



**Federal Aviation
Administration**

Chief Counsel

Fiscal Year 2011 Business Plan

FY2014 AGC Business Plan

The Office of the Chief Counsel (AGC) furnishes legal services to the FAA Administrator and all agency organizations worldwide. Our primary functions are providing legal advice, reviewing agency action for legal sufficiency, and providing representational services. AGC's principal legal practice areas include: rulemaking, regulatory enforcement, acquisition and commercial law, airport and environmental law, personnel and labor law, tort and other administrative litigation, international law, legislation and laws applicable generally to the executive branch (e.g., Ethics, Freedom of Information Act (FOIA) and Privacy Act compliance). AGC attorneys represent the agency in a variety of forums, including the National Transportation Safety Board (NTSB), the Merit Systems Protection Board (MSPB), the Equal Employment Opportunity Commission (EEOC), Department of Transportation Administrative Law Judges, and the United States federal courts. AGC also works closely with the Office of the General Counsel of the Department of Transportation on issues that are common to modal administrations or that are of national significance to the aviation industry. In addition to traditional legal services, AGC is responsible for two distinct internal FAA adjudicative functions. First, the Office of Dispute Resolution for Acquisition (ODRA), serves as the Administrator's adjudicatory body in acquisition-related matters. Second, a discrete segment of the office supports the FAA's civil penalty adjudication function by serving as a confidential advisor to the Administrator in his capacity as the Civil Penalty Program Decision-maker. (Title 49, United States Code, § 46301).

Make Aviation Safer and Smarter

The Office of the Chief Counsel (AGC) supports the FAA's objective of making aviation safer and smarter primarily through our rulemaking activity, regulatory enforcement activity, and vigorous defense of the agency in various types of litigation. FAA safety regulations are one of the agency's primary means of ensuring safety in air commerce and commercial space. AGC plays a key role in the FAA's rulemaking activities by ensuring that rules meet legal standards and by assisting the agency in completing critical safety rules on schedule. AGC attorneys participate on rulemaking teams, review draft regulations for legal sufficiency, and provide advice on the legality of regulations, orders, petitions for exemption, airspace actions and obstruction determinations. We also provide interpretations of FAA regulations to internal agency officials and members of the public.

Regulatory enforcement is a core safety activity. AGC attorneys prosecute all manner of enforcement cases

referred by the Flight Standards Service, Aircraft Certification Service, the Office of Aerospace Medicine, the Office of Security and Hazardous Materials, the Office of Airports, and the Office of Commercial Space Transportation. Our attorneys represent the FAA on such matters before the NTSB, the FAA Decision-maker, and the federal courts. Proactively, we provide legal advice and policy guidance on the FAA's various voluntary safety programs, such as the Aviation Safety Action Program (ASAP), Voluntary Disclosure Reporting Program (VDRP), and Flight Operational Quality Assurance (FOQA) program.

The litigation staff defends the agency in all phases of aircraft accident litigation and represents the agency in various other actions. AGC attorneys provide advice during aircraft accident investigations and defend the agency in associated litigation; evaluate tort claims; secure Department of Justice (DOJ) representation for FAA employees sued in an individual capacity; assist DOJ in defending wrongful death, personal injury and property damage lawsuits; represent the FAA before federal courts, including courts of appeals on petitions to review agency orders; and handle requests for employee testimony in private litigation matters. The Civil Penalty staff advises the Administrator, in his capacity as Decision-maker on cases appealed from decisions issued by Administrative Law Judges (ALJs).

Core Business Measure: AVS Core Delegation

Management of FAA's critically important Designee program includes the advancement of innovative delegation programs and overseeing of FAA approved designees as they conduct inspections and certifications of people, equipment, and organizations.

Core Business Initiative: Oversee Designees

Oversee FAA approved designees as they conduct inspections and certifications of people, equipment, and organizations.

Core Activity: AME Legal Training

AGC will provide all necessary legal training required in the Aviation Medical Examiner (AME) Designee seminars.

Activity Target 1:

AGC-300 will support this initiative by providing the legal training component of AME Seminars. Due September 30, 2014

Core Business Measure: Investigations

Complete 95% of all investigations within their specified timeframes.

Core Business Initiative: Draft FAA Law Enforcement Assistance Program Order

Draft an FAA Order that identifies the mission and responsibilities of ASH Law Enforcement Assistance Program (LEAP) Special Agents.

Core Activity: Draft FAA LEAP Special Agent Order

Work with AEO in the development of draft FAA LEAP Special Agent order and review for legal sufficiency.

Activity Target 1:

Assist in the development of draft FAA LEAP Special Agent order and review for legal sufficiency. Due September 30, 2014

Core Business Measure: Rulemaking Legal Services

Assist Office of Rulemaking and program offices to provide regulatory legal services in accordance with Agency and client priorities.

Core Business Initiative: Support Agency Rulemaking Activity

Support Agency rulemaking activities and improvements by ensuring rules meet legal standards.

Core Activity: Provide Legal Services on Agency Rulemaking Initiatives in Accordance with Agency Priorities

Provide legal advice, representation, policy guidance, and legal sufficiency reviews relating to rulemaking.

Activity Target 1:

Provide legal services on rulemaking documents and related guidance material. Due September 30, 2014

Core Activity: Evaluate Effectiveness of Legal Services on Agency Rulemaking Initiatives

Ensure through regular formal meetings, that legal services are provided in a manner that reflects the priorities of the Administrator, Destination 2025 and AGC's primary clients.

Activity Target 1:

Meet regularly with primary clients to formally identify priorities, address type of legal support needed to advance the projects, obtain client feedback on support provided and reassess service being provided, as appropriate. Due September 30, 2014

Core Business Measure: Regulatory Legal Services

Provide legal analysis of agency regulations to Office of Rulemaking and program offices and provide the regulated community with timely guidance on regulations by completing (i) review of 80% of exemption responses within 30 days of receipt; and (ii) 60% of public requests for regulatory interpretations within 120 days of receipt.

Core Business Initiative: Provide Legal Analysis of Agency Regulations and Documents Associated with Existing Regulations

Provide legal analysis of agency responses to exemptions from regulatory requirements to Office of Rulemaking and program offices by completing (i) review of 80% of exemption responses within 30 days of receipt, and (ii) 60% of public requests for regulatory interpretations within 120 days of receipt.

Core Activity: Provide Legal Review of Agency Grants and Denials of Exemptions from Regulatory Requirements

Provide program offices with timely legal review of grants and denials of exemptions from the agency's existing regulatory requirements in accordance with criteria set forth by statute in 14 CFR Part 11.

Activity Target 1:

Within 30 days of receipt, provide legal concurrence or return document to program office with detailed explanation of why document is not legally sufficient for 80% of the exemptions submitted to AGC for review in FY 14. Due September 30, 2014

Core Activity: Provide Legal Review of Agency Guidance and Advisory Materials

Provide legal concurrence or return document to program office with an explanation of why the document is not legally sufficient.

Activity Target 1:

Complete review within timeframes requested to the extent possible based on other priorities. If program office has designated insufficient time for adequate legal review, attorney is to notify the program office and let it know when legal review will be complete. Due September 30, 2014

Core Business Initiative: Provide Regulated Community with Guidance on Agency Regulations

Provide regulated community with timely and publicly available guidance in response to requests for

interpretations of FAA regulations.

Core Activity: Enforcement Program Implications

Provide initial response regarding implications on the enforcement program of a request for interpretation within 5 business days of a request from AGC-200.

