



U.S. COMMODITY FUTURES TRADING COMMISSION
Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581
www.cftc.gov

CFTC Class Deviation RFO-2025-05 – Supplement 1

TO: CFTC's Procurement Office

FROM: William M. Roberson, Senior Procurement Executive

DATE: December 16, 2025

SUBJECT: Supplement to CFTC FAR Implementing Deviation for RFO FAR Part 5 in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement.

- 1. Purpose:** This supplement provides updates and amendments to CFTC's implementing deviation for RFO FAR part 5.
- 2. Background:** In accordance with [Executive Order \(E.O.\) 14275, Restoring Common Sense to Federal Procurement](#), between May and September 2025, the FAR Council issued model deviation text by FAR part in support of the Revolutionary FAR Overhaul (RFO) initiative. This initiative is intended to make the FAR more concise, understandable, and focused on core procurement requirements.

In accordance with OMB Memorandum M-25-26, CFTC issued implementing class deviations following release of each RFO FAR part deviation text. More information about the purpose of the RFO initiative and background on individual model deviation language can be found in the original CFTC implementing deviation for each part.

Subsequent review has identified the need to update and amend CFTC's implementing deviation for RFO FAR part 5. The specific changes and rationale are discussed below.

3. Summary of Supplemental Updates

RFO FAR part 5	
Background	RFO FAR part 5 included corresponding definition updates to part 2, but the implementing CFTC deviation did not provide instructions to the workforce on how to use the revised part 2 definitions in concert with existing definitions in part 2.
Supplement Update	<p>In CFTC’s class deviation implementing RFO FAR part 5, section 4, “Instructions”, is updated to add the following bullet:</p> <ul style="list-style-type: none">• The CFTC acquisition workforce must use the definitions (Part 2 - Definitions of Words and Terms) found on Acquisition.gov/far-overhaul. <p>The remainder of the deviation is unchanged.</p>

4. **Applicability:** This supplement to the class deviation for RFO FAR part 5 applies to all CFTC procurements.
5. **Authority:** This class deviation is issued under the authority of [E.O. 14275](https://www.eo.gov/publications/14275), [OMB Memo M-25-26](https://www.omb.gov/memo/2018/05/25-26), 48 CFR 1.4, and RFO FAR 1.304.
6. **Effective Date:** This supplement is effective consistent with the effective date of the CFTC implementing deviation for RFO FAR part 5 (check Section 7 of the CFTC implementing deviation) and remains in effect until rescinded or incorporated into the FAR. All CFTC implementing deviations can be found on [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul).
7. **Point of Contact:** Questions regarding this supplement may be directed to CFTC’s Senior Procurement Executive, William M. Roberson, at wroberson@cftc.gov.

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TO: CFTC's Procurement Office

WILLIAM ROBERSON Digitally signed by WILLIAM ROBERSON
Date: 2025.08.14 09:31:38 -04'00'

FROM: William M. Roberson, Senior Procurement Executive

DATE: August 14, 2025

SUBJECT: FAR Class Deviation for FAR Part 5 in Support of Executive Order 14275,
Restoring Common Sense to Federal Procurement.

- 1. Purpose:** This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) part 5 for purposes of implementing the FAR Council's model deviation to FAR part 5.
- 2. Background:** [Executive Order \(E.O.\) 14275, Restoring Common Sense to Federal Procurement](#), signed April 15, 2025, mandates a comprehensive review and simplification of the 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 Significant Changes:** Part 5, Publicizing Contract Actions, is revised from a complex, topic-based structure to a streamlined, chronological process that mirrors the three main phases of an acquisition. The revision makes extensive use of tables to present complex information regarding content requirements and timing, a significant departure from the dense paragraphs of the original text. The new tables 5-1, 5-2, 5-3, and 5-4 clearly explain posting requirements and timeframes.

This approach directly serves the goals of reducing complexity and enhancing clarity by making the content easier to understand and use.

Statutory requirements retained in the RFO FAR part 5 model deviation include, but are not limited to, the following:

- 5 U.S.C. § 552, Public Information; Agency Rules, Opinions, Orders, Records, and Proceedings
- 15 U.S.C. § 637(e) and 41 U.S.C. § 1708, Procurement Notice
- 15 U.S.C. § 637(k), Notices of Subcontracting Opportunities
- 15 U.S.C. § 637b, Availability of Information
- 15 U.S.C. § 644, Awards or Contracts
- 44 U.S.C. §§ 3701-3703, Awarding of Contracts
- Pub. L. 97-219, Small Business Innovation Development Act of 1982

Change	Description
Retained	<ul style="list-style-type: none"> • Section 5.000 “Scope of Part” has been updated to specify that notices are posted in the Governmentwide Point of Entry (GPE). Section 5.001 “Definitions” retains and streamlines the definition of “Contract Action” and adds definitions of “Notice” and “Presolicitation Notice”. • Section 5.002 “Policy” retains the general purpose to increase competition and broaden industry participation. Language in this section has been revised from “assist small business concerns” to inform small business concerns of contract and subcontract opportunities. • New subparts 5.1 “Presolicitation”, 5.2 “Solicitation”, and 5.3 “Award” create logical organization in alignment with the acquisition lifecycle, creating clear points of reference. <ul style="list-style-type: none"> ○ Content from the former Subparts 5.1 “Dissemination of Information”, 5.2 “Synopsis of Proposed Contract Actions”, and 5.3 “Synopsis of Contract Awards” is streamlined within the new subpart structure. • New tables are added to section 5.101 “Presolicitation Notice” that provide greater readability. Specifically, Table 5-1 identifies presolicitation language regarding trade agreements and Table 5-2 clarifies minimum posting timeframes for presolicitation notices. • Guidance for “Paid Advertisements” is moved from subpart 5.5 to the new section 5.102, and is significantly streamlined.

	<ul style="list-style-type: none"> Guidance on “Special Situations”, previously at 5.205, has been moved to the new section 5.103 “Special Notices” and is significantly streamlined, reflecting notices for Federal Funded Research and Development Centers (FFRDC), and consolidation, bundling, and substantial bundling. New tables are added to section 5.201 “Solicitation Notice” that provide greater readability. Specifically, Table 5-3 identifies minimum timeframes for receipt of quotations or offers, and Table 5-4 identifies minimum posting timeframes for award notices.
Removed	<ul style="list-style-type: none"> With rare exception, the term “synopsis” has been removed. Subpart 5.4 “Release of Information” has been removed as largely duplicative of the general posting guidance throughout the part. Subpart 5.6 “Publicizing Multi-Agency Use Contracts”, which required agencies to enter information into a specific governmentwide database of contracts, has been removed as duplicative and outdated. Subpart 5.7 “Publicizing Requirements Under the American Recovery and Reinvestment Act of 2009 (ARRA)” has been removed because ARRA is no longer active.

This table is not an exhaustive list.

4. Instructions:

- The CFTC acquisition workforce must follow the RFO part 5 model deviation text instead of FAR part 5 as codified at 48 CFR Chapter 1. The Council’s RFO part 5 model deviation text is available at [Acquisition.gov](https://www.acquisition.gov), under the “[FAR Overhaul](#)” link, and is incorporated into this class deviation.
- Review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

5. Applicability: This class deviation applies to all CFTC procurements.

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

7. Effective Date: This class deviation is effective as dated and shall remain in effect until it is incorporated into the FAR or until this class deviation is otherwise rescinded.

8. Point of Contact: Questions regarding this class deviation may be directed to CFTC’s Senior Procurement Executive, William M. Roberson, at wroberson@cftc.gov.

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