

114TH CONGRESS
1ST SESSION

H. R. 1964

To direct the Administrator of the Federal Aviation Administration to revise hiring practices for air traffic controller positions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2015

Mr. HULTGREN (for himself, Mr. LIPINSKI, Mrs. HARTZLER, Mrs. BUSTOS, Mr. SALMON, Ms. ESTY, Mr. RYAN of Ohio, and Mr. ROTHFUS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Federal Aviation Administration to revise hiring practices for air traffic controller positions, 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 Controllers
5 Hiring Act of 2015”.

6 **SEC. 2. HIRING OF AIR TRAFFIC CONTROLLERS.**

7 Section 44506 of title 49, United States Code, is
8 amended by adding at the end the following:

9 “(f) REVISION OF HIRING PRACTICES.—

1 “(1) CONSIDERATION OF APPLICANTS.—

2 “(A) ENSURING SELECTION OF MOST
3 QUALIFIED APPLICANTS.—In appointing indi-
4 viduals to the position of air traffic controller,
5 the Administrator shall give preferential consid-
6 eration to the following applicants:

7 “(i) An individual who—

8 “(I) has successfully completed
9 air traffic controller training and
10 graduated from an institution partici-
11 pating in the Collegiate Training Ini-
12 tiative program maintained under
13 subsection (c)(1); and

14 “(II) has received from the insti-
15 tution—

16 “(aa) an appropriate rec-
17 ommendation; or

18 “(bb) an endorsement certi-
19 fying that the individual would
20 have met the requirements in ef-
21 fect as of December 31, 2013,
22 for an appropriate recommenda-
23 tion.

1 “(ii) A qualified individual who is eli-
2 gible for a veterans recruitment appoint-
3 ment pursuant to section 4214 of title 38.

4 “(iii) A qualified individual who is an
5 eligible veteran, as such term is defined in
6 section 4211 of title 38, maintaining avia-
7 tion experience obtained in the course of
8 the individual’s military experience.

9 “(iv) A preference eligible veteran, as
10 defined in section 2108 of title 5.

11 “(v) A qualified individual maintain-
12 ing practical air traffic control experience
13 obtained at—

14 “(I) civilian installations of the
15 Department of Defense;

16 “(II) Federal Aviation Adminis-
17 tration air traffic control facilities; or

18 “(III) contract towers of Federal
19 Aviation Administration.

20 “(B) CONSIDERATION OF ADDITIONAL AP-
21 PLICANTS.—The Administrator may consider
22 additional applicants for the position of air traf-
23 fic controller only after completing consider-
24 ation of the applicants described in subpara-
25 graph (A).

1 “(2) ELIMINATION OF BIOGRAPHICAL ASSESS-
2 MENTS.—

3 “(A) PRIORITY APPLICANTS.—An appli-
4 cant described in paragraph (1)(A) shall not be
5 subject to any biographical assessment (includ-
6 ing a biographical assessment validated under
7 subparagraph (B)) as part of the hiring prac-
8 tices of the Administration that apply to appli-
9 cants for the position of air traffic controller
10 with the Department of Transportation.

11 “(B) REVISION OF HIRING PRACTICES.—

12 “(i) IN GENERAL.—The Administrator
13 shall revise the hiring practices of the Ad-
14 ministration referred to in subparagraph
15 (A) to eliminate the use of any biographi-
16 cal assessment that unduly disqualifies ap-
17 plicants.

18 “(ii) VALIDATION.—Before imple-
19 menting any biographical assessment as
20 part of the hiring practices of the Adminis-
21 tration referred to in subparagraph (A),
22 the Administrator shall—

23 “(I) certify that the assessment
24 or test was validated under the cri-

1 teria set forth in clause (i) before im-
2 plementation; and

3 “(II) disclose to the public the
4 methods used for the validation.

5 “(iii) PARTICIPATION REQUIRE-
6 MENTS.—The revision under this subpara-
7 graph shall not be subject to paragraph
8 (3).

9 “(C) RECONSIDERATION OF APPLICANTS
10 DISQUALIFIED ON THE BASIS OF BIOGRAPHICAL
11 ASSESSMENTS.—

12 “(i) IN GENERAL.—If an individual
13 applied for the position of air traffic con-
14 troller with the Department in response to
15 the FG–01 Vacancy Announcement issued
16 on February 10, 2014, and was disquali-
17 fied from the position as the result of a bi-
18 ographical assessment, the Administrator
19 shall provide the applicant an opportunity
20 to reapply as soon as practicable for the
21 position under the revised hiring practices.

22 “(ii) WAIVER OF AGE RESTRICTION.—
23 The Administrator shall waive any max-
24 imum age restriction for the position of air
25 traffic controller with the Department that

1 would otherwise disqualify an individual
2 from the position if the individual—

3 “(I) is reapplying for the position
4 pursuant to clause (i) on or before
5 December 31, 2017; and

6 “(II) met the maximum age re-
7 quirement on the date of the individ-
8 ual’s previous application for the posi-
9 tion during the interim hiring process.

10 “(3) PARTICIPATION OF CTI INSTITUTIONS IN
11 REVISION OF HIRING PRACTICES.—Before making
12 any revision to the hiring practices that apply to ap-
13 plicants for the position of air traffic controller with
14 the Department, the Administrator shall provide in-
15 stitutions of higher education participating in the
16 Collegiate Training Initiative program with notice of
17 the revision and an opportunity to comment.”.

18 **SEC. 3. COLLEGIATE TRAINING INITIATIVE.**

19 Section 44506(c)(1) of title 49, United States Code,
20 is amended in the first sentence by striking “may main-
21 tain” and inserting “shall maintain”.

22 **SEC. 4. BEST PRACTICES FOR TRAINING AIR TRAFFIC CON-**
23 **TROLLERS.**

24 Section 44506 of title 49, United States Code, is fur-
25 ther amended by adding at the end the following:

1 “(h) BEST PRACTICES FOR TRAINING.—The Admin-
2 istrator, in consultation with the Association of Collegiate
3 Training Institutions, the National Air Traffic Controllers
4 Association, and the University Aviation Association, shall
5 take into consideration any training initiatives for air traf-
6 fic controllers that are locally developed at institutions of
7 higher education participating in the Collegiate Training
8 Initiative program for use in establishing best practices
9 nationwide.”.

10 **SEC. 5. VETERAN PREFERENCE REQUIREMENTS FOR FAA**
11 **PERSONNEL MANAGEMENT SYSTEM.**

12 Section 40122(g)(2)(B) of title 49, United States
13 Code, is amended by inserting “and sections 3330a-
14 3330d” before “, relating to”.

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