

118TH CONGRESS
1ST SESSION

S. 891

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 when hiring air traffic control specialists, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 21, 2023

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

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 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” or the “ATC SOAR
6 Act”.

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

2 Section 44506(f)(1)(B) of title 49, United States
3 Code, is amended by adding at the end the following new
4 clause:

5 “(iv) CONSIDERATION OF CAN-
6 DIDATES.—The Administrator shall con-
7 sider for the interview stage of the hiring
8 process candidates in each applicant pool
9 described in this subparagraph who—

10 “(I) score at or above a passing
11 score as determined by the Adminis-
12 trator on the Air Traffic Skills As-
13 sessment (AT–SA); and

14 “(II) meet minimum qualifica-
15 tions established by the Adminis-
16 trator.”.

17 **SEC. 3. ENSURING HIRING OF AIR TRAFFIC CONTROL SPE-**
18 **CIALISTS IS BASED ON ASSESSMENT OF JOB-**
19 **RELEVANT APTITUDES.**

20 (a) UPDATE OF THE AIR TRAFFIC SKILLS ASSESS-
21 MENT.—Not later than 180 days after the date of enact-
22 ment of this Act, the Administrator of the Federal Avia-
23 tion Administration shall revise the Air Traffic Skills As-
24 sessment (in this section referred to as the “AT–SA”) ad-
25 ministered to air traffic controller applicants described in
26 clauses (ii) and (iii) of section 44506(f)(1)(B) of title 49,

1 United States Code, in accordance with the following re-
 2 quirements:

3 (1) The Administrator shall ensure that all
 4 questions on the AT–SA are supported by a peer-re-
 5 viewed job analysis that ensures all questions test
 6 job-relevant aptitudes.

7 (2) The Administrator shall ensure that the
 8 AT–SA does not incorporate any biographical ques-
 9 tionnaire or assessment or other questions of a bio-
 10 graphical nature (other than basic identifiers such
 11 as first and last name) for applicants for the posi-
 12 tion of air traffic controller from the applicant pools
 13 described in clauses (ii) and (iii) of section
 14 44506(f)(1)(B) of title 49, United States Code.

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

19 (1) in paragraph (1)(C)—

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

21 (B) by redesignating clause (iii) as clause
 22 (ii); and

23 (2) by striking paragraph (2) and inserting the
 24 following:

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

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

6 Not later than 180 days after the date on which the
7 Administrator of the Federal Aviation Administration
8 completes the revision of the Air Traffic Skills Assessment
9 (AT–SA) required under section 3(a), the Inspector Gen-
10 eral of the Department of Transportation shall submit a
11 report to the Administrator, the Committee on Commerce,
12 Science, and Transportation of the Senate, the Committee
13 on Transportation and Infrastructure of the House of
14 Representatives, and, upon request, to any member of
15 Congress, that assesses the assumptions and methodolo-
16 gies used to develop such revisions, the job-relevant apti-
17 tudes measured, and the scoring process for the revised
18 assessment, together with, if appropriate, a description of
19 any actions taken or recommended to be taken to address
20 the results of the report.

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