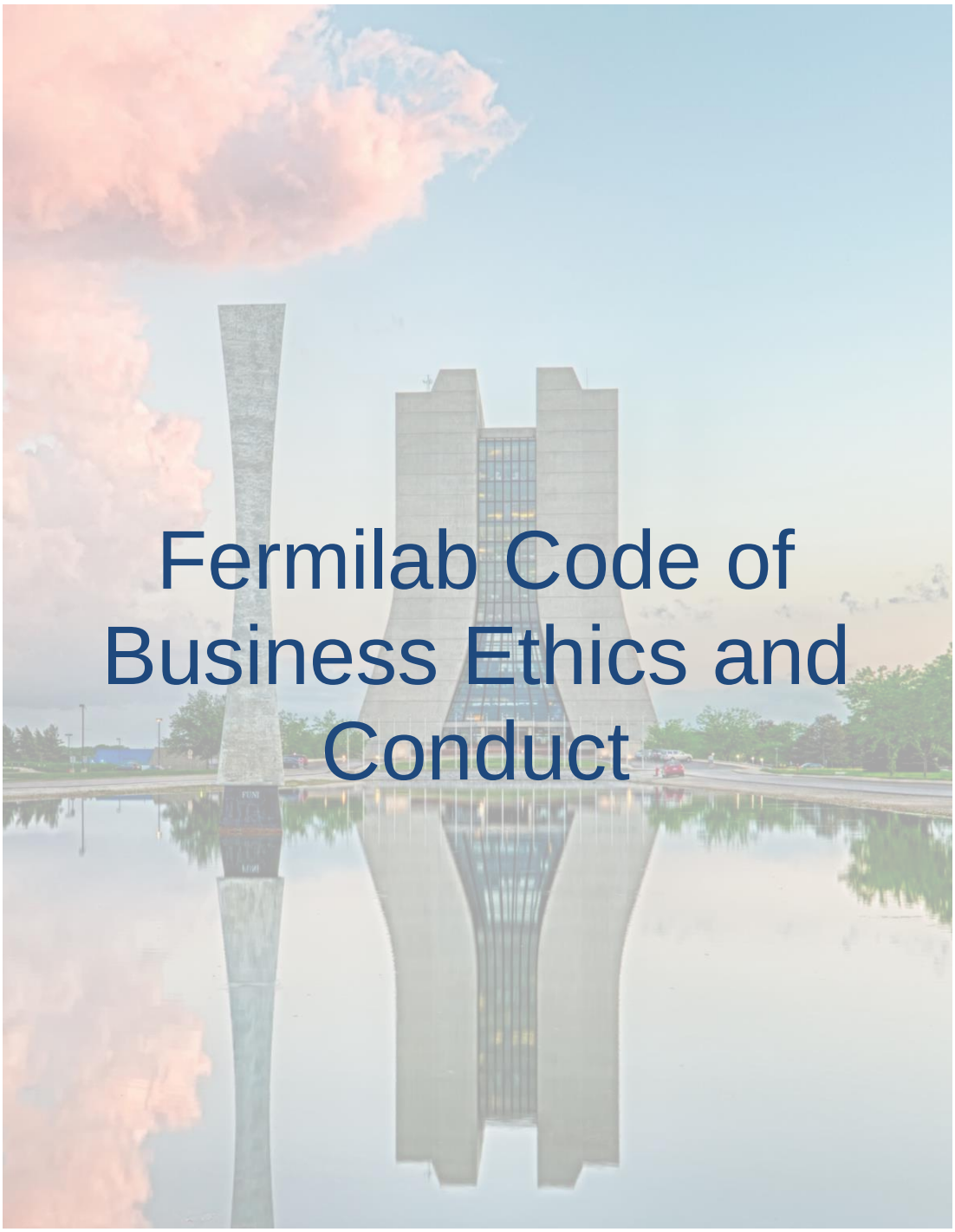

Fermilab Code of Business Ethics and Conduct

Fermi Research Alliance LLC

Message from the Fermilab Director

Fermilab has an important mission and role to serve as the nation's particle physics laboratory. Fermilab's work reaches far and wide through a national and international community that advances science through ground-breaking discoveries, experiments, collaborations, and projects.
Fermilab achieves and excels in the mission through a dedicated team of Fermi Research Alliance, LLC (FRA) employees who work in a culture of:

