

Acquisition Bulletin No. 25-06 Deviation No. 2025-00006

Date: July 7, 2025

MEMORANDUM FOR TREASURY ACQUISITION PERSONNEL

FROM: Alan J. Monico Jr. Acting Senior Procurement Executive

- SUBJECT: Class Deviation No. 2025-00006 Implementing the Class Deviation from the Federal Acquisition Regulation (FAR) Part 18, in accordance with Executive Order (EO) 14275, "Restoring Common Sense to Federal Procurement,"
- 1. <u>PURPOSE</u>: This Acquisition Bulletin (AB) 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.
- 2. <u>BACKGROUND</u>: On April 15, 2025, <u>EO 14275</u>, <u>Restoring Common Sense to Federal</u> <u>Procurement</u> was signed. Section 2 of the EO establishes the policy that the FAR "should only contain provisions required by statute or essential 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- Remove duplicative or outdated language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 <u>Revolutionary FAR Overhaul (RFO) initiative</u>. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements. This class deviation is issued under the authority of EO 14275, OMB M-25-25, and 48 CFR 1.4

3. <u>SUMMARY OF CHANGES</u>. 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.

Statutory requirements retained in the RFO FAR part 18 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

Important Note: General acquisition flexibilities that support emergency procurement have been removed and are now located at <u>https://acquisition.gov/emergencyprocurement</u>.

Change	Description
Retained	 Increased thresholds for: 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: 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	 General acquisition flexibilities covered in other sections of the FAR that support emergency procurement are 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.

- 4. <u>AUTHORITY</u>: This class deviation is issued under the authority of E.O. 14275, <u>OMB M-</u> <u>25-25</u>, and 48 CFR 1.4.
- 5. <u>DEVIATION SUMMARY</u>: Contracting Officers shall follow the RFO part 18 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 <u>www.Acquisition.gov/far-overhaul</u> and is incorporated into the class deviation.

Class Deviation for FAR Part 18 in Support of Executive Order on Restoring Common Sense to Federal Procurement.

- 6. <u>CORRESPONDING AGENCY DEVIATION SUMMARY</u>: Bureaus may deviate from any Department of Treasury Acquisition Regulations (DTAR) requirements that conflict with the rewritten FAR Part 18.
- 7. <u>EFFECTIVE DATE</u>: This class deviation is effective immediately and remains in effect until rescinded or incorporated into the FAR.
- 8. <u>ADDITIONAL INFORMATION</u>: The point of contact for this AB is Mr. Steve Kvalevog who can be reached at <u>Steven.Kvalevog@treasury.gov.</u>