



**U.S. Department
of Transportation**

1200 New Jersey Ave., S.E.
Washington, DC 20590

Office of the Secretary
of Transportation

SUBJECT: Class Deviation No. 2025-26 from the Federal Acquisition Regulation for FAR Part 46 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

FROM: Chrishaun Jones
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Office of the Senior Procurement Executive

TO: Department of Transportation Chiefs of the Contracting Offices

- I. Purpose:** This class deviation (CD) is issued under Federal Acquisition Regulation (FAR) part 1 and Transportation Acquisition Regulation (TAR) part 1201 and authorizes a class deviation to FAR part 46 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR part 46.
- II. Effective Date:** Immediately.
- III. 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 - Remove duplicative or outdated language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 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.

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

Statutory requirements and presidential directives retained in the RFO FAR part 46 model deviation include, but may not be 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 (FASA)
- Pub. L. 112-81 Sec 818, Detection and Avoidance of Counterfeit Electronic Parts

The following table is not an exhaustive list but includes notable updates to FAR part 46.

Change	Description
Retained	<ul style="list-style-type: none"> • Subparts 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 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.
Removed	<ul style="list-style-type: none"> • 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.

IV. Required Actions: All DOT Operating Administrations (OAs), the Office of the Secretary of Transportation (OST), and the Office of the Inspector General (OIG), excluding the Federal Aviation Administration (FAA) per TAR 1201.104(d) shall 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 [Acquisition.gov/far-overhaul](#) and is incorporated by reference into this CD. A line-out version of the changes may also be found [here](#) for reference.

Heads of the Contracting Activities (HCAs) must ensure this deviation is disseminated to the acquisition workforce and ensure compliance with the requirements in the revised FAR part 46 guidance.

- V. Applicability:** This CD applies to all DOT OAs, OST, and OIG, excluding the FAA in accordance with TAR 1201.104(d).
- VI. Expiration Date:** This CD will remain in effect until it is incorporated into the FAR or is otherwise rescinded, whichever occurs first.
- VII. Point of Contact:** Questions or comments regarding this deviation may be directed to DOTAcquisitionPolicy@dot.gov.