

# Memorandum

**TO:** Office of Management Services

**DATE:** January 12, 2026

**FROM:** Cindy Hennigan  
Deputy Managing Director  
Office of Managing Director  
Senior Procurement Executive

**SUBJECT:** Class Deviation for Federal Acquisition Regulation Part 18 in Support of Executive Order on Restoring Common Sense to Federal Procurement

1. **Purpose:** To issue a class deviation to Federal Acquisition Regulation (FAR) Part 18 for purposes of implementing the FAR Council's model deviation text to FAR Part 18.

2. **Effective Date:** Immediately.

3. **Expiration Date:** Expires when incorporated into the FAR or is otherwise rescinded.

4. **Background:** On April 15, 2025, the 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."

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- Remove duplicative or outdated language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.

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.

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

Statutory requirements retained in the RFO Part 18 deviation included, 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

Changes	Description
Retained	<ul style="list-style-type: none"> <li>• Increased thresholds for:               <ul style="list-style-type: none"> <li>○ Contingency operations</li> <li>○ Defense or recovery from certain events, to include cyber,</li> <li>○ nuclear, biological, chemical, or radiological attacks</li> <li>○ International disaster assistance</li> <li>○ Emergency or major disaster response</li> <li>○ Humanitarian or peacekeeping operations</li> </ul> </li> <li>• Statutory requirements related to:               <ul style="list-style-type: none"> <li>○ Emergency declarations and major disaster declarations</li> <li>○ Humanitarian or peacekeeping operations</li> <li>○ Award preference for local organizations</li> </ul> </li> <li>• Waiver of provisions for ocean transportation by U.S. flag vessels.</li> </ul>
Removed	<ul style="list-style-type: none"> <li>• General acquisition flexibilities covered in other sections of the FAR that support emergency procurement is now listed at <a href="https://acquisition.gov/emergencyprocurement">https://acquisition.gov/emergencyprocurement</a>.</li> <li>• 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.</li> </ul>

This table is not an exhaustive list.

**Required Action:** The FMC 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.

**6. Applicability:** This class deviation applies to all FMC procurements.

7. **Authority:** This deviation is issued under the authority of Executive Order 14275, OMB Memo M-25-26, and 48 CFR 1.4.

8. **Point of Contact:** If you have any questions please contact Michelle Calhoun, Procurement Analyst ([mcalhoun@fmc.gov](mailto:mcalhoun@fmc.gov)) or (202) 523-5901.