Dear Colleagues:

Registration is now open for the Forum’s Washington Update Conference on February 28th. The Conference provides an insider’s perspective on the leading topics in air and space law, as well as the policy issues at the forefront in 2020 and beyond. Please join us on February 28th at the W Hotel in Washington, DC.

House Aviation Subcommittee Chairman, Representative Rick Larsen, will be the Opening Keynote Speaker and Christina Aizcorbe, U.S. Department of Transportation Deputy General Counsel, will also provide Keynote remarks. Over lunch, Gail Grimmett of Delta Air Lines will review some of the recent changes in general aviation, including how new products like Wheels Up will provide greater access to private aviation.

The Conference will include panels and speakers who will put current industry developments into perspective and offer their visions for the policy and legal issues that lie ahead in 2020. This year, we are mixing things up with "snapshot" presentations throughout the day on a range of topics from drones to airline distribution. As always, we look forward to your engagement and feedback on this new format.

Featured panels and presentations include:

- Legislative Update and Outlook for 2020: A look at the implementation of the FAA Reauthorization Act of 2018 and the legislative agenda for 2020.
- Airport Panel: Public-private infrastructure and other complex airport transactions redefining the relationship between airport proprietors and their airline partners.
- Cargo Panel: A discussion of the leading legal and policy issues in the air cargo industry.
- Passenger Aviation Panel: A discussion about digital and personalized marketing and how the regulatory approach to consumer protection and unfair and deceptive practices has evolved.
- Space Law Update: A look at the issues that arise as the private space industry interacts with the national airspace.
- Snapshot on Aircraft Certification: A discussion of the international process for examining/recertifying the safety of particular aircraft in light of the tragic accidents involving the 737 Max.
- Snapshot on Drones: A review of new developments in the regulation of unmanned aerial systems.
- Snapshot on Competition: A look at industry trends and the growth of LCCs and ULCCs.
- Snapshot on airline distribution: Observations on the DOJ’s recent lawsuit challenging Sabre’s proposed acquisition of Farelogix.

See you in DC!!

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Friday, February 28, 2020

8:15 am Welcome and Opening Keynote
House Aviation Subcommittee Chairman, Representative Rick Larsen

8:45 am The Legislative Outlook in a Presidential Election Year
The last twelve months have seen significant developments affecting aviation policy. The FAA welcomed a new Administrator while Congress focused on safety matters in the wake of tragic accidents and the grounding of an aircraft during a period that has included an impeachment and with a presidential election still ahead. This panel, representing both chambers of Congress and industry, will offer insights on legislation, oversight, and aviation policy ahead in 2020.

Moderator: Ed Mortimer, U.S. Chamber of Commerce, Washington, DC
Speakers:
Alex Burkett, House Aviation Subcommittee, Washington, DC
Michael Reynolds, Senate Commerce Committee, Washington, DC
Holly Woodruff Lyons, House Aviation Subcommittee, Washington, DC
Kristine O’Brien, Airlines for America, Washington, DC

9:45 am A Day in the Life of an Attorney in Air Cargo
The air cargo industry touches all corners of the global economy and our daily lives. Air cargo includes fresh food, perishable medicines, clothing, electronics, and much more. From a legal standpoint, the air cargo industry is distinct from passenger aviation in many ways; Congress deregulated it separately from the passenger industry. This panel, consisting of attorneys from different disciplines, will discuss their perspective on the legal and practical issues air cargo attorneys encounter in the course of their practice.

Moderator: Dontai Smalls, UPS, Washington, DC
Speakers: Brenda Allen, Louisville Regional Airport Authority, Louisville, KY
Amy Bianchino, FedEx, Washington, DC
George Kopscay, Atlas Air, Purchase, NY

10:40 am Networking Break

10:45 –
11:15 am Emerging Drone Technologies and Regulatory Evolution
Drone technology has moved quickly forward – responding to disasters, enhancing medical delivery options, and inspecting critical infrastructure. However, regulatory policies have lagged behind and drone security issues, including at airports, have prompted strong interest in remote ID and counter-drone technology. This snapshot will address the opportunities for the drone marketplace, as well as current legal and policy issues around UAS integration.

Speaker: Lisa Ellman, Hogan Lovells, Washington, DC
11:15 –
11:45 am  Getting to Space – Virgin Galactic’s Legal and Regulatory Journey
Virgin Galactic is the world’s first publicly traded spaceflight company with plans to take its first customers to space this year. Sister company Virgin Orbit will also begin launching satellites from its new small rocket, launched from a 747. Virgin Galactic Vice President Richard Dalbello has led Virgin’s Washington regulatory operations as both companies prepare for flight. He will share his experiences with the FAA, FCC, export control agencies, the White House, and Congress for these unique businesses.

Speakers:  Mike French, Aerospace Industry Association, Arlington, VA
           Michelle Kley, Virgin Galactic Holdings, Los Angeles, CA

11:45 am –
12:00 pm  Airline Distribution: Observations on Industry Developments and DOJ’s lawsuit
Challenging Sabre’s Acquisition of Farelogix
DOJ’s Antitrust Division recently challenged Sabre’s proposed acquisition of Farelogix in federal court, alleging that the acquisition was “a dominant firm’s attempt to eliminate a disruptive competitor after years of trying to stamp it out.” This session will provide background on distribution strategies, as well as an overview of the case, including the key arguments and defenses. It will also discuss how the theories of harm could be applied to other areas with emerging technology.

