

Memorandum

Subject: Delegation of Authority

From: Assistant Chief Counsel for Litigation

To: Manager, Adjudications Branch

Date: August 6, 1993

By memorandum dated October 27, 1992, the Administrator delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation the authority of the FAA decisionmaker in all civil penalty actions under 14 CFR § 13.16 and Part 13, Subpart G, as follows:

- a. To grant or deny extensions of time to file briefs, petitions for reconsideration, motions, and replies to petitions for reconsideration and motions; to grant or deny requests to file additional briefs; and to approve or disapprove other deviations from, or requests for changes in, procedural requirements;
- b. To correct typographical, grammatical and similar errors in the FAA decisionmaker's orders, and to make editorial changes in those orders that do not involve substantive matters;
- c. To issue orders dismissing appeals from initial decisions upon request of the appellant, or due to the withdrawal of the complaint; to grant or deny motions to dismiss appeals from initial decisions, or to issue orders sua sponte, for failure to file a timely appeal or failure to perfect an appeal;
- d. To stay the effectiveness of decisions and orders pending reconsideration by the FAA decisionmaker;
- e. To issue orders staying, pending judicial review, orders of the FAA decisionmaker, and to consent to the entry of judicial stays regarding such orders;
- f. To dismiss summarily petitions to reconsider or modify that are repetitious or frivolous;
- g. To issue orders construing notices of appeal or other documents that meet the requirements for appeal briefs as appeal briefs, and to set a date for the filing of a reply brief.

In that memorandum, the Administrator stated that the Chief Counsel or the Assistant Chief Counsel for Litigation could redelegate this authority of the FAA decisionmaker to the Manager, Adjudications Branch. By this memorandum, I hereby redelegate my authority to act as FAA decisionmaker in the above-specified situations to the Manager, Adjudications Branch.

James S. Dillman
Assistant Chief Counsel
for Litigation