

**Export Control Law Compliance Assurance, Non-Employee Form
GEH-A/GNF-A/GEH-I/GEH SMR-C**

**Export Control Compliance Assurance
Non-Employee Form**

I am not an employee of GE-Hitachi Nuclear Energy Americas LLC (“GEH-A”), Global Nuclear Fuel-Americas LLC (“GNF-A”), GE-Hitachi Nuclear Energy International LLC (“GEH-I”), or GEH SMR Technologies Canada, Ltd. (“GEH SMR-C”) (collectively for these purposes the “Company”). However, during the course of my visit to premises owned or operated by the Company, access to its systems, or discussion with its employees, I may be given access to Commodities, Technology, and Software (defined below) that are controlled for export under the laws of the United States (hereafter “Export Controlled Information, or ECI”).

As an express condition of the Company granting me access to its premises and/or ECI, I hereby confirm and agree that I will be subject to all applicable U.S. export control laws, including but not limited to those of the U.S. Department of Energy (“DOE”) at 10 CFR Part 810, and those of the U.S. Department of Commerce (“DOC”) in their Export Administration Regulations, at 15 CFR Section 730, *et. seq.*

I further confirm and agree that I shall not export or re-export ECI in any manner whatsoever to any entities or individuals foreign to the United States (collectively for these purposes, Foreign Nationals, defined below), without the Company’s and DOE’s prior written approval, per 10 CFR §§ 810.11(b)(5) and 810.12(e)(4).

Finally, I agree that I shall not, at any time during or after my work for the Company, my visit to premises owned or operated by the Company, access to its systems, or discussion with its employees, use any Company ECI for any nuclear explosive device, for research on or development of any nuclear explosive device, for any military purpose, or for unsafeguarded nuclear activities.

Definitions:

Commodities means any article, material, or supply except technology and software.

Export means an actual shipment or transmission of ECI out of the United States. ECI could occur in, but are not limited to, situations involving:

- An actual shipment or transmission from the U.S. to a foreign country or from one foreign country to another foreign country;
- Any release in a foreign country;
- Disclosing or transferring in any manner, including oral or electronic exchanges, to a foreign person or foreign entity, whether such exchange takes place in the U.S. or abroad;
- Visual inspection by foreign persons of U.S. equipment and facilities; or
- Providing training or services abroad.

Foreign National means, for an individual, a person who is not a citizen or national of the United States, not a U.S. lawful permanent resident, or not a protected individuals under the Immigration and Naturalization Act (8 U.S.C. 1324b(a)(3)). For an entity, Foreign National means any entity that is not a company registered to do business in the U.S.

Re-export means an actual shipment or transmission of ECI from one foreign country to another foreign country. It also can include a transmission from one Foreign National of one

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nationality to another Foreign National of another nationality within a single country (known as a “deemed” re-export).

Software means a collection of one or more “programs” or “microprograms” fixed in any tangible medium of expression. A “program” is a sequence of instructions to carry out a process in, or convertible into, a form executable by an electronic computer. A “microprogram” is a sequence of elementary instructions, maintained in a special storage, the execution of which is initiated by the introduction of its reference instructions into an instruction register.

Technology means specific information necessary for the “development,” “production,” or “use” of a product or any plant or facility, or especially designed or prepared equipment for such plants or facilities. The information takes the form of “technical data” or “technical assistance.”

Development means any activity related to all phases before production such as: Design, design research, design analysis, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design, and layouts. *Production* means all production phases such as: construction, production engineering, manufacture, integration, assembly or mounting, inspection, testing, and quality assurance. *Use* means operation, installation (including on-site installation), maintenance (checking), repair, overhaul, or refurbishing.

Signed: _____

Name: _____ (Type or Print)

Date: _____

Witnessed by: _____

Name of Witness: _____ (Type or Print)

Date: _____