



RFO-2025-44

**United States
Department of
Agriculture**

October 2, 2025

Office of the
Assistant Secretary
for Administration

MEMORANDUM FOR USDA CONTRACTING ACTIVITIES

Office of
Contracting and
Procurement

From: Hilary Erickson
Senior Procurement Executive
Office of Contracting and Procurement

1400 Independence
Ave., SW
Mailstop 9308
Room 126-W
Whitten Building

Subject: Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 41 in
Support of Executive Order 14275 on Restoring Common Sense to
Federal Procurement

Washington, DC
20250-9308

1. Purpose. This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 41 for purposes of implementing the FAR Council's model deviation to FAR Part 41.

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 the FAR more concise, understandable, and focused on core procurement requirements.

3. 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 retained in the RFO FAR Part 41 model deviation include, but may not be 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

4. Instructions.

- The USDA acquisition workforce shall follow the RFO Part 41 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.

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

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

7. Effective Date. This class deviation is effective November 3, 2025, and remains in effect until rescinded or incorporated into the FAR.

8. Points of Contact. Questions regarding this class deviation may be directed to the USDA Procurement Policy Division at procurement.policy@usda.gov.