

Background

The Regulations Division provides legal support for all areas of regulation within the Federal Aviation Administration. Each branch within the division provides formal legal interpretations of Federal Aviation Regulations in their respective practice areas. These interpretations are primarily provided to agency personnel, but are also provided to the public. The Division acts as liaison with the Office of the Secretary of Transportation on the legal aspects of the agency's regulatory program and provides legal counsel for the Slot Management System. Attorneys within the division draft and review new or modified regulations, applications for exemption from regulations, legal memoranda, advisory circulars and orders.

Airworthiness, Advanced Aircraft, and Commercial Space Law Branch

This branch addresses legal issues in the areas of airworthiness, advanced aircraft, and commercial space.

Airworthiness issues relate to aircraft manufacture, certification, maintenance and operation. Generally speaking, airworthiness rules establish the design and manufacturing standards aircraft manufacturers must meet. These standards also apply to those who wish to modify aircraft after they have been delivered by the original manufacturer and to repairs made to the aircraft. Aircraft rules apply only to domestic manufacturers and to non-U.S. sources if they are issued a U.S.-type certificate, or are operated by U.S. air carriers.

Advanced aircraft issues relate to remotely operated aircraft and other aircraft reflecting the latest technological concepts. The branch also provides legal counsel regarding the licensing and regulation of commercial space launch and reentry. The FAA regulates and licenses the launch of launch vehicles, the reentry of reentry vehicles, and the operation of launch and reentry sites. In addition to providing the legal services detailed above, attorneys within the branch draft and review evaluations of applications for commercial space licenses, license orders and waiver requests.

Within the FAA, attorneys within the branch work closely with the Associate Administrator for Commercial Space Transportation, the Aircraft Certification Service, the Flight Standards Service, Aviation Policy and Plans, and the Office of Rulemaking.

Practice areas: Aircraft certification; commercial space; aircraft maintenance; ultralights, parachutes and sports pilot; advanced aircraft certification and operations.

Operations Law Branch

This branch serves as legal advisor to agency personnel on matters involving safety rules governing certification and operations of air carriers and commercial operators and all operating rules governing general aviation operations.

Within the FAA, attorneys within the branch work closely with the Flight Standards Service, Aviation Policy and Plans, and the Office of Rulemaking.

Practice areas: Parts 91, 121, and 135; operational business relationships; crew training; flight simulators; non-air traffic, non-air space security; transport of hazardous materials.

Air Traffic and Airman and Airport Certification Law Branch

This branch provides counsel regarding legal issues surrounding the certification of airports, pilots, mechanics, repairmen, and other individuals. The branch supports the development and implementation of user fees and provides regulatory drafting support to the Airports and Environmental Law Division. The branch is also responsible for the legal adequacy of FAA regulations, policies and issues concerning airspace, air traffic, obstruction and airport airspace evaluation, navigation facilities, and the agency communications system.

Within the FAA, attorneys within the branch work closely with the Air Traffic Organization, the Flight Standards Service, Aviation Policy and Plans, and the Office of Rulemaking.

Practice areas: national airspace (security, NOTAMs, TFRs, air space actions); overflight fees; slots/congestion management; hazards to navigation; airports; air tour management; airmen and mechanics certification; airmen and mechanics training facilities; aircraft marking and registration.

The International Law and Legal Policy Branch

- provides legal advice to the Administrator and senior FAA and DOT officials on the international aspects of FAA programs and policies;
- provides advice and guidance on development of FAA international policies and programs and their conformity with U.S. and international law and agency policies and programs;
- advises officials participating in negotiations and meetings with foreign officials;
- reviews and advises on legal initiatives and activities of foreign governments, including aviation authorities and international organizations and their impact on FAA policies and programs;

- provides legal clearance and assistance in the drafting and negotiation of international agreements on technical assistance, airworthiness, aircraft and air carrier operations, air traffic, security, R&D, and other areas related to aviation safety clears agreements The FAA has over 300 such agreements with more than 90 governments;
- prepares and provides legal review of U.S. position papers on matters before the International Civil Aviation Organization (ICAO) and other international organizations;
- represents the FAA at ICAO Assemblies and serves as U.S. Representative to the ICAO Legal Committee, and ICAO expert panels and working groups;
- prepares legal policy guidance on the import and export of aircraft, components, and parts, including international airworthiness and maintenance harmonization activities;
- provides legal support for the International Aviation Safety Assessment (IASA) program, which verifies foreign air carrier safety oversight;
- provides legal support for the international representatives and overseas offices;
- provides a point of contact in the FAA Office of Chief Counsel for international activities and provides liaison and coordination with other agency legal offices, as necessary and appropriate;
- provides legal policy guidance on registration of aircraft, leasing issues and the recordation of property rights in aircraft;
- provides legal support on matters involving the administration of the Aviation Insurance Program, including the Department of Defense Civilian Reserve Aviation Fleet (CRAF) and US agencies contracting for air support;
- provides legal support to FAA crisis management functions, including the Crisis Response Working Group (CRWG), international flight prohibitions and restrictions, and support to the FAA Emergency Operations Staff (ADA20)
- serves as the lead legal office in preparing a Special Federal Aviation Regulation (SFAR) restricting or prohibiting flight operations in an area that is the subject of U.S. or U.N. sanctions, or where civil aviation is threatened by local events; and
- supports the FAA Emergency Operations Staff in responding to domestic emergencies and natural disasters, preparation of emergency preparedness exercises, and the development of emergency response plans, procedures and cooperative agreements.

Legislation Branch

The Legislation Branch represents the agency regarding all legislative policy matters (such as bills, resolutions and legislative proposals). The Branch also develops, drafts, and coordinates testimony, reports and proposed legislation; keeps the Administrator informed on the status of legislative bill matters; provides legal counsel to FAA witnesses before Congressional hearings; and maintains the FAA's legislative history files. The Staff also provides legal assistance on all aspects of appropriation law, and other budget and accounting matters.