

(7) provide for the confidentiality of test results and medical information of employees; and

(8) ensure that employees are selected for tests by nondiscriminatory and impartial methods, so that no employee is harassed by being treated differently from other employees in similar circumstances.

(f) EFFECT ON OTHER LAWS AND REGULATIONS.—

(1) CONSISTENCY WITH FEDERAL REGULATION.—No State or local government shall adopt or have in effect any law, rule, regulation, ordinance, standard, or order that is inconsistent with the regulations promulgated under this section.

(2) CONTINUANCE OF REGULATIONS ISSUED BEFORE DECEMBER 9, 1991.—Nothing in this section shall be construed to restrict the discretion of the Administrator to continue in force, amend, or further supplement any regulations issued before December 9, 1991, that govern the use of alcohol and controlled substances by Administration employees with responsibility for safety-sensitive, security, and national security functions (as determined by the Administrator), or by Administration contractor employees with such responsibility.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3374.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 31102(a) through 31102(f).

In subsection (b)(2), the words “within 18 months after the date of enactment of this Act” are omitted as obsolete.

In paragraphs (1) and (2) of subsection (c), and in subsection (f)(2), the date “December 9, 1991” is substituted for “the date of enactment of this Act” to reflect the date of enactment of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1992 (Public Law 102–195, 105 Stat. 1605).

Statutory Notes and Related Subsidiaries

FINDINGS

Pub. L. 102–195, §21(b), Dec. 9, 1991, 105 Stat. 1616, provided that: “The Congress finds that—

“(1) alcohol abuse and illegal drug use pose significant dangers to the safety and welfare of the Nation;

“(2) the success of the United States civil space program is contingent upon the safe and successful development and deployment of the many varied components of that program;

“(3) the greatest efforts must be expended to eliminate the abuse of alcohol and use of illegal drugs, whether on duty or off duty, by those individuals who are involved in the positions affecting safety, security, and national security;

“(4) the use of alcohol and illegal drugs has been demonstrated to adversely affect the performance of individuals, and has been proven to have been a critical factor in accidents in the workplace;

“(5) the testing of uniformed personnel of the Armed Forces has shown that the most effective deterrent to abuse of alcohol and use of illegal drugs is increased testing, including random testing;

“(6) adequate safeguards can be implemented to ensure that testing for abuse of alcohol or use of illegal

drugs is performed in a manner which protects an individual’s right of privacy, ensures that no individual is harassed by being treated differently from other individuals, and ensures that no individual’s reputation or career development is unduly threatened or harmed; and

“(7) rehabilitation is a critical component of any testing program for abuse of alcohol or use of illegal drugs, and should be made available to individuals, as appropriate.”

CHAPTER 313—HEALTHCARE

- Sec. 31301. Healthcare program.
31302. Astronaut healthcare survey.

§ 31301. Healthcare program

The Administrator shall develop a plan to better understand the longitudinal health effects of space flight on humans. In the development of the plan, the Administrator shall consider the need for the establishment of a lifetime healthcare program for Administration astronauts and their families or other methods to obtain needed health data from astronauts and retired astronauts.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3376.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row includes 31301.

§ 31302. Astronaut healthcare survey

(a) SURVEY.—The Administrator shall administer an anonymous survey of astronauts and flight surgeons to evaluate communication, relationships, and the effectiveness of policies. The survey questions and the analysis of results shall be evaluated by experts independent of the Administration. The survey shall be administered on at least a biennial basis.

(b) REPORT.—The Administrator shall transmit a report of the results of the survey to Congress not later than 90 days following completion of the survey.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3377.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row includes 31302.

CHAPTER 315—MISCELLANEOUS

- Sec. 31501. Orbital debris.
31502. Maintenance of facilities.
31503. Laboratory productivity.
31504. Cooperative unmanned aerial vehicle activities.
31505. Development of enhanced-use lease policy.

§ 31501. Orbital debris

The Administrator, in conjunction with the heads of other Federal agencies, shall take steps to develop or acquire technologies that will enable the Administration to decrease the risks associated with orbital debris.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3377.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31501	42 U.S.C. 16781.	Pub. L. 109-155, title VI, § 601, Dec. 30, 2005, 119 Stat. 2931.

