



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF FINANCE AND OPERATIONS

December 12, 2025

ACQUISITION ALERT 2026-9

TO: Heads of Contracting Activities

FROM: Christopher J. Rosier **CHRISTOPHER ROSIER** Digitally signed by CHRISTOPHER ROSIER
Date: 2025.12.12 12:06:52 -05'00'
Acting Deputy Assistant Secretary for the Office of Acquisition Management
Acting Senior Procurement Executive

SUBJECT: FAR Class Deviation for FAR Part 47

- Purpose.** This Acquisition Alert (AA) adopts a class deviation to Federal Acquisition Regulation (FAR) Part 47 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 47.
- Background.** On April 15, 2025, the 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." On May 31, 2025, the enclosed class deviation was issued for the use of all Revolutionary FAR Overhaul (RFO) model deviation texts and corresponding EDAR deviations.
- Summary of Changes.** FAR Part 47, Transportation, addresses the transportation policies and procedures applicable to the procurement of supplies. This part addresses the policies applied to transportation, including terms of art that when applied to a contract directly impact the roles and responsibilities of the contract.

The part has been comprehensively revised to improve clarity, consolidate policies, and eliminate outdated requirements. These changes, including the removal of 33 clauses, will streamline the procurement process.

Commercial transportation remains the preferred shipping method.

Statutory requirements retained in the RFO FAR Part 47 model deviation include, but may not be limited to, the following:

- 10 U.S.C. § 2631, Preference for United States Vessels in Transporting Supplies by Sea

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202-4500
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- 22 U.S.C. § 2353, Shipping on United States Vessels
- 46 U.S.C. § 55305, Cargoes Procured, Furnished, or Financed by the United States Government
- 49 U.S.C. § 10721 and § 13712, Interstate Commerce Act
- 49 U.S.C. § 40118, Government-Financed Air Transportation

Change	Description
Retained	<ul style="list-style-type: none"> • All subparts are retained, reorganized, and streamlined to improve flow and remove procedural guidance. <ul style="list-style-type: none"> ○ Subpart 47.1 – General ○ Subpart 47.2 - Contracts for Transportation or for Transportation-Related Services ○ Subpart 47.3 - Transportation in Supply Contracts ○ Subpart 47.4 - Air Transportation by U.S.-Flag Carriers ○ Subpart 47.5 - Ocean Transportation by U.S.-Flag Vessels • Information that guides the part such as the “Scope of Part”, “Definitions”, “Applicability”, and “Policies” are retained and streamlined (see 47.000 through 47.101). • Section 47.104, “Government Rate Tenders Under Sections 10721 and 13712 of the Interstate Commerce Act (49 U.S.C. 10721 and 13712)”, and its subsections, are retained with plain language edits, as they provide guidance on how to implement the statute. • The following provisions and clauses are retained (or remain reserved) with no changes to text: <ul style="list-style-type: none"> ○ 52.247-1 Commercial Bill of Lading Notations ○ 52.247-2 Permits, Authorities, or Franchises ○ 52.247-5 Familiarization With Conditions ○ 52.247-8 Estimated Weights or Quantities Not Guaranteed ○ 52.247-10 Net Weight—General Freight ○ 52.247-11 Net Weight—Household Goods or Office Furniture ○ 52.247-13 Accessorial Services—Moving Contracts ○ 52.247-15 Contractor Responsibility for Loading and Unloading ○ 52.247-17 Charges ○ 52.247-18 Multiple Shipments ○ 52.247-19 Stopping in Transit for Partial Unloading

