

Aviation Regulatory

Cozen O'Connor's aviation regulatory team has advised on some of the most consequential matters in the industry, including but not limited to: large airline mergers, the formation of new air carriers, the development of federal rules on aircraft safety and security, and the reorganization and management of airlines in Chapter 11 bankruptcy.

A distinguishing feature of the firm's aviation team is its ability to work in tandem with Cozen O'Connor Public Strategies, a highly respected and skilled government affairs team based in Washington, D.C., that represents clients before all three branches of the U.S. federal government and various state bodies. Key members of the Public Strategies group have direct aviation industry experience, including a former general counsel to the U.S. Export-Import Bank and former senior staff members of key congressional committees.

Our clients include major U.S. and non-U.S. passenger and cargo airlines; airline trade associations; public charter operators; aircraft, engine, and equipment manufacturers; aircraft lessors; corporate flight departments; air travel distribution companies; advanced air mobility/air taxi and uncrewed aircraft system (drone) manufacturers and operators; air/ground express delivery companies; and logistics specialists. We also advise and represent Fortune 500 companies, banks, private individuals, private equity funds, and other investors with aviation-related operations or transactions.

Our regulatory work encompasses all applicable regulatory and legal requirements, including those administered by the U.S. Department of Transportation (DOT), the Federal Aviation Administration (FAA), the Department of Homeland Security (DHS), the Transportation Security Administration (TSA), U.S. Customs and Border Protection (CBP), the National Transportation Safety Board (NTSB), the U.S. Centers for Disease Control and Prevention (CDC), and the Antitrust Division of the Department of Justice.

Our team assists clients with a wide range of regulatory needs, from securing government approvals to advocating before policymakers and regulators in Washington, D.C. We provide our non-U.S. airline clients with a full spectrum of regulatory assistance in matters including, but not limited to: DOT foreign air carrier permits and exemptions providing traffic rights, FAA operations specifications establishing safety and operating requirements, TSA foreign air carrier security programs, DOT carrier plans to address lengthy tarmac delays at U.S. airports, DOT customer service plans, DOT requirements for accommodating persons with disabilities in air travel, NTSB/DOT plans to address the needs of families of passengers involved in air accidents, CBP agreements addressing passengers entering the United States under the Visa Waiver Program, CBP landing rights, FAA approval for wet leasing and aircraft interchange arrangements, DOT approval for codesharing arrangements and long-term wet leases, and "doing business" state registrations.

Our team also regularly advises aviation clients on antitrust matters, including those before the U.S. Department of Justice. The firm advises on economic and codesharing authority, international routes, frequencies and traffic rights, antitrust immunity, export controls and sanctions, licensing and certification, aircraft registration, taxes and fees, airport slots, rates and charges, consumer protection matters, safety and security, and compliance with standards and recommended practices adopted by the International Civil Aviation Organization.

During the coronavirus pandemic, our aviation team was actively involved in advising major U.S. and non-U.S. airlines and other aviation companies on a wide range of COVID-related issues, including those under the CARES Act.

Experience



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Related Practice Areas

- Aviation Litigation
- Product Liability
- Transportation & Trade
- Unmanned Aircraft Systems (UAS) / Drones

Industry Sectors

- Aviation

Secured an unprecedented exception to the Federal Aviation Administration's ban on U.S. aircraft flying into Iraq, which required demonstrating to the FAA and the Transportation Security Administration that our client, international relief organization Samaritan's Purse, had in place the training, procedures, plans, and reliable intelligence needed to safely operate the proposed flights, for which a dedicated operating manual was drafted. This exception permits Samaritan's Purse to use its own aircraft to deliver essential provisions to the victims of the humanitarian crisis stemming from the battle for Mosul.

Represented a pilot and flight instructor in connection with a five-year suspension of his medical license imposed by the FAA, based on an erroneous finding that a minor head injury affected his ability to safely pilot an airplane. Using extensive medical testimony, we persuaded the Federal Air Surgeon that the client should be cleared to fly, effective immediately.
