

Acquisition Alert 25-23

TO: All Contracting Activities

- FROM: Michael W. Derrios Senior Procurement Executive U.S. Department of State
- **SUBJECT:** Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 43 in Support of Executive Order on Restoring Common Sense to Federal Procurement

1. Introduction: The purpose of this Acquisition Alert is to issue a FAR class deviation to part 43 for purposes of implementing the Federal Acquisition Regulatory Council's model deviation text to those parts.

2. Background: On April 15, 2025, Executive Order (E.O.) 14275 on Restoring Common Sense to Federal Procurement was signed. Section 2 of the E.O. establishes the policy that the FAR "should only contain provisions required by statute or essential to sound procurement, and any FAR provisions that do not advance these objectives should be removed."

The FAR is being updated to:

- Remove language that is not required by statute;
- Remove duplicative or outdated language;
- Clarify or provide more plain language;
- Revise language for the new FAR framework; and
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This class deviation is issued under the authority of E.O. 14275, OMB M-25-25, and 48 CFR 1.4. - 2 -

Deviation Summary

FAR part 43, Contract Modifications, has been streamlined with minor edits and procedures for change order execution have been clarified. Statutory requirements retained in the RFO FAR part 43 model deviation include, but are not limited to, the following:

- 31 U.S.C. § 1501, Documentary Evidence Requirement for Government Obligations;
- 31 U.S.C. § 1341, Anti-Deficiency Act; and
- 41 U.S.C. §§ 7101-7109, Contract Disputes Act of 1978.

DOSAR Deviation Summary

DOSAR part 643 has been revised to align numbering with the FAR deviation language.

3. Acquisition Impact: The changes resulting from this class deviation affect all DoS procurements and contracting activities.

4. Action Required: The acquisition workforce must follow the RFO part 43 model deviation text instead of FAR part 43 as codified at 48 CFR Chapter 43. The Council's RFO model deviation text is available at <u>Acquisition.gov/far-overhaul</u>, and is incorporated into this class deviation.

- **5. Effective Date:** While this Acquisition Alert is effective upon issuance, the model deviated language was released on June 12, 2025.
- **6. Expiration Date:** This Acquisition Alert expires upon incorporation into the FAR, DOSAR, and/or DOSAM, as applicable.
- **7. Additional Information:** Questions regarding this Acquisition Alert may be directed to <u>AcquisitionPolicy@state.gov</u>.
- 8. Attachments: DOSAR Line In/Line Out Document
- 9. Referenced Documents, Checklists, Guides and Templates: None