

trative and support buildings, utilities, roads, power plants, and any other critical infrastructure; and

(B) lab modernization projects at National Laboratories, including projects relating to core infrastructure needed—

(i) to support existing and emerging science missions with new and specialized requirements for world-leading scientific user facilities and computing capabilities; and

(ii) to maintain safe, efficient, reliable, and environmentally responsible operations, including pilot projects to demonstrate net-zero emissions with resilient operations.

(3) Approach

In carrying out paragraph (1), the Secretary shall use all available approaches and mechanisms, as the Secretary determines to be appropriate, including—

- (A) capital line items;
- (B) minor construction projects;
- (C) energy savings performance contracts;
- (D) utility energy service contracts;
- (E) alternative financing; and
- (F) expense funding.

(c) Submission to Congress

For each fiscal year through fiscal year 2027, at the same time as the annual budget submission of the President, the Secretary shall submit to the Committee on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Appropriations and the Committee on Science, Space, and Technology of the House of Representatives a list of projects for which the Secretary will provide funding under this section, including a description of each project and the funding profile for the project.

(d) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out the activities described in this section \$800,000,000 for each of fiscal years 2023 through 2027, of which, in each fiscal year—

(1) \$640,000,000 is authorized to be appropriated for projects at National Laboratories described in paragraphs (1) through (4) of subsection (a); and

(2) \$160,000,000 is authorized to be appropriated for projects at National Laboratories described in paragraphs (5) through (7) of that subsection.

(Pub. L. 117-167, div. B, title VI, § 10761, Aug. 9, 2022, 136 Stat. 1725.)

PART K—FISSION FOR THE FUTURE

§ 19351. Advanced nuclear technologies Federal research, development, and demonstration program

(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) Eligible entity

The term “eligible entity” means each of—

- (A) a State;
- (B) an Indian Tribe (as defined in section 5304 of title 25);
- (C) a Tribal organization (as defined in section 5304 of title 25);
- (D) a unit of local government;
- (E) an electric utility (as defined in section 796 of title 16);
- (F) a National Laboratory (as defined in section 15801 of this title);
- (G) an institution of higher education (as defined in section 1001(a) of title 20); and
- (H) a private entity specializing in—
 - (i) advanced nuclear technology development;
 - (ii) nuclear supply chains; or
 - (iii) with respect to nuclear technologies and nonelectric applications of nuclear technologies, construction, project financing, contract structuring and risk allocation, or regulatory and licensing processes.

(3) Program

The term “program” means the program established under subsection (b)(1).

(4) Secretary

The term “Secretary” means the Secretary of Energy.

(b) Establishment of program

(1) In general

The Secretary shall establish a program to provide Federal financial assistance to eligible entities to support the research, development, demonstration, and deployment of advanced nuclear reactors and associated supply chain infrastructure.

(2) Competitive procedures

To the maximum extent practicable, the Secretary shall carry out the program using a competitive, merit-based review process that is consistent with section 16353 of this title.

(c) Applications

An eligible entity desiring Federal financial assistance under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(d) Priority

In selecting eligible entities to receive Federal financial assistance under the program, the Secretary shall give priority to eligible entities that—

(1) plan to carry out projects at or near the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down—

(A) to support the productive reuse of fossil fuel electric generation facilities that are retired or scheduled to retire; and

(B) to sustain and revitalize communities impacted by the closure of fossil fuel electric generation facilities;

(2) plan to support nonelectric applications, including supplying heat for—

- (A) energy storage;
- (B) hydrogen or other liquid and gaseous fuel or chemical production;
- (C) industrial processes;
- (D) desalination technologies and processes;
- (E) isotope production;
- (F) district heating; and
- (G) other applications, as the Secretary determines to be appropriate; and

(3) have implemented or demonstrated the ability to successfully implement workforce training or retraining programs to train workers to perform activities relating to the research, development, and demonstration of advanced nuclear reactors.

(e) Cost share

Section 16352 of this title shall apply to Federal financial assistance provided under the program.