	<ul style="list-style-type: none"> ○ 52.247-21 Contractor Liability for Personal Injury and/or Property Damage ○ 52.247-22 Contractor Liability for Loss of and/or Damage to Freight Other Than Household Goods ○ 52.247-23 Contractor Liability for Loss of and/or Damage to Household Goods ○ 52.247-29 F.o.b. Origin ○ 52.247-30 F.o.b. Origin, Contractor's Facility ○ 52.247-31 F.o.b. Origin, Freight Allowed ○ 52.247-32 F.o.b. Origin, Freight Prepaid ○ 52.247-33 F.o.b. Origin, With Differentials ○ 52.247-34 F.o.b. Destination ○ 52.247-35 F.o.b. Destination, Within Consignee's Premises ○ 52.247-36 F.a.s. Vessel, Port of Shipment ○ 52.247-37 F.o.b. Vessel, Port of Shipment ○ 52.247-38 F.o.b. Inland Carrier, Point of Exportation ○ 52.247-39 F.o.b. Inland Point, Country of Importation ○ 52.247-48 F.o.b. Destination—Evidence of Shipment ○ 52.247-53 Freight Classification Description ○ 52.247-54 remains reserved ○ 52.247-56 Transit Arrangements ○ 52.247-58 Loading, Blocking, and Bracing of Freight Car Shipments ○ 52.247-63 Preference for U.S.-Flag Air Carriers ○ 52.247-67 Submission of Transportation Documents for Audit ○ 52.247-68 Report of Shipment (REPSHIP) ○ 52.247-69 Reporting Requirement for U.S.-Flag Air Carriers Regarding Training to Prevent Human Trafficking
Moved / Updated	<ul style="list-style-type: none"> • Section 47.102, “Transportation Insurance”, is deleted and marked reserved. Content is expected to be moved to the FAR Companion. • Section 47.103-1, addressing “Transportation Payment and Audit Regulation”, is updated from five paragraphs that detailed where and how to send paid freight bills to the General Services Administration (GSA) for audit, to a

	<p>single sentence that states the statutory requirement for a prepayment audit program and directs users to 41 CFR part 102-118 for details.</p> <ul style="list-style-type: none"> • Section 47.105, “Transportation Assistance”, is deleted and marked reserved. Content is expected to be moved to the FAR Companion. • 47.301-2, “Participation of Transportation Officers”, is deleted and marked reserved. Content is expected to be moved to the FAR Companion. • In subsections 47.303-1 through 47.303-11, paragraph (b) of each subsection, titled “Contractor Responsibilities”, is moved to the corresponding contract clause. • The following clauses are updated. Updates are primarily for clarity and cross-referencing corrections. <ul style="list-style-type: none"> ○ 52.247-52 Clearance and Documentation Requirements—Shipments to DOD Air or Water Terminal Transshipment Points ○ 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels
Removed	<ul style="list-style-type: none"> • The following sections were deleted because the content was duplicative of general service contracting principles already established in other parts of the FAR or other regulations: <ul style="list-style-type: none"> ○ 47.202, “Presolicitation Planning” ○ 47.205, “Availability of Term Contracts and Basic Ordering Agreements for Transportation or for Transportation-related Services” ○ 47.206, “Preparation of Solicitations and Contracts” ○ 47.207-2, “Duration of Contract and Time of Performance” ○ 47.207-10, “Discrepancies Incident to Shipments” • Subsections 47.303-12 through 47.303-17 are deleted as they are unnecessary. The subsections defined the following terms: <ul style="list-style-type: none"> ○ Ex dock, pier, or warehouse, port of importation ○ C.& f. destination ○ C.i.f. destination ○ F.o.b. designated air carrier's terminal, point of exportation ○ F.o.b. designated air carrier's terminal, point of

	<p>importation</p> <ul style="list-style-type: none"> ○ Contractor-prepaid commercial bills of lading, small package shipments ● The following provisions and clauses are removed as they are not required by statute or essential to sound procurement: <ul style="list-style-type: none"> ○ 52.247-3 Capability To Perform a Contract for the Relocation of a Federal Office ○ 52.247-4 Inspection of Shipping and Receiving Facilities ○ 52.247-6 Financial Statement ○ 52.247-7 Freight Excluded ○ 52.247-9 Agreed Weight—General Freight ○ 52.247-12 Supervision, Labor, or Materials ○ 52.247-14 Contractor Responsibility for Receipt of Shipment ○ 52.247-16 Contractor Responsibility for Returning Undelivered Freight ○ 52.247-20 Estimated Quantities or Weights for Evaluation of Offers ○ 52.247-24 Advance Notification by the Government ○ 52.247-25 Government-Furnished Equipment With or Without Operators ○ 52.247-26 Government Direction and Marking ○ 52.247-27 Contract Not Affected by Oral Agreement ○ 52.247-28 Contractor's Invoices ○ 52.247-40 Ex Dock, Pier, or Warehouse, Port of Importation ○ 52.247-41 C.& f. Destination ○ 52.247-42 C.i.f. Destination ○ 52.247-43 F.o.b. Designated Air Carrier's Terminal, Point of Exportation ○ 52.247-44 F.o.b. Designated Air Carrier's Terminal, Point of Importation ○ 52.247-45 F.o.b. Origin and/or F.o.b. Destination Evaluation ○ 52.247-46 Shipping Point(s) Used in Evaluation of F.o.b. Origin Offers ○ 52.247-47 Evaluation—F.o.b. Origin ○ 52.247-49 Destination Unknown
--	---

