



July 25, 2025

Federal Acquisition Regulatory Council  
General Services Administration  
Washington, D.C.

Subject: Comments on FAR Part 18 Deviation and associated guidance

Dear FAR Council,

The Coalition for Common Sense in Government Procurement (Coalition) appreciates the opportunity to comment on the General Services Administration's (GSA) Class Deviation and associated guidance concerning Federal Acquisition (FAR) Part 18 (Emergency Acquisitions).

By way of background, the Coalition for Common Sense in Government Procurement (Coalition) is a non-profit association of firms selling commercial services and products to the Federal Government. Our members include small, medium and large business concerns which collectively account for more than \$145 billion of the sales generated through General Services Administration (GSA) Multiple Award Schedule (MAS) program. The Coalition is proud to have collaborated with Government officials for 45 years in promoting the mutual goal of common-sense acquisition.

While the regulatory language concerning emergency acquisition didn't materially change, there is a risk that agencies will stretch the procedural use and definition of an emergency under Part 18 to steer recurring service needs into non-competitive buys, contrary to the intent and purpose of the federal competitive procurement system which is intended to allow the commercial market to compete to provide the government and the taxpayer with the best value. Such abuse leads to subsequent audits resulting in vendor compliance issues. For example, an agency repeatedly labeled routine quarterly multi-function printer maintenance and toner replenishments as "emergencies" in order to sole source these services under Part 18, bypassing GSA Schedule competition. An Office of Inspector General (OIG) audit later flagged this pattern as a misuse of emergency authorities, triggering compliance reviews. Thus, we recommend that GSA establish clear, objective criteria or thresholds for invoking non-competitive emergency procurements under Part 18—such as maximum allowable downtime or criticality levels—to ensure consistent application and mitigate audit risk.

The Coalition hopes you find these comments useful and thanks you for your time and consideration. If you have any questions, I may be reached at (202) 899-2986 ext. 129 or [kdodds@thecgp.org](mailto:kdodds@thecgp.org).

Regards,

A handwritten signature in black ink, appearing to read 'KD', written in a cursive style.

Kenneth Dodds  
Executive Vice President & General Counsel