



## U.S. Department of Justice

### Justice Management Division

*Washington, D.C. 20530*

#### MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

**FROM:** William N. Taylor II  
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for Policy, Management, and Procurement  
Senior Procurement Executive

**SUBJECT:** Class Deviation from the Federal Acquisition Regulation (FAR) Part 18 in support of Executive Order 14275 on 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 Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 18 available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-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 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 18, concerning 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. A high-level summary of the content updates, additions, and removals is as follows:

- Retains increased thresholds as determined by the head of the agency for:
  - Contingency operations
  - Defense or recovery from certain events, to include cyber, nuclear, biological, chemical, or radiological attacks
  - International disaster assistance
  - Humanitarian or peacekeeping operations
- All acquisition flexibilities supporting emergency procurement mentioned in other FAR sections are now listed at <https://www.acquisition.gov/emergency-procurement>.
- References to the National Response Framework and the Office of Federal Procurement Policy, 'Emergency Acquisition Guide' are expected to be moved to non-regulatory guidance.

Statutory requirements retained in the RFO FAR part 18 model 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

#### **4. AUTHORITY**

This class deviation is issued under the authority of [E.O. 14275](#), [OMB M-25-26](#), and RFO FAR 1.304.

#### **5. DEVIATION**

The DOJ acquisition workforce must 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 <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-18>.

There are no changes to existing FAR provisions and clauses associated with this deviation.

#### **6. EFFECTIVE DATE AND EXPIRATION**

This class deviation is effective immediately and remains in effect until rescinded or incorporated into the FAR.

**7. SCOPE AND APPLICABILITY**

This class deviation applies to all DOJ procurements.

**8. ADDITIONAL INFORMATION**

If you have questions, please contact [DOJAcquisitionPolicy@usdoj.gov](mailto:DOJAcquisitionPolicy@usdoj.gov).

**9. ATTACHMENTS**

Attachment 1 – Deviation to FAR Text – FAR Part 18 (Line-In/Line-Out)