



Legal, Regulatory, and Ethical Participation Guidelines

1



Antitrust – Policy Statement

It is the policy of the Performance Review Institute (PRI) to comply strictly with the letter and spirit of all applicable federal, state, and international trade regulations and antitrust laws. Any activities of PRI, Nadcap or Nadcap-related actions of its staff, officers, board members, committee chairs, committee members or members that violate these regulations and laws can be detrimental to the interests of PRI/Nadcap and are contrary to PRI Policy.

2



Antitrust – Prohibited Activities

- Fixing or setting prices for selling products or services;
- Allocating geographic markets or customers between or among competitors;
- Bid rigging, bid rotation or otherwise distorting the bid process;
- Boycotting customers, suppliers or vendors;
- Agreeing upon levels of production or output;
- Conspiring to exclude competitors or customers from the market; and
- Discussing specific R&D, sales or marketing plans, or any company's confidential product, development or production strategies.

3



Export Control – Policy Statement

PRI and the Nadcap program are committed to complying with all applicable export control regulations, including (but not limited to) the International Traffic in Arms Regulation (ITAR) and the Export Administration Regulation (EAR).

As a general rule, information or data restricted under the export control regulations of any country should be omitted from all presentations and/or discussions that take place related to Nadcap. It is each supplier's responsibility to understand the export control regulations that apply to them and handle any data / information entrusted to them in accordance with these regulations. For information on export control, along with training resources and agency contact information, please see the next page.

4



Export Control Resources

The Directorate of Defense Trade Controls (DDTC)

<http://www.pmddtc.state.gov/index.html>

http://www.pmddtc.state.gov/outreach/documents/inhouse_seminars.pdf

http://www.pmddtc.state.gov/compliance/documents/compliance_programs.pdf

The International Traffic in Arms Regulations (“ITAR,” 22 CFR 120-130)

http://www.pmddtc.state.gov/regulations_laws/itar_official.html

The Bureau of Industry and Security (BIS)

<http://www.bis.doc.gov/seminarsandtraining/seminar-training.htm>

<http://www.bis.doc.gov/exportlicensingqanda.htm>

The U.S. Commercial Service

<http://trade.gov/cs/>

5



Code of Conduct – Harassment & Discrimination

- A complete copy of the PRI Code of Conduct may be found on eAuditnet.

PRI will not condone or tolerate any harassment, including sexual harassment, of its associates, contractors, customers, guests, vendors or suppliers.

This is a zero tolerance policy.

- Harassment includes jokes, verbal abuse, degrading comments, the display of offensive objects and pictures, and other conduct that the individual might reasonably find to be offensive.
- Remember: The intent behind any comment or action is far less important than the manner in which that same comment or action is construed.

6



Code of Conduct – Conflicts of Interest

Each individual participating in the Nadcap program is expected to exercise impartial professional judgment.

- When a competing interest has the potential to preclude or impair one’s independent professional judgment, that interest should be brought to the attention of the appropriate PRI staff member immediately.
- All participants of the Nadcap program shall maintain proprietary or confidential information with which they come into contact appropriately. Violation of this requirement could result in serious legal consequences

7



Please direct all questions related to antitrust and/or export control to your company’s in-house compliance contact.

All questions regarding the PRI Code of Conduct may be directed to the Nadcap Ethics Committee at the email address below:

NadcapEthics@p-r-i.org

8

