



September 22, 2025

Federal Acquisition Regulatory Council
General Services Administration
Washington, D.C.

Subject: Comments on FAR Part 26 Deviation

Dear FAR Council,

The Coalition for Common Sense in Government Procurement (Coalition) appreciates the opportunity to comment on the General Services Administration's (GSA) Class Deviation concerning Federal Acquisition (FAR) Part 26 (Other Socioeconomic Programs).

By way of background, the Coalition is a non-profit association of firms selling commercial services and products to the Federal Government. Our members include small, medium and large business concerns which collectively account for a significant percentage of the sales generated through GSA's Multiple Award Schedule program. The Coalition is proud to have collaborated with Government officials for over 45 years in promoting the mutual goal of common-sense acquisition.

The FAR Council has made impressive strides through the Revolutionary FAR Overhaul (RFO) in reducing unnecessary burdens on its industry partners that help support agency mission and deliver best value. The new Part 26 implements a 2009 Executive Order (EO) 13513 which encourages contractors to have policies to ban texting while driving. It is illegal to text while driving in 48 states and the District of Columbia, and in most States it is a primary offense. Any licensed driver with common sense understands they should not be texting while operating a motor vehicle. It is hard to believe that a FAR clause on encouraging contractor policies to ban texting while driving has made any meaningful impact on driving safety. Thus, we urge the Administration to rescind Section 4 of the EO so that FAR Subpart 26.6 and FAR clause 52.226-8, Encouraging Contractor Policies to Ban Text Messaging While Driving, can be deleted. Although it will not significantly impact industry, it will serve as a symbolic gesture furthering the intent of the RFO and hopefully leading to the elimination of other needless, burdensome FAR clauses through legislative action, e.g., FAR Clause 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards, required by Section 2(d)(2) of the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), as amended by section 6202 of the Government Funding Transparency Act of 2008 (Pub. L. 110-252).

The Coalition hopes you find these comments useful and thanks you for your time and consideration. If you have any questions, I may be reached at (202) 899-2986 ext. 129 or kdodds@thecgp.org.

Regards,

Kenneth Dodds
Executive Vice President & General Counsel