

Particularly during election seasons, questions arise regarding political activities on DOE facilities or using DOE email addresses. The following Q&A relates to contractors' use of Government property for political activity. Please ensure that your contractors are aware of and respect these limitations.

#### Contractor Political Activity

Q: Are DOE contractors permitted to use Government property or facilities to conduct political activity?

A: No, political activity is not an authorized use of Government property or facilities and the Contracting Officer will not approve or allow its use.

Q: Does DOE Order 203.1, which is entitled, "Limited Personal use of Government Office Equipment Including Information Technology" permit contractors limited use rights to conduct political activity on Government property?

A: DOE Order 203.1 does not apply to contractors because there is no Contract Requirements Document. Therefore, contractors do not have limited use rights to Government property.

Q: Are M&O contractors permitted to use Government property or facilities to conduct political activity?

A: M&O contractors are not permitted to use Government property or facilities to conduct political activity. DOE has specific restrictions applicable to its M&O contractors. DOE Order 580.1A, requires that contractors must maintain a personal property management system which provides for official use of DOE-owned personal property, and that personal property will be used in the performance of official work of the U.S. Government except in emergencies threatening loss of life or property, as authorized by law.

Political activity is not official work for the US Government so M&O contractors shall not use Government property for facilities or political activities.

Q: What role do the Contracting Officers and Contracting Officers Representatives have in preventing contractors from conducting prohibited political activity in federal office space?

A: Contracting Officers and Contracting Officers Representatives are required to control Federal property and imposing a restriction concerning political activity on that property is appropriate.

The Hatch Act, 5 U.S.C. §§ 7321-7326, and the Standards of Conduct, 5 C.F.R. § 2635.704, apply to federal employees and federal employees have an obligation to protect government property.

The Standards of Conduct state:

(a) An employee has a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes.

(b) Definitions. For purposes of this section: (1) Government property includes any form of real or personal property in which the Government has an ownership, leasehold, or other property interest as well as any right or other intangible interest that is purchased with Government funds, including the services of contractor personnel. The term includes office supplies, telephone and other telecommunications equipment and services, the Government mails, automated data processing capabilities, printing and reproduction facilities, Government records, and Government vehicles.

Q: Do Contractor Lab Directors have to notify DOE Site Office Managers prior to visits from politicians or events that could be construed as political in nature?

A: As previously stated, Contracting Officers and Contracting Officers Representatives are required to control Federal property and imposing a restriction concerning political activity on that property is appropriate. Contractor Lab Directors should notify the DOE Site Office Manager, Contracting Officer and Contracting Officers Representatives prior to receiving visits from politicians or permitting events that could be construed as political in nature.

For additional information on political activity, contact your local ethics official.