



NATIONAL SCIENCE FOUNDATION
2415 Eisenhower Avenue ▪ Alexandria, VA 22314

September 19, 2025

MEMORANDUM

TO: National Science Foundation, Division of Acquisition and Cooperative Support
National Science Foundation Acquisition Workforce

FROM: Patrick K. Breen
Senior Procurement Executive

SUBJECT: FAR Class Deviation for FAR Part 9 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

PURPOSE: This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) part 9 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 9.

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

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- Remove duplicative or outdated language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
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards.

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

SUMMARY OF CHANGES: FAR part 9, Contractor Qualifications - largely based on statute - establishes the standards and procedures for determining contractor responsibility and

eligibility for federal contracts, ensuring that only qualified, reliable contractors receive government awards. It protects the government's interests by requiring contractors to demonstrate they have adequate financial resources, technical capability, integrity, and past performance to successfully fulfill contract requirements. Statutory requirements and presidential directives retained in the RFO FAR part 9 model deviation include, but are not limited to, the following:

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

Change	Description
Retained	<ul style="list-style-type: none"> • Subparts 9.1, 9.2, and 9.3 are significantly streamlined with some shifting and reorganizing of sections and subsections throughout. • Subparts 9.4 “Debarment, Suspension, and Ineligibility”, and 9.5 “Organizational and Consultant Conflicts of Interest”, are retained and updated with plain language edits. • All existing provisions and clauses are retained (or remain reserved if previously reserved) with no changes to the text.

Removed	<ul style="list-style-type: none"> • Section 9.000 “Scope of Part”, has been removed as the language was duplicative. • The definition of “Surveying activity” has been removed from section 9.101, “Definitions”. • Section 9.104-2 “Special Standards”, has been removed and may be moved to non-regulatory content. • Section 9.106 “Preaward Surveys”, has been removed and may be moved to non-regulatory content. This includes the reference to utilizing the Standard Form 1403, Preaward Survey of Prospective Contractor (General). • Section 9.107 “Surveys of Nonprofit Agencies Participating in the AbilityOne Program” has been removed. The AbilityOne Program is covered in part 8 and nuances of pre-award surveys relevant to the AbilityOne Program are now covered in nonregulatory content. • Subpart 9.6 “Contractor Team Arrangements”, has been removed and may be moved to non-regulatory content. • Subpart 9.7 “Defense Production Pools and Research and Development Pools”, has been removed and may be moved to non-regulatory content.
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This table is not an exhaustive list.

INSTRUCTIONS: The NSF acquisition workforce shall follow the RFO part 9 instead of FAR part 9 as codified at 48 CFR Chapter 1. The Council’s RFO part 9 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

APPLICABILITY: This class deviation applies to all NSF procurement actions.

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

EFFECTIVE DATE: This deviation is effective on the date of this letter and shall remain in effect until it is incorporated into the FAR, or until this class deviation is rescinded, extended, or amended.

POINT OF CONTACT: Contact Raymond McCollum at 703-292-4225 or rmccollu@nsf.gov.