

Procurement Class Deviation

PCD 25-30 September 30, 2025

CLASS DEVIATION FROM FEDERAL ACQUISITION REGULATION (FAR) 48 TO IMPLEMENT THE REVOLUTIONARY FAR OVERHAUL (NASA Case 2025-N034)

PURPOSE: To provide a Class Deviation from the FAR to implement the FAR Council's model deviation text to FAR Part 48, Value Engineering.

BACKGROUND: On April 15, 2025, the Executive Order (E.O.) 14275, "Restoring Common Sense to Federal Procurement" was signed. Section 2 of the E.O. establishes the policy that the FAR "should only contain provisions required by statute or essential to sound procurement, and any FAR provisions that do not advance these objectives should be removed." To implement E.O. 14275, the Office of Federal Procurement Policy (OFPP) is leading the **Revolutionary FAR Overhaul (RFO)** initiative. This effort is supported by the Federal Acquisition Regulatory Council (the Council) member agencies— General Services Administration, Department of Defense, NASA, along with other agencies. In line with the E.O., the initiative aims to eliminate unnecessary regulations and policies across all levels of the federal government.

The Office of Management and Budget (OMB) memorandum, M-25-26 issued on May 2, 2025, titled, Overhauling the Federal Acquisition Regulation, provided additional guidance to federal agencies regarding the FAR overhaul.

FAR Streamlining. As part of the RFO, the FAR will be streamlined to include only statutory requirements, while non-statutory content will move to new buying guides, collectively forming 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 will have 30 days to issue class deviations based on the model text once it is released.

Streamlining Agency Acquisition Supplements. Agencies must streamline their FAR supplements by removing regulations not based on statute or executive orders and aligning with the FAR Council's deviation guidance. Supporting policies must also be updated to reflect these changes. This approach ensures the NASA FAR Supplement (NFS) remains consistent with the streamlined FAR.

FAR Buying Guides and NFS Companion Guide (CG) (coming soon). As the FAR and the NFS are streamlined, helpful non-regulatory content will be moved to new FAR Buying Guides and NFS CG. These guides are intended to offer practical instructions and best practices for implementing effective contracting methods.

RFO Part 48 is one of the model deviations released by the FAR Council. RFO Part 48 establishes basic rules on when the government can and cannot use value engineering incentives to entice the contractor to propose how to do or make things more efficiently. Burdensome, duplicative, or outdated language and language not required by statute have been removed from FAR Part 48. This plain language version of FAR Part 48 shall be adhered to.

Note: NFS 1848 in its entirety is non regulatory; therefore, it does not currently appear in the eCFR and does not require a deviation. The non regulatory requirements of NFS 1848 will be included in the NASA FAR Supplement Companion Guide.

GUIDANCE: Contracting officers shall follow the RFO Part 48 deviated text instead of FAR Part 48 as codified at 48 CFR Chapter 48. The FAR Council's RFO text is available at https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-48.

ACTION REQUIRED BY CONTRACTING OFFICERS: Effective immediately, ensure that new contract actions issued on or after the effective date complies with the policy in the PCD.

EFFECTIVE DATE: This PCD is effective as dated and shall remain in effect until implemented in the FAR or otherwise rescinded.

PROVISION AND CLAUSE CHANGES: This makes no change to any clause or provision.

HEADQUARTERS CONTACT: Daniel J. Walt, Senior Procurement Analyst, Procurement and Grants Policy Division (PGPD), at daniel.j.walt@nasa.gov.

Marvin L. Horne

Acting Assistant Administrator for Procurement