

# **SUBPART 4.90 - ELECTRONIC MICROCIRCUITS RESTRICTION**

*(Revised August 30, 2022 through PROCLTR 2022-11)*

**Parent topic:** [PART 4 - ADMINISTRATIVE MATTERS](#)

## **4.9000 Policy.**

Contracting officers shall include procurement note H17, Restriction on FSC 5962, Electronic Microcircuits, in solicitations and contracts equal to or under the micro-purchase threshold. Procurement note H17 applies only to procurements involving Federal Supply Class (FSC) code 5962, Electronic Microcircuits.

## **4.9001 Definitions.**

(a) For the purpose of this section:

(1) "Covered Nation" means

(i) the Democratic People's Republic of North Korea;

(ii) the People's Republic of China;

(iii) the Russian Federation; and

(iv) the Islamic Republic of Iran

(2) "Federal Supply Class (FSC) 5962, Electronic Microcircuit" means

(i) a small circuit having a high equivalent circuit element density, which is considered as a single part composed of interconnected elements placed and/or formed on or within a single substrate to perform an electronic circuit function. The elements may be formed on or within a semiconductor material substrate. They may consist of conductive film(s) formed on an insulating substrate or may be a combination of one or both of these types with discrete elements;

(ii) designed specifically to generate, modify, or process electrical signals included in FSC 5962;

(iii) a supply class identified as being high-risk for counterfeiting; and

(iv) includes Integrated Circuit Devices; Integrated Circuit Modules, Integrated Electronic Devices: Hybrid, Magnetic, Molecular, Opto-Electronic, and Thin Film.

## **4.9002 Prohibition.**

(a) The offeror shall not propose to deliver FSC 5962, Electronic Microcircuits, from a covered nation to the Government under any solicitation or resulting contract.

(b) If the contracting officer is unable to determine whether the FSC 5962, Electronic Microcircuits is from a covered nation based on traceability documentation or other means on the offeror's representation, then the award shall not be made to that offeror.

## **4.9003 Requirements.**

(a) The awardee must meet the following requirements:

(i) Provide post award traceability documentation. If the contracting officer is unable to obtain traceability accounting for 100% of the material, the contracting officer reserves the right to reject the material based on the prohibition in DLAD 4.9002;

(ii) Obtain written contracting officer approval prior to shipment.

## **4.9004 Procurement note.**

As prescribed in DLAD 4.9000, use procurement note H17 for procurements involving FSC 5962 only that are equal to or under the micro-purchase threshold.

H17 RESTRICTION ON FSC 5962, ELECTRONIC MICROCIRCUITS (MAY 2022)

(a) Application. This procurement note shall apply only to actions at or under the micro-purchase threshold.

(b) Definitions. As used in this procurement note.

(1) "Covered Nation" means

(i) the Democratic People's Republic of North Korea;

(ii) the People's Republic of China;

(iii) the Russian Federation; and

(iv) the Islamic Republic of Iran.

(2) "Federal Supply Class (FSC) 5962, Electronic Microcircuit" means

(i) a small circuit having a high equivalent circuit element density, which is considered as a single part composed of interconnected elements placed and/or formed on or within a single substrate to perform an electronic circuit function. The elements may be formed on or within a semiconductor material substrate. They may consist of conductive 8 film(s) formed on an insulating substrate or may be a combination of one or both of these types with discrete elements;

- (ii) designed specifically to generate, modify, or process electrical signals included in FSC 5962;
  - (iii) a supply class identified as being high-risk for counterfeiting; and
  - (iv) includes Integrated Circuit Devices; Integrated Circuit Modules, Integrated Electronic Devices: Hybrid, Magnetic, Molecular, Opto-Electronic, and Thin Film.
- (c) Prohibition. The offeror represents by the submission of its quotation that it shall not propose to deliver FSC 5962, Electronic Microcircuits from a covered nation to the Government under this solicitation or any resulting contract. If the contracting officer is unable to determine whether the FSC 5962, Electronic Microcircuits is from a covered nation based on traceability documentation or other means on the offeror's representation, as described above, then the award shall not be made to that offeror.
- (d) Requirements. The awardee must also meet the following requirements:
- (i) Provide post award traceability documentation. If the contracting officer is unable to obtain traceability accounting for 100% of the material, the contracting officer reserves the right to reject the material based on the above prohibition.
  - (ii) Obtain written contracting officer approval prior to shipment.