252.225-7058 Postaward Disclosure of Employment of Individuals Who Work in the People’s Republic of China.

As prescribed in 225.7021-4(b), use the following clause:

POSTAWARD DISCLOSURE OF EMPLOYMENT OF INDIVIDUALS WHO WORK IN THE PEOPLE’S REPUBLIC OF CHINA (JAN 2023)

(a) Definitions. As used in this clause—

“Covered contract” means any DoD contract or subcontract with a value in excess of $5 million, not including contracts for commercial products and commercial services. “Covered entity” means any corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity, including any subsidiary thereof, performing work on a covered contract in the People’s Republic of China, including by leasing or owning real property used in the performance of the covered contract in the People’s Republic of China.

(b) Disclosure requirement.

(1) In accordance with section 855 of the National Defense Authorization Act for Fiscal Year 2022 (Pub. L. 117-81, 10 U.S.C. 4651 note prec.), DoD may not award, extend, or exercise an option on a covered contract with a covered entity unless such covered entity submits each required disclosure of its use of workforce and facilities in the People’s Republic of China, if it employs one or more individuals who perform work in the People’s Republic of China on a covered contract.

(2) If the Contractor is a covered entity, the Contractor shall disclose for the Government’s fiscal years 2023 and 2024, the Contractor’s employment of one or more individuals who perform work in the People’s Republic of China on any covered contract. The disclosures shall include—

(i) The total number of such individuals who perform work in the People’s Republic of China on the covered contracts funded by DoD; and

(ii) A description of the physical presence, including street address or addresses in the People’s Republic of China, where work on the covered contract is performed.

(c) Subcontracts. The Contractor shall insert this clause, including this paragraph (c), without alteration other than to identify the appropriate parties, in all subcontracts that meet the definition of a covered contract.

(End of clause)

Parent topic: 252.225 RESERVED