

Chapter 5. Complaint Resolution

5.1. Introduction. This chapter discusses both informal and formal resolution of complaints involving federally assisted airports. It discusses the process under 14 Code of Federal Regulations (CFR) Part 13 for informal complaints and the process under 14 CFR Part 16 for formal complaints. More space is devoted to informal resolution since Part 16 procedures are described in detail in that regulation and because regional personnel will primarily be involved in informal resolution. Title 14 CFR Part 13, section 13.1, provides the public the means of reporting compliance violations of federal laws affecting air transportation, including any regulations, rules, policies, or orders issued under those laws. When appropriate, the FAA airports district office (ADO) and regional airports divisions will investigate complaints to ensure that each reported violation is properly evaluated and that sponsors are in compliance with their federal obligations.



The Department of Transportation (DOT) handles complaints from air carriers regarding the reasonableness of airport fees filed under 14 CFR Part 302. (Photo: FAA)

5.2. Background. Under 14 CFR § 13.1, any person who knows of a violation of federal aviation laws, regulations, rules, policies, or orders may report the violation to the FAA informally as a "report of violation." Section 13.5 provides for *formal* complaints to the FAA for matters not covered by 14 CFR Part 16. For example, Part 13.5 would be used to file a formal complaint against an airport operator for a violation of safety regulations, including Part 139, but not a violation of obligations under grant assurances or deeds. Section 13.1, however, applies to reports of violations and informal complaints relating to matters covered under either Part 13 or Part 16. A person reporting a violation under § 13.1 does not need to be affected by the violation alleged in the complaint. A § 13.1 informal complaint simply represents a report to the FAA of an alleged violation; the violation is not necessarily against or affecting the complainant.

5.3. Complaints Handled by Other FAA Offices or Other Federal Agencies. Although the ADO and regional airports divisions resolve most compliance complaints, there are a few exceptions where other FAA offices have primary responsibility. These exceptions are for issues involving civil rights and disability, certain fee disputes, and employee complaints.

a. Civil Rights and Disability. The FAA Office of Civil Rights handles alleged violations of laws relating to disadvantaged business enterprises (DBE), persons with disabilities at airports, and civil rights.

b. Fee Disputes. The Department of Transportation (DOT) handles complaints regarding the reasonableness of airport fees filed by air carriers against an airport under 49 U.S.C. § 47129. (Refer to 14 CFR Part 302.) Carriers have the choice of filing with the DOT under Part 302 or with the FAA under Part 16.

c. Employee Complaints. Neither Part 13.1 nor Part 16 applies to complaints against FAA employees acting within the scope of their employment. Complaints received about the conduct of an FAA employee should be forwarded to the Associate Administrator for Airports.

5.4. Informal Complaints under § 13.1.

Any person suspecting a violation of federal aviation laws, regulations, rules, policies, or orders may file a complaint informally.

a. Informal Process. The informal filing process under § 13.1 permits the reporting party to submit its report of complaint verbally or in writing. The ADO or regional airports division will attempt to resolve these complaints. Accordingly, those offices will:

1. Evaluate the facts surrounding the filing and identify possible sponsor violations.
2. Clarify the rights and responsibilities of the airport sponsor and the complaining party.
3. Offer assistance to resolve the dispute in a manner consistent with the sponsor's federal obligations.
4. Provide the sponsor the opportunity to comply with its federal obligations voluntarily when a violation is identified.

b. Complaints Resolved at ADOs and Regional Airports Divisions. ADOs or regional airports divisions will review the filing and assist both parties in reaching a mutually agreeable resolution. If mutually agreed-upon resolution is not possible, the FAA office reviewing the complaint will make a preliminary determination based on the facts presented. Although there are no legislative or regulatory deadlines for completing informal complaints, regional offices and ADOs are encouraged to attempt to reach resolution within 120 days.



When evaluating an informal complaint, the investigating officer must identify the facts. Only supported facts may be considered in finding an airport in noncompliance. A supported fact is one that can be substantiated through corroborating evidence. They can be derived from minutes of meetings, contracts or leases, letters, airport layout plan, grant documents, financial statements, invoices, receipts, visual inspection, photographs, policy documents, procedures manuals, independent analysis, records of conversation, sworn testimony, and corroborating statements. All records obtained should be retained in the airports district office's files. (Photo: FAA)

5.5. Process for Resolving Informal Complaints. When the violations involve an airport sponsor's compliance with its federal grant assurances or federal obligations assumed under land transfers, the ADO or regional airports compliance officer should handle the filing. When an ADO or regional airports division receives a complaint about an airport in another FAA region, that office should refer that matter to the appropriate region. If the Airport Compliance Division (ACO-100) receives an informal complaint, it may provide policy information to the complaining party, but will refer the matter to the appropriate regional office. ACO-100 may also forward to regional airports divisions complaints that warrant further action but fail to meet formal complaint standards under Part 16.

