

114TH CONGRESS
1ST SESSION

H. R. 1835

To establish an employee stock ownership plan for air traffic control
personnel.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2015

Mr. MICA introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish an employee stock ownership plan for air traffic
control personnel.

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 Controller
5 Reform and Employee Stock Ownership Act of 2015”.

6 **SEC. 2. TRANSFER TO A PRIVATE CORPORATION.**

7 (a) IN GENERAL.—In accordance with the plan de-
8 scribed in section 4, the Secretary shall transfer air traffic
9 control personnel to a corporation giving such personnel

1 employee stock ownership in such corporation. The Sec-
2 retary shall determine when such personnel shall be trans-
3 ferred, but in no case later than 1 year after the date of
4 enactment of this Act, and what if any property used for
5 air traffic control services of the Federal Aviation Admin-
6 istration shall be transferred to a corporation.

7 (b) CONSULTATION.—Before transferring any per-
8 sonnel to the corporation, the Secretary shall consult
9 with—

10 (1) the organization representing the largest
11 number of air traffic controllers on such proposed
12 transfer;

13 (2) pilots;

14 (3) representatives from passenger commercial
15 airlines; and

16 (4) representatives from commercial airlines.

17 (c) BENEFITS FOR AIR TRAFFIC CONTROL PER-
18 SONNEL.—The Secretary shall coordinate with the Direc-
19 tor of the Office of Personnel Management in the transfer
20 of air traffic control personnel to the corporation, includ-
21 ing any necessary reduction in force actions and severance
22 benefits that may be necessary to carry out this Act.

1 **SEC. 3. REQUIREMENTS FOR THE CORPORATION.**

2 (a) IN GENERAL.—A corporation shall be considered
3 to satisfy the requirements of this section if such corpora-
4 tion—

5 (1) is incorporated under the laws of a State;

6 (2) is not a department, agency, or establish-
7 ment of the United States;

8 (3) issues securities in a manner consistent
9 with subsection (b); and

10 (4) satisfies such other requirements as the
11 Secretary may by regulation prescribe in order to
12 carry out the purposes of this Act.

13 (b) SECURITIES.—Any securities issued by the cor-
14 poration, during the 1-year period beginning on the date
15 of the enactment of this Act, shall be issued in a manner
16 to be determined by the Secretary.

17 **SEC. 4. TRANSFER PLAN; DETERMINATION BY THE SEC-**
18 **RETARY.**

19 (a) TRANSFER PLAN.—Not later than the 60th day
20 after the date on which a corporation first satisfies the
21 requirements of section 3, as determined under subsection
22 (b), the Secretary shall, in conformance with the require-
23 ments of section 2, transmit to Congress—

24 (1) a comprehensive plan providing for the or-
25 derly transfer of all property subject to this Act, in-
26 cluding a timetable under which such transfer is

1 completed not later than 180 days after the date on
2 which such corporation first satisfies such require-
3 ments; and

4 (2) such recommendations for legislation as the
5 Secretary considers necessary in order to carry out
6 the plan described in paragraph (1), including rec-
7 ommendations for the repeal or modification of ap-
8 propriate Federal statutes.

9 (b) DETERMINATION BY THE SECRETARY.—The Sec-
10 retary shall, for purposes of this section, determine the
11 date on which a corporation first satisfies the require-
12 ments of section 3.

13 (c) RETENTION OF SENIOR MANAGEMENT.—The
14 Secretary shall determine who of senior management in
15 air traffic control services shall continue at the Federal
16 Aviation Administration after such transfer takes place,
17 not to exceed 1 percent of the total number of air traffic
18 control personnel employed at the FAA on the day before
19 the date of enactment of this Act.

20 **SEC. 5. DEFINITIONS.**

21 For purposes of this Act—

22 (1) the term “air traffic control personnel”
23 means not less than 95 percent employees of the
24 Federal Aviation Administration working in the area

1 of air traffic control on the day before the date of
2 enactment of this Act;

3 (2) the term “FAA” means the Federal Avia-
4 tion Administration;

5 (3) the term “property”, when used with re-
6 spect to air traffic control services, means all assets
7 and rights, and all liabilities and obligations, of the
8 FAA;

9 (4) the term “Secretary” means the Secretary
10 of Transportation; and

11 (5) the term “State” means each of the several
12 States, the District of Columbia, and the Common-
13 wealth of Puerto Rico.

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