

# Subpart 1652.3—FEHBP Clause Matrix

Parent topic: [PART 1652—CONTRACT CLAUSES](#)

## 1652.370 Use of the matrix.

(a) The matrix in this section lists the FAR and FEHBP clauses to be used with contracts based on cost analysis and contracts based on a combination of cost and price analysis. Carriers shall submit initial applications and requests for renewals on the basis that the new contract or contract renewal will include the clauses indicated.

(b) Certain contract clauses are mandatory for FEHBP contracts. Other clauses are to be used only when made applicable by pertinent sections of the FAR or FEHBP. An “M” in the “Use Status” column indicates that the clause is mandatory. An “A” indicates that the clause is to be used only when the applicable conditions are met.

(c) Clauses are incorporated in the contract either in full text or by reference. If the full text is to be used, the matrix indicates a “T”. If the clause is incorporated by reference, the matrix indicates an “R”.

FEHBP Clause Matrix

| Clause        | Title  | Use status | Use with experience rated contracts | Use with community rated contracts |
|---------------|--|------------|-------------------------------------|------------------------------------|
| FAR 52.202-1  | Definitions  | M          | T                                   | T                                  |
| FAR 52.203-3  | Gratuities   | M          | T                                   | T                                  |
| FAR 52.203-5  | Covenant Against Contingent Fees                                 | M          | T                                   | T                                  |
| FAR 52.203-7  | Anti-Kickback Procedures   | M          | T                                   | T                                  |
| FAR 52.203-12 | Limitation on Payments to Influence Certain Federal Transactions | M          | T                                   | T                                  |
| FAR 52.203-13 | Contractor Code of Business Ethics and Conduct                   | M          | T                                   | T                                  |

| <b>Clause</b> | <b>Title</b>  | <b>Use status</b> | <b>Use with experience rated contracts</b> | <b>Use with community rated contracts</b> |
|---------------|---|-------------------|--|---|
| FAR 52.203-17 | Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights                              | M                 | T  | T   |
| FAR 52.203-19 | Prohibition Requiring Internal Confidentiality Agreements or Statements   | M                 | T  | T   |
| FAR 52.204-7  | System For Award Management   | M                 | T  | T   |
| FAR 52.204-9  | Personnel Identity Verification of Contractor Personnel   | M                 | T  |   |
| FAR 52.204-21 | Basic Safeguarding of Contractor Information Systems  | M                 | T  | T   |
| FAR 52.204-23 | Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities | M                 | T  | T   |
| FAR 52.209-9  | Updates of Publicly Available Information Regarding Responsibility Matters  | M                 | T  |   |
| 1652.203-70   | Misleading, Deceptive, or Unfair Advertising  | M                 | T  | T   |
| 1652.204-70   | Contractor Records Retention  | M                 | T  | T   |
| 1652.204-71   | Coordination of Benefits  | M                 | T  | T   |
| 1652.204-72   | Filing Health Benefit Claims/Court Review of Disputed Claims  | M                 | T  | T   |

| <b>Clause</b>    | <b>Title</b>   | <b>Use status</b> | <b>Use with experience rated contracts</b> | <b>Use with community rated contracts</b> |
|------------------|--|-------------------|--|---|
| 1652.204-73      | Taxpayer Identification Number   | M                 | T  | T   |
| 1652.204-74      | Large Provider Agreements  | M                 | T  |   |
| FAR<br>52.209-6  | Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment | M                 | T  | T   |
| FAR<br>52.215-2  | Audit & Records—Negotiation  | M                 | T  | T   |
| FAR<br>52.215-10 | Price Reduction for Defective Cost or Pricing Data   | M                 | T  |   |
| FAR<br>52.215-12 | Subcontractor Certified Cost or Pricing Data   | M                 | T  |   |
| FAR<br>52.215-15 | Pension Adjustments and Asset Reversions   | M                 | T  |   |
| FAR<br>52.215-18 | Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions                                   | M                 | T  |   |
| 1652.215-70      | Rate Reduction for Defective Pricing or Defective Cost or Pricing Data   | M                 | T  | T   |
| 1652.215-71      | Investment Income  | M                 | T  |   |
| 1652.216-70      | Accounting and Price Adjustment  | M                 |  | T   |
| 1652.216-71      | Accounting and Allowable Cost  | M                 | T  |   |

