



Memorandum

January 22, 2026

TO: ACQUISITIONS MANAGEMENT BRANCH PERSONNEL

FROM: Isabel Luengo McConnell, Procurement Executive
National Labor Relations Board

SUBJECT: Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 18 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

- 1. Effective Date:** Immediately
- 2. Expiration Date:** This Class Deviation remains in effect until the changes described herein are incorporated in the FAR, superseded, or otherwise rescinded.
- 3. Purpose:** This memorandum approves a class deviation to FAR Part 18 for purposes of implementing the FAR Council's model deviation text to FAR Part 18.
- 4. Authority:** This class deviation is issued under the authority of Executive Order (*E.O.*) 14275, *OMB M-25- 25*, and 48 CFR Subpart 1.4.
- 5. Background:** On April 15, 2025, *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- Remove duplicative or outdated language.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 the 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.

Summary of Changes: FAR part 18, 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. General acquisition flexibilities that support emergency procurement have been removed and are now located at <https://acquisition.gov/emergencyprocurement>.

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.

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

This table is not an exhaustive list.

6. **Instructions:** National Labor Relations Board (NLRB) acquisition workforce shall follow the RFO Part 18 model deviation text instead of FAR Part 18 as codified at 48 CFR Chapter 1. The FAR Council's RFO Part 18 model deviation text is available at *Acquisition.gov*, under the "[FAR Overhaul](#)" link.
7. **Applicability:** This deviation applies to all NLRB solicitations and new contracts as of

January 22, 2026. This deviation does not apply to contracts signed and executed on or before January 22, 2026.

8. **Point of Contact:** Questions or comments on this class deviation may be directed to Delfina St. Clair, Director, Acquisitions Management Branch, at Delfina.St.Clair@nlrb.gov.