



Memorandum

January 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 8 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

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Date:** This Class Deviation remains in effect until the changes described herein are incorporated in the FAR, superseded, or otherwise rescinded.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 8 for purposes of implementing the FAR Council's model deviation text to FAR Part 8.
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- Remove duplicative or outdated language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.

Summary of Changes: FAR Part 8, Required Sources of Supplies and Services, is significantly updated. The model deviation language:

Enhances usability by restructuring and organizing the part in the logical flow of the acquisition lifecycle.

- Simplifies mandatory source guidance.
- Makes the use of Governmentwide Best-In-Class (BIC) contracts mandatory.
- Retains focus on the importance of the AbilityOne Program.

This revolutionary change also moves the procedures for ordering under the Federal Supply Schedule (FSS) from the FAR into the General Services Administration Acquisition Regulation (GSAR). The new language represents a significant shift from the overly prescriptive framework found in FAR subpart 8.4. FSS ordering procedures have been revised to create a streamlined structure that provides only the essential requirements needed to place orders and establish blanket purchase agreements (BPAs) against FSS contracts. This streamlined structure enhances the speed of acquisition and empowers acquisition professionals to use innovative approaches to acquire products/services/solutions under the FSS program.

Statutory requirements retained in the RFO FAR part 8 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 3905, Products of Federal Prison Industries.
- 18 U.S.C. § 4124, Purchase of Prison-Made Products by Federal Departments.
- 40 U.S.C. § 501, Services for Executive Agencies.
- 41 U.S.C. § 152(3), Competitive Procedures.
- 41 U.S.C. § 3302, Requirements for Purchase of Property and Services Pursuant to Multiple Award Contracts.
- 41 U.S.C. §§ 8501 et seq, Committee for Purchase from People Who are Blind or Severely Disabled.
- 44 U.S.C. §§ 501 et seq, Production and Procurement of Printing and Binding.
- Pub. L. 108-136, Title XIV, Services Acquisition Reform Act of 2003.

Change	Description
Retained	<ul style="list-style-type: none"> • The substance of the “Scope” in 8.000 is retained. • Many definitions, previously scattered across different subparts of part 8, are now consolidated at new section 8.001. • Use of Mandatory Sources. The priorities and requirements for use of mandatory sources are moved from 8.002 to new sections 8.102, and 8.103. Former section 8.003, “Use of Other Mandatory Sources”, is deleted, but its content is preserved and merged into the new section 8.101. • Use of Existing Contracts. 8.104 replaces section 8.004, “Use of Other Sources”. Best-in-class (BIC) contracts or BPAs are now required to be used when a commercial product or commercial service meets an agency’s need, unless approved by the Head of the Contracting Activity (HCA). If a BIC is not suitable, agencies should consider use of an existing governmentwide contract, BPA, or shared service. • Contractor permitted use of Government supply sources. This new content moves from FAR part 51 to the new section at 8.105. A new clause is prescribed in section 8.105-1 and discussed below. • Contractor Use of GSA Fleet. Former subpart 8.11, “Leasing of Motor Vehicles”, is deleted but guidance for authorizing contractor use of GSA Fleet is preserved and moved to section 8.105-3. • Ordering under the Federal Supply Schedule. This new subpart 8.4 directs agencies to follow the ordering procedures established by GSA found at General Services Acquisition Regulation (GSAR) part 538. • Requirements and procedures for Acquisition from Federal Prison Industries, Inc. are retained and streamlined. The content has been moved from subpart 8.6 to new subpart 8.3. • Requirements and procedures for Acquisition from AbilityOne Participating Nonprofit Agencies are retained and streamlined. The content has been moved from subpart 8.7 to the new subpart 8.2. • Requirements and procedures for Acquisitions of Government Printing and Related Supplies are retained and streamlined. The content has been moved from subpart 8.8 to new subpart 8.5. • The following clauses are retained or relocated from other parts: Clause 52.208-9, Contractor Use of Mandatory Sources of Supply and Services, is streamlined. The prescription is now at 8.105-1(b). <ul style="list-style-type: none"> ○ Clause 52.208-10 Government Supply Sources (previously at 52.251-1). The prescription is now 8.105-2(c). ○ Clause 52.208-11, GSA Fleet and Related Services (previously at 52.251-2). The prescription is now at 8.105-3(c). ○ 52.208-1 through 52.208-8 remain reserved.

Removed	<ul style="list-style-type: none"> • Former sections 26.601, “Purpose”, 26.602, “Applicability”, and 26.603, “Definitions” are removed. The clause at 52.226-8 retains the definitions. • Section 8.001, “General”, is removed. It contained a general requirement for IT acquisitions to comply with capital planning rules. This information is not specific to the core purpose of part 8. • Subpart 8.1, “Excess Personal Property” is removed. The new 8.103(a)(2) points readers to the authoritative Federal Management Regulation (41 C.F.R. 102-36) to avoid outdated information. • Subpart 8.4, “Federal Supply Schedules” is retitled to “Ordering under the Federal Supply Schedule” and streamlined with the majority of the content moving to GSAM/R 538. • The following clauses associated with “Leasing of Motor Vehicles” are removed: <ul style="list-style-type: none"> ○ 52.208-4, Vehicle Lease Payments ○ 52.208-5, Condition of Leased Vehicles ○ 52.208-6, Marking of Leased Vehicles ○ 52.208-7, Tagging of Leased Vehicles
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This table is not an exhaustive list.

- 6. Instructions:** National Labor Relations Board (NLRB) acquisition workforce shall follow the RFO Part 8 model deviation text instead of FAR Part 8 as codified at 48 CFR Chapter 1. The FAR Council’s RFO Part 8 model deviation text is available at *Acquisition.gov*, under the “[FAR Overhaul](#)” link.
- 7. Applicability:** This deviation applies to all NLRB solicitations and new contracts as of January 22, 2026. This deviation does not apply to contracts signed and executed on or before January 22, 2026.
- 8. 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.