



PROCUREMENT MEMORANDUM 2024-06

ACTION

MEMORANDUM FOR: Senior Bureau Procurement Officials

FROM: Olivia J. Bradley
Senior Procurement Executive and
Director for Acquisition Management

SUBJECT: Federal Acquisition Regulation (FAR) Class Deviation Regarding
New Trade Agreements Thresholds

Background

Approximately every two years the trade agreements thresholds for the World Trade Organization Government Procurement Agreement (WTO GPA) and the free trade agreements (FTAs) are adjusted according to predetermined formulae under these agreements. On December 8, 2023 (88 FR 85718), the United States Trade Representative (USTR) published new procurement thresholds. The new thresholds are effective as of January 1, 2024.

FAR Case 2023-012, Trade Agreements Thresholds, will be implementing the new threshold changes, but will not be published before January 1, 2024. The new thresholds provided by USTR do not work with the FAR framework for prescriptions and clause alternates.

Purpose

This class deviation is issued in accordance with FAR 1.404 and pursuant to Civilian Agency Acquisition Council (CAAC) Letter 2024-03 to provide contracting officers with revised FAR language, clauses, prescriptions, and alternates to accommodate the new trade agreements thresholds.

Required Actions

Beginning January 1, 2024, contracting officers shall comply with the deviated FAR text found in Attachment A and insert the deviated FAR clauses, provisions, and their alternates in lieu of the existing FAR clauses and provisions.

Effective Date

This deviation is effective January 1, 2024, and remains in effect until rescinded or incorporated into the FAR.

Questions

Please direct any questions regarding this Procurement Memorandum to OAM_Mailbox@doc.gov.

Attachment A – FAR Deviation Text