

<?xml encoding="UTF-8">

# 652.228-70 Defense Base Act—Covered Contractor Employees.

As prescribed in 628.309-70(a), insert the following provision:

Defense Base Act—Covered Contractor Employees (FEB 2015)

(a) Bidders/offerors shall indicate below whether or not any of the following categories of employees will be employed on the resultant contract, and, if so, the number of such employees:

| Category   | Yes/No | Number   |
|--|--------|--|
| (1) United States citizens or residents  |        |  |
| (2) Individuals hired in the United States, regardless of citizenship  |        |  |
| (3) Local nationals or third country nationals where contract performance takes place in a country where there are no local workers' compensation laws |        | Local nationals: _____ Third<br>country nationals: _____ |
| (4) Local nationals or third country nationals where contract performance takes place in a country where there are local workers' compensation laws    |        | Local nationals: _____ Third<br>country nationals: _____ |

(b) The contracting officer has determined that for performance in the country of [contracting officer insert country of performance and check the appropriate block below]

- Workers' compensation laws exist that will cover local nationals and third country nationals.
- Workers' compensation laws do not exist that will cover local nationals and third country nationals.

(c) If the bidder/offeror has indicated “yes” in block (a)(4) of this provision, the bidder/offeror shall not purchase Defense Base Act insurance for those employees. However, the bidder/offeror shall assume liability toward the employees and their beneficiaries for war-hazard injury, death, capture, or detention, in accordance with the clause at FAR 52.228-4.

(End of provision)

**Parent topic:** [Subpart 652.2—Text of Provisions and Clauses](#)