



Office of the Chief  
Acquisition Officer

**Date:** July 25, 2025

**From:** Darnese M. Wilkerson *DMW*  
Chief Acquisition Officer

**To:** Office of the Chief Acquisition Officer (OCAO)

**Subject:** CLASS DEVIATION (CD) in Support of Executive Order (EO) 14275,  
"Restoring Common Sense to Federal Procurement" - Deviation to FAR Part 11,  
Describing Agency Needs

## 1. Purpose

This Class Deviation (CD) implements the FAR Council's model deviation text for FAR Part 11, "Describing Agency Needs." This action aligns with Executive Order (EO) 14275, "Restoring Common Sense to Federal Procurement," and the Revolutionary FAR Overhaul (RFO) initiative. The revised FAR Part 11 streamlines policies and procedures for describing agency requirements, with an enhanced focus on performance-based acquisitions and maximizing the use of commercial products and services. Burdensome, duplicative, or outdated language not required by statute has been removed. Key changes include:

- Emphasizing performance-based statements of work and requirements.
- Reducing prescriptive language related to specifications and standards.
- Promoting the use of commercial item descriptions and industry standards.
- Streamlining processes for determining and documenting agency needs.
- Deleting or consolidating sections that are redundant or not statutorily mandated.

## 2. Background

EO 14275, signed on April 15, 2025, established a policy that the FAR should contain only provisions required by statute or those essential for sound procurement. To implement this EO, the Office of Federal Procurement Policy (OFPP) is leading the Revolutionary FAR Overhaul (RFO) initiative, supported by the Federal Acquisition Regulatory Council. The initiative aims to eliminate unnecessary regulations and policies across all levels of the federal government.

Further guidance was provided by OMB Memorandum M-25-26, "Overhauling the Federal Acquisition Regulation," issued on May 2, 2025.

### 3. Summary of Changes

FAR part 11, Describing Agency Needs, has been updated to ensure requirements are clear, focused on commercial standards, and do not unnecessarily limit competition. Statutory requirements retained in the RFO FAR part 11 model deviation include, but are not limited to, the following:

- 41 U.S.C. § 3306(a) and 10 U.S.C. § 3206(a): Planning and Solicitation Requirements
- 41 U.S.C. § 3307 and 10 U.S.C. § 3453: Preference for Commercial Products and Commercial Services
- 15 U.S.C. § 637(d)(4)(F): Requirements related to liquidated damages

Change	Description
Retained	<ul style="list-style-type: none"><li>● <b>Definitions</b> specific to part 11 for <i>Reconditioned</i> and <i>Remanufactured</i>.</li><li>● Using market research to <b>promote full and open competition</b>.</li><li>● Encouraging <b>commercial products and commercial services</b> to the maximum extent practicable.</li></ul>
	<ul style="list-style-type: none"><li>● Procedures and corresponding clauses related to <b>liquidated damages</b>.</li><li>● Requirements related to the Defense Priorities and Allocations System (DPAS), a Department of Commerce regulation in <b>support of approved national defense, emergency preparedness, and energy programs</b>.</li><li>● <b>Retained clauses and provisions to this part include:</b><ul style="list-style-type: none"><li>○ 52.211-5, Material Requirements</li><li>○ 52.211-11, Liquidated Damages—Supplies, Services, or Research and Development</li><li>○ 52.211-12, Liquidated Damages—Construction</li><li>○ 52.211-13, Time Extensions</li><li>○ 52.211-14, Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use</li><li>○ 52.211-15, Defense Priority and Allocation Requirements</li></ul></li></ul>

