



# Global Acquisitions

U.S. DEPARTMENT *of* STATE

## Acquisition Alert 26-10

**TO:** All Contracting Activities

**FROM:** Sharon D. James  
Acting Senior Procurement Executive  
U.S. Department of State

**SUBJECT:** Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 19 in Support of Executive Order on Restoring Common Sense to Federal Procurement

- 1. Introduction:** The purpose of this Acquisition Alert is to issue a FAR class deviation to part 19 for purposes of implementing the Federal Acquisition Regulatory Council's model deviation text to that part.
- 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- Remove duplicative or outdated language;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 plain language;
- Revise language for the new FAR framework; and
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This class deviation is issued under the authority of E.O. 14275, OMB M-25-25, and 48 CFR 1.4.

### ***Deviation Summary***

FAR part 19, Small Business, has been reorganized while preserving most substantive requirements and reinforcing the Government's policy to provide maximum practicable opportunities in its acquisitions to small business, 8(a) participants, and other small business socioeconomic categories (i.e. veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns). See details as outlined below:

- The “rule of two” (meaning setting aside work when there are 2 or more small businesses identified who can provide the supplies or service) still applies to contracts above the micro-purchase threshold (MPT) but does not apply to orders (i.e. Part 8, 16 etc.).
- Contracting officers (COs) may, at their discretion, set aside orders placed under multiple-award contracts, but this decision is an exercise of discretion and not a basis for a protest.
- Size determination is made by the CO at the contract level, and only updated if/when certain contract actions warrant a change (e.g. option exercise, novation).
  - For IDIQ contracts, order-level re-representation requirements have been removed.
  - Agency small business goals and credit are now driven by size status data only at the master contract level.
- COs must first try conducting the acquisition as a competitive 8(a) order using Small Business Administration (SBA)-approved government-wide contracts before proceeding with a sole source 8(a) award, even for acquisitions below the competitive threshold (see 19.108-7(a)(2))
- A requirement is automatically released from the 8(a) program if the follow-on will be set aside under the HUBZone, SDVOSB, or WOSB programs. COs do not have to formally request release from SBA.
- New Section 19.101 Small Business Goals serves as an introduction to the Government's small business policy and the tools available to achieve agency small business goals.
- References to the Electronic Subcontracting Reporting System (eSRS) have been updated to reflect the ongoing modernization efforts to move this function to SAM.gov.

Statutory requirements retained in the RFO FAR part 19 model deviation include:

- Exclusion of Particular Source or Restriction of Solicitation to Small Business Concerns (10 U.S.C. § 3203 and 41 U.S.C. § 3303)

## Acquisition Alert 26-10

- 3 -

- Small Business Act (15 U.S.C. §§ 631 et seq)
- Small Business Concerns (41 U.S.C. § 3104)

Non-statutory subsections removed from FAR part 19 include:

- Section 19.203, Relationship among small business programs
- Section 19.502-5, Insufficient reasons for not setting aside an acquisition
- Section 19.602-3, Resolving differences between the agency and the SBA
- Section 19.706, Responsibilities of the cognizant administrative contracting office
- Section 19.707, The Small Business Administration's role in carrying out the program
- 52.219-32 (Clause), Orders Issued Directly Under Small Business Reserves
- The following sections were moved to the FAR Companion Guide:
  - Set-asides for orders under multiple-award contracts (former 19.504)
  - Determining the appropriate NAICS code for the solicitation (former 19.102)
  - Encouraging small business participation in acquisitions (former 19.201-1)
  - Identification of manufacturers (former 19.505)
  - Price evaluation preference for HUBZone small business concerns (former 19.1307)

### ***Corresponding DOSAR Deviation Summary***

Based on the Council's model deviated language, a class deviation is hereby issued to the Department of State Acquisition Regulation (DOSAR) to make significant revisions to reflect the following corresponding changes:

- Adjusting terminology and section titles to mirror FAR part 19 changes,
- Removing language that duplicates FAR requirements,
- Removing outdated programs from DOSAR 619 and
- Other administrative updates.

**3. Acquisition Impact:** The changes resulting from this class deviation affect all DoS procurements issued on or after the effective date of the AA.

**4. Action Required:** The acquisition workforce must follow the RFO part 19 model deviation text instead of FAR part 19 as codified at 48 CFR Chapter 1. The FAR Council's RFO model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

## Acquisition Alert 26-10

- 4 -

- a. 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. Do not include any of the removed provisions or clauses in future solicitations and contracts.
- b. 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.

**5. Effective Date:** The model deviated language was released on September 26, 2025 and updated on February 20, 2026; however, this deviation will be effective on February 27, 2026.

**6. Expiration Date:** This Acquisition Alert expires upon incorporation into the FAR, DOSAR, and/or DOSAM.

**7. Additional Information:** Questions regarding this Acquisition Alert may be directed to [AcquisitionPolicy@state.gov](mailto:AcquisitionPolicy@state.gov).

**8. Attachments:** [DOSAR Part 619 Deviation Line In\\_Line Out](#)

**9. Referenced Documents, Checklists, Guides and Templates:**  
[FAR Part 19 Practitioner Album](#)