| <b>Clause</b> | <b>Title</b>   | <b>Use status</b> | <b>Use with experience rated contracts</b> | <b>Use with community rated contracts</b> |
|---------------|--|-------------------|--|---|
| FAR 52.219-8  | Utilization of Small Business Concerns                             | M                 | T  | T   |
| FAR 52.222-1  | Notice to the Government of Labor Disputes                         | M                 | T  | T   |
| FAR 52.222-3  | Convict Labor  | M                 | T  | T   |
| FAR 52.222-4  | Contract Work Hours and Safety Standards Act—Overtime Compensation | M                 | T  | T   |
| FAR 52.222-21 | Prohibition of Segregated Facilities                               | M                 | T  | T   |
| FAR 52.222-26 | Equal Opportunity  | M                 | T  | T   |
| FAR 52.222-29 | Notification of Visa Denial  | A                 | T  | T   |
| FAR 52.222-35 | Equal Opportunity for Veterans                                     | M                 | T  | T   |
| FAR 52.222-36 | Equal Opportunity for Workers With Disabilities                    | M                 | T  | T   |
| FAR 52.222-37 | Employment Reports on Veterans                                     | M                 | T  | T   |
| FAR 52.222-50 | Combating Trafficking in Persons                                   | M                 | T  | T   |
| FAR 52.222.54 | Employment Eligibility Verification                                | M                 | T  | T   |
| 1652.222-70   | Notice of Significant Events                                       | M                 | T  | T   |

| <b>Clause</b>    | <b>Title</b>  | <b>Use status</b> | <b>Use with experience rated contracts</b> | <b>Use with community rated contracts</b> |
|------------------|---|-------------------|--|---|
| FAR<br>52.223-6  | Drug-Free Workplace   | A                 | T  | T   |
| FAR<br>52.223-18 | Encouraging Contractor Policies to Ban Text Messaging While Driving | M                 | T  | T   |
| 1652.224-70      | Confidentiality of Records  | M                 | T  | T   |
| FAR<br>52.227-1  | Authorization and Consent   | M                 | T  | T   |
| FAR<br>52.227-2  | Notice and Assistance Regarding Patent and Copyright Infringement   | M                 | T  | T   |
| FAR<br>52.229-4  | Federal, State and Local Taxes (State and local Adjustments         | M                 | T  | T   |
| 1652.229-70      | Taxes—Foreign Negotiated Benefits Contracts                         | A                 | T  | T   |
| FAR<br>52.232-8  | Discounts for Prompt Payment  | M                 | T  | T   |
| FAR<br>52.232-17 | Interest  | M                 | T  | T   |
| FAR<br>52.232-23 | Assignment of Claims  | A                 | T  | T   |
| FAR<br>52.232-33 | Payment by Electronic Funds Transfer—System for Awards Management   | M                 | T  | T   |
| 1652.232-70      | Payments—Community-Rated Contracts                                  | A                 |  | T   |

| <b>Clause</b> | <b>Title</b>                                | <b>Use status</b> | <b>Use with experience rated contracts</b> | <b>Use with community rated contracts</b> |
|---------------|---|-------------------|--|---|
| 1652.232-71   | Payments—Experience-Rated Contracts         | A                 | T  |   |
| 1652.232-72   | Non-Commingling of FEHBP Funds              | M                 | T  |   |
| 1652.232-73   | Approval for Assignment of Claims           | M                 | T  | T   |
| FAR 52.233-1  | Disputes                                    | M                 | T  | T   |
| FAR 52.233-4  | Applicable Law for Breach of Contract Claim | M                 | T  | T   |
| FAR 52.239-1  | Privacy or Security Safeguards              | M                 | T  | T   |
| FAR 52.242-1  | Notice of Intent to Disallow Costs          | M                 | T  |   |
| FAR 52.242-3  | Penalties for Unallowable Costs             | M                 | T  |   |
| FAR 52.242-13 | Bankruptcy                                  | M                 | T  | T   |
| 1652.243-70   | Changes—Negotiated Benefits Contracts       | M                 | T  | T   |
| FAR 52.244-5  | Competition in Subcontracting               | M                 | T  |   |
| FAR 52.244-6  | Subcontracts for Commercial Items           | M                 | T  |   |
| 1652.244-70   | Subcontracts                                | M                 | T  |   |

| <b>Clause</b> | <b>Title</b>  | <b>Use status</b> | <b>Use with experience rated contracts</b> | <b>Use with community rated contracts</b> |
|---------------|---|-------------------|--|---|
| 1652.245-70   | Government Property (Negotiated Benefits Contracts)                               | M                 | T  | T   |
| FAR 52.246-25 | Limitation of Liability—Services  | M                 | T  |   |
| 1652.246-70   | FEHB Inspection   | M                 | T  | T   |
| FAR 52.247-63 | Preference for U.S.-Flag Air Carriers   | M                 | T  | T   |
| 1652.249-70   | Renewal and Withdrawal of Approval  | M                 | T  | T   |
| 1652.249-71   | FEHBP Termination for Convenience of the Government—Negotiated Benefits Contracts | M                 | T  | T   |
| 1652.249-72   | FEHBP Termination for Default—Negotiated Benefits Contracts                       | M                 | T  | T   |
| FAR 52.251-1  | Government Supply Sources   | A                 | T  |   |
| FAR 52.252-4  | Alterations in Contract   | A                 | T  | T   |
| FAR 52.252-6  | Authorized Deviations in Clauses  | M                 | T  | T   |