Activity Target 1:

Within 5 days of a request from AGC-200 provide initial response to AGC-200 on whether a request for interpretation relates to an ongoing enforcement action. Due September 30, 2014

Activity Target 2:

Within 5 business days of a request from AGC-200 provide initial response to AGC-200 on the enforcement implications of a request for interpretation or a draft response to a request for interpretation. Due September 30, 2014

Core Activity: Statutory Interpretation and Preemption

Provide an initial response on questions of statutory interpretation and preemption within 5 business days of a request from AGC-200.

Activity Target 1:

Within 5 business days of a request from AGC-200 provide an initial response to AGC-200 on questions of statutory interpretation and preemption. Due September 30, 2014

Core Activity: Respond To Requests By The Public For Legal Interpretations Of Agency Regulations

Provide regulated community with timely guidance in response to public requests for interpretations of FAA regulations.

Activity Target 1:

Respond to 60% of requests for interpretation within 120 days of receipt in FY2014. In cases where the Agency decides not to answer the request, a "no-response" letter will be sent within 120 days, consistent with performance metric. Due September 30, 2014

Activity Target 2:

Have legal interpretations of agency regulations placed on the FAA website within 10 business days of issuance. Responses to legal interpretations requested by program offices will be posted on the website when not otherwise contrary to the agency's interest and the response addresses a matter that could directly impact regulated parties. Due September 30, 2014

Core Business Measure: Compliance and Enforcement

Prioritize and prosecute enforcement actions timely in accordance with the agency's safety goals by taking the first legal action on 80% of the number of cases received between July 1, 2013 and June 15, 2014 and conducting 50% of informal conferences within 90 days of receipt of a respondent's request and 75% of informal conferences within 180 days.

Core Business Initiative: Legal Services Supporting the Agency Compliance and Enforcement Program

Provide legal support for the compliance and enforcement activities of AVS, ASH, ARP, and AST, which include representing the agency before the NTSB, FAA Decisionmaker and the federal courts, providing timely and effective legal advice and policy document review in support of enforcement activities, and assisting with training that improves the effectiveness of the agency's enforcement program.

Core Activity: Timely Prosecute Legal Enforcement Actions

Prosecute enforcement actions timely and efficiently in support of agency safety activities by taking the first legal action on 80% of the number of cases received in AGC between July 1, 2013 and June 15, 2014

Activity Target 1:

Take the first legal action (initiate case, transmit case alert to headquarters, return case to program office, take significant action (EIS legal event code 20), or close case) on 80% of the number of cases received in AGC between July 1, 2013 and June 15, 2014. Due September 15, 2014

Activity Target 2:

Monitor and report results for each Regional Counsel Office, Aeronautical Center, AGC-300 and AGC-wide. Mid Year report due on April 15, 2014, and final report due September 25, 2014. Due September 25, 2014

Core Activity: Efficient Processing of Enforcement Actions

Process legal enforcement cases efficiently by timely conducting 50% of informal conferences within 90 days of receipt of a respondent's request and 75% within 180 days.

Activity Target 1:

Conduct 50% of informal conferences within 90 days of receipt of a respondent's request and 75% within 180 days. Due September 15, 2014

Activity Target 2:

Monitor and report results for each Regional Counsel Office, Aeronautical Center, AGC-300 and AGC-wide. Due quarterly and final report on September 25, 2014. Due September 25, 2014

Core Activity: Processing Cases to Avoid Enforcement Case Backlog

Complete cases so that the percentage ratio of cases completed is at least 60% of the number of cases received.

Activity Target 1:

Complete cases, i.e., take the last legal action, so that the percentage ratio of cases completed is at least 60% of the number of cases received. Due September 15, 2014

Activity Target 2:

Monitor and report results for each Regional Counsel Office, Aeronautical Center, AGC-300 and AGC-wide. Due quarterly and final report on September 25, 2014. Due September 25, 2014

Core Activity: Efficient Coordination and Approval of Significant Enforcement Actions

Efficiently process the coordination and approval of significant enforcement actions within the FAA Headquarters.

Activity Target 1:

Submit to the program office for concurrence 70% of enforcement alerts within 45 days of receipt by AGC-300. Due September 30, 2014

Core Activity: Enhance Legal Representation

Publish enforcement newsletter and evaluate selected enforcement activity.

Activity Target 1:

Publish enforcement newsletter four times each year. Due September 30, 2014

Activity Target 2:

Select enforcement activity for evaluation, conduct evaluation, and provide feedback. Due September 15, 2014

Activity Target 3:

Meet quarterly with primary client offices to receive and provide feedback. Due quarterly. Due September 30, 2014

Core Activity: Refresher Training for Enforcement Investigative Personnel

Provide refresher training to enforcement investigative personnel.

Activity Target 1:

Consult with enforcement client offices to determine which offices will support refresher training for its investigative personnel. Due October 31, 2013

Activity Target 2:

Provide training to personnel from 25% of participating offices. Due September 15, 2014

Core Activity: Compliance and Enforcement Training for AVS

Provide support for AVS's Compliance and Enforcement Training for new inspectors.

Activity Target 1:

To the extent practicable, provide instructors for the legal portions of AVS's Compliance and Enforcement Training for new inspectors and Advanced Recurrent Compliance and Enforcement Training for experienced inspectors. Due September 30, 2014

Core Activity: FAA Order 2150.3B

Review Order 2130.5B to identify needed changes.

Activity Target 1:

Review Order 2150.3B to identify needed changes. Select most important change needed, and submit revision, if any, for final coordination. Due September 30, 2014

Core Business Measure: Tort Litigation Services

Review claims submitted under the Federal Tort Claims Act and complete claims analysis within 6 months of receipt for 70% of the unsettled claims.

Core Business Initiative: Tort Litigation Support

Provide representational legal services on all phases of tort litigation.

Core Activity: Tort Litigation Support

Ensure that tort litigation services are provided in a timely manner.

Activity Target 1:

Complete the claims analysis within 6 months of the receipt of the claim or within 6 months of when, in the absence of a settlement, the claim file is complete and sufficient factual information is available. Due September 30, 2014

Activity Target 2:

Prepare proposed answers or response as requested by the Department of Justice, if DOJ has assumed control of a matter otherwise, within 50 days of filing of complaint. Due September 30, 2014

Core Business Measure: Agency Tort Liability Analysis

Monitor the Agency's contingent liability and keep the Chief Counsel and Administrator apprised of potential agency exposure and prepare quarterly reports.

Core Business Initiative: Agency Tort Liability Analysis

Assessment of potential agency exposure and monitor the Agency's contingent liability.

Core Activity: Assessment of Contingent Liability

Prepare required contingent liability reports for tort litigation.

Activity Target 1:

Coordinate with Financial Management Services (AFM) litigation liability response. Due September 30, 2014

Activity Target 2:

Keep the Administrator, Deputy Administrator and ATO apprised of significant changes and potential future liability likely to affect the agency. Due September 30, 2014

Core Business Measure: Civil Penalty Appeal Decisions

Complete draft decisions for the Administrator, or other decision-maker, for civil penalty appeals within 180 days of the receipt of the last brief in 60% of the appeals.

Core Business Initiative: Civil Penalty Appeal Decisions

Prepare draft civil penalty decisions within 180 days of the receipt of the last brief in 60% of the appeals.

Core Activity: Prepare Draft Civil Penalty Decisions

Provide timely draft civil penalty decisions.