FAA offices should discourage anonymity by complainants. Anonymity does little to substantiate a claim.

5.6. Receiving the Complaint.

a. Taking the Complaint. The FAA may receive an informal complaint through telephone, letter or e-mail. If it receives the filing by telephone, the receiving office may request the complaining parties to submit the allegation and supporting information in writing. In fact, when the issues involve safety, are complex, or if the complainant is unusually emotional, the FAA advises receiving offices to request written allegations.

b. Acknowledging the Complaint. The receiving office should promptly acknowledge receipt of the informal complaint by letter.

c. File Documents. When the complaining party submits written allegations and supporting information, the ADO or regional airports division should provide copies to the airport sponsor and request the sponsor to provide a detailed written response for each allegation. Complaints filed with an FAA office are not confidential, and documents filed should always be provided to both parties during the proceedings. FAA offices should not require either party to file Freedom of Information Act (FOIA) requests to obtain these documents. In fact, unnecessary burdens placed on the parties to use the FOIA process may actually derail the informal resolution process. However, if the ADO or regional airports division has questions regarding the appropriateness of releasing specific documents, it should seek guidance from its local FOIA representative and ACO-100.



Informal resolution is a process in which the parties communicate their differences directly to one another and attempt to reconcile them. Participation is voluntary. The parties, themselves, determine the process and the decision-making criteria to be used. (Photo: FAA)

d. Block Grant States. When an ADO or regional airports division receives a complaint about an airport sponsor whose airport is located in a block grant state,⁸ that FAA office should contact that state department of transportation or aeronautics division to decide on a protocol for resolving the allegations. While state participation is essential, the FAA remains responsible for ensuring the integrity of the Part 13.1 process.

5.7. Coordinating Resolution of the Part 13.1 Informal Complaint. Depending on the nature of the complaint, the ADO or regional airports division should elevate issues and coordinate with other FAA offices. Coordination may include regional counsel, ACO-100, and other FAA headquarters offices as appropriate, as well as appropriate representatives for airports in state block grant states.

a. FAA Internal Review. When the complaining party alleges safety violations or raises issues that are complex, unique, or involve national policy, or when the complaining party is unusually emotional, the ADO or regional airports division will bring the complaint to the attention of the FAA management, which may include the proper FAA office of interest, such as Flight Standards.

b. Regional Counsel, Airport Compliance Division (ACO-100), and FAA Headquarters. When resolution may have national policy implications, the ADO or regional airports division will coordinate the response with the regional counsel, ACO-100, and other affected headquarters offices.

c. Block Grant States. When the allegations affect a sponsor in a block grant state, the ADO or regional airports division will work with the state department of transportation or aeronautics division to evaluate the allegation.

5.8. Evaluate the Complaint. The FAA uses the following procedures to evaluate complaints:

a. Merits of the Report. The ADO or regional airports division will establish whether the FAA has jurisdiction by determining if the allegations relate to the sponsor's federal obligations. If the investigating office decides the issue is outside of the sponsor's federal obligations or that there was no violation, it should advise the complaining party and the sponsor that it will take no further action on the matter. There is no requirement to investigate a complaint if it is clear that there is no violation of the grant assurances.

⁸ Most general aviation airports receive grants directly from the FAA. However, 49 U.S.C. § 47128 permits FAA to designate seven states to participate in the state block grant program. These states receive a block of AIP money from the FAA. The state aviation agency, not the FAA, decides which airports will receive grant funds. Only general aviation, reliever, and small commercial service airports can receive AIP grant under this program. Participation in the state block grant program does not affect how much money the airports in a state receive. The state block grant program was initially authorized in 1987 with three states allowed to participate. In 1992, DOT issued a report on the program declaring it a success. As a result, the program was reauthorized and expanded to seven states.

Part 13—Investigative and Enforcement Procedures

Subpart A—Investigative Procedures

§ 13.1 Reports of violations.

