

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 43 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 43 for purposes of implementing the FAR Council's model deviation text to FAR Part 43.

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 **Expiration Date:** Expires when incorporated into the FAR or is otherwise rescinded.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- Remove duplicative or outdated language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 43, Contract Modifications, has been streamlined to provide the essential contract modification standards for the workforce to limit risk to the public and government.

Statutory requirements retained in the RFO Part 18 deviation included, but are not limited to, the following:

- 31 U.S.C. § 1501, Documentary Evidence Requirement for Government Obligations
- 31 U.S.C. § 1341, Anti-Deficiency Act
- 41 U.S.C. §§ 7101-7109, Contract Disputes Act of 1978

Change	Description
Retained	<ul style="list-style-type: none"> • Non-statutory definitions and procedures for contract modifications are retained to maintain uniformity across Government. • Instructions for documenting and definitizing change orders are retained and clarified.
Removed	<ul style="list-style-type: none"> • Plain language edits have been made throughout, resulting in a 300-word decrease.

This table is not an exhaustive list.

Required Action: The FMC acquisition workforce shall follow the RFO Part 43 model deviation text instead of FAR Part 43 as codified at 48 CFR Chapter 1. The Council's RFO Part 43 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) or (202) 523-5901.