



Global Acquisitions

U.S. DEPARTMENT *of* STATE

Acquisition Alert 25-42

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 9 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 9 for purposes of implementing the Federal Acquisition Regulatory Council's model deviation text to that part.
- 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- Remove duplicative or outdated language;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 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.

Deviation Summary

FAR part 9, Contractor Qualifications, is largely based on the following statutory requirements retained and streamlined in the RFO model deviation:

- Prohibition on Contracts with Corporate Expatriates (6 U.S.C. § 395)
- Planning and Solicitation Requirements (10 U.S.C. § 3206; 41 U.S.C. § 3306)
- Qualification requirements (10 U.S.C. § 3243; 41 U.S.C. § 3311)
- Measures Against Activities that Violate Arms Control Treaties (22 U.S.C. § 2593e)
- Responsible Source (41 U.S.C. § 113)
- Ethics Safeguards Related to Contractor Conflicts of Interest (41 U.S.C. § 2303)
- Conflict of Interest Standards for Consultants (41 U.S.C. § 2304)
- Database for Suspension and Debarment Officials (41 U.S.C. § 2313)
- Uniform Suspension and Debarment (Pub. L. 103-355 Sec 2455)
- Clarification of Uniform Suspension and Debarment Requirement (Pub. L. 111-84 Sec 815)
- Preventing Organization Conflicts of Interest in Federal Acquisition (Pub. L. 117-324)
- Debarment and Suspension (E.O. 12549 and E.O. 12689)

Non-statutory requirements removed from FAR part 9 that will be included in a future companion guide:

- Subsection 9.104-2 Special Standards
- Section 9.106 Pre-award surveys
- Section 9.107 Surveys of Nonprofit Agencies Participating in the AbilityOne Program- The AbilityOne Program is covered in part 8 and nuances of pre-award surveys relevant to the AbilityOne Program have been moved to the FAR Companion Guide.
- Subparts 9.6 Contractor Team Arrangements and 9.7 Defense Production Pools and Research and Development Pools

Corresponding DOSAR Deviation Summary

Based on the Council's model deviated language, a class deviation is hereby issued to the Department of State Acquisition Regulation (DOSAR) to make the following corresponding changes:

- Renumbering sections in DOSAR part 609 to mirror FAR part 9 numbering changes,
- Adjusting section titles to match the FAR deviated language, and
- Other administrative updates.

3. Acquisition Impact: The changes resulting from this class deviation affect all DoS procurements issued on or after the effective date of the AA.

4. Action Required: The acquisition workforce must follow the RFO part 9 model deviation text instead of FAR part 9 as codified at 48 CFR Chapter 1. The FAR Council's RFO model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

- a. For new solicitations or contracts:** when using any provisions or clauses that have been revised, utilize the RFO model deviation language at RFO FAR part 52. Do not include any of the removed provisions or clauses in future solicitations and contracts.
- b. 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.

5. Effective Date: While this Acquisition Alert is effective on November 3, 2025, the model deviated language was released on August 21, 2025.

6. Expiration Date: This Acquisition Alert expires upon incorporation into the FAR, DOSAR, and/or DOSAM.

7. Additional Information: Questions regarding this Acquisition Alert may be directed to AcquisitionPolicy@state.gov.

8. Attachments: [DOSAR Part 609 Deviation Line In/Line Out Document](#)

9. Referenced Documents, Checklists, Guides and Templates: [FAR Part 9 Deviation Line Out Document](#)