- *Performing work to internal and external standards of excellence;*
- *Engaging in a creative and innovative atmosphere of critical thinking to inform decision-making, judgment, and actions; and*
- *Learning from mistakes, sharing lessons learned, and holding ourselves accountable to mitigate individual and institutional risks.*

To preserve that culture, FRA as an institution and all FRA employees are accountable for acting to the highest standards of integrity and in accordance with the Fermilab Statement of Community Standards, the Fermilab Code of Business Ethics and Conduct, and Department of Energy and U.S. Government laws and regulations, and contract requirements. This Code of Business Ethics and Conduct sets out expectations and requirements for employees. All employees are expected to read and understand this Code of Business Ethics and Conduct and to ask questions if something is unclear. All employees can and should report concerns relating to these requirements through appropriate channels, without fear of retaliation against good faith reporting of those concerns.

Thank you for your service to meet the Fermilab mission. By committing to and following the standards set out in this Code of Business Ethics and Conduct, you become an active steward of Fermilab's culture of integrity, and you lead by example with respect to FRA's commitment to ethical behavior.

Dr. Nigel Lockyer
Director, Fermi National Accelerator Laboratory
Fermi Research Alliance, LLC

We are one Fermilab

- Everyone is worthy of respect
- Encourage discussion
- Genuinely listen
- Collaborate
- Respect the messenger
- Have courage
- Own your voice
- Be kind
- Fresh perspectives lead to innovation
- Encourage others to speak
- Own it, mistakes happen
- Share the air

Fermilab U.S. DEPARTMENT OF ENERGY

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About Fermi Research Alliance, LLC

Fermi Research Alliance, LLC (FRA) is a nonprofit limited liability corporation owned by Universities Research Association, Inc. (URA) and the University of Chicago. FRA has managed and operated the Fermi National Accelerator Laboratory (Fermilab) under Contract No. DE-AC02-07CH11359 with the United States Department of Energy (DOE) since 2007. FRA builds on URA's 40-year record of performance as manager and operator of Fermilab and the University of Chicago's resources, partnerships, and experience managing Argonne National Laboratory since its inception in 1946. Together, the FRA team brings resources, collaborations, and best practices to deliver world-class research through the safe and efficient management and operation of Fermilab for the DOE's Office of Science.

FRA is the entity that manages and operates Fermilab through its employees. Fermilab is the collection of real property, facilities, and personal property owned by the United States Government, through which the science mission of the United States Department of Energy is pursued.

Vision and Mission of Fermilab

Fermilab is America's particle physics and accelerator laboratory. Fermilab's vision is to solve the mysteries of matter, energy, space, and time for the benefit of all. Fermilab strives to:

- lead the world in neutrino science with particle accelerators
- lead the nation in the development of particle colliders and their use for scientific discovery
- advance particle physics through measurements of the cosmos.

Fermilab's mission is to drive discovery by:

- building and operating world-leading accelerator and detector facilities
- performing pioneering research with national and global partners
- developing new technologies for science that support U.S. industrial competitiveness.

About this Code

This Code of Business Ethics and Conduct (Code) provides an overview of the contractual, legal, and regulatory requirements governing ethics and conduct for FRA as an organization and its employees. The Code is a compilation of key policies and requirements related to employee behavior and interactions in performing the FRA contract with DOE to manage and operate Fermilab, but the Code does not include all policies, procedures, and requirements that apply to FRA and its employees.

This Code applies to all FRA employees. FRA employees must review the Code and referenced policies and standards. FRA employees who violate the Code or the referenced policies and standards may be subject to disciplinary action up to and including termination of employment. If appropriate, FRA may take civil legal action or refer violations to the appropriate authorities for regulatory, civil, or criminal action.

The Office of General Counsel is responsible for this Code and reviewing and determining whether an employee has violated the Code. All information obtained during an investigation will be considered sensitive and only shared or be disseminated on a need-to-know basis.