	<ul style="list-style-type: none"> ○ 52.247-50 No Evaluation of Transportation Costs ○ 52.247-51 Evaluation of Export Offers ○ 52.247-55 F.o.b. Point for Delivery of Government-Furnished Property ○ 52.247-57 Transportation Transit Privilege Credits ○ 52.247-59 F.o.b. Origin—Carload and Truckload Shipments ○ 52.247-60 Guaranteed Shipping Characteristics ○ 52.247-61 F.o.b. Origin—Minimum Size of Shipments ○ 52.247-62 Specific Quantities Unknown ○ 52.247-65 F.o.b. Origin, Prepaid Freight—Small Package Shipments ○ 52.247-66 Returnable Cylinders
--	--

This table is not an exhaustive list.

4. Instructions.

- The Department of Education's acquisition workforce shall follow the RFO Part 47 and corresponding Part 52 model deviation text instead of Parts 47 and 52 as codified at 48 CFR Chapter 1. The Council's RFO Part 47 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-47> and is incorporated into this class deviation. A separate Acquisition Alert will be issued for any corresponding changes to EDAR part 3447.
- For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation language at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-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.
- Review templates and related standard operating procedures to align with this deviation and remove unnecessary processes and steps.
- Acquisition teams should review the FAR Companion for a number of best practices and guidance specific to this part.

5. **Training.** Acquisition Professionals are highly encouraged to complete “Practitioner Album: FAR Part 47 – Transportation” at https://www.acquisition.gov/sites/default/files/practitioner_albums/far-part-47-

[transportation/content/index.html](#) within 30 days. Please complete the Practitioner Album and mark “yes” under the completion attestation within FAI CSOD.

6. **Effective Date.** This class deviation to FAR Part 47 is effective January 30, 2026, and remains in effect until rescinded or incorporated into the FAR.
7. **Points of Contact.** Direct questions regarding this class deviation to your respective policy points of contact.
8. **Enclosure.** Determination and Findings - Class Deviation for the Revolutionary FAR Overhaul

DETERMINATION AND FINDINGS

Department of Education, All Contracting Activities
Class Deviation for the Revolutionary FAR Overhaul

This approves a class deviation to all Federal Acquisition Regulation (FAR) and Department of Education Acquisition Regulation (EDAR) parts for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text.

Findings

On April 15, 2025, the 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 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.

In explaining the Federal Acquisition System, the RFO FAR Part deviation text establishes bedrock principles. Most centrally, it sets a "mission first" message at the top of the guiding principles. The RFO model deviation also increases the emphasis on the best use of taxpayer dollars and calls out the value of time as another guiding principle. Additionally, it retains a focus on satisfying the customer, maximizing use of commercial products and services, promoting competition, and encouraging innovation.

The FAR Council Deviation guidance allows for agencies to deviate agency acquisition regulation supplements as it relates to the RFO.

Determination

In accordance with FAR 1.404 and EDAR 3401.404, I hereby issue a class deviation for the use of all RFO model deviation texts and corresponding EDAR deviations. The adoption date for each RFO part model deviation text will be the date of the corresponding Acquisition Alert. EDAR deviation texts may be issued in a separate Acquisition Alert. All Department of Education contracting activities must follow the RFO model deviation texts instead of the FAR Parts codified at 48 CFR. Should the language of the RFO FAR contradict any statutorily granted procurement authorities to the Department of Education including the Office of Federal Student Aid, the statutorily granted authorities prevail.

In the unlikely event that the Department wishes to vary from a RFO model deviation text, a separate deviation will be issued. This class deviation will remain in effect until incorporated into the FAR, EDAR or rescinded.

RICHARD LUCAS  Digitally signed by RICHARD LUCAS
Date: 2025.05.31 08:30:12 -04'00'

Richard Lucas

Acting Chief Acquisition Officer (CAO)

Date