Activity Target 1:

Complete draft decisions for the Administrator, or other decision-maker, for civil penalty appeals within 180 days of the receipt of the last brief in 60% of the appeals. Due September 30, 2014

Core Business Measure: Commercial Air Carrier Fatality Rate

Reduce the commercial air carrier fatalities per 100 million persons on board by 24 percent over 9-year period (2010-2018). No more than 6.2 in 2018. FY 2014 Target: 7.2

Core Business Initiative: Commercial Standards and Policy

Provide project management and analytical support on regulations, minimum standards, guidance, procedures, rulemaking and Advisory Circulars (ACs).

Core Activity: MCAI Legal Support

Provide legal sufficiency review of the process for issuance of Mandatory Continuing Airworthiness Information (MCAI) during FY2014.

Activity Target 1:

Submit to AIR the action plan to streamline FAA issuance of MCAIs. Due January 15, 2014

Activity Target 2:

Coordinate the agreed upon MCAI streamlining action plan with OMB. Due April 15, 2014

Core Activity: Part 23 Reorganization Rulemaking Action Plan

Prepare the Part 23 Reorganization Rulemaking Action Plan (RAP) for submission to the FAA Rulemaking Council.

Activity Target 1:

Assist with the development of the Part 23 Reorganization Rulemaking Action Plan (RAP), review, and provide comments on the final draft within 3 weeks of receipt for comment. Due August 30, 2014

Core Activity: Rule Approval

AOA, or OPR Director as appropriate, provides final FAA approval for 85% of rules within 90 days of the Council-approved schedule date. (For harmonized rules, AOA has delegated signature authority to AIR-1.) Due by September 30, 2014.

Activity Target 1:

AOA, or OPR Director as appropriate, provides final FAA approval for 85% of rules within 90 days of the Council-approved schedule date. (For harmonized rules, AOA has delegated signature authority to AIR-1.) Due September 30, 2014

Core Business Measure: General Aviation Fatal Accident Rate

Reduce the general aviation fatal accident rate to no more than 1 fatal accident per 100,000 flight hours by 2018. No more than 1.05 fatal accidents per 100,000 flight hours in FY2014.

Core Business Initiative: General Aviation Surveillance

Conduct routine surveillance activities to identify weaknesses, analyze root causes of system deficiencies, examine safety trends, regulatory deficiencies and safety management development in order to become more proactive in our approach to safety in General Aviation Aircraft.

Core Activity: Legal Support for UAS Test Range Program

90% of all UAS test range solicitation, selection, or administration matters submitted to AGC-500 will receive legal review within 10 days with 100% substantive accuracy.

Activity Target 1:

90% of all UAS test range solicitation, selection, or administration matters submitted to AGC-500 will receive legal review within 10 days with 100%

Deliver Benefits Thru Technology/Infrastructure

The Office of the Chief Counsel (AGC) supports the agency's objective of delivering benefits thru technology/infrastructure in two critical ways. First, AGC plays a vital role in advising program offices on the legal and environmental implications of programs that enhance safety, capacity, and efficiency and defending the agency's choice of action. Second, AGC provides legal support to program offices responsible for acquiring safety and capacity enhancing equipment, services and technology.

AGC attorneys provide legal advice, litigation support, policy and regulatory guidance, and legal sufficiency reviews related to environmental review of airport capacity and capacity-related projects, administration of the airport improvement program, funding of runway expansion and safety projects, optimize the airspace surrounding airports in major metropolitan areas, and streamlined environmental review and compliance.

AGC attorneys in our acquisition and commercial law practice area assist clients in acquiring safety and capacity enhancing equipment and services, as well as, the intellectual and real property needed to support Flight Plan initiatives and other high priority projects. The attorneys support all high value agency procurement activities; advise on grants, cooperative agreements, and other transaction agreements; and represent the Agency in acquisition related litigation and disputes. The acquisition attorneys also provide the fiscal and commercial law services needed to support the agency's information security requirements, export control compliance, bankruptcy cases, antitrust issues, real estate activity and appropriations matters.

The Office of Dispute Resolution for Acquisition ("ODRA") is an independently operating adjudicatory authority comprised of administrative judges. The ODRA safeguards the quality and integrity of the Agency's acquisition and contract administration processes by fulfilling its statutory mandate as the sole administrative tribunal authorized to decide or resolve all bid protests and contract disputes on behalf of the FAA administrator under the FAA's Acquisition Management System. In addition, the ODRA Director serves as the Agency's Dispute Resolution Specialist pursuant to the Administrative Dispute Resolution Act of 1997.

Core Business Measure: Cost Control

Organizations throughout the agency will continue to implement cost efficiency initiatives. FY2014 Target: 90% of targeted savings

Core Business Initiative: Achieve 90% of identified PMO Acquisition Performance Targets for FY 14.

Achieve 90% of identified PMO Acquisition Performance Targets for FY 14.

Core Activity: Support to Achieve 90% of identified PMO Acquisition Performance Targets for FY 14.

Support to "Achieve 90% of identified PMO Acquisition Performance Targets for FY 14."

Activity Target 1:

Support to "Achieve 90% of identified PMO Acquisition Performance Targets for FY 14." Due September 30, 2014

Core Business Measure: Average Daily Capacity

Maintain an average daily capacity for core airports of 58,166, or higher, arrivals and departures.

Core Business Initiative: Capacity-Enhancing Policies

Work with the aviation community to establish the most feasible policies to enhance capacity and manage congestion.

Core Activity: Order, Regulations and Legislative Proposal Support

Analyze capacity and congestion policy implications of NextGen near-term and mid-term improvements.

Activity Target 1:

Review new and current agreements for legal sufficiency with airports and/or airlines regarding NextGen-related capacity enhancements, congestion reduction and delay mitigation as needed. Due September 30, 2014

Activity Target 2:

Provide legal drafting, analysis and other technical assistance on draft orders, regulations and legislative proposals as needed. Due September 30, 2014

Core Business Initiative: En Route Automation Modernization (ERAM)

Achieve En Route Automation Modernization (ERAM) Initial Operating Capability (IOC): The ERAM program has four segments: Enhanced Backup Surveillance (EBUS), En Route Information Display System (ERIDS), ERAM Release 1 and ERAM Releases 2 and 3. The first segment, EBUS was completed during FY 2006. The second, ERIDS, was completed in FY 2008. ERAM Release 1 replaces the current Host Computer System with a new automation system that expands the Host's capability so the new system can handle additional airspace capacity, and improve efficiency and safety. From a functionality standpoint, Release 1

contains the capabilities and performance required to achieve acceptable operational suitability and effectiveness. ERAM Release 2 was a planned maintenance software release containing backlog problem trouble report (PR) fixes. Release 3 was planned to incorporate NextGen transformational program infrastructure into ERAM including interfaces with Automatic Dependent Surveillance - Broadcast (ADS-B) and Segment 1 of the System Wide Information Management (SWIM).

Core Activity: Legal Support to En Route Automation Modernization (ERAM)

The Office of the Chief Counsel will assign a journeyman level attorney to facilitate IOC of ERAM functionality in accordance with the current program baseline within 10% variance.

Activity Target 1:

100% of ERAM contract actions submitted will receive legal review within 10 days with 100% substantive accuracy as determined by meeting all program milestones within 10% variance. Due September 30, 2014

Core Business Measure: Key STI Metric: AIP and PFC Program Resources and Guidance

Fundamentally restructure the Airport Improvement Program (AIP) Order, update the Passenger Facility Charge (PFC) Order, and combine the NPIAS and ACIP Orders. Prepare and implement updated guidance for the Airport Improvement Program (AIP), Passenger Facility Charge (PFC) Program, and State Block Grant Program (SBGP): Prepare an initial draft of the PFC Order and begin internal regional review on both the PFC Order and potential legislative or regulatory changes by August 31, 2014; Prepare Initial Draft SBGP Advisory Circular for internal APP Review by June 30, 2014; and provide a draft SBGP Advisory Circular for stakeholder review; and incorporate legal comments and publish Final AIP Handbook by September 30, 2014.

