



U.S. Securities and Exchange Commission

September 3, 2025

Class Deviation for Federal Acquisition Regulation Part 38 in Support of Executive Order on Restoring Common Sense to Federal Procurement (2025-025)

1. **Purpose:** To issue a class deviation to Federal Acquisition Regulation (FAR) Part 38 for purposes of implementing the FAR Council's model deviation text to FAR Part 38.
2. **Effective Date:** This class deviation is effective November 3, 2025 and remains in effect until rescinded or incorporated into the FAR.
3. **Expiration Date:** Expires when incorporated into the FAR or is otherwise rescinded.
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4. **Background:** [Executive Order \(E.O.\) 14275 on Restoring Common Sense to Federal Procurement](#) signed April 15, 2025 mandates a comprehensive review and simplification of the Federal Acquisition Regulation.

The FAR is being updated to:

- Eliminate non-statutory language
- Remove redundant or obsolete language
- Enhance clarity through plain language
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements.

5. **Summary of Changes.** FAR part 38, Federal Supply Schedule Contracting, is removed in its entirety. Guidance and procedures for the Schedule program will be moved from FAR part 38 and subpart 8.4 to GSAR part 538.
6. **Required Action:**
 - The SEC acquisition workforce must follow the RFO part 38 model deviation text instead of FAR part 38 as codified at 48 CFR chapter 1. The Council's RFO part 38 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

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

7. Applicability: This class deviation applies to all SEC procurements.

8. Authority: This class deviation is issued under the authority of Executive Order 14275, OMB Memo M-25-26, 48 CFR 1.4., and RFO FAR 1.304.

9. Point of Contact: If you have any questions, please contact the SEC Office of Acquisitions Policy at Acquisitions-Policy@sec.gov.

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