



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 9, Contractor Qualifications

1. Purpose

This Class Deviation (CD) implements the FAR Council's model deviation text for FAR Part 9, Contractor Qualifications. 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 9 streamlines policies and procedures related to contract cost principles. Burdensome, duplicative, or outdated language not required by statute has been removed. Key changes include:

- Removal of Non-Statutory Content: Much of the procedural and detailed guidance that is not required by law is being moved out of the FAR and into new "Buying Guides."
- Reorganization: Some parts of the FAR Part 9 are reorganized to be more chronological and aligned with the acquisition lifecycle.

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.

FAR Streamlining

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 those related to competition. The RFO Part 9 model deviation text is a plain language version that will be adhered to by all NARA contracting personnel.

3. Summary of Changes

RFO FAR Part 9, strengthens clarity and focus, ensuring procedures that support tax-related requirements are easier to understand and apply. Statutory requirements retained in the RFO FAR part 9 model deviation include, but are not limited to, the following:

- Prohibition on Contracts with Corporate Expatriates (6 U.S.C. § 395)
- Planning and Solicitation Requirements (10 U.S.C. § 3206 and 41 U.S.C § 3306)
- Qualification requirements (10 U.S.C. § 3243 and 41 U.S.C. § 3311)
- Measures Against Activities that Violate Arms Control Treaties (22 U.S.C. § 2593e)
- Responsible Source (41 U.S.C. § 113)
- Ethics Safeguards Related to Contractor Conflicts of Interest (41 U.S.C. § 2303)
- Conflict of Interest Standards for Consultants (41 U.S.C. § 2304)
- Database for Suspension and Debarment Officials (41 U.S.C. § 2313)
- Uniform Suspension and Debarment (Pub. L. 103-355 Sec 2455)
- Clarification of Uniform Suspension and Debarment Requirement (Pub. L. 111-84 Sec 815)
- Preventing Organization Conflicts of Interest in Federal Acquisition (Pub. L. 117-324)
- Debarment and Suspension (E.O. 12549 and E.O. 12689)

Change	Description
Retained	• Subparts 9.1 Responsible Prospective Contractors, 9.2 Qualifications Requirements, and 9.3 First Article Testing and Approval are streamlined, and sections and subsections are reorganized. • Subparts 9.4 Debarment, Suspension, and Ineligibility and 9.5 Organizational and Consultant Conflicts of Interest are retained and updated for plain language. • All existing provisions and clauses are retained (or remain reserved if previously reserved) with no change to the text.

Removed	- Deleted content that is outdated, redundant, or otherwise unnecessary. - Subsection 9.104-2 Special Standards has been removed. Content has been moved to the FAR Companion Guide. - Section 9.106 Preaward surveys is now reserved. This includes removal of the reference to use Standard Form 1403, <i>Preaward Survey of Prospective Contractor (General)</i>. Content has been moved to the FAR Companion Guide. - Section 9.107 Surveys of Nonprofit Agencies Participating in the AbilityOne Program is now reserved. The AbilityOne Program is covered in part 8 and nuances of pre-award surveys relevant to the AbilityOne Program has been moved to the FAR Companion Guide. - Subparts 9.6 Contractor Team Arrangements and 9.7 Defense Production Pools and Research and Development Pools are removed. Content has been moved to the FAR Companion Guide. - Section 9.000 Scope of Part has been removed. - Section 9.101 Definitions, the term “Surveying activity” has been removed.
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4. Instructions

The NARA acquisition workforce shall follow the RFO Part 9 deviated text instead of FAR Part 9 as codified at 48 CFR Chapter 1, Subchapter B, Part 9. The FAR Council’s RFO text is available at [FAR Overhaul - FAR Part 9 - Acquisition.gov](#) 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.

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cc: NGC