



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 26, 2025

Class Deviation RFO-2025-35

MEMORANDUM TO: Acquisition Management Division and Buyers in the Regions

FROM: Nicole Stevenson, Acting Director  
Acquisition Management Division  
Office of Administration

A handwritten signature in blue ink, appearing to read "Nicole Stevenson", is placed over the signature line.

Signed by Stevenson, Nicole  
on 08/26/25

SUBJECT: FAR Class Deviation for FAR Part 35 in Support of Executive Order  
14275 on Restoring Common Sense to Federal Procurement

1. **PURPOSE:** This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 35 - "Research and Development Contracting" for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 35 to prioritize plain language, resulting in more direct, active, and accessible text. Notable changes include the removal of duplicative content and addition of plain language improvements, making the federal research and development environment more attractive to innovative commercial firms.

Two major changes in FFRDC [Federally Funded Research and Development Centers] contracting are the requirement to publish notice and comment for 90 days prior to establishment or modification of a FFRDC and identify clear purposes and requirements of written sponsorship agreements governing each FFRDC. Requirements for broad agency announcements (BAA) going forward may be published in electronic platforms other than the standard Government Point of Entry with changes to evaluation factors to focus on technical merit and highest level of expertise. Additionally, new subparts have been added that align with the acquisition lifecycle: pre-solicitation, evaluation and award, and postaward.

2. **BACKGROUND:** [Executive Order \(E.O.\) 14275 on Restoring Common Sense to Federal Procurement](#) signed April 15, 2025, mandates a comprehensive review and simplification of the Federal Acquisition Regulation (FAR).

The FAR is being updated to:

- Eliminate non-statutory language
- Remove redundant or obsolete language
- Enhance clarity through plain language
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements.

**3. SUMMARY OF CHANGES:** 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.

Statutory requirements retained in the RFO FAR Part 35 model deviation include, but are not limited to, the following:

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

Change	Description
Retained	<ul style="list-style-type: none"><li>• The <b>definitions</b> of “Applied Research” and “Development” are retained at 35.001.</li><li>• The section titled “<b>Policy</b>” (moved from 35.003 to 35.002) is retained and has been streamlined to remove reference to “Recoupment.”</li><li>• <b>New subparts</b> 35.1, Presolicitation, 35.2, Evaluation and Award, and 35.3, Postaward create logical organization <b>in alignment with the acquisition lifecycle</b>, creating clear points of reference.<ul style="list-style-type: none"><li>○ “<b>Solicitations</b>” (moved from 35.007 to 35.101) has been updated to include plain language improvements.</li><li>○ “<b>Broad agency announcements</b>” (moved from 35.016 to 35.102) retains core substance and unique procedures and has been updated with plain language improvements.</li><li>○ “<b>Evaluation for award</b>” (moved from 35.008 to 35.201) has been updated to include plain language improvements.</li><li>○ “<b>Scientific and technical reports</b>” (moved from 35.010 to 35.301) has been updated to include plain language improvements.</li></ul></li><li>• Policies and procedures for “<b>Federally Funded Research and Development Centers</b>” (moved from 35.017 to 35.4) are retained with plain language improvements.</li></ul>
Removed	<ul style="list-style-type: none"><li>• The definition of “<b>Recoupment</b>” at section 35.001.</li><li>• Section 35.002, “<b>General</b>” provided the context for R&amp;D contracting. Its removal streamlines the part.</li><li>• Section 35.004, “<b>Publicizing Requirements</b>” was removed as largely duplicative of FAR Part 5.</li><li>• Section 35.005, “<b>Work Statement</b>” was removed to provide acquisition teams greater flexibility in crafting requirements best suited for the R&amp;D effort.</li><li>• Section 35.006, “<b>Contracting Methods and Contract Type</b>” was removed as duplicative of FAR Part 16.</li><li>• The sections titled “<b>Subcontracting research and development effort</b>” (35.009), “<b>Data</b>” (35.011), “<b>Patent Rights</b>” (35.012), “<b>Insurance</b>” (35.013), and</li></ul>

	<p><b>“Government property and title”</b> (35.014) are removed as they are covered elsewhere in the FAR: Part 44 for Subcontracting; Part 27 for Data and Patents; Part 28 for Insurance; and Part 45 for Government Property.</p> <ul style="list-style-type: none"><li>• Section 35.015, <b>“Contracts for research with educational institutions with educational institutions and nonprofit organizations”</b> is removed. However, education institutions are still highlighted as an organization-type that should be considered during evaluation for award at 35.201.</li><li>• Requirements for <b>Standard Form 298, Report Documentation Page</b>, are removed. This provides more flexibility to complete reports in the best suited manner for the R&amp;D effort.</li></ul>
--	---

This table is not an exhaustive list.

#### 4. INSTRUCTIONS:

- The NRC acquisition workforce must follow the RFO Part 35 model deviation text instead of FAR Part 35 as codified at 48 CFR Chapter 1. The Council’s RFO Part 35 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation.
- Review templates and related standard operating procedures to align with this deviation and remove unnecessary processes and steps.

**5. APPLICABILITY:** This class deviation applies to all NRC solicitations and new date contracts as of October 1, 2025. This deviation does not apply to contracts signed and executed before October 1, 2025.

**6. AUTHORITY:** This class deviation is issued under the authority of E.O. 14275, [OMB M- 25-26](#), and 48 CFR 1.4 and RFO FAR 1.304.

**7. EFFECTIVE DATE:** This class deviation is effective immediately and remains in effect until rescinded or incorporated into the FAR.

FAR Class Deviation for FAR Part 35 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement DATE August 26, 2025

DISTRIBUTION:

JDaly, ADM

NStevenson, ADM/AMD/APPSD

EJernell, ADM/AMD

ABriggs, SBCR

RBaum, OGC/GCHA/GCA/NLO

**ADAMS Accession No.: ML25225A035**

OFFICE	ADM	SBCR	OGC/GCHA/GCA /NLO	ADM/AMD/APPSD
NAME	JDaly <i>JD</i>	ABriggs <i>AB</i>	RBaum <i>RB</i>	NStevenson <i>NS</i>
DATE	Aug 13, 2025	Aug 15, 2025	Aug 26, 2025	Aug 26, 2025

**OFFICIAL RECORD COPY**