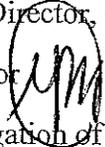




Federal Aviation Administration

Memorandum

Date: March 28, 2016
To: Chief Counsel; Director, Office of Adjudication
From: The Administrator 
Subject: ACTION: Delegation of Authority for Civil Penalty Actions

In furtherance of an efficient FAA civil penalty appeals process, pursuant to 49 U.S.C. §322(b) and 14 C.F.R. Part 13 subpart G, I hereby delegate authority to the Chief Counsel and to the Director of the Office of Adjudication as follows:

- a. To administer civil penalty appeals, to appoint personnel of the Office of Adjudication to manage all or portions of individual appeals; and to prepare written decisions and proposed final orders in such appeals;
- b. To issue procedural and other interlocutory orders aimed at proper and efficient case management, including, without limitation, scheduling and sanctions orders;
- c. To grant or deny motions to dismiss appeals;
- d. To dismiss appeals upon request of the appellant or by agreement of the parties;
- e. To provide voluntary alternative dispute resolution (ADR) services prior to or during the pendency of appeals, upon request of the parties, in accordance with established Department of Transportation and FAA policies;
- f. To stay decisions and orders of the FAA decisionmaker, pending judicial review or reconsideration by the FAA decisionmaker;
- g. To summarily dismiss repetitious or frivolous petitions to reconsider or modify orders;

- h. In matters subject to the Equal Access to Justice Act (EAJA), as implemented in C.F.R. Part 14, to execute and issue orders and final decisions on behalf of the Administrator on any EAJA applications;
- i. To correct typographical, grammatical and similar errors in the FAA decisionmaker's decisions and orders, and to make non-substantive editorial changes;
- j. To take all other reasonable steps deemed necessary and proper for the management of the civil penalty appeals process, in accordance with 14 C.F.R. Part 13 and applicable law.
- k. The foregoing authority may be re-delegated, as necessary.

This Delegation supersedes and replaces the Delegation issued to the Chief Counsel and the Assistant Chief Counsel for Litigation, dated December 9, 1992 and the Re-delegation to the Adjudications Branch Manager, dated August 6, 1993.



Michael P. Huerta
ADMINISTRATOR

Issued this 28 day of April, 2016