



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

PROCUREMENT MEMORANDUM 2020-11

ACTION

MEMORANDUM FOR: Senior Bureau Procurement Officials

FROM: Barry E. Berkowitz
Senior Procurement Executive
and Director for Acquisition Management

SUBJECT: FAR Class Deviation: Implementation of the U.S. Mexico-Canada Agreement

Purpose

This class deviation is issued in accordance with Federal Acquisition Regulation (FAR) 1.404 and pursuant to Civilian Agency Acquisition Council (CAAC) Letter 2020-05 to implement the United States-Mexico-Canada Agreement (USMCA), as enacted by Congress in the United States-Mexico-Canada Agreement Implementation Act (Pub. L. 116-113).

Background and Applicability

The USMCA is effective July 1, 2020 and supersedes the North American Free Trade Agreement (NAFTA), therefore, references to NAFTA are replaced with USMCA. Although Canada is still a designated country under the World Trade Organization Government Procurement Agreement, Canada is no longer a Free Trade Agreement country, because chapter 13 of the USMCA (government procurement) applies only to the United States and Mexico. Therefore, references to Canada as a Free Trade Agreement country are deleted, including the \$25,000 threshold. Mexico thresholds remain unchanged. FAR Case 2020-014 has been opened to implement the USMCA.

Deviation

The deviated FAR text is included as Attachment A.

Required Actions

Contracting officers shall insert the deviated FAR provisions and clauses provided in Attachment A without change in lieu of the corresponding standard FAR provisions and clauses.

Effective Date

This deviation is effective immediately and remains in effect until rescinded or incorporated into the FAR.

Point of Contact

Questions regarding this class deviation may be directed to OAM_Mailbox@doc.gov.

Attachment A – FAR Deviation Text