Statement of Community Standards

The community at Fermilab is broad and diverse, and it includes FRA employees as well as users, collaborators, and subcontractors, consultants, representatives, visitors, and guests from other home institutions. Fermilab's status as a world-class, scientific-research destination and its reputation as an institution of choice requires a community that promotes professionalism, mutual respect, inclusion, scientific integrity, and that is free from discrimination. Fermilab welcomes a diverse populace with varying backgrounds and experiences including international members.

To promote a community where all members commit to the same principles of ethics and behavior, even if having different home institutions and employment relationships, Fermilab developed its Statement of Community Standards. These standards apply to conduct by all community members and all interactions related to Fermilab, including but not limited to those on the Fermilab site (including the Village), at Fermilab installations or Fermilab-supported events that are off-site including Sanford Lab in South Dakota, CERN, and off-site conferences; online within the Fermilab domain; and when representing or associated with Fermilab off-site or online, including in-person interactions, virtual meetings, and on social media.

All members of the Fermilab community are expected to conduct themselves according to the basic principles of: (1) building trust and credibility; (2) communicating openly and honestly; and (3) respecting one another.

All members of the Fermilab community are responsible for reporting violations of the Statement of Community Standards.

The policy and Fermilab Statement of Community Standards can be found here: LINK

FRA's Commitment to Diversity and Inclusion

FRA is committed to creating and maintaining an environment of diversity and inclusion for the community at Fermilab. Diversity of thought, culture, and human identity accelerate Fermilab's research excellence. A culture of inclusion advances the Fermilab mission and:

- promotes a cohesive environment which positively impacts productivity, morale, and innovation
- fosters respect and values each employee's contributions
- welcomes the experiences, perspectives, and strengths of a diverse workforce to drive teamwork, innovation, critical analysis and creativity

FRA develops, implements, and maintains purposeful and intentional strategic initiatives to support a respectful organizational culture and intellectually diverse workplace. FRA workforce and community collaborations advance Fermilab's mission and accountability to welcome and excite diverse national and global talent. The hallmarks of the strategy include sharing knowledge, strengthening professional networks, and assuring equity and inclusion for each member of the lab community.

FRA's commitment aligns with and furthers the U.S. Department of Energy (DOE) Office of Science (SC) commitment to fostering safe, diverse, equitable, and inclusive work, research, and funding environments that value mutual respect and personal integrity. Effective

stewardship and promotion of diverse and inclusive workplaces that value and celebrate a diversity of people, ideas, cultures, and educational backgrounds is foundational to delivering on the SC mission. The scientific community engaged in SC-sponsored activities is expected to be respectful, ethical, and professional.

The Fermilab Diversity & Inclusion webpage with information, resources, and initiatives can be found here: https://diversity.fnal.gov/

The DOE Office of Science webpage on Diversity, Equity, and Inclusion, with policies and information on diversity and inclusion at the national laboratories can be found here: https://www.energy.gov/science/diversity-equity-inclusion

The Fermilab Statement of Community Standards can be found here: LINK

The Fermilab Affirmative Action Policy can be found here: LINK

Training and Reporting Concerns

Ethics Awareness Training

FRA has developed education and communication programs to provide employees with information to raise their level of awareness and sensitivity to key issues. FRA requires all employees to participate in annual ethics awareness training as well as other compliance training as assigned. This training is a condition of continued employment by FRA.

Reporting Concerns

FRA is committed to a culture of transparency where employees feel free to express concerns or to raise issues without hesitation or fear of retaliation. To ensure this culture, FRA employees must report instances of improper conduct, unsafe conditions, conflicts of interest, violations of law or policy, or other irregularities. FRA encourages employees to use any of the following avenues for reporting concerns:

1) Managers or Division/Department Leadership
2) HR Partners or WDRS Leadership

   The Fermilab Administrative Grievance procedure can be found here: LINK
3) The Office of General Counsel
4) FRA's Employee Concerns Program can be found here: LINK
5) The Fermilab Concerns Reporting System, which is a third-party provided hotline/website reporting system that permits reporters to either self-identify or remain anonymous, can be found here:
   Information coming soon

In addition, FRA employees may report directly to the Department of Energy (DOE) as follows:

