



Millennium Challenge Corporation  
Contracts and Grants Management Division  
1099 14th Street NW | Suite 700 | Washington, DC 20005

## MEMORANDUM

**Date:** June 16, 2025

**From:** Jonathan C. Hamlet  
Managing Director & Senior Procurement Executive  
Contracts and Grants Management Division  
Department of Administration and Finance  
Millennium Challenge Corporation

**To:** MCC Contracts and Grants Management Division Staff

**Subject:** Class Deviation to Implement the FAR Revisions Part 18 *Emergency Acquisitions*  
Issued on June 12, 2025

**Findings**

On April 15, 2025, President Trump signed the [Executive Order \(E.O.\) 14275, “Restoring Common Sense to Federal Procurement”](#) to reform the Federal Acquisition Regulation (FAR). This E.O. further advances the intent of the [E.O. 14192, “Unleashing Prosperity Through Deregulation,”](#) signed on January 31, 2025, which established that the policy of the executive branch is to be prudent and financially responsible in the expenditure of funds and to alleviate unnecessary regulatory burdens placed on the American people.

The E.O. orders the Administrator of the Office of Federal Public Procurement Policy (OFPP), in coordination with the other members of the Federal Acquisition Regulatory Council (FAR Council), the heads of agencies, and appropriate senior acquisition and procurement officials from agencies to amend the FAR to ensure that it contains only provisions that are required by statute or that are otherwise necessary to support simplicity and usability, strengthen the efficacy of the procurement system, or protect economic or national security interests. This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

On May 2, 2025, the Office of Management and Budget (OMB) released its memo M-25-25 “Overhauling the Federal Acquisition Regulation” that directs all agencies to “Generally issue individual or class deviations to implement the FAR Council’s deregulated coverage within 30 days after the Council releases its model deviation text. Provide copies of class deviations to the FAR Secretariat at [gsaregsec@gsa.gov](mailto:gsaregsec@gsa.gov) for public posting on Acquisition.gov.”

On June 12, 2025, the FAR Council issued completed revisions for [FAR Part 18](#). The RFO FAR Part 18 model deviation text 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 (“Emergency Procurement List”) is now located at <https://acquisition.gov/emergency-procurement>.

Some other key changes include:

*Retained:*

- Increased thresholds for:
  - Contingency operations
  - Defense or recovery from certain events, to include cyber, nuclear, biological, chemical, or radiological attacks
  - International disaster assistance
  - Emergency or major disaster response
  - Humanitarian or peacekeeping operations
- Statutory requirements related to:
  - Emergency declarations and major disaster declarations
  - Humanitarian or peacekeeping operations
  - Award preference for local organizations
- Waiver of provisions for ocean transportation by U.S. flag vessels.

*Removed:*

- References to resources such as the National Response Framework and Office of Federal Procurement Policy (OFPP) "Emergency Acquisitions Guide" are expected to be moved to non-regulatory guidance, as needed.

## Determination

To fully comply with the President’s E.O.s and the revised FAR Part 18, MCC shall follow the [RFO Part 18 model deviation text](#) instead of FAR Part 18 as codified at 48 CFR Chapter 18. The FAR Council’s RFO Part 18 model deviation text is available at [Acquisition.gov](https://acquisition.gov), under the “[FAR Overhaul](#)” link.

This deviation applies to all solicitations and new contracts as of June 12, 2025. This deviation does not apply to contracts signed and executed on or before June 12, 2025.

## Approval

In accordance with RFO FAR 1.304 *Class deviations*, MCC Contracts Operating Manual (COM) 1.305-3 *Contracts and Grants Management Division MD/SPE*, and the OMB memo M-25-25, the RFO Part 18 model deviation text is hereby approved effective as of June 12, 2025 for use by all MCC Contracting Officers until final implementation of the FAR update or rescission of this Memo by the

SPE. Additional instructions related to this Memo may be issued by the Senior Procurement Executive, Deputy Managing Director, and the Supervisory Procurement Analyst of the MCC CGM Division on an *ad hoc* basis.

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[Attachments](#)

OMB Memo M-25-25 *Overhauling the Federal Acquisition Regulation*