



December 18, 2018

The Honorable Rick Perry
Secretary
U.S. Department of Energy
1000 Independence Ave, S.W.
Washington, DC 20585

Secretary Perry:

As supporters of nuclear energy and advocates for a strong U.S. leadership role in the international market, we would like to applaud the steps you have taken to improve nuclear energy export controls. Deputy Administrator for Defense Nuclear Nonproliferation Brent Park recently testified to the House Energy and Commerce Committee on DOE initiatives to improve the efficiency of the 10 CFR Part 810 regulations, including greater parallel processing of license applications.¹ We also applaud the continued development of the electronic submission portal (“e810”) and industry outreach.

We write to urge you to continue the reform momentum and propose a fast track rulemaking for “deemed exports” under Part 810. These applications are more straightforward than many other Part 810 license applications and we think the U.S. government should be able to handle them in a correspondingly shorter time.

Part 810 already includes a fast track authorization process for operational safety applications. The Deputy Administrator’s testimony indicated that a fast track to approve deemed export applications for nationals of non-sensitive countries was feasible. Further, his testimony added

¹ Statement of Dr. Brent Park, Deputy Administrator for Defense Nuclear Nonproliferation before the U.S. House Energy and Commerce Committee, May 22, 2018.

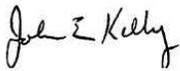
that a fast track could be developed for information technology services to non-sensitive countries.

These fast tracks would help to reduce the burden on U.S. companies without sacrificing background checks, and the government would still have the opportunity to deny a license in cases where a problem was found. A more efficient Part 810 process would also reduce the DOE resource requirements of regulatory implementation and free you and other senior DOE staff to focus on more important matters, rather than reviewing individuals that U.S. companies are attempting to hire. This would be a better use of taxpayer dollars and also enable companies to put more of their efforts towards competing in the international marketplace. A similar fast track for certain reactor technologies to non-sensitive destinations is another measure we would encourage the DOE to consider.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley Finan", with a long horizontal flourish extending to the right.

Ashley Finan, Executive Director, Nuclear Innovation Alliance

A handwritten signature in black ink, appearing to read "John E. Kelly", written in a cursive style.

John Kelly, President, American Nuclear Society