- DOE Employee Concerns Program at the Chicago Integrated Support Center –

Hotline (800) 701-9966, or scfieldecp@science.doe.gov, or employeeconcernsprogram@doe.gov, or Fermi Site Office – John Scott (630) 840-2250 or John.Scott@science.doe.gov

- DOE Fraud, Waste, and Abuse Hotline – (800) 541-1625 or IGHotline@hq.doe.gov
- DOE Office of the Inspector General – (202) 586-4073, or IGHotline@hq.doe.gov, or https://www.energy.gov/ig/complaint-form

FRA employees who are managers must promptly report possible violations of law, regulation, or policy observed by them or raised by employees to the Office of General Counsel, an HR Partner, or the Employee Concerns Hotline or Website. FRA will review all reported incidents or concerns to determine whether further analysis or actions are appropriate. FRA's process for conducting internal investigations is designed to identify whether a violation of law or policy has occurred, to determine what (if any) disciplinary or remedial action should be taken, and to determine whether any disclosures or further reporting is required.

Retaliation for Reporting Will Not Be Tolerated

Everyone at Fermilab is encouraged and responsible to express concerns and to raise issues without fear of retaliation. FRA does not tolerate retaliation for the good faith reporting of a concern regarding any suspected instances of improper conduct, violation of this Code, law, regulation, or policy, or for participating in an investigation. Employee reports are in good faith if the employee believes the information reported is honest and accurate, even if the information is later determined to be mistaken or incorrect.

FRA employees should report any instance of suspected retaliation to an HR Partner, the Office of General Counsel, or the Employee Concerns Hotline or Website. A report made by an employee also may be protected from retaliation under certain laws and regulations, such as a whistleblower law or DOE's Contractor Employee Protection Program.

The Fermilab Anti-Harassment Policy (which includes a prohibition on retaliation for complaints of harassment or discrimination) can be found here: LINK

The Fermilab Whistleblower Rights and Protections policy can be found here: LINK

Mandatory Disclosures

As a government contractor, FRA must disclose timely information to the appropriate government officials of credible evidence of certain violations of federal criminal law including fraud, conflict of interest, bribery, and gratuities found in Title 18 of the United States Code; violations of the civil False Claims Act; and significant overpayments on government contracts. To ensure FRA is complying with these obligations, all FRA employees must promptly report any concerns regarding such matters to the Office of General Counsel.

The Policy and Procedures on Mandatory Disclosures can be found here: LINK

Responsible Research Conduct and Scientific Integrity

Integrity, responsibility, and accountability are part of the fabric of science. Everyone engaged in research at Fermilab is responsible for adhering to the highest standards of research integrity, including scientific and ethical standards, and complying with all local, state, and

federal regulations, and DOE requirements that address the protection of the environment, public, and personnel. This includes FRA employees as well as users or collaborators from other institutions performing research activities connected to Fermilab.

FRA has a responsibility to investigate allegations of research misconduct fairly, effectively, and expeditiously. FRA may be required to report investigation results to responsible funding agencies.

The Fermilab Scientific Research Policy can be found here: LINK

The Fermilab Scientific Research Misconduct Procedure can be found here: LINK

The Fermilab policies on Scientific Appointments can be found here: LINK

Communications and Endorsements

As manager and operator of a federally funded research and development center (FFRDC), FRA is not permitted to endorse or promote a private enterprise. FRA protects its and Fermilab's reputation and requirement of objectivity by not endorsing, certifying, providing testimonials, or approving other companies' products, services, or investments and not allowing others to use the name or logo of FRA, Fermilab, or DOE or to solicit a statement from FRA to be used in any advertising, sales promotion, other promotional or financial efforts, or in any way that implies an endorsement, testimonial, certification, or approval by FRA, Fermilab, or DOE.

Any requests from a vendor, supplier, or other private enterprise for a statement or information to be used promotionally should be routed to the Offices of Communication, Procurement, and General Counsel.

The Fermilab Communication Policy can be found here: LINK

Use and Protection of Property and Technical Data

Rights to Intellectual Property

FRA's ability to apply the results of its own scientific research and to effectively meet its congressionally-mandated technology transfer mission depends upon appropriate intellectual property management. FRA employees have an obligation to report inventions developed during employment by FRA and to support FRA's efforts to protect such inventions. FRA employees must disclose inventions to the Office of Partnerships and Technology Transfer.

