



KAPLAN KIRSCH ROCKWELL

FAA Air Traffic Control Towers

In 2013, Kaplan Kirsch & Rockwell successfully led a coalition of more than 40 small commercial service airports in litigation and an aggressive legislative effort to reinstate funding for federal contract air traffic control towers after federal sequestration cuts would have eliminated towers at 250 airports nationwide. When the FAA announced that budget cuts would necessitate downsizing of the FAA's contract tower program, our attorneys were contacted by several clients to launch a consolidated legal challenge to the decision, which could have had disastrous impacts for small and mid-sized communities throughout the nation. We assembled a group of airports—many of them represented by our firm, but others represented by in-house or local counsel—and developed a multi-prong strategy for attacking the FAA's decision. Kaplan Kirsch & Rockwell filed multiple lawsuits in many federal courts of appeals, assisted in developing a public communications strategy, and helped lead—with active involvement by the American Association of Airport Executives and state aviation groups—a legislative lobbying and communications strategy in the Congress. We drafted legislation, lobbied for enactment, and at the same time, kept pressure on the Administration through the lawsuit challenging the FAA's decision. Funding was restored and the FAA realized the negative impact that eliminating funding would have caused, thus making it highly unlikely that the Administration will try to defund the program anytime in the near future. We attribute the success of this coalition to our ability to coordinate these efforts in a strategic, choreographed manner that left the FAA without an exit path.

Related Practices

Airport Litigation
Airports
Airspace

Contact

Catherine van Heuven
303.825.7000
cvanheuven@kaplankirsch.com