(a) Any person who knows of a violation of the Federal Aviation Act of 1958, as amended, the Hazardous Materials Transportation Act relating to the transportation or shipment by air of hazardous materials, the Airport and Airway Development Act of 1970, the Airport and Airway Improvement Act of 1982, the Airport and Airway Improvement Act of 1982 as amended by the Airport and Airway Safety and Capacity Expansion Act of 1987, or any rule, regulation, or order issued thereunder, should report it to appropriate personnel of any FAA regional or district office.

(b) Each report made under this section, together with any other information the FAA may have that is relevant to the matter reported, will be reviewed by FAA personnel to determine the nature and type of any additional investigation or enforcement action the FAA will take.

(b) For the purpose of investigating alleged violations of the Federal Aviation Act of 1958, as amended, the Hazardous Materials Transportation Act, the Airport and Airway Development Act of 1970, the Airport and Airway Improvement Act of 1982, the Airport and Airway Improvement Act of 1982 as amended by the Airport and Airway Safety and Capacity Expansion Act of 1987, or any rule, regulation, or order issued thereunder, the Administrator's authority has been delegated to the various services and or offices for matters within their respective areas for all routine investigations. When the compulsory processes of sections 313 and 1004 (49 U.S.C. 1354 and 1484) of the Federal Aviation Act, or section 109 of the Hazardous Materials Transportation Act (49 U.S.C. 1808) are invoked, the Administrator's authority has been delegated to the Chief Counsel, the Deputy Chief Counsel, [and] each Assistant Chief Counsel.

(c) In conducting formal investigations, the Chief Counsel, the Deputy Chief Counsel, [and] each Assistant Chief Counsel may issue an order of investigation in accordance with Subpart F of this part.

b. Obligating Documents. The investigating FAA office should review the sponsor's obligating documents. Federal obligations may vary depending on the obligating document. Some grant agreements or property transfer documents may contain special covenants or conditions specific to an individual sponsor.

c. Supporting Facts. When evaluating a complaint, the investigating FAA office must identify the facts and separate facts from unsubstantiated allegations. Only complaints supported by facts may be considered in finding an airport in noncompliance for purposes of withholding discretionary funding. The complaining party has the responsibility to provide sufficient factual information to support the allegation(s). A supported fact is one that can be substantiated through corroborating evidence.

The following may be helpful in supporting a fact:

- contracts or leases,
- minutes of meetings
- letters,

- Airport Layout Plan (ALP),
- grant documents,
- financial statements, invoices, receipts,
- visual inspection, photographs,
- policy documents,
- procedures manuals,
- independent analysis,
- records of conversation, sworn testimony, or corroborating statements.

The best evidence will vary depending on the facts surrounding each allegation. The least persuasive allegation is one in which the complaining party fails to present supporting evidence.

In reviewing a complaint, the investigating office may request additional clarifying information from the complaining party or the sponsor. In addition, the investigating office may need to consult with other FAA offices. For example, Flight Standards or Air Traffic may determine that an airspace or safety study is needed to resolve issues pertaining to ultralights, airships, balloons, or parachute jumping.

d. Additional Information Involving a Part 13.1 Complaint. In reviewing a complaint, the investigating FAA office may request additional clarifying information from the complaining party or the sponsor. In addition, the investigating FAA office may need to consult with other FAA Offices. For example, Flight Standards or Air Traffic may determine that an airspace or safety study is needed to resolve issues pertaining to the operation of ultralights, airships, balloons, or parachute jumping. Requesting additional information is encouraged since this will result in a more complete record.

5.9. Attempt to Resolve the Allegation.

a. Informal Approach. Complaining parties and sponsors should regard reports of possible violations as an educational opportunity that permits both sides to resolve a potentially expensive and lengthy proceeding. Consequently, the ADO or regional airports division should initially approach the allegations as a request for information regarding rights and responsibilities of both the complaining party and the sponsor.

b. The FAA Role in Finding a Solution. Complaints generally arise when one or both parties are unable to achieve their individual objectives. Frequently, there is a misunderstanding of the sponsor's federal obligations. Since both the complaining party and sponsor have a stake in finding an equitable solution, the investigating office should:

(1). Contact both sides to discuss the issues.

(2). Clarify and explain the sponsor's federal obligations.

(3). Where appropriate, explain that the FAA's jurisdiction may not extend to helping the complaining party achieve its objectives.

(4). Consider, if appropriate, bringing the parties together for informal resolution. (See below.)

