

(I) the date on which the Board receives the response of the Secretary under subparagraph (B)(i); and

(II) the date that is 90 days after the date on which the Board submitted the report to the Secretary.

**(ii) Requirement**

If the Board has received a response to a report from the Secretary under subparagraph (B)(i), the Board shall make that response publicly available with the applicable report.

**(d) Report by the Secretary**

Not later than 180 days before the date of expiration of a term of the Board under subsection (f), the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Energy and Commerce and Appropriations of the House of Representatives a report that—

(1) describes the effectiveness and accomplishments of the Board during the applicable term;

(2) contains a determination of the Secretary as to whether the Board should be renewed; and

(3) if the Secretary determines that the Board should be renewed, any recommendations as to whether and how the scope and functions of the Board should be modified.

**(e) Outreach to minority-serving institutions, veterans, and displaced and unemployed energy workers**

In developing the strategy under subsection (a), the Board shall—

(1) give special consideration to increasing outreach to minority-serving institutions, veterans, and displaced and unemployed energy workers;

(2) make resources available to—

(A) minority-serving institutions, with the objective of increasing the number of skilled minorities and women trained to go into the energy and manufacturing sectors;

(B) institutions that serve veterans, with the objective of increasing the number veterans in the energy industry by ensuring that veterans have the credentials and training necessary to secure careers in the energy industry; and

(C) institutions that serve displaced and unemployed energy workers to increase the number of individuals trained for jobs in the energy industry;

(3) encourage the energy industry to improve the opportunities for students of minority-serving institutions, veterans, and displaced and unemployed energy workers to participate in internships, preapprenticeships, apprenticeships, and cooperative work-study programs in the energy industry; and

(4) work with the National Laboratories to increase the participation of underrepresented groups, veterans, and displaced and unemployed energy workers in internships, fellowships, training programs, and employment at the National Laboratories.

**(f) Term**

**(1) In general**

Subject to paragraph (2), the Board shall terminate on September 30, 2026.

**(2) Extensions**

The Secretary may renew the Board for 1 or more 5-year periods by submitting, not later than the date described in subsection (d), a report described in that subsection that contains a determination by the Secretary that the Board should be renewed.

(Pub. L. 117–58, div. D, title II, §40211, Nov. 15, 2021, 135 Stat. 983.)

**Statutory Notes and Related Subsidiaries**

**WAGE RATE REQUIREMENTS**

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117–58, including authority of Secretary of Labor, see section 18851 of this title.

**SUBCHAPTER III—FUELS AND TECHNOLOGY INFRASTRUCTURE INVESTMENTS**

**PART A—NUCLEAR ENERGY INFRASTRUCTURE**

**§18751. Infrastructure planning for micro and small modular nuclear reactors**

**(a) Definitions**

In this section:

**(1) Advanced nuclear reactor**

The term “advanced nuclear reactor” has the meaning given the term in section 16271(b) of this title.

**(2) Isolated community**

The term “isolated community” has the meaning given the term in section 17392(a) of this title.

**(3) Micro-reactor**

The term “micro-reactor” means an advanced nuclear reactor that has an electric power production capacity that is not greater than 50 megawatts.

**(4) National Laboratory**

The term “National Laboratory” has the meaning given the term in section 15801 of this title.

**(5) Small modular reactor**

The term “small modular reactor” means an advanced nuclear reactor—

(A) with a rated capacity of less than 300 electrical megawatts; and

(B) that can be constructed and operated in combination with similar reactors at a single site.

**(b) Report**

Not later than 180 days after November 15, 2021, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives a report that de-

scribes how the Department could enhance energy resilience and reduce carbon emissions with the use of micro-reactors and small modular reactors.

**(c) Elements**

The report required by subsection (b) shall address the following:

(1) An evaluation by the Department of current resilience and carbon reduction requirements for energy for facilities of the Department to determine whether changes are needed to address—

(A) the need to provide uninterrupted power to facilities of the Department for at least 3 days during power grid failures;

(B) the need for protection against cyber threats and electromagnetic pulses; and

(C) resilience to extreme natural events, including earthquakes, volcanic activity, tornados, hurricanes, floods, tsunamis, lahars, landslides, seiches, a large quantity of snowfall, and very low or high temperatures.

(2) A strategy of the Department for using nuclear energy to meet resilience and carbon reduction goals of facilities of the Department.

(3) A strategy to partner with private industry to develop and deploy micro-reactors and small modular reactors to remote communities in order to replace diesel generation and other fossil fuels.

(4) An assessment by the Department of the value associated with enhancing the resilience of a facility of the Department by transitioning to power from micro-reactors and small modular reactors and to co-located nuclear facilities with the capability to provide dedicated power to the facility of the Department during a grid outage or failure.

(5) The plans of the Department—

(A) for deploying a micro-reactor and a small modular reactor to produce energy for use by a facility of the Department in the United States by 2026;

(B) for deploying a small modular reactor to produce energy for use by a facility of the Department in the United States by 2029; and

(C) to include micro-reactors and small modular reactors in the planning for meeting future facility energy needs.

**(d) Financial and technical assistance for siting micro-reactors, small modular reactors, and advanced nuclear reactors**

**(1) In general**

The Secretary shall offer financial and technical assistance to entities to conduct feasibility studies for the purpose of identifying suitable locations for the deployment of micro-reactors, small modular reactors, and advanced nuclear reactors in isolated communities.

**(2) Requirement**

Prior to providing financial and technical assistance under paragraph (1), the Secretary shall conduct robust community engagement and outreach for the purpose of identifying levels of interest in isolated communities.

**(3) Limitation**

The Secretary shall not disburse more than 50 percent of the amounts available for financial assistance under this subsection to the National Laboratories.

(Pub. L. 117-58, div. D, title III, §40321, Nov. 15, 2021, 135 Stat. 1016.)

**Statutory Notes and Related Subsidiaries**

**WAGE RATE REQUIREMENTS**

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

**§ 18752. Property interests relating to certain projects and protection of information relating to certain agreements**

**(a)<sup>1</sup> Property interests relating to federally funded advanced nuclear reactor projects**

**(1) Definitions**

In this section:

**(A) Advanced nuclear reactor**

The term “advanced nuclear reactor” has the meaning given the term in section 16271(b) of this title.

**(B) Property interest**

**(i) In general**

Except as provided in clause (ii), the term “property interest” means any interest in real property or personal property (as those terms are defined in section 200.1 of title 2, Code of Federal Regulations (as in effect on November 15, 2021)).

**(ii) Exclusion**

The term “property interest” does not include any interest in intellectual property developed using funding provided under a project described in paragraph (3).

**(2) Assignment of property interests**

The Secretary may assign to any entity, including the United States, fee title or any other property interest acquired by the Secretary under an agreement entered into with respect to a project described in paragraph (3).

**(3) Project described**

A project referred to in paragraph (2) is—

(A) a project for which funding is provided pursuant to the funding opportunity announcement of the Department numbered DE-FOA-0002271, including any project for which funding has been provided pursuant to that announcement as of November 15, 2021;

(B) any other project for which funding is provided using amounts made available for the Advanced Reactor Demonstration Program of the Department under the heading “Nuclear Energy” under the heading “ENERGY PROGRAMS” in title III of division C of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94; 133 Stat. 2670);

<sup>1</sup> So in original. No subsec. (b) has been enacted.