The Fermilab Policy on Intellectual Property can be found here: LINK

FRA employees must respect the intellectual property (IP) laws and the IP rights of others by complying with the conditions of non-disclosure and license agreements entered into by FRA and by using only authorized and properly licensed copies of software.

The Fermilab Policy on Computing, found here: LINK

Protecting Personal, Proprietary, Controlled, or Business Sensitive Information

FRA employees are responsible for protecting FRA's and Fermilab's proprietary, controlled, or

sensitive information by marking information with appropriate restrictive legends and controlling the distribution of such information appropriately. Employees with access to information about other FRA employees or personally identifiable information (PII) of other individuals, must protect this information in accordance with FRA policy.

The Fermilab PII Policy can be found here: LINK

The Fermilab Procedures for Protected PII can be found here: LINK

FRA employees with knowledge of third-party proprietary information should ensure that the third-party proprietary information is not brought into Fermilab or used by FRA without the third party's authorization. Procurement sensitive, business sensitive, and other sensitive information of FRA or a third party must be handled and protected appropriately to ensure compliance with regulations and procurement integrity.

Questions regarding the status or handling of third-party, personal, proprietary, controlled, or sensitive information should be directed to the Office of General Counsel.

Export Control

U.S. law imposes restrictions on exports and other dealings with certain countries, entities, and individuals, including foreign nationals. FRA and all employees must comply with applicable U.S. export control laws and regulations, such as the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR), and DOE Orders and Regulations related to emerging technologies. FRA employees must appropriately limit distribution of or access to technology, documents, and information that is export controlled under the EAR, ITAR, or by DOE and must appropriately mark documents and materials that may be controlled. Providing controlled information to foreign persons, even on U.S. soil, is considered a deemed export that could violate U.S. export control laws and regulations.

The Export/Import Control Compliance Manager in the Office of General Counsel should be consulted for any export control questions on technology or information, including whether items might qualify for the fundamental research exemption.

The Fermilab Export Control Policy can be found here: LINK

The Fermilab Requirements for Technical Publications can be found here: LINK

Stewardship of Property

FRA has stewardship and accountability responsibilities for FRA and government property. Every FRA employee is expected to use such property with proper care and for authorized purposes only.

The DOE-approved Fermilab Personal Property Management Systems Policy and Procedure Manual can be found here: LINK

The Fermilab Government Property Policy can be found here: LINK

Use of FRA or government resources may be monitored at the direction of FRA management at any time as required by security requirements. FRA employees should not have an expectation of unlimited privacy when using any such resources, including Fermilab systems used for email, network, internet, and telephone communications. Incidental personal use of FRA issued/government owned equipment such as computers and telephone equipment is

permitted. Any permitted personal use must be done on personal time. In addition, FRA employees should use collaborator or sponsor-owned property only in furtherance of the collaborator's or sponsor's project and never for personal purposes or for the benefit of other parties.

The Fermilab Policy on Computing (Computing Division policy) can be found here: LINK

The Fermilab Policy on Computer Use (WDRS policy) can be found here: LINK

Cyber Security

The protection of Fermilab's computing and network resources, and the information that resides therein, is critically important. FRA employees are responsible for understanding the rules that apply to use of Fermilab's computing and network resources and for complying with those rules, including cyber security rules.

Computer Security Awareness training and resources can be found here: LINK

The Fermilab Policy on Computing can be found here: LINK

Avoiding Conflicts of Interest

Personal Conflicts of Interest

FRA employees should avoid any influence, interest, personal activity, or relationship that creates an actual or apparent conflict with the best interests of FRA and Fermilab; or that could interfere with the employee's ability to perform his or her job duties. In situations where an actual or potential personal conflict of interest cannot be prevented, FRA may develop and agree to a plan to manage or mitigate the conflict of interest.

The following standards apply to personal conflict of interest issues:

- FRA employees must disclose financial interests (including the interests of immediate family and household members) or relationships that might give rise to an actual or potential conflict of interest upon employment and must update the disclosure annually.

