



FAA
Office of the Chief Counsel

Law Honors Internship Program

ANTICIPATED INTERN ASSIGNMENTS: SUMMER 2017

OFFICE OF ADJUDICATION (AGC-70)

The FAA Office of Adjudication, AGC-70, provides administrative adjudication and dispute resolution services in acquisition-related matters, enforcement-related civil penalty cases, and other administrative adjudications. The principal components of AGC-70 are the Office of Dispute Resolution for Acquisition (ODRA) and Civil Penalty Adjudication Program. The ODRA is the FAA Administrator's statutorily-mandated adjudicative forum for all Acquisition Management System (AMS) bid protests and contract disputes pursuant to 49 U.S.C. § 106(f)(2), §§ 40101, *et seq.*, § 46101, *et. seq.*, § 40110 and 14 C.F.R. Parts 14 and 17. The ODRA process utilizes consensual alternative dispute resolution (ADR) to the maximum extent practicable to resolve the vast majority of acquisition related disputes and protests. Those disputes that cannot be resolved through ADR are decided through the ODRA's administrative adjudication process. The Civil Penalty Adjudication Program advises the FAA Administrator regarding the resolution of appeals from the decisions of the Department of Transportation administrative law judges in civil penalty cases under 14 C.F.R. Part 13, subpart G. The Office also provides hearing officers and advises the Administrator in other administrative proceedings under 14 C.F.R. Part 13, subpart D, 14 C.F.R Part 16, and 14 C.F.R. Part 406.

The intern will work closely with the Director and Administrative Judges on a variety of adjudicative and ADR issues. The intern will perform legal research, prepare memoranda, participate in mediations and actively participate in all aspects of AGC-70 operations.

EMPLOYMENT AND LABOR LAW DIVISION (AGC-100)

The attorneys of this division serve as employment and labor law advisors to various management officials and on various special projects. The attorneys research and answer questions about the legality of personnel actions proposed or taken by management, such as disciplinary actions involving reprimand, suspensions, demotions, and discharge. In addition, the attorneys conduct hearings in personnel cases before the Merit Systems Protection Board (MSPB) and the Equal Employment

Opportunity Commission (EEOC) as well as manage and coordinate case litigation with the Department of Justice by writing litigation reports, motions, briefs, conducting discovery, interviewing and preparing witnesses, and serving as co-counsel at trials. The office's labor attorneys review union negotiation proposals and agreements and provide advice to management on a variety of union issues.

The interns will assist the attorneys with discovery, witness interviews, hearings before the EEOC, MSPB, and various Federal courts. The legal intern will also conduct research, prepare memoranda, draft and respond to discovery, and accompany attorneys to meetings. Technical experience required: none.

REGULATIONS DIVISION (AGC-200)

The Regulations staff is responsible for developing, reviewing, and interpreting aviation regulations. The subjects include: airworthiness, operations, airspace, air traffic, aircraft and airman certification, aviation safety, aviation medicine, commercial space launch licensing, and industry drug and alcohol testing. The Regulations staff is also involved in unmanned aircraft systems (UAS) and interns may receive assignments in that subject matter area as well.

The legal intern will assist in some of the following assignments: develop and review regulatory documents; write regulatory interpretations; perform legal research related to public rulemaking. Most likely at least one intern assigned to this division works predominately on commercial space transportation issues. Technical experience required: none.

ENFORCEMENT DIVISION (AGC-300)

This division handles enforcement actions from case initiation through the administrative hearing and appellate phases and, when necessary, handles the appeal to the U.S. courts of appeals under delegation from the Department of Justice. The enforcement division also develops legal enforcement policy.

The intern assigned to this division will have responsibility for cases involving enforcement of various aviation regulations, which could include cases concerning airman medical certification, hazardous materials, drug and alcohol testing, and flight rules. The intern's duties will include: reviewing case files for sufficiency of the evidence, drafting enforcement actions, conducting legal research, and drafting correspondence. The intern's duties may also include the following matters: writing legal memoranda and motions, assisting in the preparation of congressional correspondence concerning enforcement cases, assisting in the preparation of responses to Freedom of Information Act requests regarding enforcement cases, and miscellaneous research assignments. Technical experience required: none.

