



## U.S. Department of Justice

### Justice Management Division

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*Washington, D.C. 20530*

#### MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

**FROM:** William N. Taylor II  
Deputy Assistant Attorney General  
for Policy, Management, and Procurement  
Senior Procurement Executive

**SUBJECT:** Class Deviation from the Federal Acquisition Regulation (FAR) Part 46 in support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

#### 1. **PURPOSE**

This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 46 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 46 available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-46>

#### 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 CHANGES**

FAR Part 46, Quality Assurance, has been updated for clarity and usability.

The following items are updated or retained:

- Statutory requirements retained in the RFO FAR Part 46 model deviation include, but are not limited to, the following:
  - 41 U.S.C. § 1711, Value Engineering
  - 41 U.S.C. § 3307, Preference for Commercial Products and Commercial Services
  - Pub. L. 103-355, Federal Acquisition Streamlining Act of 1994
  - Pub. L. 112-81 Sec 818, Detection and Avoidance of Counterfeit Electronic Parts
- Subparts 46.1, 46.2, 46.3, 46.4, 46.5, 46.7, 46.8 and the sections therein, remain mostly intact and are streamlined, with some shifting and reorganizing of sections and subsections throughout.
- All “Definitions” at 46.101 are retained.
- All existing clauses are retained (or remain reserved if previously reserved) with no changes to the text.

The following items have been removed:

- Section 46.105, “Contractor Responsibilities” is deleted and marked reserved, as the content was redundant to contract clauses.
- Section 46.704, “Authority for use of warranties” is deleted and marked reserved. This section stated that warranty use must be approved by agency procedures. This language does not need to be included in the FAR.

### **4. AUTHORITY**

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

### **5. DEVIATION**

The DOJ acquisition workforce must follow the RFO Part 46 model deviation text instead of FAR Part 46 as codified at 48 CFR Chapter 1. The Council’s RFO Part 46 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-46>.

### **6. EFFECTIVE DATE AND EXPIRATION**

This class deviation is effective November 3, 2025, and remains in effect until rescinded or incorporated into the FAR.

7. **SCOPE AND APPLICABILITY**

This class deviation applies to all DOJ procurements.

8. **ADDITIONAL INFORMATION**

If you have questions, please contact [DOJAcquisitionPolicy@usdoj.gov](mailto:DOJAcquisitionPolicy@usdoj.gov).

9. **ATTACHMENTS**

None.