FAA Alternative Dispute Resolution Office (AGC-20)

The Associate Chief Counsel for ADR is the FAA's appointed Dispute Resolution Specialist. He is responsible for implementing the provisions of the Administrative Dispute Resolution Act, developing FAA ADR policy, and increasing the understanding and use of ADR techniques within the FAA. He is a Deputy Dispute Resolution Specialist (DDRS) in the DOT ADR system, and works in partnership with the DOT Dispute Resolution Specialist and the DOT ADR Council.

While the DDRS does not administer a formal dispute resolution process, his office provides ADR policy direction, leadership, expertise, and support for all ADR programs in the FAA.

The DDRS also provides legal guidance related to ADR, coordinates ADR initiatives, is available to assist offices in designing conflict management systems, and provides training on ADR and other collaborative problem-solving issues and methods to managers and employees, as well as to those involved in providing dispute resolution services.

The DDRS and his staff are available to advise and consult with employees and managers seeking assistance in avoiding or resolving workplace or other conflict. His office also provides, or arranges for the provision of, intervention services, as requested. These services include mediation, conflict coaching, facilitation, neutral evaluation, and other ADR processes.

5.10. Dispute Resolution for Part 13.1 Complaints.

a. Local Level. The ADO or regional airports division may resolve the allegations at any stage provided the parties agree and the resolution is consistent with the sponsor's federal obligations.

b. Dispute Resolution. The investigating office may use a variety of tools and techniques for dispute resolution. Dispute resolution usually involves the use of an objective third party working with the disputants to help them find a mutually acceptable solution. Dispute resolution methods that might be used to resolve an informal complaint include negotiation, facilitation, and mediation.

c. Alternative Dispute Resolution Staff. The Alternative Dispute Resolution Staff (AGC-20) works closely with FAA program offices that are charged with managing FAA alternative dispute resolution (ADR) activities and initiatives. The Alternative Dispute Resolution staff coordinates and issues FAA ADR policy guidance and provides training to FAA personnel in all aspects of ADR. (To learn more about ADR in general or about some of the specific ADR programs being used in the FAA, visit the Dispute Resolution Staff's FAA web site. The web site is intended to be a resource guide to help FAA employees and others learn about ADR. It contains links to ADR information from the FAA, other federal agencies, and private organizations.)

5.11. Determinations on Part 13.1 Complaints and Notification to the Parties. In a Part 13.1 complaint, the ADO or regional airports division will attempt to resolve the dispute informally. If the parties do not come to agreement, the ADO or regional airports division may make a preliminary determination. The determination may be a dismissal or a notice of apparent

noncompliance for each issue. In cases of apparent noncompliance, the preliminary determination should state clearly that it represents the *preliminary* conclusions of the regional airports division or ADO on compliance, and is *not* a formal or final FAA determination of noncompliance. The investigating office should send a letter to both the complaining party and the sponsor explaining the determination. (See a sample Part 13.1 Informal Resolution Preliminary Finding at the end of this chapter.)

5.12. Dismissing a Part 13.1 Complaint. If the evaluation reveals no apparent violation, if the parties come to a satisfactory resolution, or if the sponsor agrees to comply, the ADO or regional airports division should dismiss the complaint after having properly documented the outcome. If either party is dissatisfied, he or she may file a formal complaint under 14 CFR Part 16.

5.13. Notice of Apparent Noncompliance. If the ADO or regional airports division finds the sponsor to be in apparent violation of its federal obligations, it should take appropriate action to bring the sponsor into voluntary compliance. In the absence of voluntary compliance following a written and dated request, the ADO or regional airports division should notify the sponsor in writing of the potential noncompliance and ask for action that would resolve any potential noncompliance before additional discretionary funding is considered. The letter to the sponsor should clearly identify the apparent violation(s), specify the corrective action(s) that would resolve the apparent noncompliance without further agency action, and prescribe a deadline (i.e., 30 or 60 days) for completion of the corrective action. The ADO or regional airports division should also notify the complaining party of this outcome and also notify ACO-100 of any compliance actions needed or taken in response to the dispute.

5.14. Follow up and Enforcement Actions.

a. Follow up on Notices of Noncompliance. The ADO or regional airports division should follow up on notices of apparent noncompliance to determine if the airport completes corrective actions satisfactorily within the prescribed deadline. If the sponsor refuses to implement corrective action, the ADO or regional airports division should coordinate with ACO-100. The ADO should not direct complainants to the Part 16 process without first attempting to resolve the issues at the local level. If warranted, and after consultation with the regional office, ACO-100 may initiate its own investigation under 14 CFR § 16.101.



