



Office of the Chief
Acquisition Officer

Date: September 29, 2025

From: Darnese M. Wilkerson, Chief Acquisition Officer *DMW*

To: Office of the Chief Acquisition Officer (OCAO)

Subject: CLASS DEVIATION (CD) in Support of Executive Order (EO) 14275, "Restoring Common Sense to Federal Procurement" - Deviation to FAR Part 46, Quality Assurance

1. Purpose

This Class Deviation (CD) implements the FAR Council's model deviation text for FAR Part 46, Quality Assurance. This action aligns with Executive Order (EO) 14275, "Restoring Common Sense to Federal Procurement," and the Revolutionary FAR Overhaul (RFO) initiative.

The revised FAR Part 46 streamlines policies and procedures related to contract cost principles. Burdensome, duplicative, or outdated language not required by statute has been removed. Key changes include:

- Streamlines the regulatory framework, removing provisions that are not required by statute or are considered non-essential to efficient and secure procurement.
- The use of warranties will be expressed in a warranty clause within a contract to the extent practicable.
- The estimated cost of a warranty will be considered when establishing the incentive target and ceiling prices for fixed-price incentive contracts.
- Introduction of Buying Guides.

2. Background

EO 14275, signed on April 15, 2025, established a policy that the FAR should contain only provisions required by statute or those essential for sound procurement. To implement this EO, the Office of Federal Procurement Policy (OFPP) is leading the Revolutionary FAR Overhaul (RFO) initiative, supported by the Federal Acquisition Regulatory Council. The initiative aims to eliminate unnecessary regulations and policies across all levels of the federal government.

Further guidance was provided by OMB Memorandum M-25-26 "Overhauling the Federal Acquisition Regulation," issued on May 2, 2025.

The RFO FAR Part 46 model deviation text provides a simplified and more efficient framework for ensuring effective competition, emphasizing a mission-first approach, prudent use of taxpayer dollars, and efficiency in achieving acquisition outcomes.

3. Summary of Changes

RFO FAR Part 46, has been updated for Clarity and usability. Statutory requirements retained in the RFO FAR part 46 model deviation include, but are not limited to, the following:

- Value Engineering (41 U.S.C. § 1711)
- Preference for Commercial Products and Commercial Services (41 U.S.C. § 3307)
- Federal Acquisition Streamlining Act of 1994 (FASA) (P.L. 103-355)
- Detection and Avoidance of Counterfeit Electronic Parts (Pub. L. 112-81 Sec 818)

The following chart details information that has been changed by way of revision (Retained) or have been removed due to being outdated, redundant, or otherwise unnecessary (Deleted).

Change	Description
Retained	<ul style="list-style-type: none"> • The following Subparts were reorganized and streamlined: <ul style="list-style-type: none"> ○ 46.1, General ○ 46.2, Contract Quality Requirements ○ 46.3, Contract Clauses ○ 46.4, Government Contract Quality Assurance ○ 46.5, Acceptance ○ 46.6, Material Inspection and Receiving reports ○ 46.7, Warranties ○ 46.8 Contractor Liability for Loss or of damage to Property of the Government • All Definitions at 46.101 are retained. • All existing clauses are retained with no changes to the text.
Removed	<ul style="list-style-type: none"> • Deleted content that is outdated, redundant, or otherwise unnecessary <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.

FAR Streamlining

As part of the RFO, the FAR is be streamlined to include only statutory requirements. Non-statutory content will be moved to new buying guides, collectively known as 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 have 30 days to issue class deviations based on the model text once released.

A. Streamlining Agency Acquisition Supplements: Agencies must streamline their FAR supplements by removing regulations not based on statute or executive orders and by aligning with the FAR Council's deviation guidance. Supporting policies must also be updated to reflect these changes. This is an excellent opportunity for NARA to formally publish a streamlined NARA FAR Supplement, ensuring consistency with the new FAR.

B. FAR Buying Guides and Supplemental Companion Guides (CG): As the FAR and agency supplements are streamlined, helpful non-regulatory content will be moved to these new FAR Buying Guides. These guides will offer practical instructions and best practices for implementing effective contracting methods, including those related to competition. The RFO Part 46 model deviation text is a plain language version that will be adhered to by all NARA contracting personnel.

4. Instructions

The NARA acquisition workforce shall follow the RFO Part 46 deviated text instead of FAR Part 46 as codified at 48 CFR Chapter 1, Subchapter B, Part 46. The FAR Council's RFO text is available at [FAR Overhaul - FAR Part 46 - Acquisition.gov](#) and is incorporated by reference into this deviation.

5. Applicability

The requirements in this CD apply to all solicitations and contract actions issued or awarded on or after **October 1, 2025**.

6. Authority

This class deviation is issued under the authority of Executive Order 14275 and OMB Memorandum M-25-25, 48 CFR Subpart 1.4.

7. Effective Date

This CD is effective as of the date signed and shall remain in effect until the provisions of the RFO are formally implemented in the FAR through a final rulemaking.

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cc: NGC