



National Aeronautics and
Space Administration
Washington, DC 20546

Procurement Class Deviation

PCD 25-43

December 19, 2025

CLASS DEVIATION FROM FEDERAL ACQUISITION REGULATION (FAR) PART 41 AND NASA FAR SUPPLEMENT (NFS) PART 1841 TO IMPLEMENT THE REVOLUTIONARY FAR OVERHAUL (NASA Case 2025-N047)

PURPOSE: To provide a Class Deviation from the FAR to implement the FAR Council's model deviation text to FAR Part 41, and deviation to NFS 1841.

BACKGROUND: On April 15, 2025, the Executive Order (E.O.) 14275, ["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." To implement E.O. 14275, the Office of Federal Procurement Policy (OFPP) is leading the **Revolutionary FAR Overhaul (RFO)** initiative. This effort is supported by the Federal Acquisition Regulatory Council (the Council) member agencies— General Services Administration, Department of Defense, NASA, along with other agencies. In line with the E.O., the initiative aims to eliminate unnecessary regulations and policies across all levels of the federal government.

The Office of Management and Budget (OMB) memorandum, M-25-26 issued on May 2, 2025, titled, Overhauling the Federal Acquisition Regulation, provided additional guidance to federal agencies regarding the FAR overhaul.

FAR Streamlining. As part of the RFO, the FAR will be streamlined to include only statutory requirements, while non-statutory content will move to new buying guides, collectively forming 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 will have 30 days to issue class deviations based on the model text once it is released.

Streamlining Agency Acquisition Supplements. Agencies must streamline their FAR supplements by removing regulations not based on statute or executive orders and aligning with the FAR Council's deviation guidance. Supporting policies must also be updated to reflect these changes. This approach ensures the NASA FAR Supplement (NFS) remains consistent with the streamlined FAR.

FAR Buying Guides and NFS Companion Guide (CG) (coming soon). As the FAR and the NFS are streamlined, helpful non-regulatory content will be moved to new FAR Buying Guides and NFS CG. These guides are intended to offer practical instructions and best practices for implementing effective contracting methods.

RFO Part 41, Acquisition of Utility Services, is one of the model deviations released by the FAR Council. RFO Part 41 establishes policy and methods for federal government procurement of utilities commodities and services. Burdensome, duplicative, or outdated language and language not required by statute have been removed from FAR Part 41. This plain language version of FAR Part 41 shall be adhered to.

GUIDANCE: Contracting officers shall follow the RFO Part 41 deviated text instead of FAR Part 41 as codified at 48 CFR Chapter 41. The FAR Council's RFO text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-41>.

ACTION REQUIRED BY CONTRACTING OFFICERS: Effective immediately, ensure that new contract actions issued on or after the effective date complies with the policy in the PCD.

EFFECTIVE DATE: This PCD is effective as dated and shall remain in effect until implemented in the FAR and NFS or otherwise rescinded.

PROVISION AND CLAUSE CHANGES: This deviation makes no change to any clause or provision.

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Enclosure

Changes in the NFS Deviation text below are identified as follows:
Deletions shown as ~~strike throughs~~; and additions shown in **[bold text within brackets]**.

PART 1841
ACQUISITION OF UTILITY SERVICES
(September 2015)

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PART 1841
ACQUISITION OF UTILITY SERVICES

Subpart 1841.1—General

1841.103 Statutory and delegated authority.

(c) The authority to request delegations of contracting authority from GSA is delegated to the center procurement officer. The procurement officer shall coordinate with the Headquarters Facilities Engineering Division before requesting this delegation of authority.

Subpart 1841.2—Acquiring Utility Services

1841.201 Policy.

(c) The Center or Component Facility Energy Manager shall review each acquisition of utility services for opportunities to increase the portion of energy generated from renewable sources or conventional sources with lower greenhouse gas emissions in order to assist NASA in reaching goals and in compliance with Federal energy and greenhouse gas requirements addressed in NPR 8570.1, Energy Efficiency and Water Conservation.

1841.205 Separate contracts.

(a) Before entering into a separate contract, the contracting officer shall coordinate with the Center Energy Manager and Headquarters Facilities Engineering Division.

1841.205-70 Acquisition of energy when purchased as a commodity.

(a) The acquisition of energy, such as electricity and natural gas, when purchased as a commodity is considered the acquisition of supplies rather than the acquisition of utility services described in FAR Part 41. Therefore, the contracting officer may acquire energy commodities directly under applicable authorities and FAR procedures governing the acquisition of supplies. NASA Centers and Component Facilities may also participate in energy commodity procurement programs conducted by other entities, such as the GSA and the Defense Logistics Agency. The contracting officer shall coordinate energy commodity acquisitions with the Headquarters Facilities Engineering Division.

1841.206 Interagency agreements.

A NASA Center or Component Facility located with a Department of Defense (DoD) installation may, after coordinating with the Headquarters Facilities Engineering Division, enter into an interagency agreement to reimburse the installation for utility services provided by the installation under DoD's utility services authority.

CLEAN REGULATORY VERSION WITH CHANGES INCORPORATED:

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