

UNITED STATES GOVERNMENT
National Labor Relations Board



Memorandum

September 22, 2026

TO: ACQUISITIONS MANAGEMENT BRANCH PERSONNEL

FROM: Isabel Luengo McConnell, Procurement Executive
National Labor Relations Board

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

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1. **Effective Date:** Immediately
 2. **Expiration Date:** This Class Deviation remains in effect until the changes described herein are incorporated in the FAR, superseded, or otherwise rescinded.
 3. **Purpose:** This memorandum approves a class deviation to FAR Part 46 for purposes of implementing the FAR Council's model deviation text to FAR Part 46.
 4. **Authority:** This class deviation is issued under the authority of Executive Order (*E.O.*) 14275, *OMB M-25- 25*, and 48 CFR Subpart 1.4.
 5. **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- Remove duplicative or outdated language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.

6. Summary of Changes: FAR Part 46, Quality Assurance, has been updated for clarity and usability.

Statutory requirements and government directives retained in the RFO FAR Part 46 model deviation include, but may not be 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.

Retained	• 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	• 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.

7. Instructions: National Labor Relations Board (NLRB) acquisition workforce shall follow the RFO Part 46 model deviation text instead of FAR Part 46 as codified at 48 CFR Chapter 1. The FAR Council’s RFO Part 46 model deviation text is available at *Acquisition.gov*, under the “[FAR Overhaul](#)” link.

Do not include any of the removed provisions or clauses in future solicitations and contracts.

For open solicitations or awarded contracts, the contracting officer has discretion regarding the need to enforce or amend the provisions or clauses.

8. Applicability: This deviation applies to all NLRB solicitations and new contracts as of September 4, 2026. This deviation does not apply to contracts signed and executed on or before September 4, 2026.

9. Point of Contact: Questions or comments on this class deviation may be directed to Delfina St. Clair, Director, Acquisitions Management Branch, at Delfina.St.Clair@nlrb.gov.