§ 31502. Maintenance of facilities

In order to sustain healthy Centers that are capable of carrying out the Administration’s missions, the Administrator shall ensure that adequate maintenance and upgrading of those Center facilities is performed on a regular basis.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3377.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31502	42 U.S.C. 17811(a).	Pub. L. 110-422, title X, § 1002(a), Oct. 15, 2008, 122 Stat. 4806.

Statutory Notes and Related Subsidiaries

FACILITIES AND INFRASTRUCTURE

Pub. L. 115-10, title VIII, § 837, Mar. 21, 2017, 131 Stat. 69, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) the [National Aeronautics and Space] Administration must address, mitigate, and reverse, where possible, the deterioration of its facilities and infrastructure, as their condition is hampering the effectiveness and efficiency of research performed by both the Administration and industry participants making use of Administration facilities, thus harming the competitiveness of the United States aerospace industry;

“(2) the Administration has a role in providing laboratory capabilities to industry participants that are not economically viable as commercial entities and thus are not available elsewhere;

“(3) to ensure continued access to reliable and efficient world-class facilities by researchers, the Administration should establish strategic partnerships with other Federal agencies, State agencies, FAA-licensed spaceports, institutions of higher education, and industry, as appropriate; and

“(4) decisions on whether to dispose of, maintain, or modernize existing facilities must be made in the context of meeting Administration and other needs, including those required to meet the activities supporting the human exploration roadmap under section 432 of this Act [set out in a note under section 20302 of this title], considering other national laboratory needs as the Administrator [of the National Aeronautics and Space Administration] deems appropriate.

“(b) POLICY.—It is the policy of the United States that the Administration maintain reliable and efficient facilities and infrastructure and that decisions on whether to dispose of, maintain, or modernize existing facilities or infrastructure be made in the context of meeting future Administration needs.

“(c) PLAN.—

“(1) IN GENERAL.—The Administrator shall develop a facilities and infrastructure plan.

“(2) GOAL.—The goal of the plan is to position the Administration to have the facilities and infrastructure, including laboratories, tools, and approaches, necessary to meet future Administration and other Federal agencies’ laboratory needs.

“(3) CONTENTS.—The plan shall identify—

“(A) current Administration and other Federal agency laboratory needs;

“(B) future Administration research and development and testing needs;

“(C) a strategy for identifying facilities and infrastructure that are candidates for disposal, that is consistent with the national strategic direction set forth in—

“(i) the National Space Policy;

“(ii) the National Aeronautics Research, Development, Test, and Evaluation Infrastructure Plan;

“(iii) the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2895) [see Tables for classification], National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110-422; 122 Stat. 4779) [see Tables for classification], and National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18301 et seq.); and

“(iv) the human exploration roadmap under section 432 of this Act [set out in a note under section 20302 of this title];

“(D) a strategy for the maintenance, repair, upgrading, and modernization of Administration facilities and infrastructure, including laboratories and equipment;

“(E) criteria for—

“(i) prioritizing deferred maintenance tasks;

“(ii) maintaining, repairing, upgrading, or modernizing Administration facilities and infrastructure; and

“(iii) implementing processes, plans, and policies for guiding the Administration’s Centers on whether to maintain, repair, upgrade, or modernize a facility or infrastructure and for determining the type of instrument to be used;

“(F) an assessment of modifications needed to maximize usage of facilities that offer unique and highly specialized benefits to the aerospace industry and the American public; and

“(G) implementation steps, including a timeline, milestones, and an estimate of resources required for carrying out the plan.

“(d) REQUIREMENT TO ESTABLISH POLICY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Mar. 21, 2017], the Administrator shall establish and make publicly available a policy that guides the Administration’s use of existing authorities to out-grant, lease, excess to the General Services Administration, sell, decommission, demolish, or otherwise transfer property, facilities, or infrastructure.

“(2) CRITERIA.—The policy shall include criteria for the use of authorities, best practices, standardized procedures, and guidelines for how to appropriately manage property, facilities, and infrastructure.

“(e) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Science, Space, and Technology of the House of Representatives] the plan developed under subsection (c).”

§ 31503. Laboratory productivity

The Administration’s laboratories are a critical component of the Administration’s research capabilities, and the Administrator shall ensure that those laboratories remain productive.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3377.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31503	42 U.S.C. 17812(a).	Pub. L. 110-422, title X, § 1003(a), Oct. 15, 2008, 122 Stat. 4807.