Core Business Initiative: Update AIP and PFC Orders and Advisory Circulars

Prepare and implement updated guidance for the Airport Improvement Program (AIP), Passenger Facility Charge (PFC) Program, and State Block Grant Program (SBGP).

Core Activity: Office of the Chief Counsel Support for AIP Order

Publish final AIP Order.

Activity Target 1:

AGC to provide final review within 120 calendar days of receiving final of new AIP Order from ARP

(Final Draft of the AIP Order is expected to be delivered to AGC by September 30, 2013) Due January 31, 2014

Core Business Measure: Airport and Environmental Legal Services

Assist the Air Traffic Organization, Office of Airports, and other program offices to meet the strategic initiative to advance implementation of the Next Generation Air Transportation System and increase airport capacity in an environmentally responsible manner by completing review of 60% of environmental impact statements for major airport projects within 30 days of receipt, providing other airport and environmental legal services in accordance with Destination 2025 priorities, and partnering with client offices to provide training to improve the effectiveness of the agency's airport and environmental programs. Provide timely legal services relating to complaints of grant noncompliance and improper diversion of airport revenue under Part 16 by conducting an initial review of 75% of draft Part 16 Final Agency Decisions (FAD) within 5 days of receipt, conducting substantive legal reviews of 65% of completed FADs within 2 weeks, and achieving other standards established for processing Part 16 complaints for 75% of all complaints. Provide timely and effective representational legal services in defense of airport and environmental litigation by reviewing petitioners' initial briefs within 2 weeks, assisting Department of Justice in drafting respondent's brief within 10 days, and providing active support in preparation for oral arguments.

Core Business Initiative: Support Airport & Agency Environmental Activity

Support strategic initiatives to increase airport and system capacity and NextGen capability. Assist in formulating and implementing policies, strategies, and best practices to advance aviation in an environmentally responsible manner, including the civilian air traffic environmental analysis process improvement implementation project. Beyond capacity enhancement, provide legal support for other airport strategic initiatives relating to the next level of safety, aviation access, and workplace of choice. Develop and implement innovative procedures to enhance the effectiveness of representational legal services to the agency.

Core Activity: Validate Client Priorities and Provide Timely Airport and Environmental Law Services to Office of Airports

Ensure that airport and environmental law services are provided in a manner that reflects agency and primary client priorities, provide timely service in providing advice and processing complaints concerning noncompliance of airport sponsors with

grants under 14 CFR Part 16, Rules of Practice for Federally Assisted Airport Enforcement Proceedings.

Activity Target 1:

Meet periodically, at least twice a year, with primary clients (e.g. ARP, ATO, AEE) to formally identify priorities, address type of legal support needed to advance the projects, obtain client feedback on support provided, and, as necessary, reassess services being provided. Due September 19, 2014

Activity Target 2:

Review each draft Final Agency Decision (FAD) within five business days of receipt from the Associate Administrator for Airports to determine whether it is substantially complete and ready for legal review 75% of the time. Due September 19, 2014

Activity Target 3:

Complete legal sufficiency review of each substantially complete draft part 16 Final Agency decision (FAD) within 2 weeks of determining substantial completeness 65% of the time. Due September 19, 2014

Activity Target 4:

Achieve other standards established in consultation with Office of Airports for processing Part 16 complaints for 75% of all Part 16 complaints. Due September 19, 2014

Core Activity: Provide Timely Legal Review of NEPA Documents

Conduct timely review of NEPA documents consistent with goals to facilitate implementation of NextGen and other Destination 2025 priorities.

Activity Target 1:

Except as set forth in 14C1G2 target 2 below, complete legal review within timeframes requested to the extent practicable based on other priorities. If the program office has not provided sufficient time for adequate legal review, staff will work with management to notify the program office and advise when legal review will be complete. Due September 19, 2014

Activity Target 2:

Legal review of preliminary EISs for airport projects will be completed within 30 working days of receipt of a technically adequate and complete document. Due September 19, 2014

Core Activity: Policy and Guidance Information for National Environmental Policy Act (NEPA) Compliance Support

Provide policy and guidance on the requirements of the National Environmental Policy Act (NEPA) and related natural and cultural resource issues to minimize delays to FAA aviation projects. As part of the guidance, there needs to be a forum for FAA

environmental specialists to discuss current NEPA trends and issues and disseminate environmental information. In an effort to provide the most up to date policy guidance, AEE is updating its policies and procedures for complying with NEPA, FAA Order 1050.1E, Change 1.

Activity Target 1:

Provide timely legal services to prepare final FAA Order 1050.1F for publication. Due January 31, 2014

Core Activity: Policy Guidance for NEPA Compliance for NextGen

Provide strategic planning for NextGen environmental requirements, including guidance on implementation of the National Environmental Policy Act (NEPA) and development of related policies and procedures to address national mandates.

Activity Target 1:

Provide legal services to support, develop materials, and perform activities for DOT NEPA Effectiveness Working Group. Due September 30, 2014

Core Activity: Update Airport Program Guidance

Support update of guidance for airport safety program and of DOT rates and charges policy.

Activity Target 1:

Within 30 days of receipt, provide legal concurrence or return the Advisory Circular with a detailed explanation of why the AC is not legally sufficient 75% of the time to support the initiative by the Office of Airport Safety to update and publish 12 Advisory Circulars. Due September 30, 2014

Activity Target 2:

Provide legal services to complete final AIP Handbook. Due September 30, 2014

Core Activity: Timely and Effective Provision of Representational Legal Services

Provide timely and effective representational legal services.

Activity Target 1:

No later than 30 days after the certified list of documents comprising the administrative record has been filed, contact the U.S. Department of Justice attorney and provide a written overview of the key issues in the case. Due September 30, 2014

Activity Target 2:

Review petitioners' initial briefs within 2 weeks of receipt and provide written comments on the accuracy of the statement of facts, with references to the administrative record. Due September 30,

2014

Activity Target 3:

Assist the U.S. Department of Justice attorney in drafting respondents' briefs, as requested, within 10 business days of the request. Due September 30, 2014

Activity Target 4:

Review petitioners' reply briefs and provide any appropriate additional analysis and comments, with references to the administrative record, at least 30 days before oral argument is held. Participate in moot courts to help the Department of Justice attorney prepare for oral arguments. Due September 30, 2014

Core Activity: Airport Privatization Pilot Program

Complete no less than 95% of airport privatization applications under the pilot privatization program. Consistent with legislative and regulatory requirements, review and make determinations on applications under the FAA pilot airport privatization program within 30 business days after initial submission.

Activity Target 1:

New applications - Within 30 days of receipt of preliminary application, FAA will complete initial determination for acceptance for further review and publish Federal Register notice. Due September 30, 2014

Activity Target 2:

Within 30 days of receipt of final application, FAA will complete initial analysis to determine the final application is available for public hearing and 60 day public comment period - Chicago Midway and Henry County. Due September 30, 2014

Core Business Measure: Acquisition Related Legal Services

Provide timely acquisition related legal services. Maintain 90 percent of major system investments within 10 percent variance of current baseline total budget at completion. Provide legal support needed for continued deployment of dependent surveillance to key sites in support of the SBS national program baseline.

