



Office of the Chief
Acquisition Officer

Date: September 29, 2025

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

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 35, Research and Development Contracting

1. Purpose

This Class Deviation (CD) implements the FAR Council's model deviation text for FAR Part 35, Research and Development Contracting. 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 35, Research and Development Contracting, moves away from a prescriptive, specialized regulatory framework for research and development (R&D) contracting toward a streamlined structure that empowers acquisition professionals and makes the federal R&D environment more attractive for innovative commercial firms.

The part is streamlined from 25 to 20 components (subparts, sections, subsections) that are reorganized in a more logical flow of the procurement lifecycle. This significant update greatly improves the usability of the content.

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.

The RFO FAR Part 35 model deviation text provides a simplified and more efficient framework for ensuring effective competition, emphasizing a mission-first approach, prudent use of taxpayer dollars, and efficiency in achieving acquisition outcomes.

3. Summary of Changes

RFO FAR Part 35, has been updated to streamline research and development contracting by removing outdated barriers, redundant content, and adding plain language improvements. This makes the federal R&D environment more attractive to innovative commercial firms. Statutory requirements retained in the RFO FAR part 35 model deviation include, but are not limited to, the following:

- Using Procurement Contracts (31 U.S.C. § 6303)
- Use of Federally Funded Research and Development Centers (10 U.S.C. § 4126)

The following chart details information that has been changed by way of revision (Retained) or have been removed due to being outdated, redundant, or otherwise unnecessary (Deleted).

Change	Description
Retained	<ul style="list-style-type: none"> • The definitions of “Applied Research” and “Development” are retained at 35.001. • The section titled “Policy” (moved from 35.003 to 35.002) is retained and has been streamlined to remove reference to “Recoupment.” • New subparts 35.1, Presolicitation, 35.2, Evaluation and Award, and 35.3, Postaward create logical organization in alignment with the acquisition lifecycle, creating clear points of reference. <ul style="list-style-type: none"> ○ “Solicitations” (moved from 35.007 to 35.101) has been updated to include plain language improvements. ○ “Broad agency announcements” (moved from 35.016 to 35.102) retains core substance and unique procedures and has been updated with plain language improvements. ○ “Evaluation for award” (moved from 35.008 to 35.201) has been updated to include plain language improvements. ○ “Scientific and technical reports” (moved from 35.010 to 35.301) has been updated to include plain language improvements. • Policies and procedures for “Federally Funded Research and Development Centers” (moved from 35.017 to 35.4) are retained with plain language improvements.

Removed	<ul style="list-style-type: none"> • Deleted content that is outdated, redundant, or otherwise unnecessary. <ul style="list-style-type: none"> ○ 35.004 Publicizing Requirements (Duplicative of FAR Part 5) ○ 35.006 Contracting Methods and Contract Type (Duplicative of FAR Part 16) ○ 35.009 Subcontracting (Duplicative of FAR Part 44) ○ 35.011 Data (Duplicative of FAR Part 27) ○ 35.012 Patent Rights (Duplicative of FAR Part 27) ○ 35.013 Insurance (Duplicative of FAR Part 28) ○ 35.014 Government Property (Duplicative of FAR Part 45) • Section 35.015 Educational Institutions was removed; however, educational institutions should be considered during evaluation for R&D opportunities as an organization-type (see model deviation 35.201). • Reference to the Standard Form 298, Report Documentation Page. This provides more flexibility to complete reports in the best suited manner. • Nonregulatory information moved to practitioner albums, FAR companion Guides and/or Category Buying Guides. <ul style="list-style-type: none"> ○ Requirements found in section 35.005 Work Statement will be moved to the FAR Companion Guide. This move allows acquisition teams greater flexibility and discretion. ○ Recoupment will be moved to the FAR Companion Guide. This move allows acquisition teams flexibility subject to Agency procedures.
---------	--

FAR Streamlining

As part of the RFO, the FAR is 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 those related to competition. The RFO Part 35 model deviation text is a plain language version that will be adhered to by all NARA contracting personnel.

4. Instructions

The NARA acquisition workforce shall follow the RFO Part 35 deviated text instead of FAR Part 35 as codified at 48 CFR Chapter 1, Subchapter B, Part 35. The FAR Council's RFO text is available at [FAR Overhaul - FAR Part 35 - Acquisition.gov](https://www.far.gov/far-overhaul/far-part-35-acquisition) and is incorporated by reference into this deviation.

5. Applicability

The requirements in this CD apply to all solicitations and contract actions issued or awarded on or after **October 1, 2025**.

6. Authority

This class deviation is issued under the authority of Executive Order 14275 and OMB Memorandum M-25-26, 48 CFR Subpart 1.4.

7. 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.

Darnese M. Wilkerson,
Chief Acquisition Officer

cc: NGC