

**Class Deviation for Federal Acquisition Regulation Part 3 in accordance with Executive Order 14275, “Restoring Common Sense to the Federal Procurement”
(2026-0002)**

1. Purpose: To issue a class deviation to Federal Acquisition Regulation (FAR) Part 3 for purposes of implementing the FAR Council’s model deviation text to FAR Part 3.

2. Effective Date: Immediately.

3. Expiration Date: Expires when the FAR Council’s model deviation text to FAR Part 3 is incorporated into the FAR or this class deviation is otherwise rescinded.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- Remove duplicative or outdated language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 3, *Improper Business Practices and Personal Conflicts of Interest*, has been retained with minimal deletions and minor updates made for plain language and streamlining. The model deviation does not implement FAR Case 2023-006, Preventing Organizational Conflicts of Interest in Federal Acquisition. This content will be addressed in subsequent policy.

The fundamental rules of ethical conduct remain exactly the same. We must all continue to:

- Act with Integrity: Always conduct business honestly and transparently.
- Avoid Conflicts of Interest: Continue to identify and report any personal, financial, or family relationships that give rise to actual or apparent biases when working on a government contract.
- Refuse Improper Gifts: The strict rules against accepting gifts, favors, or anything of value from contractors or potential contractors have not changed.
- Report Wrongdoing: Every employee has a duty to report any suspected fraud, waste, abuse, or other violations of law or regulation.
- Protect Sensitive Information: Do not use non-public information you get from your government work for personal gain.

Statutory requirements retained in the RFO FAR Part 3 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 4651, Expenditure of Appropriations: Limitation
- 10 U.S.C. § 4655 and 41 U.S.C. § 4704, Prohibition of Contractors Limiting Subcontractor Sales Directly to Federal Government
- 18 U.S.C. § 208, Acts Affecting a Personal Financial Interest
- 18 U.S.C. § 218, Voiding Transactions in Violation of Chapter
- 41 U.S.C. § 2101 et seq, Procurement Integrity Act
- 41 U.S.C. § 3509, Notification of Violations of Federal Criminal Law or Overpayments
- 41 U.S.C. § 4712, Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information
- 41 U.S.C. § 8701 et seq, Anti-Kickback Act of 1986
- E.O. 12731, Principles of Ethical Conduct for Government Officers and Employees

Non-statutory requirements removed from FAR Part 3 include, but are not limited to, the following:

- Subsection 3.103-3 “The need for further certifications”, was removed as the content is not required in the FAR.
- Section 3.301 “General” was removed because it provided general background on anticompetitive practices but contained no enforceable rule or procedure.
- Section 3.406 “Records” was removed because it is redundant of existing record retention requirements.
- Section 3.907 “Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (the Recovery Act)”, including all subsections, was removed as obsolete because it was specific to contracts funded by the ARRA Recovery Act, a 2009 economic stimulus package.
- Removing this section includes deleting clause 52.203-15, Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009.

6. Required Action: The CFPB acquisition workforce shall follow the RFO Part 3 and corresponding 52 model deviation text instead of FAR Parts 3 and 52 as codified at 48 CFR chapter 1. The Council’s RFO Part 3 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation.

- 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](#).
- 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.
- 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 FRO FAR 1.304.

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

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