




# Memorandum

August 4, 2025

TO: ACQUISITIONS MANAGEMENT BRANCH PERSONNEL

FROM: Isabel Luengo McConnell, Procurement Executive  
National Labor Relations Board 

SUBJECT: Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 10 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

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1. **Effective Date:** Immediately
2. **Expiration Date:** This Class Deviation remains in effect until the changes described herein are incorporated in the FAR, superseded, or otherwise rescinded.
3. **Purpose:** This memorandum approves a class deviation to FAR Part 10 for purposes of implementing the FAR Council's model deviation text to FAR Part 10.
4. **Authority:** This class deviation is issued under the authority of Executive Order (*E.O.*) 14275, *OMB M-25- 25*, and 48 CFR Subpart 1.4.
5. **Background:** On April 15, 2025, *Executive Order (E.O.) 14275 on 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."

The FAR is being updated to:

- Remove language that is not required by statute
- Remove duplicative or outdated language
- Clarify or provide more plain language
- Revise the language for the new FAR framework
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

**6. Summary of Changes:** FAR Part 10, concerning Market Research, has been updated to offer acquisition teams more flexibility in their research methods:

- Greater flexibility in techniques: The FAR no longer lists specific market research considerations or techniques that must be used.
  - You have the flexibility to choose the market research method that best fits your needs. For example, you might host a reverse industry day or expert panel. This allows industry experts to share their perspectives, commercial practices, and experiences with the acquisition team.
  - For more information on reverse industry days, and to read about more good market research techniques, check out the “Smart Accelerators” in the Practitioner Album available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul).
- Competition requirements remain: Acquisition professionals must still comply with the Competition in Contracting Act (CICA) (41 U.S.C. § 3301 *et seq.*), which may necessitate market research.
- Flexibility at all dollar values: Acquisition professionals can apply market research concepts to procurements of any size.
- While FAR clause 52.210-1 Market Research is not required by statute, across Government, it has been retained as essential to the acquisition process.

Statutory requirements retained in the RFO FAR part 10 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 3453, Preference for Commercial Products and Commercial Services
- 41 U.S.C. § 3306, Planning and Solicitation Requirements
- 41 U.S.C. § 3307, Preference for Commercial Products and Commercial Services
- 41 U.S.C. § 1703 note, Effective Communication Between Government and Industry; inclusive of 41 U.S.C. § 3301 *et seq.* and 41 U.S.C. § 2101 *et seq.*

Change	Description
Retained	<ul style="list-style-type: none"><li>• Subparts “10.001 Policy” and “10.002 Procedures” are combined and <b>streamlined</b> to remove duplicative and discretionary guidance.</li><li>• FAR clause <b>52.210-1, Market Research</b>, in solicitations and contracts for noncommercial acquisitions over \$6 million.</li><li>• Language encouraging <b>exchanges with industry</b> is moved from FAR part 1 to FAR part 10.</li></ul>

<b>Removed</b>	<ul style="list-style-type: none"> <li>Requirements to consider various issues in market research, including for <b>consolidation or bundling procurements</b> are removed. Content stemming from 15 U.S.C. § 644(e) and 15 U.S.C. § 657(q) is mandatory, however the requirement is covered in FAR part 7.</li> <li>Requirements for <b>disaster relief purchasing</b> are removed. Content stemming from 6 U.S.C. § 796 is mandatory, however the requirement is covered in FAR part 26.</li> </ul>
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This table is not an exhaustive list.

7. **Instructions:** National Labor Relations Board (NLRB) acquisition workforce shall follow the RFO Part 10 model deviation text instead of FAR Part 10 as codified at 48 CFR Chapter 1. The FAR Council’s RFO Part 10 model deviation text is available at *Acquisition.gov*, under the “[FAR Overhaul](#)” link.
8. **Applicability:** This deviation applies to all NLRB solicitations and new contracts as of August 4, 2025. This deviation does not apply to contracts signed and executed on or before August 4, 2025.
9. **Point of Contact:** Questions or comments on this class deviation may be directed to Delfina St. Clair, Director, Acquisitions Management Branch, at [Delfina.St.Clair@nlrb.gov](mailto:Delfina.St.Clair@nlrb.gov).