  The FRA Financial Disclosure Form can be found here: LINK

- FRA employees may have compensated or uncompensated employment or associations with another organization or business if there is not a conflict of interest between the outside association and FRA interests. FRA employees must disclose and obtain approval, from a conflict of interest standpoint, of outside employment and also outside associations that might overlap or relate to the Fermilab mission upon employment and must update the disclosure as relevant circumstances change.

  The Fermilab Outside Employment and Associations Disclosure form can be found here: LINK

  The Fermilab Policy on Acceptance of Honoraria & Stipends can be found here: LINK

- FRA employees should not work for any entity that provides or competes for the same services or research conducted at Fermilab.
- FRA employees should not be a principal or significant investor, directly or indirectly, in

an organization that either contracts with or competes against FRA, its affiliates, or any Fermilab sponsor.

- If FRA employees are involved with a third party organization or person with whom FRA has (or is negotiating) a contracting, purchasing, or other business relationship in which they could influence any FRA business transaction, they should disclose the relationship immediately to their supervisor, should complete a Financial Disclosure form, and they must recuse themselves from source selection activities, negotiations, or contracting with that third party organization or person.
- FRA employees should not use FRA issued or government owned property or resources, or their position for personal gain or to compete with FRA.
- FRA employees should not engage in an outside activity that, because of level of effort, interferes with their ability to fully and impartially carry out their FRA work responsibilities.

Questions regarding personal conflicts of interest should be directed to the Office of General Counsel.

Organizational Conflicts of Interest

Appropriately managing Organizational Conflict of Interest (OCI) requirements is central to FRA operation and management of Fermilab. Federal Acquisition Regulation (FAR) Section 9.5 contemplates three situations in which organizational conflicts may arise:

- A “bias” situation in which a contractor or subcontractor, as part of its performance of a contract or subcontract, has helped set the ground rules for another government contract. This often arises when a contractor or subcontractor has the opportunity to draft specifications or a statement of work for a procurement, thus creating the possibility that it could skew the competition in its favor.
- An “impaired objectivity” situation in which a contractor or subcontractor has some relationship or interest, such as a share of the proceeds on the sale of a product or an equity or ownership interest, or where the contractor or subcontractor may be called upon to review its own work or the work of a closely related entity. If the contractor or subcontractor is providing recommendations that could affect its other business interests, then the company’s “objectivity” may be impaired.
- An “unequal access to information” situation in which the contractor or subcontractor may gain a competitive edge because of its access to information that is not available to other competitors.

Potential OCIs should be carefully reviewed and avoided. Questions regarding OCI requirements and issues should be directed to the Office of General Counsel.

Hiring or Doing Business with Former Government Employees

FRA hiring or doing business with former government employees is subject to conflict of interest laws and regulations for both FRA and the government employee. This includes discussions to explore potential post-government employment relationships.

Once hired or retained by FRA, the former government employee may be prohibited from performing certain tasks and duties that relate to their prior responsibilities as a government employee, sometimes for a specified period of time.

FRA employees must consult with the Office of General Counsel to ensure compliance with federal regulations and FRA policy.

The Fermilab Policy on Hiring or Doing Business with Former Government Employees can be found here: LINK

Laws and Policies of General Applicability

Equal Employment Opportunity

FRA provides employment and opportunities for advancement, compensation, training, and growth according to individual merit, without regard to race, color, religion, sex, national origin, sexual orientation, gender identity, marital status, veteran status, age, genetic information, or disability. FRA complies with all United States immigration laws and regulations and contractual requirements, including those relating to work visas and hiring foreign nationals.

The Fermilab policies on equal employment opportunities can be found here: LINK

The Fermilab policy relating to hiring foreign nationals can be found here: LINK

The Fermilab policy relating to visits by foreign nationals can be found here: LINK

Discrimination and Harassment are Strictly Prohibited

FRA is committed to providing a work environment that is free of discrimination and harassment. Harassment of any type, including sexual harassment and discrimination or harassment based on race, color, religion, gender, national origin, age, disability, sexual orientation, or gender identity is strictly prohibited. FRA has an affirmative duty to maintain a work environment free of discrimination and harassment to ensure that all employees are treated with respect and dignity. Retaliation for good faith reporting will not be tolerated.

