

PROJECT ANNEX

TO THE IMPLEMENTING ARRANGEMENT
BETWEEN
THE DEPARTMENT OF ENERGY OF THE UNITED STATES OF
AMERICA

AND

THE DEPARTMENT FOR BUSINESS, ENERGY AND
INDUSTRIAL STRATEGY OF THE UNITED KINGDOM

FOR
RESEARCH AND DEVELOPMENT IN ENERGY AND SCIENCE
RELATED FIELDS

CONCERNING COOPERATION
IN THE AREA OF FUSION ENERGY SCIENCE AND ASSOCIATED
SCIENCES

The Department of Energy of the United States of America (DOE) and the Department for Business, Energy and Industrial Strategy of the United Kingdom (BEIS), hereinafter referred to as the "Agencies":

Acting pursuant to Section VI of the Implementing Arrangement between the Department of Energy of the United States of America and the Department for Business, Energy and Industrial Strategy of the United Kingdom for Research and Development in Energy and Science Related Fields, signed in Washington, D.C., on 10th day of April, 2019, hereinafter referred to as the "Implementing Arrangement";

Desiring to establish a framework for cooperation in fusion energy science and associated sciences under the Implementing Arrangement; and

Affirming a common interest in enhancing the longstanding collaborative efforts of the Agencies and their respective private sector and governmental organizations and academic institutions in generating scientific and technological solutions for a secure energy future,

HAVE REACHED THE FOLLOWING UNDERSTANDING:

Section 1

Definitions

For the purposes of this Project Annex, the definitions in Section I of the Implementing Arrangement apply.

Section 2

Objective

2.1 The objective of this Project Annex is to establish a framework for collaboration between the Agencies on specific areas of mutual interest in fusion energy science and associated sciences, including provisions for the implementation of the cooperative activities at fusion facilities located in the United States and the United Kingdom.

2.2 This Project Annex is subject to the provisions of the Implementing Arrangement, which is itself subject to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on Scientific and Technological Cooperation, signed at Washington on September 20, 2017 (the "S&T Agreement"). In the event of any conflict between the provisions of the S&T Agreement or the Implementing Arrangement on the one hand and this Project Annex on the other hand, the provisions of the S&T Agreement and the Implementing Arrangement are intended to prevail.

Section 3

Areas and Forms of Cooperation

3.1 Cooperation under this Project Annex may include, but is not limited to, the following areas: Research collaborations involving researchers of the Agencies and their participating organizations in implementation of cooperative activities in support of fusion research, including, but not limited to, the Mega Amp Spherical Tokamak (MAST) Upgrade, a facility located at Culham Centre for Fusion Energy (CCFE); National Spherical Torus Experiment-Upgrade (NSTX-U) at Princeton Plasma Physics Laboratory; and other fusion research activities as may be mutually decided upon. Such cooperative activities may include, but are not limited to, exchange of technical information, data and experience; visits and exchange of personnel; exchange of equipment, materials and instruments; and sharing of costs.

3.2 The specific scope of the cooperation is expected to be defined in the Task Arrangements cited in Section 4 of this Project Annex.

3.3 Each Agency may invite, as appropriate, associated firms or laboratories of the Agencies or their contractors or subsidiaries, other government agencies, non-government organizations and private organizations in its country to participate in cooperative activities under this Project Annex, subject to such provisions as the

Agencies may specify in Task Arrangements and/or Contracts in accordance with Section VIII of the Implementing Arrangement.

3.4 Meetings and workshops may be organized by the Agencies to exchange information and discuss the implementation of this Project Annex.

Section 4

Task Arrangements

4.1 When the Agencies decide to carry out a specific activity set forth in Section 3 (Areas and Forms of Cooperation), they expect to conclude a Task Arrangement subject to this Project Annex. Each Task Arrangement is expected to include detailed provisions for carrying out the specific project tasks and to cover such matters as technical scope, equipment, staff, data, cost sharing and schedule. The Technical Coordinators designated under Section VII of the Implementing Arrangement are expected to confirm that all Task Arrangements are consistent with the provisions of this Project Annex. In the event of any inconsistency, the terms of this Project Annex are intended to prevail.

4.2 Each Task Arrangement is subject to approval of the Technical Coordinators.

Section 5

Management

The Technical Coordinators or their designees are expected to facilitate and supervise activities under this Project Annex, and are expected to develop their own procedures to fulfill their functions, subject to approval by the Principal Coordinators designated pursuant to Section VII of the Implementing Arrangement.

Section 6

Exchange of Personnel

Each Agency may assign its appropriate staff to the other Agency to conduct the activities planned under this Project Annex, subject to such provisions as the Agencies may specify in Task Arrangements.

Section 7

Exchange of Equipment and Material

The Agencies may exchange Equipment and Material needed for carrying out the collaborative activities, subject to Section X of the Implementing Arrangement and such provisions as the Agencies may specify in Task Arrangements.

Section 8

Information Use and Disclosure

8.1 The protection and allocation of intellectual property and the treatment of business-confidential information created or furnished under this Project Annex are subject to Sections X and XI of the Implementing Arrangement and Annexes I and II to the S&T Agreement.

Section 9

General Provisions

9.1 Each Agency is expected to conduct the cooperation contemplated by this Project Annex in accordance with applicable laws and regulations to which it is subject, including those relating to export controls, and international agreements to which its government is party.

9.2 Any questions of interpretation or implementation relating to this Project Annex arising during its term are expected to be resolved by consultations between the Agencies in accordance with Section XV of the Implementing Arrangement.

9.3 Any ongoing joint activities, projects or experiments, under this Project Annex, including under Task Arrangements, not completed upon the discontinuation of the Implementing Arrangement or this Project Annex may be continued until their completion in accordance with Section XVI of the Implementing Arrangement and the provisions of this Project Annex.

Section 10

Commencement, Duration, Modification, and Discontinuation

10.1 Cooperation under this Project Annex may commence upon signature by both Agencies and to continue so long as the Implementing Arrangement remains in effect.

10.2 This Project Annex may be modified by mutual written consent of the Agencies.

10.3 The Agencies may discontinue their participation in this Project Annex at any time by mutual written consent. Alternatively, an Agency that wishes to discontinue its participation in this Project Annex is expected to provide at least six (6) months advance written notice to the other Agency.

10.4 This Project Annex does not create any legally binding obligations between the Agencies.

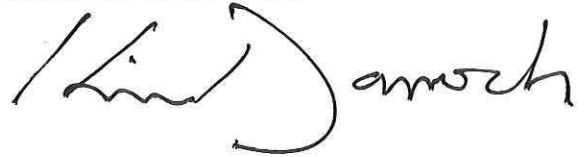
Signed in Washington, D.C., in duplicate, this 10th day of April, 2019.

11th day of April, 2019.

FOR THE DEPARTMENT OF
ENERGY OF THE UNITED
STATES OF AMERICA:

A handwritten signature in black ink, appearing to read "Dan Brouillette". The signature is fluid and cursive, with the first name "Dan" being more prominent.

FOR THE DEPARTMENT
FOR BUSINESS, ENERGY
AND INDUSTRIAL
STRATEGY OF THE
UNITED KINGDOM:

A handwritten signature in black ink, appearing to read "Liam Donohue". The signature is cursive, with the last name "Donohue" being quite large and stylized.