



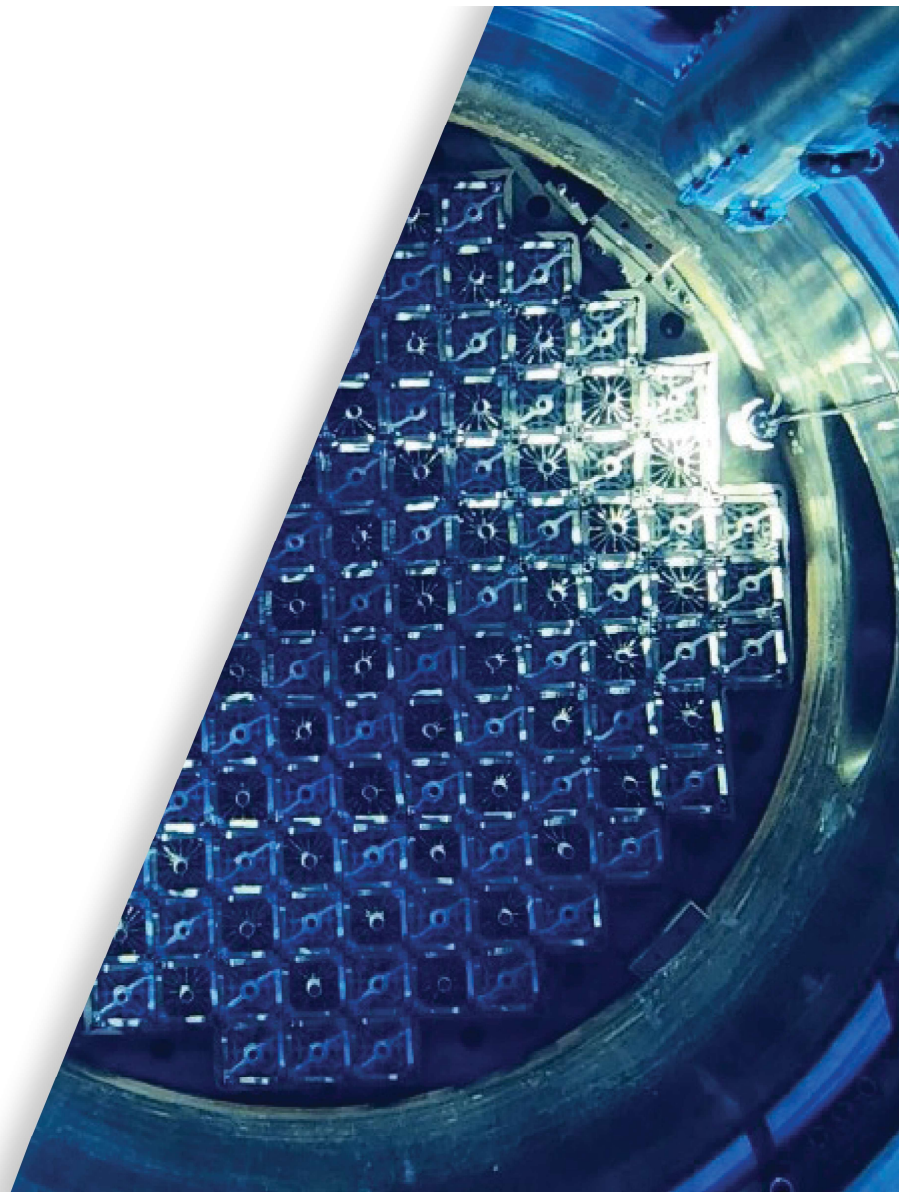
U.S. DEPARTMENT
of **ENERGY**

Office of
Nuclear Energy

DPA708 **Info Session for** **U.S. Nuclear Companies**

Overview and Next Steps

September 5, 2025



AGENDA

- **Welcome:** Sarah McPhee Charrez, *CoS/Senior Advisor, Nuclear Fuel Cycle*
- **Housekeeping – Ex Parte Memo:** Michael Kido, *DOE Office of General Counsel*
- **Info Session:** Sarah McPhee Charrez
 - Background –What is the DPA708? Why now?
 - About DPA 708 Consortia
 - The DOE DPA Consortium Structure
 - The First Meeting of the Consortium
 - Next Steps
- **Q&A:** Moderated by Sarah McPhee Charrez
- **Close:** Florie Knauf, *Acting Deputy Assistant Secretary for Nuclear Fuel Cycle*



BACKGROUND

Section 708 of the Defense Production Act allows the President to establish voluntary agreements with industry representatives through consortia to enhance national defense preparedness and response capabilities.

1. **Voluntary Agreements:** Allow private sector entities to collaborate on actions that support national defense; such agreements can help streamline production and distribution of essential resources during emergencies.
2. **Antitrust Protections:** Provides defense against antitrust liability for companies participating in voluntary agreements, as long as actions are in line with the agreement as approved.
3. **Implementation & Oversight:** DOJ & FTC play a critical role in coordination of agreements, ensuring compliance with federal law.
4. **Recent Applications:** Last invoked during COVID-19, facilitating cooperation among private companies to enhance production and distribution of critical healthcare resources.



ABOUT DPA SECTION 708 CONSORTIA

- **Antitrust protection:** Participants are protected from antitrust liability
- **FACA-free:** Unlike the HALEU Consortium, a consortium under the DPA Section 708 is not limited by the Federal Advisory Committee Act (FACA). This applies to certain consultations as well as activities conducted under a voluntary agreement (or plan of action).
- **Five Years:** Consortia under the DPA may stand for five years without renewal unless formally ended early.
- **One Voluntary Agreement:** Current approach under consideration would be to have all participants sign on to the same voluntary agreement, with separate Plans of Action outlining the work within the Consortium.



THE DOE DPA CONSORTIUM

- The Office of Nuclear Energy, delegated from the Secretary of Energy, is forming one consortium with 7 subgroups or Committees.
 - Mining & Milling
 - Enrichment
 - Conversion
 - Deconversion
 - Fabrication
 - SNF/Recycling & Reprocessing
 - End-users
- Each Committee will have a Plan of Action which will guide the activities of that group.
- “Multidisciplinary” groups are possible and encouraged, parties can join more than one group.
- Offices of Nuclear Reactors & Spent Fuel/HLW Disposition to support as appropriate.



FIRST MEETING & NEXT STEPS

- 30-day comment period on Interim Final Rule in the Federal Register began on 8/25.
- Formal Consultations between DOE & industry representatives are permitted in this time.
- Welcome letters (and rejections) will be sent out from the official DPA Consortium inbox in the next week.
- **First Meeting is October 14, 2025 at 10:00 AM EDT -- Hybrid**
 - Brief updates on DOE's nuclear fuel cycle programs
 - Opportunity for each Committee to identify potential areas of cooperation.
 - Following this meeting, Committees may commence formal meetings and develop Plans of Action.





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QUESTIONS?

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