

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 6 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 6 for purposes of implementing the FAR Council's model deviation text to FAR Part 6.
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 **Expiration Date:** Expires when incorporated into the FAR or is otherwise rescinded.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- Remove duplicative or outdated language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. In explaining the Federal Acquisition System, the RFO FAR part 1 model deviation text establishes bedrock principles. Most centrally, it sets a "mission first" message at the top of the guiding principles. The RFO FAR part 1 model deviation also increases the emphasis on the best use of taxpayer dollars and calls out the value of time as another guiding principle. Additionally, it retains a focus on satisfying the customer, maximizing use of commercial products and services, promoting competition, and encouraging innovation.

FAR Part 6, Competition Requirements, has been streamlined to strengthen clarity and focus, helping to ensure procedures that support full and open competition are easier to

understand and apply. Statutory requirements retained in the FAR Part 6 model deviation include, but are not limited to, the following:

- 41 U.S.C. § 1705, Advocates for Competition
- 41 U.S.C. § 3301 and 10 U.S.C. § 3201, Full and Open Competition
- 41 U.S.C. § 3303 and 10 U.S.C. § 3203, Exclusion of Particular Source or Restriction of Solicitation to Small Business Concerns
- 41 U.S.C. § 3304, Use of Noncompetitive Procedures
- 10 U.S.C. § 3204, Use of Procedures Other than Competitive Procedures
- 15 U.S.C. Chapter 14A, Aid to Small Business
- 42 U.S.C. § 5150, Major Disaster and Emergency Assistance, Use of Local Firms and Individuals.

Change	Description
Retained	<ul style="list-style-type: none"> • FAR part 6 continues to apply to all acquisitions, with limited exceptions for specific contracts and orders. • Advocates for Competition, previously at subpart 6.5, has been moved to section 6.003. Details about the role and responsibilities have been streamlined. • Guidance pertaining to Sealed Bidding has been streamlined and moved from subpart 6.4 to section 6.101. • Authorities for other than full and open competition, including only one responsible source, remain. • Contracting officers retain discretion to set aside acquisitions for small business concerns, including contract actions conducted under the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs, and local firms during a major disaster or emergency. • Justification and approval requirements to support noncompetitive procedures. <ul style="list-style-type: none"> ○ These requirements have been significantly streamlined. ○ The revised language highlights that contracting officers require support from the broader acquisition team when making decisions regarding competition. ○ The approval levels are now reflected in a plain language table format.
Removed	<ul style="list-style-type: none"> • Unnecessary or redundant language was removed throughout. Examples include- <ul style="list-style-type: none"> ○ The word “advance” was removed from the phrase, “A lack of advance planning by the requiring activity.” The language now reads, “A lack of planning by the requiring activity.” This avoids ambiguity surrounding the meaning of “advance” planning. ○ The list of specific small business socioeconomic categories was removed and replaced with a reference to part 19. • Illustrative examples of when to use certain exceptions to full and open competition have been removed and may be moved to non-regulatory content.

This table is not an exhaustive list.

Required Action: The FMC acquisition workforce shall follow the RFO Part 6 model deviation text instead of FAR Part 6 as codified at 48 CFR Chapter 1. The Council's RFO Part 6 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

5. Applicability: This class deviation applies to all FMC procurements.

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

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