Core Business Initiative: Acquisition & Commercial Law Services Division

Provide legal advice and represent the Agency interests relating to the FAA's acquisition of the systems and services needed to achieve Destination 2025 initiatives and other high priority goals. Its staff ensures the legal sufficiency of acquisition documents; assists clients in developing a rational basis for

acquisition decisions; and, represents the agency when acquisition decisions are challenged.

Core Activity: Support Contracts and Quality Assurance Services

The Office of the Chief Counsel will provide 100% review of the contract planning documents, solicitation and related documents and modifications and related documents in accordance with the guidelines and thresholds set forth in AMS, within 10 days, on average, of receipt of complete packages.

Activity Target 1:

The Office of the Chief Counsel will review 100% of documents within 10 days, on average, of receipt of complete packages. Due September 30, 2014

Activity Target 2:

The Office of the Chief Counsel will represent the Agency in all matters before ODRA meeting 100% of the deadlines imposed. Due September 30, 2014

Core Activity: Legal Support for Deployment of Automatic Dependent Surveillance - Broadcast (ADS-B)

Provide legal support needed for continued deployment of dependent surveillance to sites in support of the SBS national program baseline.

Activity Target 1:

Review and advice on contract documents and other agreements as needed to complete the program's activity targets for fiscal year 2014. Due September 30, 2014

Core Activity: Legal Support for Real Estate

Process 80% of the transactions within 30 days from the date the property custodian reports the asset as inactive or excess to the Logistics Real Property.

Activity Target 1:

Process 80% of the transactions within 30 days from the date the property custodian reports the asset as inactive or excess to the Logistics Real Property. Verify 95 % of the annual real property inventory target by the end of the fiscal year. Due September 30, 2014

Core Activity: Acquisition Training

Train, develop, and certify personnel in key acquisition disciplines to ensure FAA has sufficient numbers of skilled acquisition professionals (current and pipeline) to successfully manage acquisitions.

Activity Target 1:

Provide training to designated acquisition professionals on legal aspects of acquisition for all three service centers on at least three different acquisition topics. Due September 30, 2014

Activity Target 2:

The Office of the Chief Counsel will deliver acquisition training to designated COTR's and Contracting Officers (at all levels) for all three service centers on at least three different acquisition topics. Due September 30, 2014

Core Activity: Aviation War Risk Insurance

Efficiently process the coordination and legal analysis of aviation insurance issues to effectively address agency objectives.

Activity Target 1:

Initiate legal coordination with ATO, the FAA Civil Aviation National Security Division and other U.S. government agencies as needed within 30 days of receipt of an incoming request. Due September 30, 2014

Core Business Measure: Procurement and Acquisition Related Adjudication and Dispute Resolution Services (ODRA)

Provide timely, fair, responsive and efficient adjudication and collaborative dispute resolution ("CDR") services for bid protests, contract disputes and other matters arising under the AMS, thereby ensuring the quality and integrity of the Agency's procurement and contract administration processes. Provide timely, fair, responsive and efficient adjudication and CDR in other designated administrative matters.

Core Business Initiative: Adjudicatory/Dispute Resolution Services

Serve as the FAA's exclusive tribunal for adjudicating and deciding procurement and acquisition-related and other administrative disputes. Provide collaborative dispute avoidance and early resolution services to the Agency and its private sector contracting partners, assisting them through voluntary dispute resolution and dispute avoidance methods to the maximum extent practicable. For those matters that cannot be avoided or resolved through CDR, provide a flexible, efficient and transparent adjudication process. Educate Agency personnel and private sector stakeholders regarding the FAA's dispute resolution and adjudication processes.

Core Activity: Provide timely, fair, responsive and efficient CDR and Adjudication Services to the FAA and its contracting partners

Provide timely, fair, responsive and efficient CDR and Adjudication services to the FAA and its contracting partners.

Activity Target 1:

Establish and operate a permanent system for the optional electronic filing and review of pleadings and documents in ODRA matters. Due January 1, 2014

Activity Target 2:

Conduct 3 or more educational programs for Agency and other stakeholders on the FAA dispute resolution system. Due September 30, 2014

Activity Target 3:

Conduct training workshops for at least 2 regions/centers, involving their attorneys and contracting personnel. Due September 30, 2014

Activity Target 4:

Provide voluntary, collaborative dispute resolution and pre-dispute services as the primary means of managing matters filed with the ODRA. Complete Findings and Recommendations in typical adjudicated cases in the following average number of days from the date of closing of the administrative record: non-complex protests- 30 calendar days; complex protests- 60 calendar days; non-complex contract disputes-90 calendar days; complex contract disputes- 180 calendar days. Due September 30, 2014

Activity Target 5:

As the Agency's designated Dispute Resolution Specialist under the Administrative Dispute Resolution Act, represent the FAA by: participating in the Attorney General's Interagency Alternative Dispute Resolution Working Group; advising the Agency on dispute resolution policies and practices; and providing guidance and assistance to Agency components regarding dispute resolution or conflict management programs. Due September 30, 2014

Activity Target 6:

Design a non-adjudicative, conflict management and dispute resolution services process specifically for Agency grants, cooperative agreements and other transactions or acquisition-related agreements. Due September 30, 2014

Activity Target 7:

Provide hearing officers, when appointed, to adjudicate airport grant-related disputes pursuant to 14 C.F.R Part 16. Due October 1, 2014. Due September 30, 2014

Core Business Measure: Improve FAA Contracting and Acquisition

Define and baseline a "Cost to Procure" measure. Due September 30, 2014.

Core Business Initiative: Strengthen Core Contracting Services (CIP#:X01.00-00)

Provide acquisition and contracting expertise to procure material, equipment, systems, construction, services, aviation research grants and research and development for all FAA offices. Ensure that the contracting team is staffed with the skill mix needed to successfully award and manage all major acquisition programs, all NextGen initiatives and support all FAA offices and other customers.

Core Activity: Contract Formation and Administration Oversight

Participate in formal oversight program to review solicitations and contracts through the National Acquisition Evaluation Program (NAEP). Based on the result of these reviews assist with corrective actions as necessary.

Activity Target 1:

Provide legal support to NAEP audits done in FY2014. Due September 30, 2014

Activity Target 2:

Review and provide input to the NAEP reports and assist the contracting office with any proposed corrective action plans. Due September 30, 2014

Activity Target 3:

Suspend or debar contractors within 45 calendar days of a proper notice of an indictment, conviction or guilty plea or document why suspension or debarment is not appropriate. Due September 30, 2014

Core Business Measure: Reduce Findings on Airport Revenue Use Audits at Commercial Service Airports

To achieve a 25 percent reduction in findings on airport revenue use audits at commercial service airports by 2018 from a 2010 baseline, propose amendments to the Airport Rates and Charges Policy: By March 31, 2014 provide APP with proposed legislative changes relating to FAA/DOT's Rates and Charges Policy; ACO to develop proposed administrative and regulatory changes to Rates & Charges for AGC review by June 30, 2014; AGC to complete legal sufficiency review of proposed administrative and regulatory changes to Rates & Charges Policy by August 31, 2014; and Submit draft policy proposal on amending the Rates and Charges Policy to OST for coordination by September 30, 2014.

Core Business Initiative: Airport Rates and Charges Policy

Reevaluate rates and charges policy.

Core Activity: Reevaluate Rates and Charges Policy

Propose amendments to the Airport Rates and Charges Policy.

