



OFFICE OF MISSION SUPPORT

WASHINGTON, D.C. 20460

MEMORANDUM

DATE: July 30, 2025

SUBJECT: Environmental Protection Agency (EPA) Interim Policy Notice (IPN) 25-11, Federal Acquisition Regulation (FAR) Class Deviation, RFO-2025-39, for FAR Part 39 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

FROM: Pamela D. Legare
Senior Procurement Executive
Office of Acquisition Solutions

TO: EPA Acquisition Community

1. Purpose. This IPN approves a class deviation to the FAR for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 39.

2. Background. [Executive Order \(E.O.\) 14275 on 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 for a more concise, understandable, and focused on core procurement requirements.

3. Summary of Changes. FAR Part 39, Acquisition of Information Technology, has been streamlined to be future forward and emphasize strategies that promote faster acquisition and secure deployment of technology that is new or emerging.

Notably, FAR Part 39 is renamed from "Acquisition of Information Technology," to "Acquisition of Information and Communication Technology."

Statutory requirements retained in the RFO FAR Part 39 model deviation include, but are not limited to, the following:

- 41 U.S.C. § 2308, Modular Contracting for Information Technology
- 40 U.S.C. § 1461, Procurement Procedures
- 29 U.S.C. § 794d, Electronic and Information Technology

Changes	Description
Retained	<ul style="list-style-type: none"> • The applicability of Part 39 to information technology, Internet of Things devices, and operational technology. Importantly, Part 39 clarifies its application to new or emerging technology. • Agencies should continue to use modular contracting for incremental and successive contracts when acquiring IT. • The prohibition on describing minimum experience or educational requirements is now discretionary rather than mandatory. • Accessibility standards, including Section 508 compliance, are still required (with limited exceptions and exemptions) to ensure federal employees and members of the public with disabilities have comparable access and use of information and data. • Information regarding the management of risk has been streamlined. Both the contracting and program office offices are responsible for assessing, monitoring and controlling risk throughout the acquisition process.
Removed	<ul style="list-style-type: none"> • Reference to OMB Circular No's A-127, Financial Management Systems, and A-130, Management of Federal Information Resources. These Circulars may still be applicable for certain procurements and use of them is more appropriate for a guide. • Redundant prohibitions currently covered at FAR subparts 4.20, 4.21, 4.22, 4.23, and FAR Part 40 not unique to IT procurements. • Clause 52.239-1, Privacy or Security Safeguards and its prescription.

*This table is not an exhaustive list.

4. Instructions. The EPA acquisition workforce shall follow the RFO Part 39 model deviation text instead of FAR Part 39 as codified at 48 CFR Chapter 39. The Council's RFO Part 39 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation. At this time there is no impact to EPA's Acquisition Regulation (EPAAR) or EPA Acquisition Policy (EPAAP).

5. Applicability. This class deviation applies to all EPA procurements.

6. Authority. This class deviation is issued under the authority of E.O. 14275, [OMB M-25-26](#), and 48 CFR 1.4 and RFO FAR 1.304.

7. Effective Date. This class deviation is effective immediately and remains in effect until rescinded or incorporated into the FAR.

8. Points of Contact. Questions regarding this class deviation may be directed to OMS-ARM-OAS-AcquisitionPolicy@epa.gov.