



**Homeland
Security**

MEMORANDUM FOR: Heads of Contracting Activities

FROM: Paul Courtney
Chief Procurement Officer

SUBJECT: FAR Class Deviation (Number 25-22) for FAR Part 38 in Support
of the Executive Order on Restoring Common Sense to Federal
Procurement

1. **Purpose.** This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 38 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 38.
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 FAR.

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 38, Federal Supply Schedule Contracting, is removed in its entirety. Guidance and procedures for the Schedule program will be moved from the FAR part 38 and subpart 8.4 to General Services Acquisition Regulation (GSAR) Part 538.
4. **Instructions.**
 - The DHS acquisition workforce must follow the RFO Part 38 model deviation text instead of FAR part 38 as codified at 48 CFR Chapter 1. The Council's RFO Part 38

model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-38>, and is incorporated into this class deviation.

- Contracting activities must review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

5. **Applicability.** This class deviation applies to all DHS procurements.
6. **Authority.** This class deviation is issued under the authority of E.O. 14275, [OMB M- 25-26](#), and 48 CFR 1.4., and RFO FAR 1.304
7. **Effective Date.** This class deviation is effective November 3, 2025, and remains in effect until rescinded or incorporated into the FAR.
8. **Points of Contact.** Questions regarding this class deviation may be directed to Acquisition Policy and Legislation at Acquisition.Policy@hq.dhs.gov.