

tronic parts to law enforcement agencies, industry associations, and other databases, and to issue bulletins to industry on counterfeit electronic parts and related counterfeit activity.

**(c) Review of procurement and acquisition policy**

**(1) In general**

In establishing the program, the Administrator shall amend existing acquisition and procurement policy to purchase electronic parts from trusted or approved manufacturers. To determine trusted or approved manufacturers, the Administrator shall establish a list, assessed and adjusted at least annually, and create criteria for manufacturers to meet in order to be placed onto the list.

**(2) Criteria**

The criteria may include—

- (A) authentication or encryption codes;
- (B) embedded security markings in parts;
- (C) unique, harder to copy labels and markings;
- (D) identifying distinct lot and serial codes on external packaging;
- (E) radio frequency identification embedded into high-value parts;
- (F) physical destruction of all defective, damaged, and sub-standard parts that are by-products of the manufacturing process;
- (G) testing certifications;
- (H) maintenance of procedures for handling any counterfeit parts that slip through;
- (I) maintenance of secure facilities to prevent unauthorized access to proprietary information; and
- (J) maintenance of product return, buy back, and inventory control practices that limit counterfeiting.

**(d) Report to Congress**

Within one year after October 11, 2010, the Administrator shall report on the progress of implementing this section to the appropriate committees of Congress.

(Pub. L. 111-267, title XII, §1206, Oct. 11, 2010, 124 Stat. 2843.)

**§ 18445. Information security**

**(a) Monitoring risk**

**(1) Update on system implementation**

Not later than 120 days after October 11, 2010, and on a biennial basis thereafter, the chief information officer of NASA, in coordination with other national security agencies, shall provide to the appropriate committees of Congress—

- (A) an update on efforts to implement a system to provide dynamic, comprehensive, real-time information regarding risk of unauthorized remote, proximity, and insider use or access, for all information infrastructure under the responsibility of the chief information officer, and mission-related networks, including contractor networks;
- (B) an assessment of whether the system has demonstrably and quantifiably reduced

network risk compared to alternative methods of measuring security; and

(C) an assessment of the progress that each center and facility has made toward implementing the system.

**(2) Existing assessments**

The assessments required of the Inspector General under section 3545<sup>1</sup> of title 44 shall evaluate the effectiveness of the system described in this subsection.

**(b) Information security awareness and education**

**(1) In general**

In consultation with the Department of Education, other national security agencies, and other agency directorates, the chief information officer shall institute an information security awareness and education program for all operators and users of NASA information infrastructure, with the goal of reducing unauthorized remote, proximity, and insider use or access.

**(2) Program requirements**

(A) The program shall include, at a minimum, ongoing classified and unclassified threat-based briefings, and automated exercises and examinations that simulate common attack techniques.

(B) All agency employees and contractors engaged in the operation or use of agency information infrastructure shall participate in the program.

(C) Access to NASA information infrastructure shall only be granted to operators and users who regularly satisfy the requirements of the program.

(D) The chief human capital officer of NASA, in consultation with the chief information officer, shall create a system to reward operators and users of agency information infrastructure for continuous high achievement in the program.

**(c) Information infrastructure defined**

In this section, the term “information infrastructure” means the underlying framework that information systems and assets rely on to process, transmit, receive, or store information electronically, including programmable electronic devices and communications networks and any associated hardware, software, or data.

(Pub. L. 111-267, title XII, §1207, Oct. 11, 2010, 124 Stat. 2844.)

REFERENCES IN TEXT

Section 3545 of title 44, referred to in subsec. (a)(2), was repealed by Pub. L. 113-283, §2(a), Dec. 18, 2014, 128 Stat. 3073. Provisions similar to section 3545 of title 44 are now contained in section 3555 of title 44, as enacted by Pub. L. 113-283.

**CHAPTER 160—TREATMENT OF CERTAIN PAYMENTS IN EUGENICS COMPENSATION**

Sec. 18501.

Exclusion of payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

<sup>1</sup> See References in Text note below.

**§ 18501. Exclusion of payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits**

**(a) In general**

Notwithstanding any other provision of law, payments made under a State eugenics compensation program shall not be considered as income or resources in determining eligibility for, or the amount of, any Federal public benefit.