Activity Target 1:

Provide APP with proposed legislative changes relating to FAA/DOT's Rates and Charges Policy Due March 31, 2014

Activity Target 2:

AGC to complete legal sufficiency review of proposed administrative and regulatory changes to Rates & Charges Policy. Due August 31, 2014

Activity Target 3:

Submit draft administrative and regulatory changes to OST for coordination. Due September 30, 2014

Core Business Measure: Drive Continuous Efficiency Improvement & Cost Control

Achieve documented cost savings and cost avoidance of \$41.53 million in FY 2014.

Core Business Initiative: Productivity and Financial Metrics

Each FAA organization will develop, track, and report quarterly on a comprehensive measure of its operating efficiency or financial performance. These measures will include: ATO cost per controlled flight, staff office overhead rates and cost per accounting transaction.

Core Activity: AGC Efficiency Measure: Response Time to Public Requests for Interpretations

Implement measures to improve timeliness of responses to public requests for interpretations of FAA regulations.

FY 2014 Target: Response within 120 days of receipt 60% of the time.

Activity Target 1:

Continue to report to ABA FY13 4th quarter results on response rate as percentage of requests within 120 days of receipt. Due October 31, 2013

Activity Target 2:

Continue to report to ABA quarterly on response rate as percentage of requests within 120 days of receipt. Due January 31, 2014

Activity Target 3:

Continue to report to ABA quarterly on response rate as percentage of requests within 120 days of receipt. Due April 30, 2014

Activity Target 4:

Continue to report to ABA quarterly on response rate as percentage of requests within 120 days of receipt. Due July 31, 2014

Activity Target 5:

Provide updated FY 2015 template for review and approval in time to be included in the FY 2015 Business Plan. Due May 15, 2014

Core Activity: AGC Efficiency Measure: Time to Process Enforcement Cases
Efficient Processing of Enforcement Cases

Target: First legal action is taken within 60 days of receipt by a legal counsel office 70% of the time

Activity Target 1:

Report FY13 4th quarter results to ABA the percentage of legal enforcement cases. Due October 31, 2013

Activity Target 2:

Continue to report quarterly to ABA the percentage of legal enforcement cases. Due January 31, 2014

Activity Target 3:

Continue to report quarterly to ABA the percentage of legal enforcement cases. Due April 30, 2014

Activity Target 4:

Continue to report quarterly to ABA the percentage of legal enforcement cases. Due July 31, 2014

Activity Target 5:

Provide updated FY 2015 template for review and approval in time to be included in the FY 2015 Business Plan. Due May 15, 2014

Core Business Measure: Performance Based Navigation

Optimize airspace and Performance Based Navigation (PBN) procedures to improve efficiency an average of 10 percent across core airports by 2018.

Core Business Initiative: Airspace Optimization (Metroplex)

Optimize airspace and procedures in the Metroplex.

Core Activity: Airspace Optimization (Metroplex)

Responsible for the Optimization of Airspace and Procedures in the Metroplex project. The Airspace Optimization Group will begin integrated airspace design and associated activities, including traffic flow analysis and facilitated design and procedures optimization. This will lay the framework for accelerating Performance Based Navigation (PBN) initiatives, taking a systems approach for airspace design and procedure implementation. This project is focused on operational optimization, delivering key efficiencies for the nation's busiest metropolitan areas within 2-3 years once work begins at each site.

Activity Target 1:

Provide advice to expedite and streamline

environmental reviews for projects and other proposed RNAV/RNP procedures in accordance with Section 213 of the FAA Modernization and Reform Act. Due September 30, 2014

Activity Target 2:

Complete legal review within 30 calendar days of receipt of technically adequate and complete environmental assessments for projects and other proposed RNAV/RNP procedures. Note: After legal review has been completed, ATO is required to review and respond to legal comments. Legal's comments must be addressed and resolved so that legal concurrence can be provided before ATO publishes the EA. Due September 30, 2014

Core Business Measure: Average Daily Capacity

Maintain an average daily capacity for core airports of 58,166, or higher, arrivals and departures.

Core Business Initiative: Capacity-Enhancing Policies

Work with the aviation community to establish the most feasible policies to enhance capacity and manage congestion.

Core Activity: Develop and implement Capacity and Delay Policies

Analyze capacity and congestion policy implications of NextGen near-term and mid-term improvements with recommendations.

Activity Target 1:

Develop orders, regulations, or legislation to address NextGen equipage-related policy implications as needed. Due September 30, 2014

Enhance Global Leadership

In support of the FAA's objective of enhancing global leadership, AGC assists in developing the agency position on international law issues and serves as a liaison for FAA international aviation legal matters with other government agencies and industry. AGC attorneys provide legal services relating to drafting and negotiating international agreements on safety oversight, air traffic, airworthiness, technical assistance, and other aviation related areas. The attorneys also prepare the U.S. position on matters before the International Civil Aviation Organization (ICAO); provide legal policy guidance on registration of aircraft and recordation of property rights in aircraft; and provide legal support for all matters involving the administration of the Aviation Insurance Program.

Core Business Measure: International Legal Services

Provide legal services as required to FAA program offices responsible for promoting USG interests with

other countries and international organizations, including (ICAO). Assist API in meeting work plan milestones. Complete legal sufficiency reviews within timeframes that meet defined client needs by (i) providing the initial review of 80% of template-based technical assistance agreements for international activities within 15 working days of receipt, and (ii) by performing initial review and coordination of 90% U.S. positions and strategies by the deadlines specified in a particular Interagency Group on International Aviation (IGIA) paper.

Core Business Initiative: Support Client Offices

Provide legal services relating to drafting and negotiation of international agreements; prepare the U.S. position on matters before ICAO; and provide legal support for the client offices with international legal issues through the provision of legal services. Provides legal services to ensure priorities of the Administrator, Destination 2025 and primary clients are met by (i) providing the initial review of 80% of template-based technical assistance agreements for international activities within 15 working days of receipt, and (ii) by performing initial review and coordination of 90% U.S. positions and strategies by the deadlines specified in a particular interagency Group on International Aviation (IGIA) paper.

Core Activity: Promote USG Interests at the International Civil Aviation Organization (ICAO)

Provide legal assistance to FAA Program Offices on technical issues involving ICAO Standards and Recommended Practices. Serve as legal representatives at upcoming ICAO meetings, as necessary.

Activity Target 1:

Provide (i) legal support by reviewing ICAO initiatives, including proposals for new or revised international standards and recommended practices; and (ii) legal assistance to FAA program offices in implementation of any new ICAO standards and recommended practices. Due September 30, 2014

Activity Target 2:

Provide legal input on USG positions for meetings in ICAO and other international organizations as necessary. Due September 30, 2014

Activity Target 3:

Serve as FAA legal clearance point for the Interagency Group on International Aviation (IGIA) by performing initial review and coordination of 90% of U.S. positions and strategies by the deadlines specified in a particular IGIA paper. Due September 30, 2014

Activity Target 4:

Provide legal support by reviewing international aspects of initiatives developed as a result of the 2013 ICAO Assembly. Due March 31, 2014

Activity Target 5:

Represents the United States on ICAO legal bodies as required. Due September 30, 2014

Core Activity: International Aviation Safety Assessment Audits (IASAs)

Implement and support the IASA program by (1) conducting legal assessment of the civil aviation laws, regulations, and enforcement systems of foreign aviation authorities for compliance with minimum international aviation safety standards established under the Convention on International Civil Aviation; (2) assisting with communicating the results of the assessment to both representatives the assessed country and the U.S. embassy staff; and (3) assisting the program office in development of policy for execution of the Administrator's responsibility for the safety of foreign air carriers.