The National Transportation Safety Board (NTSB) investigates civil aviation accidents in the United States and issues safety recommendations aimed at preventing future accidents. The NTSB determines the probable cause of all U.S. civil aviation accidents and certain public use aircraft accidents. (Photo: NTSB)

5.15. Documentation of FAA Regional Airports Division Determination. There is no specific requirement regarding the type of documentation that the office compiles and relies upon to support a Part 13.1 determination. Generally, the investigating FAA office should prepare a letter to the complaining party and the sponsor detailing the findings and conclusions. This detailed letter, called an informal or initial determination of compliance or apparent noncompliance, its supporting documents, and follow-up actions generally provide a sufficient history of the complaint and resolution. These documents may later assist the Part 16 complainant certify (as is required under 14 CFR § 16.21(b)) that substantial and reasonable good faith efforts to resolve the disputed matter informally prior to filing the complaint have been made and that there appears no reasonable prospect for timely resolution of the dispute.

5.16. Formal Complaint: 14 CFR Part 16. Section 13.1 applies only to informal complaints; 14 CFR Part 16 contains the agency procedures for filing, investigating, and adjudicating formal complaints against airport operators. Part 16 covers matters within the jurisdiction of the Associate Administrator for Airports involving federal obligations incurred by an airport sponsor in accepting federal property or FAA grants. This primarily involves financial compliance and reasonable and nondiscriminatory access, but includes all obligations in the grant assurances and property deeds. As noted above, the Part 13 process can facilitate a complainant meeting the pre-complaint resolution requirements of 14 CFR § 16.21. Under that section, potential complainants are required to engage in good faith efforts to resolve the disputed matter informally with potentially responsible respondents before filing a formal Part 16 complaint. Informal resolution may include mediation, arbitration, use of a dispute resolution board, or other form of third party assistance, including assistance from the responsible FAA ADO or regional airports division. When filing a Part 16 complaint, the complainant must certify that good faith efforts have been made to achieve informal resolution. (Allegations of revenue diversion, however, may not lend themselves to full resolution in the pre-complaint process unless the proposed resolution addresses the total amounts allegedly diverted by the airport. Nevertheless, a complainant must show that informal resolution was attempted.) The Part 16 process is the formal administrative process by which the FAA may make a formal agency finding regarding an airport sponsor's status of compliance with its federal obligations.

However, there are exceptions:

a. The DOT handles complaints by air carriers regarding the reasonableness of airport fees filed under 49 U.S.C. § 47129. (Refer to 14 CFR Part 302, *DOT Rules of Practice in Proceedings*.) Carriers may choose whether to file a complaint over the reasonableness of airport fees with DOT under Part 302 or with FAA under Part 16.

The FAA regional offices of Civil Rights handle issues involving civil rights, disadvantaged business enterprises, and persons with disabilities.

b. The FAA regional offices of Civil Rights handle airport matters involving civil rights, disadvantaged business enterprises, and persons with disabilities.

c. The Federal Bureau of Investigation (FBI) handles criminal investigations. Matters that appear to involve a criminal violation should be brought to the attention of the FAA Office of Airports (ARP) management, who will forward the information to the DOT Office of the Inspector General for investigation and referral to the FBI.

d. The National Transportation Safety Board (NTSB), as an independent federal agency charged by Congress, investigates civil aviation accidents in the United States and issues safety recommendations aimed at preventing future accidents. The NTSB determines the probable cause of all U.S. civil aviation accidents and certain public use aircraft accidents.

e. Other matters that fall outside of the Associate Administrator's jurisdiction are issues involving flight standards and airspace.

5.17. through 5.20. reserved.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Great Lakes Region
Illinois, Indiana, Michigan,
Minnesota, North Dakota,
Ohio, South Dakota,
Wisconsin

Chicago Airports District Office
2300 East Devon Avenue, Suite 312
Des Plaines, Illinois 60018

March 24, 2004

Mr. Joe Harnish, President
Indiana Flight Center
Elkhart Municipal Airport
1211 County Road 6 West
Elkhart, Indiana 46514

Mr. Ross Miller, President
Elkhart Board of Aviation Commissioners
2246 Airport Drive
Elkhart, Indiana 46514

RE: Elkhart Municipal Airport
Harnish Complaint

By letter dated April 22, 2003, as amended May 2, 2003, the FAA Chicago Airports District Office responded to alleged violations brought by Mr. Joe Harnish against the Elkhart Board of Aviation Commissioners (Board) as the owner/operator of the Elkhart Municipal Airport (EKM).

