



Homeland  
Security

MEMORANDUM FOR: Heads of Contracting Activities

FROM: Paul Courtney  
Chief Procurement Officer

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SUBJECT: HSAR Class Deviation (Number 25-01) for HSAR Part 3006 in Support of Executive Order on Restoring Common Sense to Federal Procurement

- 1. Purpose.** This memorandum approves a class deviation to the Homeland Security Acquisition Regulation (HSAR) part 3006 for purposes of implementing Federal Acquisition Regulation Class Deviation (Number 25-11) for FAR Part 6 in support of Executive Order 14275 on Restoring Common Sense to Federal Procurement.
- 2. Background.** On April 15, 2025, the [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- Remove duplicative or outdated language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 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. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements. Department of Homeland Security (DHS) FAR Class Deviation Number 25-11 for FAR Part 6 was issued on July 8, 2025.

- 3. Summary of Changes.** HSAR Part 3006, Competition Requirements, has been updated to align with DHS FAR Class Deviation Number 25-11.

Statutory requirements retained in the FAR Class Deviation 25-11 for Part 6 include, but are not limited to, the following:

- 41 U.S.C. § 1705, Advocates for Competition
- 41 U.S.C. § 3301 and 10 U.S.C. § 3201, Full and Open Competition
- 41 U.S.C. § 3303 and 10 U.S.C. § 3203, Exclusion of Particular Source or Restriction of Solicitation to Small Business Concerns

- 41 U.S.C. § 3304, Use of Noncompetitive Procedures
- 10 U.S.C. § 3204, Use of Procedures Other than Competitive Procedures
- 15 U.S.C. Chapter 14A, Aid to Small Business
- 42 U.S.C. § 5150, Major Disaster and Emergency Assistance, Use of Local Firms and Individuals

4. **Instructions.** The DHS acquisition workforce shall follow this HSAR Part 3006 deviation text instead of HSAR Part 3006 as codified at 48 CFR Chapter 30.
5. **Applicability.** This class deviation applies to all DHS procurements.
6. **Authority.** This class deviation is issued under the authority of [E.O. 14275](#), [OMB M- 25-25](#), and 48 CFR 1.4.
7. **Effective Date.** This class deviation is effective immediately and remains in effect until rescinded or incorporated into the HSAR.
8. **Points of Contact.** Questions regarding this class deviation may be directed to Acquisition Policy and Legislation Branch at [Acquisition.Policy@hq.dhs.gov](mailto:Acquisition.Policy@hq.dhs.gov).

**Attachment:** HSAR Class Deviation 25-01 for HSAR Part 3006 in Support of Executive Order on Restoring Common Sense to Federal Procurement

## **PART 3006 COMPETITION REQUIREMENTS**

### **Subpart 3006.0 General**

- 3006.003 Advocates for competition.
- 3006.003-70 Definitions.

### **Subpart 3006.1 Presolicitation**

- 3006.101 Full and open competition.
- 3006.101-70 Reserved.
- 3006.102 Full and open competition after excluding sources.
- 3006.102-1 Establishing or maintaining alternative sources.
- 3006.102-70 Delegation of authority for approval of determinations and findings.
- 3006.103 Other than full and open competition.
- 3006.103-2 Unusual and compelling urgency.
- 3006.103-7 Public interest.
- 3006.104 Justification and approval.
- 3006.104-170 Justification content.
- 3006.104-2 Approval of justification.
- 3006.104-270 DHS approval of justification.

### **Subpart 3006.2 Reserved**

### **Subpart 3006.3 Reserved.**

### **Subpart 3006.5 [Removed]**

### **Subpart 3006.90 Competition Requirements for Personal Services Contracting**

- 3006.9000 Applicability (USCG).

### **Subpart 3006.0 General.**

#### **3006.003 Advocates for competition.**

- (a) The DHS Advocate for Competition is located in the OCPO.

#### **3006.003-70 Definitions.**

As used in this part:

*Advocate for Competition* means an individual designated by the Chief Procurement Officer (CPO) to perform, at a minimum, the functions under section 6.003 of FAR Class Deviation

Number 25-11 and is synonymous with “Departmental Advocate for Competition” or “DHS Advocate for Competition.”

