



## U.S. Department of Justice

### Justice Management Division

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*Washington, D.C. 20530*

#### MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

**FROM:** William N. Taylor II  
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for Management and Compliance  
Senior Procurement Executive

**SUBJECT:** Class Deviation from the Federal Acquisition Regulation (FAR) Part 47 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 47 for the purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 47 available at [//www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-47](https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-47).

#### 2. **BACKGROUND**

Executive Order (E.O.) 14275, 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 47, concerning 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The part has been comprehensively revised to improve clarity, consolidate policies, and eliminate outdated requirements.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
  - 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

The following items are retained:

- All subparts are retained, reorganized, and streamlined to improve flow and remove procedural guidance.
  - 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:
  - 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
- 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

The following items are moved/updated:

- 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 single sentence that states the statutory requirement for a prepayment audit program and directs users to 41 CFR part 102-118 for details.

- 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.
  - 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

The following items are removed:

- 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:
  - 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:
  - 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 importation
  - 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:
  - 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
- 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

#### **4. AUTHORITY**

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

#### **5. DEVIATION**

The DOJ acquisition workforce must follow the RFO Part 47 model deviation text instead of FAR Part 47 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>.

Where applicable, include the revised Part 47 provision and clause deviations, at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-52> in lieu of the standard versions. For open solicitations or awarded contracts, the Contracting Officer has discretion regarding the need to enforce or amend the clause.

#### **6. EFFECTIVE DATE AND EXPIRATION**

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

**7. SCOPE AND APPLICABILITY**

This class deviation applies to all DOJ procurements.

**8. ADDITIONAL INFORMATION**

If you have questions, please contact [DOJAcquisitionPolicy@usdoj.gov](mailto:DOJAcquisitionPolicy@usdoj.gov).

**9. ATTACHMENTS**

None.