

Date: September 18, 2025

From: Acting Executive Director, Office of Acquisition and Logistics (003A), and  
Acting Senior Procurement Executive

Subj: Class Deviation for FAR Part 49 in Support of Executive Order on Restoring  
Common Sense to Federal Procurement (VIEWS 13789391)

To: Heads of the Contracting Activities

**1. Purpose.** Deviate from Federal Acquisition Regulation (FAR) part 49 for purposes of implementing the Federal Regulatory Council's (the Council's) model deviation text to FAR 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, Termination of Contracts, has been updated for clarity and usability.

Statutory requirements retained in the RFO FAR part 49 model deviation include, but are not limited to, the following:

- 31 U.S.C. § 3729, False Claims.
- 41 U.S.C. §§ 7101 et seq. (P.L. 95-563), The Contract Disputes Act of 1978.

Change	Description
Retained	<ul style="list-style-type: none"><li>• Section 49.000, "Scope of Part," is simplified and retains the core scope of establishing policies and procedures for terminating contracts early.</li><li>• Section 49.001, "Definitions," is retained and updated for plain language.</li><li>• Section 49.002, "Applicability," is retained and updated for plain language with a simpler structure.</li><li>• Subparts 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, and the sections</li></ul>

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	<p>therein, remain mostly intact and are streamlined with some shifting and reorganizing of sections and subsections throughout.</p> <ul style="list-style-type: none"><li>• All existing clauses are retained (or remain reserved if previously reserved) with no changes to the text.</li></ul>
<b>Removed</b>	<ul style="list-style-type: none"><li>• 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.</li><li>• Subsection 49.108-7 "Government assistance in settling subcontract," Section 49.113 "Cost principles," and Section 49.405 "Completion by another contractor," have been removed and may be moved to non-regulatory content.</li></ul>

This table is not an exhaustive list.

#### **4. Instructions.**

- The VA acquisition workforce must follow the RFO part 49 model deviation text instead of FAR part 49 as codified at 48 C.F.R. Chapter 1. The Council's RFO part 49 model deviation text is available at [www.Acquisition.gov/far-overhaul](http://www.Acquisition.gov/far-overhaul) and is incorporated into this class deviation.

**5. Applicability.** This class deviation applies to all VA procurements.

**6. Authority.** [E.O. 14275](#), [OMB Memorandum M-25-26](#), [48 C.F.R. Subpart 1.4](#), and [RFO FAR 1.304](#).

**7. Effective Date.** This class deviation is effective November 3, 2025, and remains in effect until rescinded or incorporated into the FAR.

**8. Point of Contact.** Questions related to this deviation may be directed to [va.procurement.policy@va.gov](mailto:va.procurement.policy@va.gov).

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