In response to complaint issues Q1 through Q4 as listed in the our April 22, 2003 letter, as amended, the FAA stated that the Elkhart Board of Aviation Commissioners, within 90 days of receipt of the April 22, 2003 letter was to inform the FAA of the actions it was taking and proposing to take, to establish procedures for effective monitoring of its leases and for developing an effective lease enforcement program.

By letter dated June 17, 2003 the airport responded that the issue of establishing effective monitoring and enforcement was under review and by letter dated August 20, 2003 stated that the City of Elkhart was making progress on implementing a computerized system for monitoring leases and providing balance information. This effort is still underway. In recent discussion with the airport, the airport stated that it has assembled in spreadsheet form the current leases and agreements listing the leased premises, payment items, services authorized, etc. They conducted one audit of the tenants last year and will perform an annual audit to check for conformance with the tenant agreements.

In response to complaint issue Q5 as listed in the April 22, 2003 letter, as amended, the FAA stated that the Elkhart Board of Aviation Commissioners, within 90 days of receipt of the April 22, 2003 letter was to inform the FAA of the actions it is presently taking or would propose to take, to develop and implement procedures for effective prompt notification of all airport tenants of changes in the airport minimum standards.

By letter dated June 17, 2003 the airport responded that the airport had retained the firm of McHugh and Associates to aid in the process of revising its Minimum Standards and Rules and Regulations and that a draft of the revised documents was to be distributed to all tenants for review and comment. By letter dated August 20, 2003 the airport stated that the draft Minimum Standards and Rules and Regulations had been distributed for review and comment. In recent discussion with the airport, the airport stated that finally all the comments on the draft had been received and sent to McHugh and Associates and that a revised draft of the Minimum Standards and Rules and Regulations was due to be received before the end of March 2004. After review by the new Board of Aviation Commissioners, if acceptable, the revised Rules and Regulations will need publication in the local newspaper as they are to be made into a city ordinance and adopted by the City Council. This would give the airport enforcement capability on breach of contract issues.

Sample Part 13.1 Informal Resolution Preliminary Finding – Page 1

Sample Part 13.1 Informal Resolution Preliminary Finding – Page 2

In response to complaint issue Q6 as listed in the April 22, 2003 letter, as amended, the FAA stated that the Elkhart Board of Aviation Commissioners, within 60 days of receipt of the April 22, 2003 letter was to advise the FAA how they intended to correct the issue concerning aeronautical services being provided by Goshen Air Center (Goshen) at the airport.

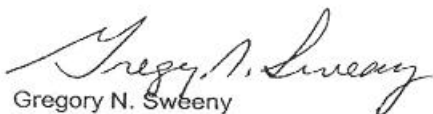
On May 5, 2003 the airport notified the FAA that Goshen had ceased selling fuel and that the airport had contacted McHugh and Associates for guidance. By letter dated June 17, 2003 the airport advised the FAA that the Minimum Standards and Rules and Regulations were being revised to establish a permitting process authorizing aeronautical activities. On June 27, 2003 the FAA received a copy of a permit dated June 24, 2003 issued to Goshen permitting Goshen to provide certain aircraft management activities for a fee.

In review of our letter dated April 22, 2003, as amended, and the actions taken in response to our directives, even though some actions are still in the process of completion, we find that the Elkhart Board of Aviation Commissioners is taking adequate corrective action and at this time is in compliance with their grant assurances.

This constitutes our preliminary finding and concludes our informal review of the complaint brought by Mr. Harnish against the Elkhart Municipal Airport Board of Aviation Commissioners. We are aware that individual airport users and airport operators often view differently the airport's Federal obligations. We also recognize that FAA may be the final arbiter in such disputes, when matters cannot be resolved locally. If either party to the complaint does not agree with the preliminary finding they may file a formal 14 CFR Part 16 complaint with the FAA at the following address:

Office of Chief Counsel
Attention: FAA Part 16 Airport Proceedings Docket
AGL-610
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Sincerely,



Gregory N. Sweeny
Airports Engineer
Chicago Airports District Office

Enclosure

cc: Indiana Department of Transportation