**(b) Definitions**

For purposes of this section:

**(1) Federal public benefit**

The term “Federal public benefit” means—

(A) any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States; and

(B) any retirement, welfare, health, disability, public or assisted housing, post-secondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the United States or by appropriated funds of the United States.

**(2) State eugenics compensation program**

The term “State eugenics compensation program” means a program established by State law that is intended to compensate individuals who were sterilized under the authority of the State.

(Pub. L. 114-241, §2, Oct. 7, 2016, 130 Stat. 976.)

SHORT TITLE

Pub. L. 114-241, §1, Oct. 7, 2016, 130 Stat. 976, provided that: “This Act [enacting this chapter] may be cited as the ‘Treatment of Certain Payments in Eugenics Compensation Act’.”

**CHAPTER 161—DEPARTMENT OF ENERGY RESEARCH AND INNOVATION**

Sec.

18601. Definitions.

**SUBCHAPTER I—LABORATORY MODERNIZATION AND TECHNOLOGY TRANSFER**

18611. Sense of Congress on accelerating energy innovation.

18612. Restoration of laboratory directed research and development program.

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**SUBCHAPTER II—DEPARTMENT OF ENERGY RESEARCH COORDINATION**

18631. Crosscutting research and development.

18632. Energy Innovation Hubs.

**SUBCHAPTER III—DEPARTMENT OF ENERGY OFFICE OF SCIENCE POLICY**

18641. Basic energy sciences.

18642. Advanced scientific computing research.

18643. High-energy physics.

18644. Biological and environmental research.

18645. Fusion energy.

18646. Isotope development and production for research applications.

18647. Science laboratories infrastructure program.

**§ 18601. Definitions**

In this chapter:

**(1) Department**

The term “Department” means the Department of Energy.

**(2) Director**

The term “Director” means the Director of the Office of Science of the Department, except as otherwise indicated.

**(3) National Laboratory**

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

**(4) Secretary**

The term “Secretary” means the Secretary of Energy.

(Pub. L. 115-246, §2, Sept. 28, 2018, 132 Stat. 3130.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 115-246, Sept. 28, 2018, 132 Stat. 3130, known as the Department of Energy Research and Innovation Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Pub. L. 115-246, §1(a), Sept. 28, 2018, 132 Stat. 3130, provided that: “This Act [see Short Title notes below and Tables for classification] may be cited as the ‘Department of Energy Research and Innovation Act’.”

Pub. L. 115-246, title I, §101, Sept. 28, 2018, 132 Stat. 3131, provided that: “This title [enacting subchapter I of this chapter and amending sections 16352 and 16391 of this title] may be cited as the ‘Laboratory Modernization and Technology Transfer Act’.”

Pub. L. 115-246, title II, §201, Sept. 28, 2018, 132 Stat. 3134, provided that: “This title [enacting subchapter II of this chapter and section 16358 of this title, amending sections 16357 and 16538 of this title, and repealing section 16358 of this title] may be cited as the ‘Department of Energy Research Coordination Act’.”

Pub. L. 115-246, title III, §301, Sept. 28, 2018, 132 Stat. 3140, provided that: “This title [enacting subchapter III of this chapter and amending sections 2053, 7139, 16313, 16315, 16316, and 16321 of this title, sections 5541 and 5542 of Title 15, Commerce and Trade, and provisions set out as a note under section 5501 of Title 15] may be cited as the ‘Department of Energy Office of Science Policy Act’.”

**SUBCHAPTER I—LABORATORY MODERNIZATION AND TECHNOLOGY TRANSFER**

**§ 18611. Sense of Congress on accelerating energy innovation**

It is the sense of Congress that—

(1) although important progress has been made in cost reduction and deployment of clean energy technologies, accelerating clean energy innovation will help meet critical competitiveness, energy security, and environmental goals;

(2) accelerating the pace of clean energy innovation in the United States calls for—

(A) supporting existing research and development programs at the Department and the world-class National Laboratories;

(B) exploring and developing new pathways for innovators, investors, and decision-makers.