*Procuring Activity Advocate for Competition* means the individual who has been designated by the Component to approve Justifications and Approvals (J & A) for other than full and open competition as permitted by section 6.104-2(a) of FAR Class Deviation Number 25-11 and to perform the duties and responsibilities assigned under section 6.003 of FAR Class Deviation Number 25-11.

### **Subpart 3006.1 Presolicitation.**

#### **3006.101 Full and open competition.**

##### **3006.101-70 Reserved.**

#### **3006.102 Full and open competition after excluding sources.**

##### **3006.102-1 Establishing or maintaining alternative sources.**

##### **3006.102-70 Delegation of authority for approval of determinations and findings.**

The HCA is delegated authority to approve a D&F in support of a contract action award under the authority of section 6.102-1(b) of FAR Class Deviation Number 25-11. Submit the D&F in the format as provided at section 1.504 of FAR Class Deviation Number 25-04 and as supplemented by any HSAR deviation.

#### **3006.103 Other than full and open competition.**

##### **3006.103-2 Unusual and compelling urgency.**

(c)(70) For contract awards to facilitate the response to or recovery from a natural disaster, act of terrorism, or other man-made disaster, that rely on this exception, the period of performance shall be limited to the minimum period necessary to meet the urgent and compelling requirements of the work to be performed and to enter into another contract for the required goods or services through the use of competitive procedures, but in no event shall the period of performance exceed 150 days, unless the Head of the Contracting Activity (or higher approval authority if required by section 6.104-2 of FAR Class Deviation Number 25-11 or DHS procedures) determines that exceptional circumstances apply, approving the justification as set forth in section 3006.104-2 of this deviation. The limitation on the period of performance applies to contracts awarded in response to, or to recovery from:

(i) A major disaster or emergency declared by the President under Title IV or Title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121-5207) (see <https://www.fema.gov/disaster/declarations> for a list of declarations);

(ii) An uncontrolled fire or fire complex, threatening such destruction as would constitute a major disaster, and for which the Federal Emergency Management Agency has approved a fire management assistance declaration in accordance with regulatory criteria at 44 CFR 204.21; or

(iii) An incident for which the National Operations Center (NOC), through the National Response Coordination Center (NRCC), coordinates the activation of the appropriate Emergency Support Functions and the Secretary of Homeland Security has designated a Federal Resource Coordinator (FRC) to manage Federal resource support.

**3006.103-7 Public interest.**

(c)(70) Requests shall be prepared in writing by the contracting officer, using the format as provided at section 1.504 of FAR Class Deviation Number 25-04 and as supplemented by any HSAR deviation, and submitted through the HCA to the CPO for review and approval, and transmittal to the Secretary for approval.

**3006.104 Justification and approval.**

**3006.104-170 Justification content.**

(a)(9)(ii) For a proposed contract subject to the restrictions of section 3006.103-2(c)(2)-(70) of this deviation and where section 6.103-2 of FAR Class Deviation Number 25-11 is cited as the authority, the exceptional circumstances allowing for an award for a period of performance in excess of 150 days.

**3006.104-2 Approval of justification.**

**3006.104-270 DHS approval of justification.**

A justification for other than full and open competition that cites section 6.103-2 of FAR Class Deviation Number 25-11 as its authority shall be approved in writing by the HCA (unless a higher approval authority is required in accordance with section 6.104-2 of FAR Class Deviation Number 25-11 or DHS procedures) for a proposed DHS contract to facilitate the response to or recovery from a natural disaster, act of terrorism, or other man-made disaster with a period of performance in excess of 150 days. The justification should make plain the exceptional circumstances that justify the duration of the contract. This authority may not be redelegated by the HCA.

**Subpart 3006.2 Reserved.**

**3006.202 Reserved.**

**Subpart 3006.3 Reserved.**

**Subpart 3006.5 [Removed]**

**Subpart 3006.90 Competition Requirements For Personal Services Contracting.**

**3006.9000 Applicability (USCG).**

Contracts awarded by the U.S. Coast Guard using the procedures in (HSAR) 48 CFR 3037.104-91 (and as supplemented by any HSAR deviation) are expressly authorized under Section 1091 of Title 10 U.S.C. as amended, for the Coast Guard and are exempt from the competition requirements of (FAR) 48 CFR Part 6.