Activity Target 1:

Cooperate with AFS-50 in scheduling and conducting IASA assessments, consultations, or final discussions, including the review of cables to foreign governments about IASA activities. Due September 30, 2014

Activity Target 2:

Participate in the development and presentation of IASA training program for legal and technical staff. Due September 30, 2014

Activity Target 3:

Participate in the development of IASA policies and procedures and in the revision of cables as requested by the program office. Due September 30, 2014

Core Activity: Efficient Processing of International Aspects of Rulemakings

Provide legal counsel on international aspects of agency rulemaking projects.

Activity Target 1:

In coordination with AGC-200, monitor priorities for rulemakings with international implications. Due September 30, 2014

Activity Target 2:

Provide international legal support and guidance on regulations and rulemakings as needed by AGC-200. Due September 30, 2014

Core Activity: Technical Assistance

Provide legal technical assistance efforts to foreign aviation authorities, either independently or in conjunction with FAA program offices or other USG agencies or programs, including the DOT Safe Skies for Africa Program, in furtherance of FAA international aviation safety and/or efficiency objectives and to achieve global harmonization with ICAO standards. Provide legal advice, representation, international legal policy guidance and legal sufficiency reviews relating to international

technical assistance activities in a timely and responsive manner.

Activity Target 1:

Provide legal technical assistance to countries or regional organizations directed at achieving compliance with ICAO civil aviation standards for primary aviation law, regulations, enforcement systems, and related issues. Due September 30, 2014

Activity Target 2:

Support FAA program offices and the Office of the Secretary of Transportation by (i) identifying priority countries for technical assistance, including technical reviews or the development of action plans for achieving compliance with international standards; (ii) participating in technical reviews; and (iii) when requested by a foreign authority, participating in action planning when deficiencies in the primary aviation law, regulations, or enforcement system have been identified. Due September 30, 2014

Activity Target 3:

Provide legal review of FAA policies and procedures for providing technical assistance to foreign aviation authorities as needed. Due September 30, 2014

Activity Target 4:

Continue to provide support and guidance to FAA program offices in implementing the expanded international technical assistance authority provided in the 2012 FAA reauthorization. Due September 30, 2014

Core Activity: International Agreements

Provide legal counsel to business lines and staff offices for international activities to support agency objectives by providing advice on agreement strategies, review of international agreements, and legal coordination with necessary U.S. government agencies (particularly the U.S. Department of State). Participate in negotiations with foreign civil aviation authorities, air navigation service providers, and research and development organizations.

Activity Target 1:

Provide initial review of 80% of template-based technical assistance agreements for international activities within 15 working days of receipt in the legal office. Due September 30, 2014

Activity Target 2:

As necessary, develop and submit to the U.S. Department of State for clearance (i) new agreement templates; (ii) agreements designed to accomplish specific international objectives of the FAA that are not otherwise addressed in the standard templates; and (iii) draft Circular 175 packages. Due September 30, 2014

Activity Target 3:

Meet regularly with program offices to identify priorities, define the scope of a project to be covered in an agreement, discuss the legal support necessary for agreements, and coordinate realistic strategies and timelines given the complexity and urgency of individual agreements. Due September 30, 2014

Activity Target 4:

Provide legal support for all agreements, annexes, or appendices for technical assistance, air navigation services, operational data sharing, research and development, and the transfer of oversight functions pursuant to Article 83 bis to the Chicago Convention. Due September 30, 2014

Activity Target 5:

Provide legal clearance and assistance to AIR and AFS in drafting, negotiating, and implementing international safety agreements, implementation procedures (IPs), or amendments to existing agreements or IPs. Due September 30, 2014

Empower and Innovate with the FAA's People

In support of the agency's objective to empower and innovate with the FAA's people, AGC continues to support the numerous agency-wide strategic initiatives and provide legal services in support of the administrative activity of the agency, including employment and labor law services, ethics counsel, FOIA and Privacy Act services, and legislative services. The largest legal practice group within this goal area is our employment law office. The employment law attorneys represent the agency before various administrative and federal courts and provide advice and guidance to the Administrator and primary client offices on personnel, labor, civil rights, equal employment opportunity matters. They also counsel on ways to minimize the legal risks relating to employment decisions and policy. Moreover, AGC have programmatic responsibility for administration and oversight of the agency's compliance with government-wide ethics requirements.

Core Business Measure: Hiring and Accommodating People with Disabilities

Support the Department of Transportation's hiring and onboard goal to increase the representation of people with targeted (severe) disabilities in the workforce by ensuring that at least 1.67% of all FAA new hires are PWTB and reporting quarterly on the specific number of new PWTB hires. Additionally, LOBs/SOs will work collaboratively to improve the efficiency and timeliness of reasonable accommodation by processing 90% of reasonable accommodation requests within 25 business days from the date received.

Core Business Initiative: Hiring and Accommodating People with Disabilities

Ensure that 1.67% of all new hires are PWTD (severe disabilities) and that 90% of reasonable accommodation requests are processed within 25 business days from date received.

Core Activity: Hiring and Accommodating People with Disabilities

Ensure that 1.67% of all new hires are PWTD (severe disabilities) and that 90% of reasonable accommodation requests are processed within 25 business days from date received.

Activity Target 1:

Report quarterly on the specific number of new PWTD hired and the actions taken to ensure that at least 1.67% of all new hires are people with targeted (severe) disabilities. Due September 30, 2014

Activity Target 2:

Process 90% of reasonable accommodation requests within 25 business days from date received. Due September 30, 2014

Core Business Measure: EEO Training

Assist Agency efforts to create a FAA culture in which managers and employees understand their role in creating and maintaining an inclusive workplace, by ensuring that 60% of management and 10% of employees complete EEO Training.

Core Business Initiative: Prevent Discrimination through EEO Training

Ensure that 60% of management and 10% of employees complete EEO Training. Managers and employees are encouraged to complete EEO Training courses that are listed as part of the Diversity and Inclusion Core Curriculum. EEO training will be offered through various methodologies, including on-site, instructor-led training when funding permits.

Core Activity: EEO Training

Ensure that 60% of management and 10% of employees complete EEO Training. Managers and employees are encouraged to complete EEO Training courses that are listed as part of the Diversity and Inclusion Core Curriculum. EEO training will be offered through various methodologies, including on-site, instructor-led training when funding permits.

Activity Target 1:

Ensure that 60% of managers and 10% of employees complete EEO Training. Due

Core Business Measure: Compensation, Benefits and WorkLife

Contribute to the goal of building a capable, diverse and collaborative workforce through the use of Compensation, Benefits and WorkLife activities.

Core Business Initiative: Compensation & Performance Management

Provide oversight and manage the outreach efforts of the new FAA Core Performance Management and annual increase programs.

Core Activity: Compensation

Develop across the agency's lines of business and staff offices a new comprehensive agency-wide performance management and pay strategy program for core compensation employees that establishes on performance management system linking employee performance and annual pay increases.

Activity Target 1:

Legal review and guidance provided by AGC in support of the implementation of a new comprehensive agency-wide performance management and pay strategy program for core compensation employees within the FAA. Due September 30, 2014

Core Business Measure: Personnel & Labor Law Legal Services

Meet 100% of EEOC, MSPB, and federal court employment case deadlines.

