SEC. 507. DIRECTOR OF NAVAL AIR SPACE AND AIR TRAFFIC CONTROL STANDARDS AND EVALUATION AGENCY.

(a) IN GENERAL.—Chapter 553 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 5988. Naval Air Space and Air Traffic Control Standards and Evaluation Agency: Director

"(a) A qualified officer of the Navy designated for limited duty under section 5589 or 5596 of this title who is serving in a grade above lieutenant may be detailed by the Secretary of the Navy as Director of the Naval Air Space and Air Traffic Control Standards and Evaluation Agency.

"(b) While serving in the position specified in subsection (a), an officer shall hold the grade of captain if appointed to that grade by the President, by and with the advice and consent of the Senate. Such an appointment may be made notwithstanding section 5596(d) of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"5988. Naval Air Space and Air Traffic Control Standards and Evaluation Agency: Director.".

Section-by-Section Analysis

This proposal would permit the Secretary of the Navy to detail a qualified officer of the Navy designated for limited duty under section 5589 or 5596 of title 10, United States Code, who is serving in a grade above lieutenant to serve as Director of the Naval Air Space and Air Traffic Control Standards and Evaluation Agency (NAATSEA) and would provide that, while detailed to that billet, such an officer serve in the grade of captain if appointed to that grade by the President, by and with the advice and consent of the Senate. If the officer detailed to the billet is not appointed to the grade of captain by the President, by and with the advice and consent of the Senate, the Secretary may fill the billet with an officer above the grade of lieutenant but below the grade of captain.

Director, NAATSEA is currently an O-6 billet, filled with a Limited Duty Officer, in the Air Traffic Controller Designator (639X), commensurate with nature of the duties, scope of authority and accountability associated with Navy's national and international air operations role

on various panels and venues, the membership of which is consistently at the O-6/GS-15 level, or above.

Air Traffic Control has been identified by Navy as a technically-based skill to be performed by prior enlisted personnel. Using prior enlisted personnel, Navy attains technically qualified officers with the necessary skill set and experience for these critical air traffic control positions.

- Navy has funded over 3,900 billets to be filled by limited duty officers. Only 71 of these are air traffic control and only one of these 71 is an O-6.

- Relative seniority of air traffic controllers is determined at initial commissioning.

- Based on promotion laws and policies it is unlikely that promotion planners can ensure that promotion flow points and opportunity will place an air traffic controller "in zone" for O-6 at 21-23 years of commissioned service when needed.

- Air traffic control officers compete for promotion in the limited duty officer (line) category with 23 other limited duty officer designators further reducing the likelihood of selecting an air traffic control officer when the position is vacant.

- Based on current funding only 1 percent of Navy limited duty officers will attain the grade of captain (O-6).

- The senior most air traffic control officer fills the position of Director, NAATSEA (N980A) for Director, Air Warfare (N98). This officer will have beyond 30 years total service and if filling the position in the grade of commander (O-5) can reach statutory retirement prior to consideration for promotion to O-6.

- Short tours in the position of Director, NAATSEA as a result of statutory retirement or failure to select to O-6 becomes problematic for long term continuity and stability in representing the Naval Aviation Enterprise and participation at the various O-6 level boards.

Director, NAATSEA represents Navy as:

- Member of the Department of Defense (DoD) Policy Board on Federal Aviation (PBFA), comprised of sister service and Northern Air Defense (NORAD) / Northern Command (NORTHCOM) O-6 representatives as oversight to the following sub-groups: UAS, Airports, Interagency Group on International Aviation, Next Generation Air Transportation System. Represents Navy's interest before the General Officer/Flag Officer (GO/FO) Senior Advisory Committee (SAC).

- Chairman, DoD PBFA Airspace and Procedures Sub-group; coordinating Department of Defense policy and liaison with the Federal Aviation Administration (FAA) and other federal agencies on matters affecting airspace and operations with the National Airspace System (NAS).

- Participant to the DoD Energy Siting Clearing House in support of installation and renewable energy compatibility task force.

- DoN member on the Department of Transportation Air Traffic Procedures Advisory Committee in the formulation, review, or change of Federal air traffic procedures.

- Member of the NextGen Operational Compatibility Working Group comprised of federal agencies and civil aviation industry in the development and transformation of the NAS with regards to airspace and air traffic control.

Director, NAATSEA also:

- Provides DoN policy and guidance for comprehensive air traffic control execution and airspace planning between the DoN, DoD, FAA and other government agencies, state governments, and civil communities.

- Participates in NATO Standardization Agreement development, review, ratification and implementation in support of joint common operational and administrative procedures affecting airspace and ATC service.

The incumbent must hold a grade commensurate with the duties, authority, responsibility and accountability associated with this position. Legislative authority is required to promote the best qualified candidate to the grade of captain upon nomination by the President and with the advice and consent of the Senate.

Budgetary Implications: This requirement is funded throughout the FYDP. No additional funding required.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2016	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Air Force	N/A	N/A	N/A	N/A	N/A				
Army	N/A	N/A	N/A	N/A	N/A				
Marine Corps	N/A	N/A	N/A	N/A	N/A				
Navy	.216	.218	.223	.226	.230	MPN	BA01	021000	0000000N
Total						--	--	--	--

Changes to Existing Law: This proposal would add a new section to chapter 553 of title 10, United States Code. The proposed new section is set out in full in the legislative text above.