LITIGATION AND GENERAL LAW DIVISION (AGC-400)

This division is responsible for litigation relating to airplane crashes, car accidents, and other tort claims. Our legal interns assist the attorneys by conducting legal and factual research, writing motions and memoranda of law, preparing litigation reports, conducting claims analysis, drafting discovery documents, and compiling discovery responses. Legal subject matters often include complex questions about choice-of-law, comparative fault, joint and several liability, contribution, indemnity, damages, and jurisdiction. Factual investigation relates to piloting and air traffic control and is accomplished through research and witness interviews. Interns may be assigned their own claims to handle. Interns with exceptional writing and analytical skills, curiosity, and attention to detail are most desired.

ACQUISITION AND FISCAL LAW DIVISION (AGC-500)

The Division is the agency's transactional counsel. We provide nationwide legal advice for buying and implementing cutting edge "Nextgen" technologies and services for improving the safety and efficiency of the National Airspace System, and advise clients working with Fortune 500 companies, all aviation segments, and their lawyers regarding all aspects of contract formation and administration, including intellectual property, antitrust, bankruptcy, debarment, conflict of interest, real estate, condemnations, mergers, cyber security, export control, procurement integrity, property disposal, as well as the myriad fiscal and socio-economic laws affecting these matters. The Division also represents agency acquisition teams in the agency's internal dispute resolution process and represents the FAA with the Department of Justice in federal court litigation.

In addition to contract formation and administration, the Division provides legal advice on cooperative agreements, grants (other than airport improvement grants) interagency and other agreements involving either the obligation of federal funds or reimbursement of funds to FAA. The Division also has a significant policy role within the agency. It participates in developing and updating the agency's acquisition management system policy, provides advice and determinations on inherently governmental functions, assists the agency on comparisons between using federal employees or the private sector to perform commercial activities, advises on aviation insurance issues, and facilitates Open Data and eCommerce initiatives.

The legal intern assigned to this division can expect to work on a variety of legal issues related to researching, analyzing and advising on meeting statutory, regulatory, and policy requirements in promoting and protecting the interests of the government in contract formation (e.g., acquisition planning, source selection planning,), administration (e.g., modifications, requests for equitable adjustment, terminations, etc.), dispute resolution actions (e.g., pre-award and post-award bid protest, contract disputes, etc.), and other special projects related to federal government acquisitions. This may include assisting with reviewing/drafting/commenting upon documents related to obtaining and administering acquisitions of all types and dollar values, including major systems

projects and programs. These contracts and other acquisitions are integral to supporting the FAA and the development of emerging aviation fields such as unmanned aircraft systems and commercial space operations.

The intern may also assist in the litigation of contract claims and protests before courts and the FAA's Office of Dispute Resolution for Acquisition, which involves assisting with the formulation of litigation strategy and assessment of litigation risk, engaging in negotiations, mediations and other forms of alternative dispute resolution, and legal research and formal briefing writing.

Technical experience required: none.

AIRPORTS AND ENVIRONMENTAL LAW DIVISION (AGC-600)

The interns assigned to this division will work in either the Environmental Law Branch or the Airports Law Branch.

The legal intern's work in the Environmental Law Branch may include: assisting attorneys in advising clients and reviewing environmental assessments and environmental impact statements for proposed airport development, air traffic matters, and commercial space launch facility launch licenses, for legal sufficiency under the National Environmental Policy Act and other environmental laws (e.g., Historic Properties, Endangered Species, Clean Water, Clean Air, etc.); assisting in defense of environmental litigation; advice and counsel concerning proposed environmental policies and procedures; and providing advice concerning agency compliance with hazardous waste laws (e.g., Comprehensive Environmental Response, Compensation, and Liability Act).

The legal intern's work in the Airports Law Branch may include: legal advice and counsel concerning policies and procedures for airport planning and programs, such as the Airport Improvement Program, Passenger Facility Charge Program, the Airport Compliance Program, the Airport Privatization Pilot Program, the Disadvantaged Business Enterprise Program, interpretation and enforcement of requirements applicable to airport noise and access restrictions under the Airport Noise and Capacity Act; and defense of court litigation. Other assignments may include assisting in the promulgation of rulemaking in airport law matters, reviewing decisions in compliance enforcement matters, and in FAA administrative proceedings to enforce airport grant assurance obligations.

Technical experience preferred but not required: environmental law, administrative law, engineering, biology, or environmental sciences.