U.S. Department of Transportation

1200 New Jersey Ave., S.E.
Washington, DC 20590

Office of the Secretary of Transportation

SUBJECT: Class Deviation No. 2026-24 from the Transportation Acquisition Regulation for TAR Part 1224 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

FROM: Chrishaun Jones CHRISHAUN PATRICE JONES Digitally signed by CHRISHAUN PATRICE JONES Date: 2026.11.02 17:54:39 -05'00'
Senior Procurement Executive
Office of the Senior Procurement Executive

TO: Department of Transportation Chiefs of the Contracting Offices

I. Purpose: This memorandum approves a class deviation to the Transportation Acquisition Regulation (TAR) part 1224 for purpose of implementing, in the TAR, Federal Acquisition Regulation (FAR) Class Deviation (CD) (No. 2026-02) for FAR part 24 in support of Executive Order (E.O.) 14275, "Restoring Common Sense to Federal Procurement."

II. Effective Date: Immediately.

III. 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."

Under this initiative, 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- Remove duplicative or outdated language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.

The RFO FAR part 24 model deviation text upon which this RFO TAR part 1224 deviation is also based, establishes bedrock principles. DOT issued FAR CD 2026-02 for FAR part 24 on October 10, 2025.

To ensure alignment with issued EOs and the RFO FAR part CD, it is necessary to issue this RFO TAR CD in advance of a proposed rule to implement these requirements to ensure DOT policies and procedures align with these requirements. DOT intends on conducting further analysis and developing a rule for publication in the Federal Register for public comment after the release of this CD, and after FAR proposed and final rules are published.

IV. Summary of Changes: The following table is not an exhaustive list but includes notable updates to TAR part 1224:

Change	Description
New/Retained/ Updated	General – Retained as the coverage directly implements a specific statute or unique agency requirements. Updated TAR content and headings to align with RFO FAR Part 24: **TAR part 1224—Protection of Privacy and Freedom of Information** • **Subpart 1224.1—Protection of Individual Privacy** – Retained. Updated and revised to RFO FAR drafting standards. o 1224.102-70, Policy. Revised. ▪ Revised title to Policy from "General" to supplement RFO FAR section 24.102, General. ▪ Made minor administrative edits to comport with RFO FAR drafting principles and guidance. ▪ Removed content more appropriate to internal agency guidance. ▪ Added reference to DOT rule at 49 CFR part 10 governing access to records and privacy. • **Subpart 1224.2—Freedom of Information Act** – Retained. Updated and revised to RFO FAR drafting standards. o 1224.203, Policy. Revised and streamlined. ▪ Removed unnecessary words; removed the last sentence as unnecessary as the OA FOIA offices established in 49 CFR part 7 provided.
Removed	General – Text has been revised/deleted in the subpart/section below to remove non-statutory guidance. • **Subpart 1224.1—Protection of Individual Privacy** – subpart retained as above but individual sections removed as described below. o 1224.103, Procedures. Removed this underlying section. ▪ Removed link to 49 CFR part 10 and moved up to 1224.102-70, as noted above.

V. **Required Actions:** Contracting Officers shall follow the RFO TAR part 24 deviation text, in lieu of TAR part 1224 as codified at 48 CFR, chapter 12. The RFO TAR deviation text is shown in the Attachment.

Chiefs of the Contracting Offices (COCOs) must ensure this deviation is disseminated to the acquisition workforce and ensure compliance with the requirements in the CD.

For new solicitations, contracts or orders: Not applicable (N/A) as no provisions or clauses are associated with RFO TAR part 1224.

For open solicitations: Not applicable (N/A) as no provisions or clauses are associated with RFO TAR part 1224.

For existing contracts and orders: Not applicable (N/A) as no provisions or clauses are associated with RFO TAR part 1224.

VI. Applicability: This CD applies to all DOT OAs, OST, and OIG, excluding the FAA in accordance with RFO TAR 1201.103-70(b).

VII. Authority: This CD is issued under the authority of RFO FAR 1.304, Class deviations; TAR 1201.404, Class deviations; and the revised citation at RFO TAR 1201.304, for the purpose of implementing policy in the TAR to comply with requirements of certain E.O.s, statutes, and other directives in DOT FAR CD No. 2026-02.

VIII. Expiration Date: This CD will remain in effect until it is incorporated into the TAR or is otherwise rescinded, whichever occurs first.

IX. Point of Contact: Questions or comments regarding this deviation may be directed to DOTAcquisitionPolicy@dot.gov.

Attachment:

A. RFO TAR Part 1224 Deviation Text – Bold/Bracketed/Line-in Line-Out (BB-LILO)

Transportation Acquisition Regulation (TAR) Class Deviation (CD) No. 2026-24

Attachment A

RFO TAR Part 1224 Deviation Text

TAR Text Baseline is 48 CFR chapter 12 as of August 12, 2026.

Additions are shown as **[bolded and bracketed]** and deletions are shown in strikethrough ~~deletions~~. TAR Text unchanged shown as asterisks.

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Part 1224—Protection of Privacy and Freedom of Information

Subpart 1224.1—Protection of Individual Privacy

1224.102-70 ~~General~~**[Policy].**

~~1224.103 Procedures.~~

Subpart 1224.2—Freedom of Information Act

1224.203 Policy.

Authority: 5 U.S.C. 301; 41 U.S.C. 1121(c)(3); **[and]** 41 U.S.C. 1702~~; and 48 CFR 1.301 through 1.304~~.

PART 1224—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

Subpart 1224.1—Protection of Individual Privacy

1224.102-70 ~~General~~[Policy].

(a) Records maintained in a Privacy Act system of records shall not be released except by the Government or at the Government's direction regardless of whether the Government or a contractor acting on behalf of the Government is maintaining the records. **[(See DOT 49 CFR part 10.)]**~~Examples of systems of records are:~~

~~(1) Personnel, payroll and background records about any officer or employee of DOT, or other person, including his or her residential address;~~

~~(2) Medical histories and medical records concerning individuals, including applications for licenses; and~~

~~(3) Any other record containing information about an individual which includes that individual's name or other personal identifier.~~

~~(b) Examples of records to which the Privacy Act does not apply are:~~

~~(1) Records that are maintained by a contractor on individuals employed by the contractor in the process of providing goods and services to the Federal government; and~~

~~(2) Student records generated in connection with the student's attendance (*e.g.*, admission forms, grade reports) at an educational institution contracted by the agency to provide training to students. These records must be similar to those maintained on other students and must not be commingled with records of other students.~~

~~**1224.103 Procedures.**~~

~~DOT rules and regulations implementing the Privacy Act of 1974 are located at 49 CFR part 10.~~

Subpart 1224.2—Freedom of Information Act

1224.203 Policy.

[(a)] ~~DOT rules and regulations implementing the Freedom of Information Act (FOIA) and~~ **[See 49 CFR part 7 for]** the names and addresses of the OA FOIA offices ~~are located in 49 CFR part 7.~~ **[and]** ~~T~~**[t]**he DOT FOIA website ~~can be found~~ at *https://www.transportation.gov/foia*. ~~Specific contract award information shall be requested from the FOIA office of the OA making the contract award.~~