Core Business Initiative: Legal Services in Labor and Personnel Law

Represent the FAA in administrative and court litigation having a potentially significant impact on any law, regulation, or FAA policy relating to the employment of FAA personnel and provide timely and effective legal advice regarding employment matters. Provide legal services and representation in a timely and effective manner reflecting agency priorities and continue to improve the Agency's employment practices by identifying ways of minimizing the FAA's legal risk relating to employment decisions and policy.

Core Activity: Legal Representation and Policy Advice

Represent the FAA in administrative and court litigation having a potentially significant impact on

any law, regulation, or FAA policy relating to the employment of FAA personnel.

Activity Target 1:

Meet 100% of EEOC, MSPB, and federal court employment case deadlines. Due September 15, 2014

Core Activity: Drug and Alcohol Policies

Review existing Drug and Alcohol policies and guidance to make needed changes.

Activity Target 1:

Establish joint AGC/AHR/AVS team to review all FAA policies, guidance, and training relating to the drug and alcohol program procedures. / Due November 30, 2013

Activity Target 2:

Identify and draft needed changes and clarifications. / Due May 31, 2014

Activity Target 3:

Brief appropriate officials for implementation decisions. / Due August 31, 2014

Core Activity: FAA Personnel Management System Changes

Develop training for FAA managers and HR employees on the legal implications of FAA Personnel Reform.

Activity Target 1:

Establish a joint AGC team and identify topics that need to be covered by the training. Due February 28, 2014

Activity Target 2:

Develop a training module to address the identified topics. Due August 31, 2014

Activity Target 3:

Implement training. Due September 30, 2014

Core Activity: Trend Analysis EEOC/MSPB Decisions

Review EEOC findings of discrimination and MSPB decisions that failed to sustain Agency action to identify lessons learned and possible topics for attorney training.

Activity Target 1:

Establish a joint R/C/HQ AGC team to analyze all Findings of Discrimination and MSPB cases, where the imposed penalty was not sustained, for the prior year. Due March 1, 2014

Activity Target 2:

Identify lessons learned and topics for attorney and management training. Due July 31, 2014

Activity Target 3:

Brief lessons learned to attorneys during the Employment Law Telecon. Due September 30,

2014

Core Business Measure: General Legal Services & Other Legal Services

Meet client due dates 80% of the time.

Core Business Initiative: General Legal Services & Other Legal Services

Various small practice areas related to administrative requirements imposed on the agency by statute, including Ethics, FOIA, Privacy Act, Alternative Dispute Resolution and Legislation.

Core Activity: Manage Ethics Program and Agency Administration Related Legal Services

Provide legal services related to Ethics, FOIA, Privacy Act.

Activity Target 1:

Provide timely legal services relating to congressional relations, FOIA, Privacy Act, ADR, and related litigation. Due September 30, 2014

Activity Target 2:

Represent the agency before Congress, in administrative forums and in federal district and appeal courts on all general law issues and litigation. Due September 30, 2014

Activity Target 3:

Provide general legal services functions, and prepare the Administrator and other high level Agency official congressional testimony. Due September 30, 2014

Core Activity: Review of OGE Forms

Complete review of all OGE Form 278 and Form 450

Activity Target 1:

Complete review of all OGE Form 278 and Form 450. Due September 30, 2014

Core Activity: Review of FOIA Appeals

Provide timely review of the appeal of initial FOIA decisions.

Activity Target 1:

Prepare appeal responses within 20 days of the receipt of a complete FOIA appeal package in 60 percent of the appeals. Due September 30, 2014

Core Activity: Legislative Legal Services

Provide timely legislative legal services.

Activity Target 1:

Issue request for technical assistance to affected FAA organizations within 24 hours of receipt by AGC-60, and issue the Agency response to the request with 24 hours of receipt of final coordination and clearance from politicals in 70% of requests for technical assistance. Due September 30, 2014

Activity Target 2:

Issue a schedule for hearing preparation within 48 hours of AGC-60 receipt of notice of the hearing 70% of the time. Due September 30, 2014

Activity Target 3:

Conduct principal witness preparation meetings no later than 3 days prior to the scheduled hearing date in more than 80% of scheduled hearings. Due September 30, 2014

Core Business Measure: FAA Historian Function

Researches and prepares FAA written history volume 6 in accordance with schedule established by October 31, 2014, completes and publishes 2013 FAA Chronology by January 31, 2014 and responds to routine internal and external requests for information generally within two weeks.

Core Business Initiative: FAA Historian

Research, write and maintain material necessary to document FAA's role and accomplishments as the premier aviation authority in the world.

Core Activity: FAA Historian

Progress in drafting FAA History, volume 6, prepare FAA history related publications and respond to requests for information.

Activity Target 1:

Research and draft FAA written history, volume 6, in accordance with schedule established. Due October 31, 2013

Activity Target 2:

Prepare and have posted on FAA history website the 2013 FAA Chronology. Due January 31, 2014

Activity Target 3:

Respond to routine internal and external requests for information generally within two weeks. Due September 30, 2014

Core Business Measure: EEO/Diversity and Inclusion Action Committee

In collaboration with the LOBs/SOs, ACR will identify recommendations and strategies regarding EEO and diversity efforts within the FAA workplace. Each LOB/SO will analyze and present demographic data at the EEO

Action Committee and conduct a self-assessment in compliance with the MD-715.

Core Business Initiative: EEO/Diversity and Inclusion Action Committee

In collaboration with the LOB/SOs, ACR will identify recommendations and strategies regarding EEO and diversity efforts within the FAA workplace. Each LOB/SO will analyze and present demographic data at the EEO Action Committee; conduct a self-assessment in compliance with the MD-715; and assist with implementing or revising evaluation methods for the managers EEO performance standard.

Core Activity: EEO/Diversity and Inclusion Action Committee

Each LOB/SO will analyze and present demographic data at the EEO Action Committee; conduct a self-assessment in compliance with the MD-715; and assist with implementing or revising evaluation methods for the managers EEO performance standard.

Activity Target 1:

Conduct an internal MD 715 self-assessment (Part G Checklist) as required by EEOC. Due October 15, 2013

Activity Target 2:

Analyze and present demographic data in comparison to the civilian labor force statistics, to the EEO Action Committee and identify strategies and actions for improving groups with lower than expected participation rates. Due December 31, 2013

Activity Target 3:

Support agency efforts to implement and/or revise evaluation methods to the managers EEO performance standard. Due December 31, 2013

Core Business Measure: Alternative Dispute Resolution (ADR)

ACR, in coordination with the LOBs/SOs, will ensure that 60% of all managers engage in mediation when requested by employees.

Core Business Initiative: Alternative Dispute Resolution (ADR)

LOB/SOs will ensure that 60% of all managers engage in mediation when requested by employees.

Core Activity: Alternative Dispute Resolution (ADR)

LOB/SOs will ensure that 60% of all managers engage in mediation when requested by employees.

Activity Target 1:

Ensure that 60% of all managers engage in mediation when requested by employees. Due September 30, 2014

**Core Business Measure: Law
Library Legal Research Services**

Provide internal legal research services generally within 5 days of request and external research services generally within two weeks.

**Core Business Initiative: Law
Library Legal Research Services**

Provide legal research services upon request within established time frames.

Core Activity: Law Library Services

Ensure FAA employees receive prompt and appropriate legal research to ensure mission success.

Activity Target 1:

Provide legal research for internal FAA requests generally within 5 days of request, unless the requester identifies a later date. Due September 30, 2014

Activity Target 2:

Provide legal research for the external aviation community generally within two weeks of request. Due September 30, 2014