



**MEMORANDUM FOR PBGC ACQUISITION WORKFORCE**

**Date:** February 3, 2026  
**From:** Damon Q. McClure, Senior Procurement Executive  
**Subject:** FAR Class Deviation for FAR Part 46 in Support of Executive Order on Restoring Common Sense to Federal Procurement

**1. Purpose:** This class deviation is issued in accordance with FAR 1.304 and pursuant to the Office of Federal Procurement Policy memorandum entitled, “Deviation Guidance to Support the Overhaul of the Federal Acquisition Regulation,” to provide contracting officers with revised FAR Part 46 language and implement the FAR Council’s model deviation to FAR Part 46.

**2. 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- Remove duplicative or outdated language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.

**3. Summary of Changes.** FAR Part 46, Quality Assurance, 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:

- 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

Change	
Retained	<ul style="list-style-type: none"><li>• Subparts <b>46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8</b> and the sections therein, remain mostly intact and are streamlined, with some shifting and reorganizing of sections and subsections throughout.</li></ul>

	<ul style="list-style-type: none"> <li>• All “<b>Definitions</b>” at 46.101 are retained.</li> <li>• All <b>existing clauses</b> are retained (or remain reserved if previously reserved) with no changes to the text.</li> </ul>
<b>Removed</b>	<ul style="list-style-type: none"> <li>• Section 46.105, “<b>Contractor Responsibilities</b>” is deleted and marked reserved, as the content was redundant to contract clauses.</li> <li>• Section 46.704, “<b>Authority for use of warranties</b>” 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.</li> </ul>

This table is not an exhaustive list

#### 4. Instructions:

- The PBGC acquisition workforce 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](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation.
- Contracting activities must review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

**5. Applicability:** This deviation applies to all Pension Benefit Guaranty Corporation solicitations and new contracts.

**6. Authority:** This class deviation is issued under the authority of Executive Order (E.O.) 14275, [OMB M-25-26](#), 48 CFR Subpart 1.4, and FAR RFO 1.304.

**7. Effective Date:** This class deviation remains in effect until the changes described herein are incorporated in the FAR, superseded, or otherwise rescinded.

**8. Point of Contact:** Questions or comments on this class deviation may be sent to Jeff Gangi at [gangi.jeffrey@pbgc.gov](mailto:gangi.jeffrey@pbgc.gov).