



National Aeronautics and
Space Administration
Washington, DC 20546

Procurement Class Deviation

PCD 25-42

December 17, 2025

CLASS DEVIATION FROM FEDERAL ACQUISITION REGULATION (FAR) PART 47 AND NASA FAR SUPPLEMENT (NFS) PART 1847 TO IMPLEMENT THE REVOLUTIONARY FAR OVERHAUL (NASA Case 2025-N046)

PURPOSE: To provide a Class Deviation from the FAR to implement the FAR Council's model deviation text to FAR Part 47, Transportation, and deviation to NFS 1847.

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 shall 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 shall 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 47, Transportation, is one of the model deviations released by the FAR Council. RFO Part 47 establishes policy for the transportation of goods to and across NASA facilities, which has been streamlined to focus on statutory requirements. Burdensome, duplicative, or outdated language and language not required by statute have been removed from FAR Part 47. This plain language version of FAR Part 47 shall be adhered to.

To align with the RFO FAR Part 47, the NFS 1847, Transportation, is revised to remove non-statutory and outdated language. This deviation implements the revised RFO Part 47 and NFS Part 1847.

GUIDANCE:

(1) Contracting officers shall follow the RFO Part 47 deviated text instead of FAR Part 47 as codified at 48 CFR Chapter 47. The FAR Council's RFO text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-47>.

(2) COs shall also follow the NFS Part 1847 deviated text enclosed within this deviation.

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 PCD does not include any major changes to clauses or provisions.

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Marvin L. Horne
Acting Assistant Administrator for Procurement
Enclosure

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

PART 1847 **TRANSPORTATION**

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PART 1847
TRANSPORTATION

Subpart 1847.2 Contracts for Transportation or for Transportation-Related Services

1847.200 Scope of subpart.

1847.200-70 Definitions.

~~Per 41 C.F.R. 102-33.20 and as used in this subpart~~, consistent with ~~41 C.F.R. 102-33.20~~

~~“Federal aircraft” means manned or unmanned aircraft that an executive agency owns (i.e., holds title to) or borrows for any length of time. Federal aircraft include—~~

- ~~(1) Bailed aircraft: Federal aircraft that is owned by one executive agency, but is in the custody of and operated by another executive agency under an agreement that may or may not include cost reimbursement. Bailments are executive agency to executive agency agreements and involve only aircraft, not services;~~
- ~~(2) Borrowed aircraft: aircraft owned by a non-executive agency and provided to an executive agency for use without compensation. The executive agency operates and maintains the aircraft;~~
- ~~(3) Forfeited aircraft: aircraft acquired by the Government either by summary process or by order of a court of competent jurisdiction pursuant to any law of the United States;~~
- ~~(4) Loaned aircraft: Federal aircraft owned by an executive agency, but in the custody of a non-executive agency under an agreement that does not include compensation; and~~
- ~~(5) Owned aircraft: an aircraft for which title or rights of title are vested in an executive agency.~~

~~“Government aircraft” means manned or unmanned aircraft operated for the exclusive use of an executive agency. Government aircraft include—~~

- ~~(1) Federal aircraft (see definition for “Federal aircraft” in this section); and~~
- ~~(2) Aircraft hired as commercial aviation services (CAS). CAS include—~~
 - ~~(i) Leased aircraft for exclusive use for an agreed upon period of time (The acquiring executive agency operates and maintains the aircraft);~~
 - ~~(ii) Capital lease aircraft for which the leasing agency holds an option to take title;~~
 - ~~(iii) Charter aircraft for hire under a contractual agreement for one time exclusive use that specifies performance (The commercial source operates and maintains a charter aircraft);~~
 - ~~(iv) Rental aircraft obtained commercially under an agreement in which the executive agency has exclusive use for an agreed upon period of time (The executive agency operates, but does not maintain, a rental aircraft);~~
 - ~~(v) Contracting for full services (i.e., aircraft and related aviation services for exclusive use); or~~
 - ~~(vi) Obtaining related aviation services (i.e., services but not aircraft) by commercial contract, except those services acquired to support a Federal aircraft.~~

~~“Unmanned Aircraft Systems (UAS)” means an unmanned aircraft and its associated elements related to safe operations, which may include but not be limited to control stations, data communications links, support equipment, payloads, flight termination systems, and launch/recovery equipment. The unmanned aircraft (UA) is the flying component of the system,~~

~~f~~lown by a pilot via a ground control system, or autonomously through the use of an on-board computer, communication links, and any additional equipment necessary for the unmanned aircraft to operate safely. The Federal Aviation Administration issues either an Airworthiness Directive (AD) or a Certificate of Authorization (COA) for the entire system, not just the flying component of the system. Reporting of UAS costs and flight hours is only required if the accumulated costs for acquisition and operations meets the agency's threshold for capitalization, and the UAS has a useful life of two years or more.

{PN 18-02}

1847.200-71 Acquisition of Aircraft and Aircraft Services.

(a) Program and project coordination with the Center Flight Operations Office is required for the acquisition of Government aircraft or aircraft services, including federal aircraft, commercial aviation services (CAS) and unmanned aircraft systems (UAS).

(b) Prior to releasing any solicitation or awarding any contract for aircraft or aircraft services, the requiring office shall obtain concurrence from the Center Flight Operations office utilizing the NASA Form 1707, that the contemplated acquisition complies with NASA aviation safety program requirements stipulated in NPD 7900.4, NASA Aircraft Operations Management, and NPR 7900.3, Aircraft Operations Management. If the Center does not have a Flight Operations office, concurrence from another Center's Flight Operations office designated by the Aircraft Capability Management Office in the Mission Support Directorate at NASA Headquarters is required.