The Fermilab policy on Non-Discrimination can be found here: LINK

The Fermilab policy on Anti-Harassment can be found here: LINK

Human Trafficking

FRA has a zero-tolerance policy regarding trafficking in persons. Neither FRA employees nor any FRA consultant, contractor, subcontractor, vendor, or supplier shall be involved in the following activities: trafficking in persons, soliciting or obtaining prostitution or any commercial sex act, or using debt bondage, slave, forced, or child labor. FRA employees must report possible violations of this policy by any employees or any consultant, contractor, subcontractor, vendor, or supplier to the Office of General Counsel or to the Employee Concerns Hotline or Website.

The Fermilab policy on Combating Trafficking in Persons can be found here: LINK

Safe Workplace

Safety is core to the Fermilab operations. All FRA employees are responsible for working safely, protecting the safety and health of others, promptly reporting at-risk behaviors or conditions, and stopping work when observing imminent danger. FRA employees should notify management or the appropriate representative designated to oversee matters of

employee safety of any issues or concerns regarding health, safety practices, and environmental issues. Managers are responsible for providing an environment where work can be performed safely and where environmental, safety, and health concerns can be readily brought forward without fear of retaliation.

The Fermilab Safety and Health Policy can be found here: LINK

The Fermilab Environmental Policy can be found here: LINK

FRA does not tolerate any type of workplace violence. Workplace violence includes all actions or threats, by employees or non-employees, that are violent in nature. FRA employees should try to protect one another from the dangers of any illegal activity in or near the workplace by immediately reporting suspicious activity to the Fermilab Security Department. It is prohibited to bring firearms and other dangerous weapons or materials to the Fermilab site.

The Fermilab Policy on Violence in the Workplace can be found here: LINK

Drug-Free Workplace

FRA maintains a workplace free of drug or other substance abuse. FRA employees are prohibited from illegally manufacturing, distributing, dispensing, possessing, using, or being under the influence of any illegal drug or controlled substance while on the Fermilab site or conducting FRA business. The consumption of alcohol on site or during work hours is prohibited unless FRA management explicitly authorizes it.

FRA employees performing specified safety-sensitive functions are subject to drug and alcohol testing as a condition of continuing employment.

The Fermilab Policy on Drug and Alcohol Abuse can be found here: LINK

Time Recording

FRA employees must accurately record the time worked with the proper project, task, or activity indicated. By approving the timecard, FRA employees are certifying that the time is being charged in accordance with FRA's time charging policies and procedures. Managers are responsible for reviewing and approving the time charges made by their reporting employees.

The Fermilab Time and Labor System Policy can be found here: LINK

Travel and Other Expenses/Costs

FRA employees must properly document travel and charge applicable expenses, purchases, facilities charges, and equipment usage rates to the correct account or cost objective for which they were incurred. FRA only reimburses employees for authorized, reasonable, and actual expenses incurred, in accordance with the Federal Travel Regulations (FTR) meal per diem and lodging rate while conducting business on behalf of FRA. FRA employees are responsible for ensuring that travel, hotel, meal, business development, and other business expenses are consistent with FRA policies on reimbursement. False, inflated, or misidentified costs (such as charges for alcohol reported as other types of allowable cost) submitted for reimbursement violate FRA policy. Questions regarding the appropriateness of a business expense should be directed to your manager or the Finance Department.

The Fermilab Travel Policy can be found here: LINK

Records Management

FRA and its employees are responsible for creating and maintaining accurate, complete, and reliable business records. Sponsors and regulatory authorities require that FRA records (paper or electronic) be maintained and retained in accordance with applicable laws and regulations. FRA Records Retention Schedules define how long to retain particular records. FRA employees should not remove, destroy, mutilate, damage, or dispose of, in whole or in part, any FRA records unless the records have met the retention requirements listed in the Records Retention Schedule. Questions regarding records management should be directed to the Records Management Office.

The Fermilab Records Management Policy can be found here: LINK

The Fermilab Document Management and Control Policy can be found here: LINK

In addition, from time-to-time, FRA may be required for legal purposes to retain records and documents (paper or electronic) outside of a normal retention schedule or requirement. FRA employees must comply with any document hold instructions issued by the Office of General Counsel.

