



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

MEMORANDUM

Date: 23 May 2025

From: Lisa M. Smith
Deputy Managing Director, Contracts and Grants Management Division
On behalf of Jonathan C. Hamlet, Senior Procurement Executive
Department of Administration and Finance
Millennium Challenge Corporation

To: MCC Contracts and Grants Management Division Staff

Subject: Class Deviation to Implement the FAR Revisions Parts 10 and 52 Issued on May 22, 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 for public posting on Acquisition.gov.”

On May 22, 2025, the FAR Council issued completed revisions for [FAR Part 10](#) and [FAR Part 52](#) clause. The RFO FAR Part 10 model deviation text offers acquisition teams more flexibility in their research methods:

- Greater flexibility in techniques: The FAR no longer lists specific market research considerations or techniques that must be used.
 - You have the flexibility to choose the market research method that best fits your needs. For example, you might host a reverse industry day or expert panel. This allows industry experts to share their perspectives, commercial practices, and experiences with the acquisition team.
 - For more information on reverse industry days, and to read about more good market research techniques, check out the “Smart Accelerators” in the Practitioner Album available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul).
- Competition requirements remain: Acquisition professionals must still comply with the Competition in Contracting Act (CICA) (41 U.S.C. § 3301 et seq), which may necessitate market research.
- Flexibility at all dollar values: Acquisition professionals can apply market research concepts to procurements of any size.
- While FAR clause 52.210-1 Market Research is not required by statute, across Government, it has been retained as essential to the acquisition process.

Statutory requirements retained in the RFO FAR Part 10 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 3453, Preference for Commercial Products and Commercial Services
- 41 U.S.C. § 3306, Planning and Solicitation Requirements
- 41 U.S.C. § 3307, Preference for Commercial Products and Commercial Services
- 41 U.S.C. § 1703 note, Effective Communication Between Government and Industry; inclusive of 41 U.S.C. § 3301 et seq and 41 U.S.C. § 2101 et seq.

Other key changes include:

Retained:

- Subparts “10.001 Policy” and “10.002 Procedures” are combined and streamlined to remove duplicative and discretionary guidance.
- FAR clause 52.210-1, Market Research, in solicitations and contracts for noncommercial acquisitions over \$6 million.
- Language encouraging exchanges with industry is moved from FAR part 1 to FAR part 10.

Removed:

- Requirements to consider various issues in market research, including for consolidation or bundling procurements are removed. Content stemming from 15 U.S.C. 644(e) and 15 U.S.C. 657(q) is mandatory, however the requirement is covered in FAR part 7.
- Requirements for disaster relief purchasing are removed. Content stemming from 6 U.S.C. 796 is mandatory, however the requirement is covered in FAR part 26.

Determination

To fully comply with the President’s E.O.s and the revised FAR Parts 10 and 52, MCC shall follow the [RFO Part 10 model deviation text](#) instead of FAR Part 10 as codified at 48 CFR Chapter 10 and replace the relevant [RFO Part 52 model deviation clause](#) instead of the FAR Part 52 clause as

codified at 48 CFR Chapter 52. The FAR Council's RFO Part 10 and Part 52 model deviation text is available at [Acquisition.gov](https://www.acquisition.gov), under the "[FAR Overhaul](#)" link.

This deviation applies to all solicitations and new contracts as of May 22, 2025. This deviation does not apply to contracts signed and executed on or before May 22, 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 10 model deviation text and the RFO Part 52 model deviation clause are hereby approved effective as of May 22, 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.

Lisa M. Smith
Deputy Managing Director, Contracts and Grants Management Division
On behalf of Jonathan C. Hamlet, Senior Procurement Executive
Department of Administration and Finance
Millennium Challenge Corporation

Attachments

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