Class Deviation for Federal Acquisition Regulation Part 28 in accordance with Executive Order 14275, "Restoring Common Sense to the Federal Procurement" (2026-0025)

1. Purpose: To issue a class deviation to Federal Acquisition Regulation (FAR) Part 28 for purposes of implementing the FAR Council's model deviation text to FAR Part 28.

2. Effective Date: Immediately.

3. Expiration Date: Expires when the FAR Council's model deviation text to FAR Part 28 is incorporated into the FAR or this class deviation is otherwise rescinded.

4. Background: On April 15, 2025, the Executive Order (EO) 14275, Restoring Common Sense to Federal Procurement, was signed. Section 2 of the EO 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- Remove duplicative or outdated language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
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

5. Summary of Changes: FAR Part 28, *Bonds and Insurance*, has been retained with minimal deletions and minor updates made for plain language. No changes were made to provisions or clauses.

Statutory requirements and presidential directives retained in the RFO FAR Part 28 model deviation include, but are not limited to, the following:

- 15 U.S.C. §§ 694a et seq., Surety Bond Guarantees
- 31 U.S.C. §§ 3901 et seq., Prompt Payment
- 31 U.S.C. §§ 9301 et seq., Sureties and Surety Bonds
- 40 U.S.C. §§ 3131 et seq., Bonds 42 U.S.C. § 1792, Promoting Federal Food Donation
- 42 U.S.C. §§ 1651 et seq., Defense Base Act
- Pub. L. 103-355 Sec 2091, Government-wide Application of Payment Protections for Subcontractors and Suppliers
- Pub. L. 114-92 Sec 874, Surety Bond Requirements and Amount of Guarantee
- E.O. 12928, Promoting Procurement with Historically Black Colleges and Universities, and Minority Institutions

Change	Description
Retained	• All subparts remain.
Removed	• N/A

6. Required Action: The CFPB acquisition workforce shall follow the RFO Part 28 model deviation text instead of FAR Part 28 as codified at 48 CFR Chapter 1. The Council's RFO Part 28 model deviation text is available at Acquisition.gov/far-overhaul and is incorporated into this class deviation.

7. Applicability: This class deviation applies to all CFPB procurements.

8. Authority: This deviation is issued under the authority of Executive Order 14275, OMB Memo M-25-26, 48 CFR 1.4 and RFO FAR 1.304.

9. Point of Contact: If you have any questions, please contact Vanessa del Toro at vanessa.deltoro@cfpb.gov.

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