Removed	<ul style="list-style-type: none"> <li>● Requirements related to identification and availability of specifications.</li> <li>● <b>Prescriptive procedures</b>, such as: <ul style="list-style-type: none"> <li>■ Requirements to include ecolabels in specifications based on information in the Green Procurement Compilation.</li> <li>■ Requirements for brand name or equal purchase descriptions.</li> </ul> </li> <li>● Twelve (12) clauses and provisions are removed: <ul style="list-style-type: none"> <li>○ The following provisions related to the <b>availability of Federal specifications</b>, applicable to GSA and DOD standard indices: <ul style="list-style-type: none"> <li>■ 52.211-1, Availability of Specifications Listed in the GSA Index of Federal Specifications, Standards and Commercial Item Descriptions, FPMR Part 101-29</li> <li>■ 52.211-2, Availability of Defense Specifications, Standards, and Data Item Descriptions in the Acquisition Streamlining and Standardization Information System (ASSIST) Website</li> <li>■ 52.211-3, Availability of Specifications Not Listed in the GSA Index of Federal Specifications, Standards and Commercial Item Descriptions</li> <li>■ 52.211-4, Availability of Specifications Not Listed in the GSA Index of Federal Specifications, Standards and Commercial Item Descriptions</li> </ul> </li> <li>○ The following provisions related to <b>brand name or equal procurements</b>: <ul style="list-style-type: none"> <li>■ 52.211-6, Brand Name or Equal</li> <li>■ 52.211-7, Alternatives to Government-Unique Standards</li> </ul> </li> <li>○ The following clauses related to <b>delivery schedules for the contract</b>: <ul style="list-style-type: none"> <li>■ 52.211-8, Time of Delivery</li> <li>■ 52.211-9, Desired and Required Time of Delivery</li> <li>■ 52.211-10, Commencement, Prosecution, and Completion of Work (for construction contracts only)</li> </ul> </li> <li>○ The following clauses that address <b>variations from firm fixed price contracts</b>:</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>■ 52.211-16, Variation in Quantity</li> <li>■ 52.211-17, Delivery of Excess Quantities</li> <li>■ 52.211-18, Variation in Estimated Quantity</li> </ul>

This table is not an exhaustive list.

#### 4. FAR Streamlining

The RFO FAR Part 11 model deviation text prioritizes clear, concise, and performance-oriented descriptions of agency needs. It emphasizes a "mission first" approach and encourages the best use of taxpayer dollars by facilitating the acquisition of commercial solutions that meet Government requirements.

As part of the RFO, the FAR will be streamlined to include only statutory requirements. Non-statutory content will be moved to new buying guides, collectively known as the Strategic

Acquisition Guidance (SAG). The Council will first issue model deviation guidance by FAR part, followed by formal rulemaking through the notice and comment process. Agencies have 30 days to issue class deviations based on the model text once released.

**A. Streamlining Agency Acquisition Supplements:** Agencies must streamline their FAR supplements by removing regulations not based on statute or executive orders and by aligning with the FAR Council's deviation guidance. Supporting policies must also be updated to reflect these changes. This is an excellent opportunity for NARA to formally publish a streamlined NARA FAR Supplement, ensuring consistency with the new FAR.

**B. FAR Buying Guides and Supplemental Companion Guides (CG):** As the FAR and agency supplements are streamlined, helpful non-regulatory content will be moved to these new FAR Buying Guides. These guides will offer practical instructions and best practices for implementing effective contracting methods, including for describing agency needs. The RFO Part 11 model deviation text is a plain language version that will be adhered to by all NARA contracting personnel.

## **5. Instructions**

The NARA acquisition workforce shall follow the RFO Part 11 deviated text instead of FAR Part 11 as codified at 48 CFR Chapter 1, Subchapter B, Part 11. The FAR Council's RFO text is available at [FAR Overhaul - Part 11 | Acquisition.GOV](#) and is incorporated by reference into this deviation.

## **6. Applicability**

The requirements in this CD apply to all new solicitations and contract actions issued or awarded on or after **July 25, 2025**.

## **7. Authority**

This class deviation is issued under the authority of E.O. 14275, OMB M-25-26, 48 CFR Subpart 1.4.

## **8. Effective Date**

This CD is effective as of the date signed and shall remain in effect until the provisions of the RFO are formally implemented in the FAR through a final rulemaking.

cc: NGC