



Office of the Chief
Acquisition Officer

Date: September 29, 2025

From: Darnese M. Wilkerson, Chief Acquisition Officer *DMW*

To: Office of the Chief Acquisition Officer (OCAO)

Subject: CLASS DEVIATION (CD) in Support of Executive Order (EO) 14275, "Restoring Common Sense to Federal Procurement" - Deviation to FAR Part 26, Other Socioeconomic Programs

1. Purpose

This Class Deviation (CD) implements the FAR Council's model deviation text for FAR Part 26, Other Socioeconomic Programs. This action aligns with Executive Order (EO) 14275, "Restoring Common Sense to Federal Procurement," and the Revolutionary FAR Overhaul (RFO) initiative.

The revised RFO FAR Part 26 streamlines policies and procedures related to contract cost principles. Burdensome, duplicative, or outdated language not required by statute has been removed. Key changes include:

- Reorganization by Acquisition Lifecycle: The subparts within Part 26 have been restructured to follow the acquisition process.
- Removal of Non-Statutory Content: Detailed procedures and non-essential content have been removed and moved to non-regulatory guidance.
- Streamlined Policy Sections: Subparts have been made more concise by eliminating redundant "Purpose," "Applicability," and "Definitions" sections. Core definitions are now retained in the relevant contract clauses.
- Mandatory Use of Elevated Thresholds in Disaster Relief: Incorporates the use of elevated micro-purchase and simplified acquisition thresholds when contracting for emergency response activities.
- Contract Clause Updates: Existing provisions and clauses are retained but have been updated to align with the new, streamlined FAR framework.
- Data Reporting Consolidation: Requirements for certain data collection and reporting have been removed.

2. Background

EO 14275, signed on April 15, 2025, established a policy that the FAR should contain only provisions required by statute or those essential for sound procurement. To implement this EO, the Office of Federal Procurement Policy (OFPP) is leading the RFO initiative, supported by the Federal Acquisition

Regulatory Council. The initiative aims to eliminate unnecessary regulations and policies across all levels of the federal government.

Further guidance was provided by OMB Memorandum M-25-26, "Overhauling the Federal Acquisition Regulation," issued on May 2, 2025.

FAR Streamlining

As part of the RFO, the FAR is being streamlined to include only statutory requirements. Non-statutory content will be moved to new buying guides, collectively known as the Strategic Acquisition Guidance (SAG). The Council will first issue model deviation guidance by FAR part, followed by formal rulemaking through the notice and comment process. Agencies have 30 days to issue class deviations based on the model text once released.

A. Streamlining Agency Acquisition Supplements: Agencies must streamline their FAR supplements by removing regulations not based on statute or executive orders and by aligning with the FAR Council's deviation guidance. Supporting policies must also be updated to reflect these changes. This is an excellent opportunity for NARA to formally publish a streamlined NARA FAR Supplement, ensuring consistency with the new FAR.

B. FAR Buying Guides and Supplemental Companion Guides (CG): As the FAR and agency supplements are streamlined, helpful non-regulatory content will be moved to these new FAR Buying Guides. These guides will offer practical instructions and best practices for implementing effective contracting methods, including those related to competition. The RFO Part 26 model deviation text is a plain language version that will be adhered to by all NARA contracting personnel.

3. Summary of Changes

FAR Part 26 has been reorganized within each subpart to follow the acquisition process. This new structure makes it easier and faster to find the needed information at each stage of a procurement. Statutory requirements retained in the RFO FAR Part 26 model deviation include, but are not limited to, the following:

- The procedures for challenges to representations under the Indian Incentive Program were removed from FAR part 26.103 and will be incorporated into the FAR Companion Guide.
- Information pertaining to the Disaster Response Registry were removed from FAR part 26.205 and will be incorporated into the FAR Companion Guide.
- Procedures related to the Food Donation Program were removed from FAR 26.403 and will be incorporated into the FAR Companion Guide.
- 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

Change	Description
Retained	<ul style="list-style-type: none"> • The subparts are restructured from numerous scattered sections to sections that now reflect the acquisition lifecycle. • The 5% incentive payment for utilizing Indian organizations and Indian-owned economic enterprises as subcontractors remains allowable at 26.102-1. • The statutory preference for awarding contracts to local firms in the aftermath of a major disaster or emergency remains at 26.202-1. • The policy to encourage the participation of Historically Black Colleges and Universities and Minority Institutions in federal procurement continues at 26.301-1. • The policy encouraging contractors to donate excess wholesome food remains the same at 26.404-1. • The following clauses are updated: <ul style="list-style-type: none"> ○ Clause 52.226-1 Utilization of Indian Organizations and Indian-Owned Economic Enterprises. ○ Clause 52.226-6 Promoting Excess Food Donation to Nonprofit Organizations.
Removed	<ul style="list-style-type: none"> • Deleted content that is outdated, redundant, or otherwise unnecessary. • Nonregulatory information moved to practitioner albums, FAR companion Guides and/or Category Buying Guides. <ul style="list-style-type: none"> ○ The procedures for challenges to representations under the Indian Incentive Program were removed from FAR part 26.103 and will be incorporated into the FAR Companion Guide. ○ Information pertaining to the Disaster Response Registry were removed from FAR part 26.205 and will be incorporated into the FAR Companion Guide. ○ Procedures related to the Food Donation Program were removed from FAR 26.403 and will be incorporated into the FAR Companion Guide. • The following was deleted from the Part: <ul style="list-style-type: none"> ○ Former section 26.303, Data collection and reporting requirements is removed. ○ Sections 26.601, Purpose, 26.602, Applicability, and 26.603, Definitions were removed but retained at 52.226-8.

4. Instructions

The NARA acquisition workforce shall follow the RFO FAR Part 26 deviated text instead of FAR Part 26 as codified at 48 CFR Chapter 1, Subchapter B, Part 26. The FAR Council's RFO text is available at [FAR Overhaul - FAR Part 26 - Acquisition.gov](#) and is incorporated by reference into this deviation.

5. Applicability

The requirements in this CD apply to all solicitations and contract actions issued or awarded on or after **October 1, 2025**.

6. Authority

This class deviation is issued under the authority of Executive Order 14275 and OMB Memorandum M-25-26, 48 CFR Subpart 1.4.

7. Effective Date

This CD is effective as of the date signed and shall remain in effect until the provisions of the RFO are formally implemented in the FAR through a final rulemaking.

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cc: NGC