

September 11, 2025

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**Subject:** Ex Parte Memorandum

Dear Mr. Cohen,

On September 3, 2025 (3:00-3:30pm ET) and September 5, 2025 (11:00-11:30am ET) representatives from the Nuclear Energy Institute (NEI) attended virtual information sessions hosted by the Department of Energy (DOE) entitled “DPA708 Info Session for U.S. Nuclear Companies – Overview and Next Steps.” The session was focused on the process that the DOE will use to implement voluntary agreements and plans of action under the Defense Production Act (DPA) in response to the direction provided in Executive Order 14302 (90 Fed. Reg. 22595; May 29, 2025).

The information presented by DOE representatives, and covered during dedicated question and answer periods, included the following topics:

- Background on the major provisions of Section 708 of the DPA, including voluntary agreements, antitrust protections, implementation and oversight, and recent application of Section 708 by the federal government in other contexts (i.e., COVID-19 response);
- DOE’s plans to form a consortium under Section 708 of the DPA, including antitrust protections, the applicability of the Federal Advisory Committee Act (FACA), the term of such a consortium, and the relationship between Section 708 voluntary agreements and plans of action that would guide the activities of subgroups/committees formed under the planned consortium; and
- Next steps for commencement of formal consultations between DOE and industry representatives, the formation of the consortium, and future meetings.

The NEI representatives present during the information sessions included:

- Greg Core (Director, Fuel Cycle Facilities, NEI)
- Jack Britt (Sr. Director, Fuel and Radiation Safety, NEI)

DOE representatives included:

- Sarah McPhee Charrez (CoS/Senior Advisor, Nuclear Fuel Cycle, DOE)
- Michael Kido (Office of General Counsel, DOE)
- Florie Knauf (Acting Deputy Assistant Secretary for Nuclear Fuel Cycle, DOE)

If you have any questions regarding this memorandum, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Jerry Bonanno". The signature is written in a cursive, flowing style.

Jerry Bonanno, Deputy General Counsel