Delegations of Authority

Only FRA employees with written delegations of signature authority may make financial commitments or sign documents that bind FRA. Employees without such authority must take care to not give the impression to third parties that they have such authority by making oral or written commitments, signing documents, or giving technical directions which purport to bind FRA to a procurement or affect FRA's legal rights. Employees are responsible for determining and understanding the limits of their authority before taking such actions.

The Fermilab Policy on Procurement can be found here: LINK

Bribes, Kickbacks, Gifts, and Gratuities

FRA employees are prohibited from offering, giving, soliciting, or accepting a bribe or kickback. Likewise, FRA employees may not solicit any gift or gratuity (i.e., anything of value) from a person or organization that does business with or seeks to do business with FRA, with limited exceptions for items of nominal value. FRA employees are prohibited from giving gifts or offering anything of value to federal or state government employees, with limited exceptions defined in the guidance below.

The Fermilab Anti-Kickback Policy can be found here: LINK

The Fermilab Gifts & Gratuities Policy can be found here: LINK

Questions regarding potential bribes, kickbacks, or gifts and gratuities should be directed to the Office of General Counsel.

False Claims

Knowing submission of a false or fraudulent claim to the government, or supporting a claim with a false record, along with other specific acts, can trigger liability under the civil or criminal component of the False Claims Act. It is imperative that all claims,

invoices and certifications provided to the government are accurate and well-supported. FRA has mandatory reporting requirements if it identifies credible evidence of a violation of the False Claims Act. Questions regarding whether a claim might raise a False Claims Act concern should be directed to the Office of General Counsel.

The False Claims Act can be found at: 31 U.S.C. §§ 3729-3733.

The Fermilab Policy on Mandatory Disclosures can be found here: LINK

Lobbying

Lobbying activity covers a broad range of formal and informal contacts and communications at the Federal, state, and local government level. FRA is subject to prohibitions on using appropriated and prime contract funds to conduct any lobbying activities, and FRA and its subcontractors are prohibited from charging the government for the costs of influencing or attempting to influence any elected or government official in connection with contract, grant, or cooperative agreement actions.

The restrictions on lobbying activities can be found at Clause H.30 (Consolidated Appropriations Act of 2015) of FRA's Prime Contract with the Department of Energy.

Interactions with Government Officials

FRA employees may have routine interactions with federal agencies unrelated to a specific solicitation or funding opportunity. When it is not related to a specific solicitation, it is permissible for FRA employees to have discussions regarding the qualities, characteristics, and capabilities of FRA, or the terms and conditions of sale, and technical discussions and other activities regarding FRA. If conducted prior to a formal solicitation, it is acceptable for FRA employees to provide unsolicited information necessary for an agency to make an informed decision about the initiation of a contract action and to have technical discussions regarding the preparation of an unsolicited proposal prior to submission. When engaging in such discussions, FRA employees must take all requisite precautions to protect FRA's intellectual property rights under federal law.

The Fermilab Policy on Interactions with Government Officials can be found here: LINK

Questions about lobbying or other interaction with government officials should be directed to the Chief of Staff or the Office of General Counsel.

Political Activity

As a federally funded research and development center, FRA and the Fermilab site must remain neutral on political activities. Thus, political activity and campaigning is prohibited on the Fermilab site. FRA employees may not use FRA/Fermilab resources or property (including phones and computers) while participating in political activities or supporting any political candidate's campaign for election to any Federal, state, local, or foreign public office. No FRA or government funds can be used to make contributions to any candidate for public office, nor may FRA reimburse any employee for personal campaign contributions. While FRA employees are encouraged to personally participate in the political process as a matter of good citizenship, they must do so away from the Fermilab site, without using Fermilab

facilities or FRA resources, and on their own time. FRA employees are prohibited from using their Fermilab affiliation as a credential or presenting themselves as an FRA or Fermilab representative while engaging in political activities.

The Fermilab Policy on Interactions with Government Officials can be found here: LINK

The Fermilab Policy on Communications can be found here: LINK

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