Speaker:  Laura Collins, Freshfields Bruckhaus Deringer, Washington, DC

12:00 pm  Luncheon:  Wheels Up – Innovation and Competition in Private Aviation
Technology and innovation are bringing exciting changes to private jet travel. Delta Air Lines SVP and Wheels Up Chief Experience Officer Gail Grimmett will talk about how the industry is evolving and how Delta’s new partnership with Wheels Up will provide consumers with access to the Wheels Up private aviation platform alongside Delta’s global network. Ms. Grimmett will also discuss her earlier work with Delta, including her role helping lead the carrier’s investments in new service and facilities in New York City, where it has become the city’s largest carrier, and her experience as president of Travel Leaders Group’s luxury travel brands.

1:15 –
2:30 pm  Complex Airport Issues: What you need to know about Public-Private Infrastructure, Other Complex Transactions, and PFAS
The relationship between an airport proprietor and its airline partners is no longer quite as simple as lessor and lessee. Public-private terminal development and other innovative financing and operating mechanisms have grown in both popularity and complexity. This panel will discuss the different legal issues that arise when airports and airlines enter into arrangements with other airport stakeholders and reallocate their respective financial interests and risks to develop infrastructure projects, as well as the impact of restrictions imposed by state and federal law on such transactions.

Moderator:  David Y. Bannard, Kaplan Kirsch & Rockwell, Boston, MA
Speakers:  Garland L. Reid, Delta Air Lines, Atlanta, GA
           Eric A.S. Richards, O’Melveny, Los Angeles, CA
           Neal Attermann, Citi, New York, NY
           Brett Smith, Propeller Airports, New York, NY

PFAS: What You Need to Know
Recent nationwide attention to the PFAS family of chemicals, a component of the firefighting foam used at airports across the United States, has elevated airport operators’ awareness on how to address environmental contamination and liability issues. This fifteen-minute primer will explain the unique implications of this emerging contaminant and how its mitigation is likely to affect airport operations and the airport relationship with airlines and other tenants.

Speaker:  Jeff Longsworth, Barnes and Thornburg, Washington, DC
2:30 – Consolidation in the U.S. Airline Industry: Myths vs. Facts
Over the past two decades, the U.S. passenger airline industry has undergone a transformation, including a series of mergers that resulted in consolidation among the U.S. network carriers. Some observers have claimed that this increase in concentration has resulted in less competition, a decline in service, and higher fares. Airlines, on the other hand, argue that because their mergers combined complementary networks, they have led to increased competition and improved product offerings. In this session, Dr. Darin Lee, an economist from Compass Lexecon who specializes in the airline industry, will attempt to distinguish myths from facts regarding how consolidation has impacted fares, choices, and service quality in the airline industry.

Speaker: Darin Lee, Compass Lexecon, Boston, MA

3:00 pm FAA Perspectives on Safety Certification
The FAA's aircraft certification process has contributed to the industry’s exemplary safety record and helped the FAA earn its status as the gold standard in aviation safety. However, recent events have led to a review of this process to determine whether enhancements and modernization may be warranted. This presentation by FAA's Assistant Chief Counsel for International Affairs and Legal Policy, Jeff Klang, will discuss how the international aircraft certification process is evolving in the wake of the 737 MAX accidents.

Speaker: Jeff Klang, Federal Aviation Administration (FAA), Washington, DC

3:20 pm Networking Break

3:30  Keynote Remarks - DOT Regulatory Update
Speaker: Christina Aizcorbe, Department of Transportation (DOT) Deputy General Counsel, Washington, DC

4:00 - 5:00 pm Passenger Aviation in the Digital Age
As social media platforms and other emerging technologies provide innovative new channels for airlines to connect with their customers, some of the existing DOT consumer regulatory framework is facing strain. How will the passenger experience evolve in the years ahead? How will airlines, government regulators, and the public react to these changes? This panel will discuss the ways in which the applicable regulations will need to continue to evolve to align with the new technologies and passenger expectations.

Speakers: Lauren Aronson, Crowell & Moring LLP, Washington, DC
Thomas Canfield, Spirit, Fort Lauderdale, FL
Michael Carbone, JetBlue, New York City, New York
Kim Graber, Department of Transportation Deputy Assistant General Counsel, Washington, DC

5:00 pm Reception
CONFERENCE INFORMATION

CONFERENCE LOCATION: The conference will be held at the W Hotel 515 15th St NW, Washington, DC 20004 (202) 661-2400.

HOTEL RESERVATIONS: To make your hotel reservations, please contact the hotel directly for availability at 202-661-2400, W Hotel (Until February 5, 2020). Reservations can be made by calling the hotel or online. Refer to the ABA Forum on Air & Space Washington Update Conference. All meetings will be held at the hotel. The Forum on Air and Space Law has negotiated special room rates beginning at $275++ per room and a 14.95% tax will also apply. We have reserved a limited block of rooms until February 5, 2020, or when the block has sold out. After this date, the hotel will accept reservations on a space available basis. All changes to and cancellations of hotel reservations must be made 24 hours prior to your arrival date to avoid a one-night cancellation charge. Rooms shall be available for check-in no later than 4:00 p.m. with a checkout time of Noon.

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CANCELLATION: Registrants who are unable to attend the conference will receive a refund less a $100 administrative fee if written cancellation is received by February 14, 2020 (5:00 (CST). Cancellations must be emailed to Dawn Holiday with a subject line of Cancellation. No refunds will be granted after February 14, 2020. Substitutions are acceptable, or conference materials will be sent in lieu of a refund after the program. The ABA reserves the right to cancel any programs and assumes no responsibility for personal expenses (including lodging, transportation or meals).

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