VIRTUAL MEETING SCHEDULE

All times are Eastern

Wednesday September 9, 2020

11:10 am
Opening Remarks

11:15
Keynote Address: The Honorable Elaine Chao, Secretary of Transportation

11:45 am
How COVID-19 is Transforming the Air Transportation: Legal, Regulatory, and Policy Issues

The impact of COVID-19 on air transportation has been unprecedented. Every industry stakeholder—including passenger and cargo airlines, airports, and governments—has adapted to ensure the health and safety of the traveling public, while trying to maintain air travel that is critical to U.S. economy and in the public interest. As new legislation, rules and policies have been developed and implemented by government authorities, including U.S. public health officials, the industry has adapted to the new requirements. Our panel will discuss the various legal, regulatory, and policy challenges that the industry has faced during the COVID-19 pandemic that have significantly changed air transportation, as well as the efforts by government, airlines, and airports to overcome those challenges.

Moderator:
Graham C. Keithley, Vice President and Associate General Counsel, Airlines for America
Washington, DC

Panelists:
James Conneely, Associate General Counsel - Regulatory, Facilitation, Environmental, Health, and Safety, United Airlines
Chicago, IL

Monica Hargrove, Vice President and Secretary of Metropolitan Washington Airports Authority
Washington, DC

William Chang, Deputy General Counsel of U.S. Department Health and Human Services
Washington, DC

Jennifer Chernichaw, Staff Vice President, Labor & Employment Counsel of Atlas Air Worldwide
Purchase, NY

12:45
Lunch Break
1:15 – 2:15 pm
**Competition Panel**
**Airline Competition During A Pandemic**

How has COVID affected airline competition and competition policy and what will be the impact in a post-COVID world? The panelists will discuss and debate these complex and challenging questions, bringing a wide range of perspectives, including airline, government, consumer and Wall Street. Please join us for a free-ranging exchange of views on the important and compelling competition issues of the day.

**Moderator**
William H. Stallings, Mayer Brown LLP
Washington, DC

**Panelists**
Michael J. Lineberg, Managing Director, Airline Analyst -Deutsche Bank, Washington, DC
Robert Kneisley, Senior Legal Advisors & Associate General Counsel, Southwest Airlines Co.
Washington, DC
Diana L. Moss, President, American Antitrust Institute
Washington, DC

2:15 – 3:00 pm
**Virtual Break**

3:00 – 4:00 pm
**Government Relations - Policymaking During a Pandemic:**
The CARES Act and its $2.2 trillion of emergency aid – including $71 billion for airlines, airline contractors, and airports – were historic, and undoubtedly saved the aviation industry from massive job losses and perhaps several bankruptcies. But was it enough? Did the aviation assistance work as intended? What could have been done differently? Does the industry need another round of assistance? What are the prospects of Congress enacting additional assistance? What can the Administration do unilaterally? Is the U.S. Government doing enough to impose minimum safety/health standards? These are some of the issues we will address during our panel of legislative and regulatory experts.

**Moderator**
David Richardson, Senior Director Federal Affairs, Southwest Airlines Co. Washington, DC

**Panelists**
Todd Inman, Chief of Staff, DOT, Washington, DC
Rajat Mathur, Senate THUD Appropriations Committee, Washington, DC
Alex Burkett, House Transportation & Infrastructure Committee, Washington, DC
Sharon Pinkerton, SVP Legislative & Regulatory Policy, Washington, DC

**Thursday September 10, 2020**

11:00 am
Welcome Address:
Steven Bradbury, General Counsel, Department of Transportation
11:30 am - 12:30 pm
**Deregulation in Good Times; Government Bailouts in Bad Times: The Case for/against Re-regulation, subsidization in Light of COVID (also focus on DOT regulatory reform initiative); the Case for/against a National Air Transportation Policy.**

Following the Airline Deregulation Act of 1978, the U.S. passenger airline industry has undergone a transformation, including consolidation among U.S. network carriers, increased air traffic congestion, and an evolving regulatory regime for consumer protection. The unprecedented effects of COVID-19 on air travel have created new challenges in aviation regulation and competition and complicated pre-existing ones. What will be the impact of airlines receiving financial assistance as a result of COVID-19 on how government regulators and airlines address these challenges? This panel will discuss the changes in the airline industry since deregulation and the case for and against re-regulation, including topics such as airport slots, the Essential Air Service Program, future subsidization, regulatory reform, and the overall effects of COVID-19 on aviation competition and regulation.

**Moderators:**
Jennifer Trock, Baker MacKenzie
Washington, DC

Cindy Baraban, Senior Advisor to the Assistant Secretary for Aviation and International Affairs
Washington, DC

**Panelists**
Thomas Canfield, General Counsel, Spirit Airlines
Miami, FL
Patty Clark, Senior Advisor, Aviation, Port Authority, New York and New Jersey
New York, NY
Julie Oettinger, Delta Air Lines
Atlanta, GA
David Short, Deputy Assistant Secretary for Aviation and International Affairs, Department of Transportation
Washington, DC

12:30 pm
Lunch

1:00 pm
**Fireside Chat**
Sara Nelson and Karen Walker

1:30 - 2:30 pm
**Labor & Employment Litigation Panel**
This panel will examine recent trends in labor & employment litigation impacting the airline industry. Beginning with *Bernstein v. Virgin America* in 2017, several decisions have emerged, particularly from West Coast state and federal courts, holding that state labor and employment claims against airlines are not preempted under federal law. These courts have been asked to adjudicate whether federal law, including the dormant Commerce Clause, the Federal Aviation Act, and the Airline Deregulation Act, preempt application to airlines and their employees (including flight crew) of a burgeoning number of state and local employment laws governing such issues as minimum wage, paid sick leave, and meal and rest breaks. These issues remain in flux, as all decisions – in support of and against preemption – are under appeal.

This panel seeks to bring together counsel from both sides of *Bernstein*, as well as key state and federal regulators, for a balanced exploration of these preemption issues and the full range of legal and practical implications surrounding the application of these laws and regulations to airlines and their employees.
2:30 pm
Virtual Break

3:00 – 4:00 pm
**Cargo Pane: We Are All Cargo Carriers Now**

Air cargo has been part of the aviation industry for many decades. A variety of services have been provided by all-cargo airlines and also passenger airlines. The role of air cargo in transportation and the broader economy has garnered new attention in recent months as the aviation industry charts a course through a pandemic. This panel, which includes perspectives from government, all-cargo airlines, passenger airlines and also from outside the United States, will discuss some of the key legal and practical issues facing air cargo in the near and long-term.

**Moderator**
Naveen Rao, Senior Regulatory Affairs Counsel, ATLAS AIR WORLDWIDE
Washington, DC

**Panelists**
Anne Bechdolt, Managing Director Legal & Regulatory Affairs
Washington, DC
Kristen Gatlin, Senior Negotiator, US Department of Transportation
Washington, DC
Ben Jones, Head of Legal, Qantas Airways
Washington, DC
Jan Krems, President, United Cargo
Washington, DC

4:00 – 5:00 pm
**Diversity, Inclusion & Elimination of Bias in the Air & Space Industry**

Diversity is important for organizations to make better decisions. To build inclusive workplaces that empower employees to bring their diverse experiences to bear, organizations need to focus on inclusive practices that will attract, retain, and promote talented, diverse employees. One building block of inclusive practices is recognizing that everyone has inherent biases so organizations can implement strategies to mitigate the biases. In a first for the Forum on Air & Space Law, we have a panel on Diversity, Inclusion & Elimination of Bias in the Air & Space Industry. This panel will provide advice on elimination of bias, D&I policies, hiring, inclusion, retention, D&I trends, and D&I efforts and best practices during challenging times. The panelists provide diverse perspectives from airlines, manufacturers, government regulators, and law firms.
**Moderator**  
**Abby L. Bried**  
Partner, Jenner & Block LLP  
Washington, DC

**Panelists**

**James Hatt**, Manager, Policy and Innovation Division, Office of Commercial Space Transportation & President of the Gay, Lesbian, or Bisexual Employees (GLOBE), Federal Aviation Administration  
Washington, DC

