



Pension Benefit Guaranty Corporation  
445 12th St, SW, Washington, DC 20024

Class Deviation PBGC-2026-0010

## MEMORANDUM FOR PBGC ACQUISITION WORKFORCE

**Date:** February 3, 2026  
**From:** Damon Q. McClure, Senior Procurement Executive  
**Subject:** FAR Class Deviation for FAR Part 18 in Support of Executive Order on Restoring Common Sense to Federal Procurement

**1. Purpose:** This class deviation is issued in accordance with FAR 1.304 and pursuant to the Office of Federal Procurement Policy memorandum entitled, “Deviation Guidance to Support the Overhaul of the Federal Acquisition Regulation,” to provide contracting officers with revised FAR Part 18 language and implement the FAR Council’s model deviation to FAR Part 18.

**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- Remove duplicative or outdated language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 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.

**3. 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.

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 <https://acquisition.gov/emergencyprocurement>.

Change	Description
<b>Retained</b>	<ul style="list-style-type: none"> <li>• <b>Increased thresholds</b> for:               <ul style="list-style-type: none"> <li>○ Contingency operations</li> <li>○ Defense or recovery from certain events, to include cyber, nuclear, biological, chemical, or radiological attacks</li> <li>○ International disaster assistance</li> <li>○ Emergency or major disaster response</li> <li>○ Humanitarian or peacekeeping operations</li> </ul> </li> <li>• <b>Statutory requirements related to:</b> <ul style="list-style-type: none"> <li>○ Emergency declarations and major disaster declarations</li> <li>○ Humanitarian or peacekeeping operations</li> <li>○ Award preference for local organizations</li> </ul> </li> <li>• Waiver of provisions for <b>ocean transportation</b> by U.S. flag vessels.</li> </ul>
<b>Removed</b>	<ul style="list-style-type: none"> <li>• <b>General acquisition flexibilities</b> covered in other sections of the FAR that support emergency procurement are now listed at <a href="https://acquisition.gov/emergencyprocurement">https://acquisition.gov/emergencyprocurement</a>.</li> <li>• References to resources such as the <b>National Response Framework</b> and Office of Federal Procurement Policy (OFPP) "<b>Emergency Acquisitions Guide</b>" are expected to be moved to non-regulatory guidance, as needed.</li> </ul>

This table is not an exhaustive list

**4. Instructions:** The PBGC acquisition workforce shall follow the RFO Part 18 model 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 [Acquisition.gov/far-overhaul](https://acquisition.gov/far-overhaul) and is incorporated into this class deviation.

**5. Applicability:** This deviation applies to all Pension Benefit Guaranty Corporation solicitations and new contracts.

**6. Authority:** This class deviation is issued under the authority of Executive Order (E.O.) 14275, [OMB M-25-26](#), 48 CFR Subpart 1.4, and FAR RFO 1.304.

**7. Effective Date:** This class deviation remains in effect until the changes described herein are incorporated in the FAR, superseded, or otherwise rescinded.

**8. Point of Contact:** Questions or comments on this class deviation may be sent to Jeff Gangi at [gangi.jeffrey@pbgc.gov](mailto:gangi.jeffrey@pbgc.gov).