(f) Authorization of appropriations

In addition to amounts otherwise available, there are authorized to be appropriated to the Secretary to carry out the program—

- (1) \$75,000,000 for fiscal year 2023;
- (2) \$100,000,000 for fiscal year 2024;
- (3) \$150,000,000 for fiscal year 2025;
- (4) \$225,000,000 for fiscal year 2026; and
- (5) \$250,000,000 for fiscal year 2027.

(Pub. L. 117–167, div. B, title VI, §10781, Aug. 9, 2022, 136 Stat. 1728; Pub. L. 118–31, div. C, title XXXI, §3131(p)(1), Dec. 22, 2023, 137 Stat. 803.)

Editorial Notes

AMENDMENTS

2023—Subsec. (b)(1). Pub. L. 118–31 substituted “demonstration, and deployment of advanced nuclear reactors and associated supply chain infrastructure” for “and demonstration of advanced nuclear reactors”.

CHAPTER 164—SPEAK OUT ACT

Sec.	
19401.	Findings.
19402.	Definitions.
19403.	Limitation on judicial enforceability of nondisclosure and nondisparagement contract clauses relating to sexual assault disputes and sexual harassment disputes.
19404.	Applicability.

§ 19401. Findings

Congress finds the following:

- (1) Sexual harassment and assault remain pervasive in the workplace and throughout civic society, affecting millions of Americans.
- (2) Eighty-one percent of women and 43 percent of men have experienced some form of sexual harassment or assault throughout their lifetime.
- (3) One in 3 women has faced sexual harassment in the workplace during her career, and an estimated 87 to 94 percent of those who experience sexual harassment never file a formal complaint.
- (4) Sexual harassment in the workplace forces many women to leave their occupation or industry, or pass up opportunities for advancement.

(5) In order to combat sexual harassment and assault, it is essential that victims and survivors have the freedom to report and publicly disclose their abuse.

(6) Nondisclosure and nondisparagement provisions in agreements between employers and current, former, and prospective employees, and independent contractors, and between providers of goods and services and consumers, can perpetuate illegal conduct by silencing those who are survivors of illegal sexual harassment and assault or illegal retaliation, or have knowledge of such conduct, while shielding perpetrators and enabling them to continue their abuse.

(7) Prohibiting nondisclosure and nondisparagement clauses will empower survivors to come forward, hold perpetrators accountable for abuse, improve transparency around illegal conduct, enable the pursuit of justice, and make workplaces safer and more productive for everyone.

(Pub. L. 117–224, §2, Dec. 7, 2022, 136 Stat. 2290.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 117–224, §1, Dec. 7, 2022, 136 Stat. 2290, provided that: “This Act [enacting this chapter] may be cited as the ‘Speak Out Act’.”

§ 19402. Definitions

In this chapter:

(1) Nondisclosure clause

The term “nondisclosure clause” means a provision in a contract or agreement that requires the parties to the contract or agreement not to disclose or discuss conduct, the existence of a settlement involving conduct, or information covered by the terms and conditions of the contract or agreement.

(2) Nondisparagement clause

The term “nondisparagement clause” means a provision in a contract or agreement that requires 1 or more parties to the contract or agreement not to make a negative statement about another party that relates to the contract, agreement, claim, or case.

(3) Sexual assault dispute

The term “sexual assault dispute” means a dispute involving a nonconsensual sexual act or sexual contact, as such terms are defined in section 2246 of title 18 or similar applicable Tribal or State law, including when the victim lacks capacity to consent.

(4) Sexual harassment dispute

The term “sexual harassment dispute” means a dispute relating to conduct that is alleged to constitute sexual harassment under applicable Federal, Tribal, or State law.

(Pub. L. 117–224, §3, Dec. 7, 2022, 136 Stat. 2290.)

§ 19403. Limitation on judicial enforceability of nondisclosure and nondisparagement contract clauses relating to sexual assault disputes and sexual harassment disputes

(a) In general

With respect to a sexual assault dispute or sexual harassment dispute, no nondisclosure