

116TH CONGRESS  
1ST SESSION

# S. 1322

To amend title 49, United States Code, to require the Administrator of the Federal Aviation Administration to give preferential consideration to individuals who have successfully completed air traffic controller training and veterans when hiring air traffic control specialists, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 6, 2019

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend title 49, United States Code, to require the Administrator of the Federal Aviation Administration to give preferential consideration to individuals who have successfully completed air traffic controller training and veterans when hiring air traffic control specialists, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Air Traffic Control  
5 Safe Operation and Readiness Act of 2019”.

1 **SEC. 2. HIRING OF AIR TRAFFIC CONTROL SPECIALISTS.**

2 Section 44506(f)(1)(B) of title 49, United States  
3 Code, is amended—

4 (1) in subparagraph (A)(ii), by inserting “(in-  
5 eluding a facility of the National Guard)” after “De-  
6 partment of Defense”; and

7 (2) in subparagraph (B)—

8 (A) in clause (i), by striking “referring”  
9 and all that follows through “10 percent.” and  
10 inserting “giving preferential consideration to  
11 pool 1 applicants described in clause (ii) before  
12 considering pool 2 applicants described in  
13 clause (iii).”; and

14 (B) by adding at the end the following new  
15 clause:

16 “(iv) CONSIDERATION OF CAN-  
17 DIDATES.—The Administrator shall con-  
18 sider for the interview stage of the hiring  
19 process candidates in each applicant pool  
20 described in this subparagraph who—

21 “(I) score at or above a passing  
22 score as determined by the Adminis-  
23 trator on the Air Traffic Skills As-  
24 sessment (AT-SA); and

1                   “(II) meet minimum qualifica-  
2                   tions established by the Adminis-  
3                   trator.”.

4 **SEC. 3. ENSURING HIRING OF AIR TRAFFIC CONTROL SPE-**  
5 **CIALISTS IS BASED ON ASSESSMENT OF JOB-**  
6 **RELEVANT APTITUDES.**

7           (a) UPDATE OF THE AIR TRAFFIC SKILLS ASSESS-  
8           MENT.—Not later than 180 days after the date of enact-  
9           ment of this Act, the Administrator of the Federal Avia-  
10          tion Administration shall revise the Air Traffic Skills As-  
11          sessment (in this section referred to as the “AT–SA”) ad-  
12          ministered to air traffic controller applicants described in  
13          clauses (ii) and (iii) of section 44506(f)(1)(B) of title 49,  
14          United States Code, in accordance with the following re-  
15          quirements:

16               (1) The Administrator shall ensure that all  
17               questions on the AT–SA are supported by a peer-re-  
18               viewed job analysis that ensures all questions test  
19               job-relevant aptitudes.

20               (2) The Administrator shall ensure that the  
21               AT–SA does not incorporate any biographical ques-  
22               tionnaire or assessment or other questions of a bio-  
23               graphical nature (other than basic identifiers such  
24               as first and last name) for applicants for the posi-  
25               tion of air traffic controller from the applicant pools

1 described in clauses (ii) and (iii) of section  
2 44506(f)(1)(B) of title 49, United States Code.

3 (b) CONFORMING AMENDMENTS ELIMINATING USE  
4 OF BIOGRAPHICAL ASSESSMENTS FOR ALL APPLI-  
5 CANTS.—Section 44506(f) of title 49, United States Code,  
6 as amended by section 2, is further amended—

7 (1) in paragraph (1)(C)—

8 (A) by striking clause (ii); and

9 (B) by redesignating clause (iii) as clause  
10 (ii); and

11 (2) by striking paragraph (2) and inserting the  
12 following:

13 “(2) NO BIOGRAPHICAL ASSESSMENTS.—The  
14 Administrator shall not use any biographical assess-  
15 ment when hiring under paragraph (1)(A) or para-  
16 graph (1)(B).”.

17 **SEC. 4. DOT INSPECTOR GENERAL REPORT.**

18 Not later than 180 days after the date on which the  
19 Administrator of the Federal Aviation Administration  
20 completes the revision of the Air Traffic Skills Assessment  
21 (AT–SA) required under section 3(a), the Inspector Gen-  
22 eral of the Department of Transportation shall submit a  
23 report to the Administrator, the Committee on Commerce,  
24 Science, and Transportation of the Senate, the Committee  
25 on Transportation and Infrastructure of the House of

1 Representatives, and, upon request, to any member of  
2 Congress, that assesses the assumptions and methodolo-  
3 gies used to develop such revisions, the job-relevant apti-  
4 tudes measured, and the scoring process for the revised  
5 assessment, together with, if appropriate, a description of  
6 any actions taken or recommended to be taken to address  
7 the results of the report.

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