



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Chief Financial Officer and**  
**Assistant Secretary for Administration**  
Washington, D.C. 20230

## **CLASS DEVIATION FROM THE FEDERAL ACQUISITION REGULATION**

### **Determination and Findings**

In accordance with Civilian Agency Acquisition Council (CAAC) Letter 2024-03, "CAAC Consultation to Issue a Class Deviation From the Federal Acquisition Regulation (FAR) Regarding New Trade Agreements Thresholds" the Department of Commerce is authorizing a class deviation to make the new trade agreement thresholds effective as of January 1, 2024.

### **Findings**

- 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- FAR Case 2023-012, Trade Agreements Thresholds, will be implementing the new threshold changes, but will not be published before January 1, 2024.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 its prescriptions and clause alternates. The prescriptions and alternates are being revised to accommodate the new thresholds.
- Contracting officers are provided deviated language for new trade agreements thresholds including applicable clauses, provisions, and their alternates.

### **Determination**

In accordance with FAR 1.404, I hereby authorize this class deviation. The areas of the FAR that are affected by this class deviation are Parts 22, 25, and 52.

This class deviation will remain in effect until rescinded or incorporated into the FAR.

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

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Date: