U.S. Securities and Exchange Commission

September 30, 2025

Class Deviation for Federal Acquisition Regulation Part 47 in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement (2025-043)

1. **Purpose:** To issue a class deviation to Federal Acquisition Regulation (FAR) Part 47 for purposes of implementing the FAR Council's model deviation text to FAR Part 47.

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 **Effective Date:** This class deviation is effective November 3, 2025 and remains in effect until rescinded or incorporated into the FAR.

3. **Expiration Date:** Expires when incorporated into the FAR or is otherwise rescinded.

4. **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 Federal Acquisition Regulation.

   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.

5. **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   The part has been comprehensively revised to improve clarity, consolidate policies, and eliminate outdated requirements.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
- 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	● 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
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
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

This table is not an exhaustive list.

6. **Required Action:**

- The SEC acquisition workforce must follow the RFO part 47 and corresponding 52 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 Acquisition.gov/far-overhaul, and is incorporated into this class deviation.

- For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation language at RFO FAR 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.

- Contracting activities must 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.

7. **Applicability:** This class deviation applies to all SEC procurements.

8. **Authority:** This class deviation is issued under the authority of Executive Order 14275, OMB Memo M-25-26, 48 CFR 1.4, and RFO FAR 1.304.

9. **Point of Contact:** If you have any questions, please contact the SEC Office of Acquisitions Policy at Acquisitions-Policy@sec.gov.

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