

September 24, 2025

Ted Garrish
Assistant Secretary, Office of Nuclear Energy
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

RE: NASEO's Response to DOE's Rule Making Public Comment Opportunity -
Implementing Voluntary Agreements Under the Defense Production Act,
Docket DOE-HQ-2025-0175

The National Association of State Energy Officials (NASEO) appreciates the opportunity to respond to the U.S. Department of Energy's (DOE) rule making public comment opportunity on Implementing Voluntary Agreements Under the Defense Production Act. NASEO represents the governor-designated State Energy Offices from all 56 states, territories, and the District of Columbia. NASEO supports interested State Energy Offices in identifying pathways to accelerate advanced nuclear projects by reducing financial and technology risks; devising supportive market adoption policies; defining supply chain needs; developing coordinated procurement options; identifying opportunities for early site permits; and creating public-private partnerships. State Energy Offices that are focused on advanced nuclear, are partnering with the private sector to identify priority end uses and applications for advanced nuclear projects and determine appropriate financing mechanisms to support projects.

To support the work of the many states interested in nuclear power, NASEO facilitates the Advanced Nuclear First Mover Initiative in partnership with Idaho National Laboratory and DOE's Gateway for Accelerated Innovation in Nuclear. The Initiative is led by the state co-chairs New York, Indiana, Kentucky, Tennessee and Wyoming, and the participating states Louisiana, Maryland, Pennsylvania, Utah, Virginia, and West Virginia. These states are committed to accelerating advanced nuclear projects by working with private-sector partners, DOE, and Congress and ensuring the continued safety and reliability of nuclear power.

NASEO supports the development, in partnership with the states, of the Defense Production Act Consortium and approach to voluntary agreements with U.S. companies overall. We offer the following recommendations and considerations:

- DOE and industry should engage interested State Energy Offices and NASEO throughout this process to identify potential areas of coordination and to align with existing and future state nuclear fuel

1812 North Moore Street
Suite 1810
Arlington, Virginia 22209
Telephone: 703.299.8800
www.naseo.org

BOARD OF DIRECTORS

Chair
MOLLY CRIPPS
Tennessee

Vice Chair
WILL TOOR
Colorado

Treasurer
EDDY TREVINO
Texas

Secretary
DAVID ALTHOFF
Pennsylvania

Member at Large
JULIE STAVELAND
Michigan

Past Chair
JOHN WILLIAMS
New York

Parliamentarian
ANDREW MCALLISTER
California

Regional Representatives

DAN BURGESS
Maine

KATIE DYKES
Connecticut

NICK BURGER
Washington, D.C.

NICK PRESERVATI
West Virginia

MITCHELL SIMPSON
Arkansas

KENYA STUMP
Kentucky

JOE PATER
Wisconsin

EMILY WILBUR
Missouri

JANINE BENNER
Oregon

DWAYNE MCCLINTON
Nevada

MARIA EFFERTZ
North Dakota

BEN BROUWER
Montana

REBECCA RESPICIO
Guam

President
DAVID TERRY

General Counsel
JEFFREY C. GENZER

supply chain activities. The Advanced Nuclear First Mover Initiative is working to establish an advanced nuclear orderbook strategy and is exploring how state actions can help ensure domestic availability of fuel and other supply chain needs.

- The voluntary agreements between industry and DOE should require industry to coordinate with State Energy Offices and other relevant state government entities. This will be particularly valuable when thinking about state, regional, and national supply chain networks; workforce development programs and training; and acquiring funding and financing for mining and milling, conversion, enrichment, deconversion, fabrication, recycling and reprocessing and other activities. State Energy Offices with governors committed to advanced nuclear can help facilitate access to capital for new companies before and during early development of projects; provide technical assistance including support for feasibility assessments; identify federal funding opportunities; conduct site readiness evaluations; build capacity with local governments and communities; enter into public private partnerships; and bridge connections between companies and local universities; national labs; and more.
- It would be helpful to clarify how DOE will define “domestic nuclear energy companies” entering into voluntary agreements. It is useful for rules to define terms that are key to the rule’s jurisdiction and functioning to avoid unintentionally limiting the rule’s applicability to new technologies or companies working to build the supply chain.
- Two recent examples, among others, of state-industry engagement on advanced nuclear include Wyoming and Tennessee:
 - o The Wyoming Energy Authority (State Energy Office) leads an Energy Matching Funds program which supports projects such as a microreactor assessment study and a demonstration project aimed at improving in-situ uranium mining processes.
 - o In Tennessee, the state Nuclear Fund has provided millions of dollars in grants to support projects coming to Tennessee such as the Oklo reactor and fuel recycling facility, BWXT’s centrifuge assemblies manufacturing facility, and the construction of Orano’s uranium enrichment facility.

Thank you for the opportunity to provide comments and we look forward to continuing the engagement with DOE on these important issues.

Best regards,



David Terry,
NASEO President