U.S. Public Sector Code of Conduct
**Statement of Policy**

Hewlett Packard Enterprise (HPE) recognizes that many complex rules govern our business activities when the end user of our products or services is a U.S. federal, state, or local government entity or educational institution. In this marketplace, even the appearance of impropriety can be the basis for protests, governmental inquiries, or the loss of the ability to conduct government business. We comply with all laws and regulations applicable to government contractors and may set HPE policies at even higher standards.

When conducting business with the U.S. public sector, whether it is directly with the government or through a third party, you must understand the requirements the government has established for itself and for those who bid on and receive government contracts and subcontracts. In addition to complying with all applicable laws and regulations, all employees must abide by the HPE Standards of Business Conduct (SBC), the U.S. Public Sector Code of Conduct, all policies within the HPE U.S. Public Sector Compliance Manual, and the terms of HPE contracts, including those with government customers.

**Guidelines**

**Gifts, bribes, gratuities, and kickbacks**

You may not offer, give or promise to give (directly or indirectly) anything of value to employees of the following institutions unless the recipient pays its fair market value:

- US. state, local or federal government
- Public higher education institution
- Public or private K-12 educational institution
- Public or private library

This includes gifts, meals, entertainment or travel.

The prohibition on gifts to private or public K-12 educational institutions and libraries includes those entities’ board members, employees, officers, representatives, agents, consultants, or independent contractors. You also may not offer, give, solicit, or receive any gift or other thing of value (directly or indirectly) to or from one of these entities in exchange for favorable treatment or advantage, or for the purpose of obtaining or attempting to influence the award of a contract or subcontract. See: U.S. Business Amenities Policy.
Procurement integrity
You may not knowingly obtain or attempt to obtain another contractor’s bid or proposal information or the government’s source selection information before the award of a government contract to which the information relates. Additionally, you may not attempt to influence an ongoing source selection by means other than the bid and proposal process. The U.S. Procurement Integrity Act specifically prohibits any contractor from soliciting or obtaining certain nonpublic bid proposal, cost and pricing, and source selection information. This Act and various state and local variations also impose additional requirements on the management of certain information relating to government procurements. Also, you may not attempt to acquire another company’s or person’s proprietary information, either from the government or private entities, unless the government or other entity has been authorized to disclose it to you.
See: Antitrust Basics and Procurement Integrity.

Hiring government employees
Due to the wide range of laws and regulations that govern the hiring of former government employees, you may not enter into employment discussions with current or former government employees meeting the criteria of a Covered Government Official until they have been pre-screened by the U.S. Public Sector Compliance Office. Prospective applicants who have worked for the federal or state/local government in the last five years and who meet the criteria of a Covered Government Official must complete a special employment questionnaire and receive counsel from the U.S. Public Sector Compliance Office prior to any employment discussions. Additionally, under no circumstances may you have employment discussions with government officials involved in a pending procurement in which HPE is participating. See: Hiring Current and Former Government Employees.

Organizational conflicts of interest
In addition to avoiding personal conflicts of interest with the company’s business, you must comply with the rules governing organizational conflicts of interest (OCI) applicable to government contractors and subcontractors. Under these rules, HPE may be disqualified from certain present or future business opportunities if HPE would obtain an unfair competitive advantage over other offerors, be in a position to unfairly bias government action in HPE’s favor, or be unable to render objectively impartial advice. For example, HPE may be precluded from bidding on future work for that agency if HPE had access to other potential offerors’ proprietary information, had prepared the specifications governing the future procurement, was placed in a position to evaluate HPE’s own performance, or could not render impartial advice. You should become familiar with applicable OCI rules and if you have questions, consult with Contracts, Legal, or the U.S. Public Sector Compliance Office. See: Conflicts of Interest and Organizational Conflicts of Interest.

Consultants
Federal, state, or local laws may require disclosure of, and place limits on, payments to consultants, representatives, lobbyists, or other third parties in dealings with the government. For example, an arrangement to pay a fee for soliciting or obtaining government contracts may be prohibited by law. All consultants hired by HPE are bound by the same laws and regulations that bind HPE employees, and use of a consultant will not insulate HPE or its employees from liability for violations of these rules. You may never ask or allow a third party to do something on behalf of HPE that you are prohibited from doing as well. See: Global Business Amenities and Consultants.
**To report a concern**

Questionable situations must be reported immediately to the Ethics & Compliance Office or the U.S. Public Sector Compliance Office. If you wish to maintain confidentiality, you may write to Hewlett-Packard Enterprise, Ethics and Compliance Office, 14445 Compaq Center Dr. West, Houston, TX 77070 or call The Guideline at 855-409-0075.

Violations of this policy are grounds for disciplinary action, up to and including dismissal. Disciplinary action will be taken against those who authorize or participate in violations of this Code of Conduct, or those who deliberately fail to report violations or withhold relevant information concerning a violation.

Questions concerning this Code of Conduct should be directed to the U.S. Public Sector Compliance Office.

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**False statements/false claims**

You should never knowingly make a false statement or submit a false claim to the government. This includes the submission of inaccurate or misleading information in support of prices offered by HPE to the government, the submission of improper invoices, or inaccurate or misleading representations or certifications, either to a government representative or to a prime contractor when the end user is the government. See: False Statements/False Claims.

**Timekeeping and expense reporting**

You are required to maintain accurate and complete records of transactions, including time reports, expense accounts, and other company records. When time and expense reports will be used as the basis for invoicing to our government customers or prime contractors, failure to provide accurate information can be the basis for false claims or false statements liability. All time, expenses, and other charges must be documented accurately and completely, and charged to the correct account. See: Accounting and Finance Manual and Timekeeping and Expense Reporting.

**Product substitution**

All deliveries under HPE government contracts and subcontracts must conform to contract requirements. Nonconforming products or services may not be delivered unless the customer is fully aware of the nonconforming situation and agrees in writing to accept the delivery of the nonconforming goods and services. Similarly, all invoices should accurately reflect what has been ordered by and delivered to the customer, consistent with the terms of the contract. For example, if the contract requires certain credentials of workers performing a certain service, you may not provide workers who do not meet those standards and bill for them as if they do. See: Product Substitution.

**Protection of sensitive information**

You must safeguard HPE information by practicing security behaviors that prevent information leaks and protect HPE and our clients. Disclosure of company, client, or employee sensitive information—whether intentional or due to negligence—violates the SBC and can lead to disciplinary action. See: Protecting Classified Information, Controlled Unclassified Information, and Confidential Information.

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Note: This version of the policy is provided for external publication. Accordingly, all HPE-internal hyperlinks have been disabled.