(c) Requiring offices shall use the mandatory contracts at A-102.7 for all aircraft operational support service requirements.”

{PN 18-02, PN 24-10}

1847.207-10 Discrepancies incident to shipments.

NASA personnel shall also report discrepancies and adjust claims for loss of and damage to Government property in transit in accordance with NPR 6200.1, NASA Transportation and General Traffic Management.

Subpart 1847.3—Transportation in Supply Contracts

1847.304 Determination of delivery terms.

1847.304-3 Shipments from CONUS for overseas delivery.

1847.304-370 NASA export privilege.

NASA has export licensing privileges for moving commodities to foreign destinations. Contracting officers shall request the advice of the Center Export Administrator to ensure full and appropriate use is made of these privileges.

1847.305 Solicitation provisions, contract clauses, and transportation factors.

1847.305-70 NASA contract clauses.

(a) The contracting officer may insert a clause substantially as stated at [1852.247-72](#), Advance Notice of Shipment, in solicitations and contracts when the f.o.b. point is destination and special Government assistance is required in the delivery or receipt of the items.

(b) The contracting officer shall insert a clause substantially as stated at [1852.247-73](#), Bills of Lading, in f.o.b. origin solicitations and contracts.

Subpart 1847.5—Ocean Transportation by U.S. Flag Vessels

1847.506 Procedures.

~~(d)(i) The transportation officer in each installation shall establish and maintain a register to reflect adherence to the Cargo Preference Act. The register shall contain data related to shipments made by the installation and by NASA contractors. Where no transportation officer is available, it shall be maintained by the contracting office. The register shall contain pertinent details of ocean shipments including, but not limited to, the ports of origin and destination of shipments, commodity descriptions, gross weight, freight revenue, name of vessel, operator of vessel, and date of loading. The register shall be maintained current and organized so that adherence to the Cargo Preference Act can be ascertained at all times. To the maximum practicable extent, compliance with the 50 percent minimum requirements of the Cargo Preference Act shall be maintained on a quarter year basis; any deficiencies in maintaining compliance shall be corrected by the end of the calendar year.~~

~~(ii) On the basis of the registers maintained under paragraph (d)(i) of this section, the official maintaining the register shall submit quarterly reports reflecting ocean shipments to the Division of National Cargo, Office of Market Development, Maritime Administration, Department of Transportation, Washington, DC, 20590. Negative reports are required when applicable.~~

Subpart 1847.70—Protection of the Florida Manatee

1847.7001 Contract clause.

The contracting officer shall insert the clause at [1852.247-71](#), Protection of the Florida Manatee, in solicitations and contracts when deliveries or vessel operations, dockside work, or disassembly functions under the contract will involve use of waterways inhabited by manatees. The clause shall also be included in applicable subcontracts (including vendor deliveries).

PART 1852
SOLICITATION PROVISIONS AND CONTRACT CLAUSES

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1852.247-72 Advance Notice of Shipment.

As prescribed in [1847.305-70\(a\)](#), insert the following clause:

ADVANCE NOTICE OF SHIPMENT (OCT 1988) [(DEC 2025) (DEVIATION)]

_____ [Insert number of United States Government **business** work-days] prior to shipping item(s) _____ [Insert items to be shipped], the Contractor shall furnish the anticipated shipment date, bill of lading number (if applicable), and carrier identity to _____ [Insert individual(s) to receive notification] and to the Contracting Officer.

(End of clause)

1852.247-73 Bills of Lading.

As prescribed in [1847.305-70\(b\)](#), insert a clause substantially as follows:

BILLS OF LADING (JUN 2002) [(DEC 2025)(DEVIATION)]

The purpose of this clause is to define when a commercial bill of lading or a government bill of lading is to be used when shipments of deliverable items under this contract are f.o.b. origin.

(a) *Commercial Bills of Lading.* All domestic shipments shall be made via commercial bills of lading (CBLs). The Contractor shall prepay domestic transportation charges. The Government shall reimburse the Contractor for these charges if they are added to the invoice as a separate line item supported by the paid freight receipts. If paid receipts in support of the invoice are not obtainable, a statement as described below shall be completed, signed by an authorized company representative, and attached to the invoice.

"I certify that the shipments identified below have been made, transportation charges have been paid by (company name), and paid freight or comparable receipts are not obtainable.

Contract or Order Number: _____
Destination: _____".

(b) *Government Bills of Lading.*

(1) International (export) and domestic overseas shipments of items deliverable under this contract shall be made by Government bills of lading (GBLs). As used in this clause, "domestic overseas" means non-continental United States, i.e. Hawaii, Commonwealth of Puerto Rico, and possessions of the United States.

(2) At least 15 [United States Government business] days before shipment, the Contractor shall request in writing GBLs from: [Insert name, title, and mailing address of designated transportation officer or other official delegated responsibility for GBLs]. If time is limited, requests may be by telephone: [Insert appropriate telephone number]. Requests for GBLs shall include the following information.

- (i) Item identification/ description.
- (ii) Origin and destination.

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- (iii) Individual and total weights.
- (iv) Dimensional Weight.
- (v) Dimensions and total cubic footage.
- (vi) Total number of pieces.
- (vii) Total dollar value.
- (viii) Other pertinent data.

(End of clause)

CLEAN REGULATORY VERSION WITH CHANGES INCORPORATED:

PART 1847
TRANSPORTATION

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PART 1847
TRANSPORTATION

Subpart 1847.3—Transportation in Supply Contracts

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PART 1852
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