



U.S. COMMODITY FUTURES TRADING COMMISSION
Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581
www.cftc.gov

CFTC Class Deviation RFO-2025-18

TO: CFTC's Procurement Office

FROM: William M. Roberson, Senior Procurement Executive

DATE: June 24, 2025

SUBJECT: FAR Class Deviation for FAR Part 18 in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement.

1. **Purpose:** This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) part 18 for purposes of implementing the FAR Council's model deviation to FAR part 18.
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 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.

3. **Summary of Changes:** FAR part 18, Emergency Acquisitions, has been updated to streamline the acquisition flexibilities available for emergency acquisitions, and to retain increased thresholds, commercial procedures, and award preferences during an emergency.

Statutory requirements retained in the RFO FAR part 18 deviation include, but are not limited to, the following:

- 41 U.S.C. § 1903, Special Emergency Procurement Authority
- 42 U.S.C. Ch. 68, Stafford Disaster Relief and Emergency Assistance Act
- 10 U.S.C. § 101(a)(13), Contingency Operation
- 22 U.S.C. § 2292b, International Disaster Assistance
- 46 U.S.C. § 55305, Cargo Preference Act of 1954
- 41 U.S.C. § 153, Contract in Support of Humanitarian or Peacekeeping Operation

Important Note: General acquisition flexibilities that support emergency procurement have been removed and are now located at <https://acquisition.gov/emergency-procurement>.

Change	Description
Retained	<ul style="list-style-type: none">• Increased thresholds for:<ul style="list-style-type: none">○ Contingency operations○ Defense or recovery from certain events, to include cyber, nuclear, biological, chemical, or radiological attacks○ International disaster assistance○ Emergency or major disaster response○ Humanitarian or peacekeeping operations• Statutory requirements related to:<ul style="list-style-type: none">○ Emergency declarations and major disaster declarations○ Humanitarian or peacekeeping operations○ Award preference for local organizations• Waiver of provisions for ocean transportation by U.S. flag vessels.
Removed	<ul style="list-style-type: none">• General acquisition flexibilities covered in other sections of the FAR that support emergency procurement are now listed at https://acquisition.gov/emergency-procurement.• References to resources such as the National Response Framework and Office of Federal Procurement Policy (OFPP) “Emergency Acquisitions Guide” are expected to be moved to non-regulatory guidance, as needed.

This table is not an exhaustive list.

4. **Instructions:**

- The CFTC acquisition workforce shall follow the RFO part 18 model deviation text instead of FAR part 18 as codified at 48 CFR chapter 1. The Council's RFO part 18 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.
- Review templates and related standard operating procedures to align with this deviation and remove unnecessary processes and steps.

5. **Applicability:** This class deviation applies to all CFTC procurements.

6. **Authority:** This class deviation is issued under the authority of [E.O. 14275](#), [OMB Memo M-25-26](#), 48 CFR 1.4, and RFO FAR 1.304.

7. **Effective Date:** This class deviation is effective as dated and shall remain in effect until it is incorporated into the FAR or until this class deviation is otherwise rescinded.

8. **Point of Contact:** Questions regarding this class deviation may be directed to CFTC's Senior Procurement Executive, William M. Roberson, at wroberson@cftc.gov.

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