved to non-regulatory content.

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 49 model deviation text instead of FAR Part 49 as codified at 48 CFR Chapter 1. The Council’s RFO Part 49 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-49>.

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.