

As owners and operators of public use airport facilities, local governments (municipalities, regional authorities, etc.) play an integral role within the U.S. air transport system.

Any public use airport with airline service, regardless of its size, has a broad set of “constituencies,” including local elected officials, travelers, airlines, general aviation users, concessionaires, tenants, neighboring property owners, local business groups, and environmental organizations. In addition, airport operators must constantly adapt to the changes brought about by economic and business cycles. Reconciling the varied interests and appropriately responding to the evolving business landscape requires knowledge, experience, responsiveness, and a talent for bringing about consensus.

Spiegel & McDiarmid represents public airport owners and operators. The firm’s transportation practice group brings to the task decades of broad-based experience in meeting the needs of public airport sponsors, both large and small. Our attorneys serve airport clients across the nation by:

- Providing liaison between airport sponsors and their Congressional delegations, relevant federal agencies (such as the Department of Transportation (DOT), Federal Aviation Administration (FAA), Department of Homeland Security, Transportation Security Administration (TSA), Department of Justice, Department of Defense), and aviation trade associations and coalitions;
- Representing airport sponsors in agency enforcement actions, such as FAR Part 16 investigatory proceedings and compliance audits before the FAA, in proceedings before the DOT, and in litigation before federal and state courts as needed;
- Counseling airport proprietors on how to achieve local goals without running afoul of federal



airport compliance requirements;

- Coordinating sources of federal and local funding, developing strategies for maximizing federal airport discretionary funds, and obtaining federal approvals for the imposition and use of Passenger Facility Charges (PFCs);
- Supporting airport staff in meeting evolving aviation security requirements;
- Supporting airport infrastructure projects including strengthening environmental review documents and obtaining federal funding for environmental mitigation projects;
- Assisting airport staff with airline competition plans and programs, as well as domestic and international air service development matters;
- Negotiating and drafting airline use and lease agreements;
- Developing and reviewing fixed base operations and other airside leases, minimum standards, and airport rules and regulations to ensure federal compliance; and
- Drafting and reviewing leases for non-aeronautical facilities developed on airport land.

In addition to the regulatory work we do for our airport clients, we also work with sponsors of surface transportation projects (rail, highway, mass transit, seaports) to obtain federal funding for capital and/or operating purposes to supplement funds generated from other sources.

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Spiegel & McDiarmid's transportation attorneys consult daily with airports' local counsel and senior professional staff on a variety of issues affecting airport operations. We often serve as a technical "federal aviation law" backstop to the airport's local attorney. Our attorneys are continually invited to participate in industry conferences and workshops.

Spiegel & McDiarmid's comprehensive knowledge, broad experience, industry contacts and location in the Nation's Capital give us the ability to respond promptly to an airport sponsor's individual problems, and to assist

airports in their efforts to meet the growing demands on the nation's air transport system.

Beyond airport representation, we have worked with client municipalities on transportation issues as diverse as the ability to impose port-improvement fees and railroad compliance with environmental law. We have also worked with client municipalities in the acquisition of transit systems within their boundaries.

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