



U.S. Department of Justice

Justice Management Division

Washington, D.C. 20530

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM: Jolene Ann Lauria
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for Administration
Chief Acquisition Officer

SUBJECT: Class Deviation from the Federal Acquisition Regulation (FAR) Part 34 in support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

1. **PURPOSE**

This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 34 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 34 available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-34>.

2. **BACKGROUND**

On April 15, 2025, 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- Remove duplicative or outdated language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.

The current FAR Part 34 describes acquisition policies and procedures for use in acquiring major systems consistent with OMB Circular No. A-109; and the use of an Earned Value Management System in acquisitions designated as major acquisitions consistent with OMB Circular A-11, Part 7.

The RFO Part 34 model deviation text retains FAR subparts 34.1 and 34.2. Subpart 34.1 deals with statutory requirements tied to 50 U.S.C. 4531 et seq. Subpart 34.2 deals with Earned Value Management requirements tied to OMB Circular A-11. Non-statutory requirements removed from FAR Part 34 include the general guidance provided in sections 34.001 through 34.005 addressing OMB Circular No. A-109.

3. AUTHORITY

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

4. DEVIATION

The DOJ acquisition workforce must follow the RFO Part 34 model deviation text instead of FAR Part 34 as codified at 48 CFR Chapter 1. The Council's RFO Part 34 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-34>. A line-in/line-out version is included as Attachment 1 to this deviation to demonstrate the overall changes made to the FAR part.

When issuing new solicitations or contracts, contracting officers must not include the following provisions:

- 52.234-2 Notice of Earned Value Management System Preaward Integrated Baseline Review
- 52.234-3 Notice of Earned Value Management System Postaward Integrated Baseline Review

Any open solicitations that contain these provisions must be amended to remove the provisions.

5. EFFECTIVE DATE AND EXPIRATION

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

6. SCOPE AND APPLICABILITY

This class deviation applies to all DOJ procurements.

7. ADDITIONAL INFORMATION

If you have questions, please contact DOJAcquisitionPolicy@usdoj.gov.

8. ATTACHMENTS

Attachment 1 – Deviation to FAR Text –FAR Part 34 (Line-In/Line-Out)