



NATIONAL SCIENCE FOUNDATION
2415 Eisenhower Avenue ▪ Alexandria, VA 22314

September 18, 2025

MEMORANDUM

TO: National Science Foundation, Division of Acquisition and Cooperative Support
National Science Foundation Acquisition Workforce

FROM: Patrick K. Breen
Senior Procurement Executive

SUBJECT: FAR Class Deviation for FAR Part 46 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

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.

BACKGROUND: On April 15, 2025, the [Executive Order \(E.O.\) 14275 on Restoring Common Sense to Federal Procurement](#) was signed, mandates a comprehensive review and simplification of the FAR.

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- Remove duplicative or outdated language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
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

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.

INSTRUCTIONS: The NSF acquisition workforce shall 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.

APPLICABILITY: This class deviation applies to all NSF procurement actions.

AUTHORITY: This class deviation is issued under the authority of EO 14275, [OMB Memo M-25-26](#), 48 CFR 1.4, and RFO FAR 1.304.

EFFECTIVE DATE: This deviation is effective on the date of this letter and shall remain in effect until it is incorporated into the FAR, or until this class deviation is rescinded, extended, or amended.

POINT OF CONTACT: Contact Raymond McCollum at 703-292-4225 or rmccollu@nsf.gov .