



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

Class Deviation PBGC-2026-0044

## MEMORANDUM FOR PBGC ACQUISITION WORKFORCE

**Date:** February 20, 2026  
**From:** Damon Q. McClure, Senior Procurement Executive  
**Subject:** FAR Class Deviation for FAR Part 8 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 8 language and implement the FAR Council’s model deviation to FAR Part 8.

**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- Remove duplicative or outdated language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 8, Required Sources of Supplies and Services, is significantly updated. The model deviation language:

- Enhances usability by restructuring and organizing the part in the logical flow of the acquisition lifecycle.
- Simplifies mandatory source guidance.
- Makes the use of Governmentwide Best-In-Class (BIC) contracts mandatory.
- Retains focus on the importance of the AbilityOne Program.

This revolutionary change also moves the procedures for ordering under the Federal Supply Schedule (FSS) from the FAR into the General Services Administration Acquisition Regulation (GSAR). The new language represents a significant shift from the overly prescriptive framework found in FAR subpart 8.4. FSS ordering procedures have been revised to create a streamlined structure that provides only the essential requirements needed to place orders and establish blanket purchase agreements (BPAs) against

FSS contracts. This streamlined structure enhances the speed of acquisition and empowers acquisition professionals to use innovative approaches to acquire products/services/solutions under the FSS program.

Statutory requirements retained in the RFO FAR Part 8 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 3905, Products of Federal Prison Industries
- 18 U.S.C. § 4124, Purchase of Prison-Made Products by Federal Departments
- 40 U.S.C. § 501, Services for Executive Agencies
- 41 U.S.C. § 152(3), Competitive Procedures
- 41 U.S.C. § 3302, Requirements for Purchase of Property and Services Pursuant to Multiple Award Contracts
- 41 U.S.C. §§ 8501 et seq, Committee for Purchase from People Who are Blind or Severely Disabled
- 44 U.S.C. §§ 501 et seq, Production and Procurement of Printing and Binding
- Pub. L. 108-136, Title XIV, Services Acquisition Reform Act of 2003

Change	Description
Retained	<ul style="list-style-type: none"> <li>• The substance of the “<b>Scope</b>” in 8.000 is retained.</li> <li>• Many <b>definitions</b>, previously scattered across different subparts of Part 8, are now consolidated at new section 8.001.</li> <li>• <b>Use of Mandatory Sources.</b> The priorities and requirements for use of mandatory sources are moved from 8.002 to new sections 8.102, and 8.103. Former section 8.003, “Use of Other Mandatory Sources”, is deleted, but its content is preserved and merged into the new section 8.101.</li> <li>• <b>Use of Existing Contracts.</b> 8.104 replaces section 8.004, “Use of Other Sources”. Best-in-class (BIC) contracts or BPAs are now required to be used when a commercial product or commercial service meets an agency’s need, unless approved by the Head of the Contracting Activity (HCA). If a BIC is not suitable, agencies should consider use of an existing governmentwide contract, BPA, or shared service.</li> <li>• <b>Contractor permitted use of Government supply sources.</b> This new content moves from FAR Part 51 to the new section at 8.105. A new clause is prescribed in section 8.105-1 and discussed below.</li> <li>• <b>Contractor Use of GSA Fleet.</b> Former subpart 8.11, “<b>Leasing of Motor Vehicles</b>”, is deleted but guidance for authorizing contractor use of GSA Fleet is preserved and moved to section 8.105-3.</li> <li>• <b>Ordering under the Federal Supply Schedule.</b> This new subpart 8.4 directs agencies to follow the ordering procedures established by GSA found at General Services Acquisition Regulation (GSAR) Part 538.</li> <li>• Requirements and procedures for <b>Acquisition From Federal Prison Industries, Inc.</b> are retained and streamlined. The content has been moved from subpart 8.6 to the new subpart 8.3.</li> <li>• Requirements and procedures for <b>Acquisition From AbilityOne Participating Nonprofit Agencies</b> are retained and streamlined. The content has been moved from subpart 8.7 to the new subpart 8.2.</li> </ul>

	<ul style="list-style-type: none"> <li>• Requirements and procedures for <b>Acquisitions of Government Printing and Related Supplies</b> are retained and streamlined. The content has been moved from subpart 8.8 to the new subpart 8.5.</li> <li>• The following <b>clauses are retained or relocated from other parts</b>: <ul style="list-style-type: none"> <li>○ Clause 52.208-9, Contractor Use of Mandatory Sources of Supply and Services, is streamlined. <ul style="list-style-type: none"> <li>▪ The prescription is now at 8.105-1(b).</li> </ul> </li> <li>○ Clause 52.208-10 Government Supply Sources (previously at 52.251-1) <ul style="list-style-type: none"> <li>▪ The prescription is now at 8.105-2(c).</li> </ul> </li> <li>○ Clause 52.208-11, GSA Fleet and Related Services (previously at 52.251-2) <ul style="list-style-type: none"> <li>▪ The prescription is now at 8.105-3(c).</li> </ul> </li> <li>○ 52.208-1 through 52.208-8 remain reserved.</li> </ul> </li> </ul>
<b>Removed</b>	<ul style="list-style-type: none"> <li>• Section 8.001, “<b>General</b>”, is removed. It contained a general requirement for IT acquisitions to comply with capital planning rules. This information is not specific to the core purpose of Part 8.</li> <li>• Subpart 8.1, “<b>Excess Personal Property</b>” is removed. The new 8.103(a)(2) points readers to the authoritative Federal Management Regulation (41 C.F.R. 102-36) to avoid outdated information.</li> <li>• Subpart 8.4, “<b>Federal Supply Schedules</b>” is retitled to “Ordering under the Federal Supply Schedule” and streamlined with the majority of the content moving to GSAM/R 538.</li> <li>• The following clauses associated with “<b>Leasing of Motor Vehicles</b>” are removed: <ul style="list-style-type: none"> <li>○ 52.208-4, Vehicle Lease Payments</li> <li>○ 52.208-5, Condition of Leased Vehicles</li> <li>○ 52.208-6, Marking of Leased Vehicles</li> <li>○ 52.208-7, Tagging of Leased Vehicles</li> </ul> </li> </ul>

This table is not an exhaustive list

**4. Instructions:**

- The PBGC acquisition workforce shall follow the RFO Part 8 model deviation text instead of FAR Part 8 as codified at 48 CFR Chapter 1. The Council’s RFO Part 8 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation.
- When using any provisions or clauses that have been revised, utilize the RFO model deviation language at [RFO FAR Part 52](https://www.acquisition.gov/far-overhaul/far-part-deviation-guide).
- GSA’s deviation moving the FSS Ordering Procedures into the GSAM/R can also be found at [Acquisition.gov/far-overhaul/far-part-deviation-guide](https://www.acquisition.gov/far-overhaul/far-part-deviation-guide).
- To access the new FSS Ordering Procedures, you can:
  - Click the hyperlinked “538” in the Part 8 model deviation text at 8.401(b).
  - Click the hyperlinked “NEW - FSS Ordering Procedures” link in the new box at the top right of [Acquisition.gov/far-overhaul/far-part-deviation-guide](https://www.acquisition.gov/far-overhaul/far-part-deviation-guide).
  - Type [acquisition.gov/fss-ordering-procedures](https://www.acquisition.gov/fss-ordering-procedures) in your URL address bar.
- For open solicitations or awarded contracts, the contracting officer has discretion regarding the need to enforce or amend the provisions or clauses. Note that without some of the removed

provisions or clauses, the contracting officer may be required to separately address certain aspects in the contract.

- Contracting activities must review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

**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).