

**SUBPART 222.73—LIMITATIONS APPLICABLE TO CONTRACTS  
PERFORMED ON GUAM**

*(Revised April 26, 2007)*

**222.7300 Scope of subpart.**

This subpart—

(a) Implements Section 390 of the National Defense Authorization Act for Fiscal Year 1998 (Pub. L. 105-85); and

(b) Applies to contracts for base operations support on Guam that—

(1) Are awarded as a result of a competition conducted under OMB Circular A-76; and

(2) Are entered into or modified on or after November 18, 1997.

**222.7301 Prohibition on use of nonimmigrant aliens.**

(a) Any alien who is issued a visa or otherwise provided nonimmigrant status under Section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)) is prohibited from performing work under a contract for base operations support on Guam.

(b) Lawfully admitted citizens of the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau are not subject to the prohibition in paragraph (a) of this section.

**222.7302 Contract clause.**

Use the clause at 252.222-7005, Prohibition on Use of Nonimmigrant Aliens--Guam, in solicitations and contracts subject to this subpart.