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Chief Acquisition Officer

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 13,
Simplified Procedures for Noncommercial Acquisitions

1. Purpose.

This Class Deviation implements the Federal Acquisition Regulation (FAR) Council’s model deviation text for FAR Part 13, Simplified Procedures for Noncommercial Acquisitions. This action aligns with Executive Order (EO) 14275, "Restoring Common Sense to Federal Procurement," and the Revolutionary FAR Overhaul (RFO) initiative.

FAR Part 13 has been renamed from "Simplified Acquisition Procedures" to "Simplified Procedures for Non-commercial Acquisitions". The revised FAR Part 13 has been significantly changed as follows:

- From a focus on: Simplified procedures for the acquisition of commercial products and commercial services
- To a focus on: Simplified procedures for the acquisition of non-commercial products and services valued at or below the simplified acquisition threshold (SAT).

The procedures in this part may be used only if:

- There are no commercial products or commercial services that can satisfy the agency's needs (see RFO part 12)
- The supplies or services are not available from a required source (see RFO part 8)

Some statutory text and other text essential to procurements has moved to other RFO FAR parts, to include:

- Definition of governmentwide commercial purchase card (RFO part 2)
- Simplified procedures for procuring commercial items (RFO part 12)
- Price or cost evaluation factor for multiple-award contracts (RFO part 16)
- Advance payments for subscriptions and fast payment procedures (RFO part 32).

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 Revolutionary FAR Overhaul (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 12 model deviation text is a plain language version that will be adhered to by all NARA contracting personnel.

3. Summary of Changes.

Statutory requirements retained in the RFO FAR part 13 model deviation include, but may not be limited to, the following:

- 41 U.S.C. §§ 1901-1905, Simplified Acquisition Procedures
- 41 U.S.C. § 3305 and 10 U.S.C. § 3205, Simplified Procedures for Small Purchases
- 41 U.S.C. § 3306 and 10 U.S.C. § 3206, Planning and Solicitation Requirements

Change	Description
Retained	• 13.001, "Applicability", retains the prohibition on splitting requirements to stay below the SAT. • 13.101, "Competition", retains the requirement that agencies must promote competition to the maximum extent practicable when procuring non-commercial products and services valued at or below the SAT. • 13.102, "Small Business", retains the requirement that acquisitions of supplies or services with an anticipated dollar value above the MPT, but at or below the SAT, must be set aside for small business concerns. • 13.301, "Notifications", consolidates instructions for notifying unsuccessful quoters. It retains award notice posting requirements of FAR subpart 5.3 and brief explanations. • 13.302, "Cancellations and Terminations", provides a clear distinction between canceling an unaccepted purchase order and terminating an accepted purchase order and directs the contracting officer to FAR part 49 or clause 52.213-4 for terminations.
Moved / Updated	• The revised part structure now reflects the acquisition lifecycle: • Subpart 13.1 – Pre-solicitation • Subpart 13.2 - Solicitation, Evaluation, and Award • Subpart 13.3 - Post award • Subpart 13.4 - Micro-purchases • The lengthy list of inapplicable laws in former 13.005 is moved to a dynamic link, now at 13.001 (https://www.acquisition.gov/inapplicablelaws). This is a significant modernization, ensuring the regulation points to a continuously updated official source rather than a static list that could become outdated. • The definition of "governmentwide commercial purchase card" is moved from the former 13.001, "Definitions", to section 2.101. • Content regarding price or cost evaluation factors for multiple-award contracts is moved from the former 13.106-1 to RFO part 16.

	• 13.201, "Procedures", and 13.202, "Evaluation", cross reference part 12. This cross-referencing achieves several goals. It promotes consistency in government procurement practices, reducing the need for contracting officers to master two distinct sets of procedures for simple buys and leverages the best practices in commercial acquisitions. • 13.204, "Contract Clauses", authorizes the use of the revised clause 52.213-4 for a streamlined set of terms and conditions for inspection/acceptance, excusable delays, terminations, and warranties. • The primary clause for noncommercial simplified acquisitions, 52.213-4, has been retitled and revised. The title is changed from "Terms and Conditions-Simplified Acquisitions (Other Than Commercial Products and Commercial Services)" to "Terms and Conditions-Simplified Acquisitions (Noncommercial)" to align with the new focus of part 13. • 13.204(c) explicitly prohibits the use of part 12 clauses (52.212-1, 52.212-2, and 52.212-4) in non-commercial acquisitions. • 13.303, "Contractor Financing and Payments", now directs readers to part 32 for payment procedures, including fast payment procedures. • 13.401, "General", for micro-purchases, now points to part 12 when making purchases below the micro-purchase threshold (MPT) ensuring that the simplest and most common type of acquisition is governed by a single, consistent set of rules, regardless of whether the item is commercial or noncommercial.
Removed	A significant amount of content has been streamlined, and removed from part 13 and shifted to other parts of the FAR as highlighted in the summary of changes above the table. The following clauses were deleted: • 52.213-1, Fast Payment Procedure. Fast payments procedures will be covered in part 32. • 52.213-2, Invoices. General payment procedures will be covered in part 32. • 52.213-3, Notice to Supplier. The streamlined procedures and the general principles of offer and acceptance are deemed adequate without this specific clause.

This table is not an exhaustive list.

4. Instructions.

The NARA acquisition workforce shall follow the RFO part 13 model deviation text instead of FAR part 13 as codified at 48 CFR chapter 1. The Council's RFO part 13 model deviation text is available at [FAR Overhaul - FAR Part 13 - Acquisition.gov](#) and is incorporated by reference into this class deviation.

5. Applicability.

The requirements in this CD apply to all solicitations and contract actions issued or awarded on or after August 24, 2026.

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