



Global Acquisition

U.S. DEPARTMENT *of* STATE

Acquisition Alert 25-32

TO: All Contracting Activities

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SUBJECT: Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 26
in Support of Executive Order on Restoring Common Sense to Federal
Procurement

- 1. Introduction:** The purpose of this Acquisition Alert is to issue a FAR class deviation to part 26 for purposes of implementing the Federal Acquisition Regulatory Council's model deviation text to that part.
- 2. 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- Remove duplicative or outdated language;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 plain language;
- Revise language for the new FAR framework; and
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This class deviation is issued under the authority of E.O. 14275, OMB M-25-25, and 48 CFR 1.4.

Deviation Summary

FAR part 26, Other Socioeconomic Programs, has been reorganized to follow the acquisition process, renumber sections, and use plain language. All subparts remain but have been restructured to reflect the acquisition lifecycle.

Statutory requirements and presidential directives retained in the RFO FAR part 26 model deviation include, but are not limited to, the following:

- 6 U.S.C. § 796, Registry of Disaster Response Contractors
- 25 U.S.C. § 1544, Additional Compensation to Contractors of Federal Agency
- 41 U.S.C. §§ 8101 et seq, Drug Free Workplace
- 42 U.S.C. § 1792, Promoting Federal Food Donation
- 42 U.S.C. § 5150, Use of Local Firms and Individuals
- Pub. L. 100-707 (42 U.S.C. §§ 5121 et seq), Robert T. Stafford Disaster Relief and Emergency Assistance Act
- Pub. L. 114-328 Section 816, Amendments to Special Emergency Procurement Authority
- Pub. L. 114-328 Section 1641, Special Emergency Procurement Authority to Facilitate the Defense Against or Recovery from a Cyber Attack
- E.O. 12928, Promoting Procurement with Historically Black Colleges and Universities, and Minority Institutions

Non-statutory requirements removed from FAR part 26 include, but are not limited to, the following:

- FAR Sections 26.601 “Purpose”, 26.602 “Applicability”, and 26.603 “Definitions” are removed. The clause at 52.226-8 retains the definitions.
- FAR 26.303, Data collection and reporting requirements is removed as detailed data is captured and tracked through other methods.
- The following procedures have been removed and may be retained in non-regulatory guidance:
 - Challenges to representations under the Indian Incentive Program (FAR 26.103)
 - Information related to the Disaster Response Registry (FAR 26.205)
 - Procedures related to the Food Donation Program (FAR 26.403)
- All existing clauses and provisions are retained, but the following clauses have plain language updates:

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- o Clause 52.2226-1, Utilization of Indian Organizations and Indian-Owned Economic Enterprises
- o Clause 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations. This clause no longer flows down to subcontractors.

3. Acquisition Impact: The changes resulting from this class deviation affect all DoS procurements issued on or after the effective date of the AA. The DOSAR does not cover FAR part 26 and therefore is not impacted by this deviation.

4. Action Required: The acquisition workforce must follow the RFO part 26 model deviation text instead of FAR part 26 as codified at 48 CFR Chapter 1. The FAR Council's RFO model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

5. Effective Date: The model deviated language was released on August 7, 2025; however, this deviation will be effective on November 3, 2025.

6. Expiration Date: This Acquisition Alert expires upon incorporation into the FAR, DOSAR, and/or DOSAM.

7. Additional Information: Questions regarding this Acquisition Alert may be directed to AcquisitionPolicy@state.gov.

8. Attachments: None.

9. Referenced Documents, Checklists, Guides and Templates:
[FAR Part 26 Deviation Practitioner Guide](#)