



# UNITED STATES DEPARTMENT OF EDUCATION

## OFFICE OF FINANCE AND OPERATIONS

July 11, 2025

### ACQUISITION ALERT 2025-14

TO: Heads of Contracting Activities

FROM: Calvin J. Mitchell Jr. **Calvin J Mitchell Jr.** Digitally signed by Calvin J Mitchell Jr.  
Date: 2025.07.11 13:00:49 -04'00'  
Deputy Assistant Secretary for the Office of Acquisition Management  
Senior Procurement Executive

SUBJECT: FAR Class Deviation for FAR Part 6 in Support of Executive Order on Restoring Common Sense to Federal Procurement

- 1. Purpose.** This Acquisition Alert (AA) adopts a class deviation to Federal Acquisition Regulation (FAR) Part 6 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 6.
- 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." On May 31, 2025, the enclosed class deviation was issued for the use of all Revolutionary FAR Overhaul (RFO) model deviation texts and corresponding EDAR deviations.
- 3. Summary of Changes.** FAR Part 6, Competition Requirements, has been streamlined to strengthen clarity and focus, helping to ensure procedures that support full and open competition are easier to understand and apply.

Statutory requirements retained in the RFO FAR Part 6 model deviation 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

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Change	Description
Retained	<ul style="list-style-type: none"> <li>FAR Part 6 <b>continues to apply to all acquisitions</b>, with limited exceptions for specific contracts and orders.</li> <li><b>Advocates for Competition</b>, previously at subpart 6.5, has been moved to section 6.003. Details about the role and responsibilities have been streamlined.</li> <li>Guidance pertaining to <b>Sealed Bidding</b> has been streamlined and moved from subpart 6.4 to section 6.101.</li> <li>Authorities for <b>other than full and open competition</b>, including <b>only one responsible source</b>, remain.</li> <li>Contracting officers retain discretion to <b>set aside acquisitions</b> for <b>small business</b> concerns, including contract actions conducted under the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs, and <b>local firms</b> during a major disaster or emergency.</li> <li><b>Justification and approval</b> requirements to support noncompetitive procedures. <ul style="list-style-type: none"> <li>These requirements have been significantly streamlined.</li> <li>The revised language highlights that contracting officers require support from the broader acquisition team when making decisions regarding competition.</li> <li>The approval levels are now reflected in a plain language table format.</li> </ul> </li> </ul>
Removed	<ul style="list-style-type: none"> <li>Unnecessary or redundant language was removed throughout. Examples include- <ul style="list-style-type: none"> <li>The word <b>“advance”</b> was removed from the phrase, “A lack of advance planning by the requiring activity.” The language now reads, “A lack of planning by the requiring activity.” This <b>avoids ambiguity</b> surrounding the meaning of “advance” planning.</li> <li><b>The list of</b> specific small business socioeconomic categories was removed and replaced with a reference to Part 19.</li> </ul> </li> <li>Illustrative examples of when to use certain exceptions to full and open competition have been removed and may be moved to non-regulatory content.</li> </ul>

This table is not an exhaustive list.

#### 4. Instructions.

- The Department of Education’s acquisition workforce shall follow the RFO Part 6 model deviation text instead of FAR Part 6 as codified at 48 CFR Chapter 1. The Council’s RFO Part 6 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul->

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[part-6](#), and is incorporated into this class deviation. A separate Acquisition Alert will be issued for corresponding changes to the EDAR.

- Review templates and related standard operating procedures to align with this deviation and remove unnecessary processes and steps.
5. **Training.** Acquisition Professionals are highly encouraged to complete “Practitioner Album: FAR Part 6 – Competition Requirements” at [https://www.acquisition.gov/sites/default/files/practitioner\\_albums/far-part-6-competition-requirements/content/index.html#/](https://www.acquisition.gov/sites/default/files/practitioner_albums/far-part-6-competition-requirements/content/index.html#/) within 30 days. Please complete the Practitioner Album and mark “yes” under the completion attestation within FAI CSOD.
  6. **Effective Date.** This class deviation to FAR Part 6 is effective immediately and remains in effect until rescinded or incorporated into the FAR.
  7. **Points of Contact.** Direct questions regarding this class deviation to your respective policy points of contact.
  8. **Enclosure.** Determination and Findings - Class Deviation for the Revolutionary FAR Overhaul

**DETERMINATION AND FINDINGS**  
Department of Education, All Contracting Activities  
Class Deviation for the Revolutionary FAR Overhaul

This approves a class deviation to all Federal Acquisition Regulation (FAR) and Department of Education Acquisition Regulation (EDAR) parts for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text.

**Findings**

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.

In explaining the Federal Acquisition System, the RFO FAR Part deviation text establishes bedrock principles. Most centrally, it sets a "mission first" message at the top of the guiding principles. The RFO model deviation also increases the emphasis on the best use of taxpayer dollars and calls out the value of time as another guiding principle. Additionally, it retains a focus on satisfying the customer, maximizing use of commercial products and services, promoting competition, and encouraging innovation.

The FAR Council Deviation guidance allows for agencies to deviate agency acquisition regulation supplements as it relates to the RFO.

**Determination**

In accordance with FAR 1.404 and EDAR 3401.404, I hereby issue a class deviation for the use of all RFO model deviation texts and corresponding EDAR deviations. The adoption date for each RFO part model deviation text will be the date of the corresponding Acquisition Alert. EDAR deviation texts may be issued in a separate Acquisition Alert. All Department of Education contracting activities must follow the RFO model deviation texts instead of the FAR Parts codified at 48 CFR. Should the language of the RFO FAR contradict any statutorily granted procurement authorities to the Department of Education including the Office of Federal Student Aid, the statutorily granted authorities prevail.

In the unlikely event that the Department wishes to vary from a RFO model deviation text, a separate deviation will be issued. This class deviation will remain in effect until incorporated into the FAR, EDAR or rescinded.

**RICHARD LUCAS** Digitally signed by RICHARD LUCAS  
Date: 2025.05.31 08:30:12 -04'00'

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Richard Lucas

Date

Acting Chief Acquisition Officer (CAO)