



U.S. Securities and Exchange Commission

September 3, 2025

Class Deviation for Federal Acquisition Regulation Part 46 in Support of Executive Order on Restoring Common Sense to Federal Procurement (2025-027)

1. **Purpose:** To issue a class deviation to Federal Acquisition Regulation (FAR) Part 46 for purposes of implementing the FAR Council's model deviation text to FAR Part 46.
2. **Effective Date:** This class deviation is effective November 3, 2025 and remains in effect until rescinded or incorporated into the FAR.
3. **Expiration Date:** Expires when incorporated into the FAR or is otherwise rescinded.
4. **Background:** [Executive Order \(E.O.\) 14275 on Restoring Common Sense to Federal Procurement](#) signed April 15, 2025 mandates a comprehensive review and simplification of the Federal Acquisition Regulation.

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.

5. **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	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.

This table is not an exhaustive list.

6. Required Action:

- The SEC acquisition workforce must follow the RFO part 46 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.

7. Applicability: This class deviation applies to all SEC procurements.

8. Authority: This class deviation is issued under the authority of Executive Order 14275, OMB Memo M-25-26, 48 CFR 1.4., and RFO FAR 1.304.

9. Point of Contact: If you have any questions, please contact the SEC Office of Acquisitions Policy at Acquisitions-Policy@sec.gov.

VANCE CATHELL
 Director, Office of Acquisitions
 Senior Procurement Executive