



CLASS DEVIATION FROM THE FEDERAL ACQUISITION REGULATION

Determination and Findings

In accordance with Civilian Agency Acquisition Council (CAAC) Letter 2025-01 Supplement 1 “Supplement to CAAC Consultation to Issue a Class Deviation From the Federal Acquisition Regulation (FAR) Regarding Executive [O]rders 14173 and 14168” the Department of Commerce is authorizing a class deviation to ensure compliance with Executive Orders 14173 and 14168.

Findings

- Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, revoked Executive Order 11246, *Equal Employment Opportunity*. Several FAR provisions promulgated to enforce Executive Order 11246 are not consistent with the direction of the President (see FAR subpart 22.8 and associated provisions and clauses as prescribed at FAR 22.810).
- Executive Order 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, requires the removal of the term “gender” including the defined term “gender identity” at FAR 22.801 and the clauses at FAR part 52 that include the term.
- FAR subparts 22.13, Equal Opportunity for Veterans, and 22.14, Employment of Workers with Disabilities, and their related provisions and clauses, are based in statute and not covered by Executive Order 11246 and thus are not affected.
- Contractors are still covered by existing United States laws on civil rights/nondiscrimination. These laws apply whether or not the company is a government contractor.
- Contracting officers are provided deviated FAR language including applicable clauses, provisions, and their alternates as included in CAAC Letter 2025-01 Supplement 1.

Determination

In accordance with FAR 1.404, I hereby authorize this class deviation. The areas of the FAR that are affected by this class deviation are Parts 1, 2, 4, 14, 19, 22, and 52.

This class deviation will remain in effect until rescinded or incorporated into the FAR.

Approved:

Olivia J. Bradley

Senior Procurement Executive and
Director for Acquisition Management

Date: