Welcome to the first issue of The Air & Space Lawyer for 2020! I am excited about the articles and interviews you will find in this issue and planned for future issues. I am also pleased to introduce two new members of our editorial board.

In this issue, our first feature article, from former A&SL editor-in-chief David Heffernan and GWU law student Brian Doll, provides an in-depth look at how the Federal Trade Commission has defined its authority to prevent “deceptive” consumer practices, and it considers how the US Department of Transportation should incorporate this well-developed precedent when it initiates a rule-making to define its parallel authority to prevent “unfair and deceptive practices” as set out in 49 U.S.C. 41712. The absence of a clear standard by DOT and the expansive application of its authority, in contrast to the FTC’s approach, has been the source of considerable disagreement and debate between industry and DOT. The authors propose one possible solution.

Our second feature article covers the interesting history of the transition of Ontario International Airport, originally owned and operated by the City of Ontario, California, into a component of Los Angeles World Airports (LAWA), and its subsequent contested devolution back to an independent airport owned and operated by the Ontario International Airport Authority. Roy Goldberg provides a fascinating account of Ontario’s efforts to wrest control of the airport from Los Angeles after the 2008 recession, and he spotlights the legal issue at the heart of the dispute between the two cities: did Los Angeles exercise its “best efforts” to retain and promote air service at Ontario?

Rounding out the issue is a timely interview with former NTSB Chairman Chris Hart. Chris comments on the impact his unique skill set as a lawyer, an engineer, and a pilot has had on his career, some of the challenges and achievements he has experienced, and life after “retirement” (hint: he is not sitting still). Chris exemplifies the best of public service and dedication to improving safety in aviation and all transportation modes.

In addition to this issue’s substantive content, I am pleased to introduce two new assistant editors. Angela Foster-Rice and Aparna Joshi bring extensive experience in the aviation environmental and labor and employment fields, respectively, to the editorial board. You will find short biographies within.

Finally, as always, I encourage you to reach out to any editorial board member if you are interested in contributing an article to The Air & Space Lawyer. Our goal is to provide high-level substantive articles on the varied legal and regulatory issues that you encounter as air and space law practitioners. We look to all of you to share your insights and experience, and drive collegial debate on the issues of the day.

David A. Berg
Editor-in-Chief