**Linda Herbert**, VP, People and Organization Development, Airbus Americas  
Herndon, VA

**Icema Gibbs**, Director, Corporate Social Responsibility and Diversity, Equity & Inclusion  
JetBlue Airways  
Long Island City, NY

**Jamie Francesca Rodriguez**  
Senior Counsel  
Holland & Knight LLP  
Washington, DC

**Friday September 11, 2020**

**11:00 am**

**Keynote Address:**  
NASA Administrator –  
**Jim Bridenstine**, Washington, DC

**11:30 am – 12:32 pm**

**Space Panel: Impacts/Issues with Increased Use of Airspace for Space Launches**  
The number of commercial space launches and reentries licensed by the Federal Aviation Administration has been steadily on the rise since 2011 with the growth of the commercial space industry providers and the establishment of 12 spaceports in 9 states. This increased cadence of launches and reentries require shared use of the National Airspace System (NAS) and launch and reentry operators monitor data on the status of their missions and vehicles in real-time. To monitor a mission, a team of FAA air traffic and aerospace experts known as the Joint Space Operations Group (JSpOG), located at the FAA’s Air Traffic Control System **David J. Hurley Air Traffic Control System Command Center**, gathers operational data and sends the data using FAA communications tools to adapt airspace usage with incoming and outgoing operations. This panel will provide perspectives from the Government as well as commercial space users on emerging legal and policy issues and considerations in working together with the aviation industry on efforts to better integrate real time data from commercial space providers into the NAS to increase efficiency and minimize impacts.

**Moderator:**  
**Jessica Deihl**, Legislative Lead, Office of Legislative and Intergovernmental Affairs, NASA  
Washington, DC

**Panelists:**
Greetings from International Space Station

12:32 pm
Lunch Break

1:00 – 2:00 pm
General Counsel Panel: Law and Leadership During a Pandemic
COVID-19 brought crisis and challenge to aviation. Senior lawyer-leaders throughout industry and in government have been faced with novel legal, policy, organizational, and personnel issues. This panel explores how senior legal advisors have offered critical advice to their clients, managed legal support organizations, and provided leadership in a complex and difficult operating environment.

Moderator:
Marc Warren, Partner, Jenner & Block, LLP
Washington, D.C.

Panelists:
Arjun Garg, Chief Counsel, Federal Aviation Administration
Washington, DC

Pablo Nuesch, General Counsel, Airports Council International – North America
Washington, DC

Robert (Bob) Rivkin, Senior Vice President & General Counsel, United Airlines, Inc.
Chicago, IL

Patricia Vercelli, Senior Vice President & General Counsel, Airlines for America
Washington, DC

2:00 pm
Keynote Address: Resilience, Recovery and Renewal –
Jeffrey Shane, Former IATA General Counsel

2:30 pm
Virtual Break
3:00 – 4:00 pm

International Panel

The Future of Alliances, Open Skies, and Globalization of Air Transport Post-COVID.

The U.S. Open-Skies program provides U.S. airlines and their foreign partners with unprecedented access to international markets. The different approaches taken by airlines to maximize these opportunities contributes both to their growth in good times and to their resiliency through the challenging times. Our panelists will discuss how airline interactions with each other, their national regulators, foreign governments, and international organizations will affect policy making and influence successful outcomes for both the private and public sectors, through the lens of the anticipated post-COVID world.

Moderator
Brian J. Hedberg
Senior Counsel, International Regulatory Affairs
FedEx Corporation
Washington, DC

Panelists
Zhiang Chi
Vice President & General Manager
Air China
Washington, DC
Alex Krulic
Managing Director, Regulatory Policy and International Affairs
Delta Air Lines
Washington, DC
Benjamin Taylor
Assistant Director of Negotiations, US Department of Transportation
Washington, DC
Gonzalo Yelpo
Legal Director, ALTA Latin American and Caribbean Air Transport Association
Washington, DC

4:00 pm

Closing Remarks

Forum Chair
Jennifer Trock,
Baker Mackenzie
Washington, DC

Program Co-Chairs
Leslie Abbott, Southwest Airlines Co
Washington, DC
David Heffernan, Cozen O’Connor
Washington, DC