

**Class Deviation for Federal Acquisition Regulation Part 41 in accordance with Executive Order 14275, “Restoring Common Sense to the Federal Procurement”
(2026-0038)**

1. Purpose: To issue a class deviation to Federal Acquisition Regulation (FAR) Part 41 for purposes of implementing the FAR Council’s model deviation text to FAR Part 41.

2. Effective Date: Immediately.

3. Expiration Date: Expires when the FAR Council’s model deviation text to FAR Part 41 is incorporated into the FAR or this class deviation is otherwise rescinded.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- Remove duplicative or outdated language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 41, *Acquisition of Utility Services*, has been retained, streamlined, and improved for clarity. All subparts have been retained. Plain language edits or other updates have been made throughout the part to remove unnecessary information or otherwise clarify the content. All clauses and provisions are retained.

Notably, the definition of “utility service” is updated. Services such as broadband internet and information technology services, which were nascent or nonexistent when the original regulation was drafted, are now explicitly carved out. This prevents agencies from incorrectly applying utility acquisition procedures. This change reduces the risk of improper sole-source justifications and promotes full and open competition in those dynamic markets.

Statutory requirements and presidential directives retained in the RFO FAR Part 41 model deviation include, but are not limited to, the following:

- 40 U.S.C. § 501, Services for Executive Agencies
- 42 U.S.C. § 2204, Electric Utility Contracts
- 42 U.S.C. §§ 7251 *et seq.*, Department of Energy Organization Act
- 42 U.S.C. § 8287, Authority to Enter into Contracts

6. Required Action: The CFPB acquisition workforce shall follow the RFO Part model deviation text instead of FAR Part 41 as codified at 48 CFR Chapter 1. The Council's RFO Part 41 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation.

Contracting activities must review templates and related standard operating procedures to align with this deviation and remove unnecessary processes and steps.

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.

Vanessa del Toro, Senior Procurement Executive, Office of Finance and Procurement