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Drew M. Derco

MEMBER
CO-CHAIR, AVIATION
BOARD OF DIRECTORS

Drew Derco counsels U.S. and foreign airlines on aviation regulatory and policy matters before a number of federal agencies, including the U.S. Department of Transportation (DOT), Federal Aviation Administration (FAA), Transportation Security Administration (TSA), National Transportation Safety Board (NTSB), and Bureau of Customs and Border Protection (CBP). He handles all phases of the airline start-up process and assists foreign airlines with the launch of U.S. service, both for first time entrants into the U.S. marketplace and for existing carriers already serving the U.S. He also assists U.S. and foreign carrier clients in obtaining permit, exemption, and code-share authority from DOT's Office of International Aviation and negotiates airport lease and use agreements.

Drew specializes in providing practical and creative solutions for clients and offers broad based experience with DOT's Consumer Protection regime and its regulation prohibiting discrimination against passengers with disabilities in air travel (Part 382). He also advises clients on numerous other U.S. and international regulatory compliance issues, including UAS, legislation, compliance with Office of Foreign Asset Controls sanctions, import/export controls, antitrust, Foreign Corrupt Practices Act, the transportation of hazardous materials, and cargo security matters. In addition, he supports clients in preparing for and defending litigation, investigations, audits, and major enforcement actions before DOT, TSA, and CBP.

In addition to his work representing airlines, Drew provides regulatory advice to clients in the defense, law enforcement, and technology sectors.

Drew is actively involved with the American Bar Association's Forum on Air & Space Law, serving on the Scholarship Committee and as the organization's co-membership chair. He also serves as co-membership chair of the International Aviation Club, based in Washington, D.C.

Prior to joining the firm, he advised members of the defense industry on both domestic and international regulatory compliance issues, licensing, and import/export controls.

REPRESENTATIVE MATTERS

- Successfully defended several foreign carrier clients in Department of Transportation enforcement actions for alleged

PRACTICE AREAS:

Aviation
Unmanned Aircraft Systems (UAS)
Artificial Intelligence, Robotics, and Autonomous Transportation Systems
Infrastructure and Transportation
Asia & Pacific Advisory Group
Antitrust & Competition Law

STATE ADMISSIONS:

Virginia
District of Columbia

COURT ADMISSIONS:

Supreme Court of the United States

EDUCATION:

J.D., Catholic University of America, Columbus School of Law, 2008

B.A., The Pennsylvania State University, 2005

violations of DOT's tarmac delay rule at multiple U.S. airports, including Washington-Dulles International Airport and John F. Kennedy International Airport. In each of the applicable cases, DOT completed its investigation without issuance of a penalty.

- Assisted numerous new entrant carriers in initiating passenger service to the U.S. market, including operations to New York's John F. Kennedy International Airport, Washington-Dulles International Airport, San Francisco International Airport, Los Angeles International Airport, and Miami International Airport.
- Assisted European carrier in complex negotiations with a U.S. airport authority concerning the client's alleged overpayment of service provider fees, obligation to hold leasehold space, and other contractual obligations related to the client's operations to destination.
- Filed comments to DOT Notice of Proposed Rulemaking "Transparency of Airline Ancillary Fees and Other Consumer Protection Issues" on behalf of several foreign carrier clients.
- Assisted passenger carrier in complex review and analysis of the Airport Use and Lease Agreement to determine whether airline should continue serving applicable market.
- Provide routine advice to clients on numerous Part 382 compliance issues, as well as on compliance with DOT consumer protection rules and proper procedures for responding to consumer complaints.
- Conducted in-depth initial and recurrent training on DOT's disability regulation, 14 C.F.R. Part 382 for several European and Asian carriers.

PROFESSIONAL AFFILIATIONS

- Virginia Bar Association
- Virginia Young Lawyers Conference
- American Bar Association Forum on Air & Space Law, Co-Membership Chair, Scholarship Committee Member, and Former Young Lawyer Liaison
- International Aviation Club of Washington D.C., Membership Chair

AWARDS AND RECOGNITION

- Selected for inclusion in *Chambers USA America's Leading Lawyers for Business* for Transportation: Aviation Regulatory, 2021-2026
- Recognized in the *Lexology Index: Thought Leaders USA Report*, 2026 & 2027 (Formerly *Who's Who Legal*)
- Selected for inclusion in *Who's Who Legal Transport 2024*
- Named among the Top 10 Influential Regulatory Aviation Lawyers Shaping U.S. Airspace in 2023 by *Business Today*
- Selected for inclusion in 2018 – 2020 editions of *Chambers USA: America's Leading Lawyers for Business* as "Up and Coming" in Transportation: Aviation: Regulatory
- Selected for inclusion in 2016 and 2017 editions of *Chambers USA: America's Leading Lawyers for Business* as an "Associate to

Watch in Transportation: Aviation: Regulatory"

- Selected for inclusion in the Legal Media Group *Expert Guide: Rising Stars 2015 – 2019* (Aviation); Nominee for "Best in Aviation" in 2018 and 2019.
- Selected for inclusion in *Washington D.C. Super Lawyers – Rising Star, 2017-2020 & 2022.*

NEWS AND INSIGHTS

PUBLICATIONS

- "Negotiated Rulemaking in the Context of Part 382: A Worthy Alternative to Traditional Rulemaking or an Impossible Dream?" , The Air & Space Lawyer, July 2016.
- "Licensing Requirements for U.S. and Foreign Air Carriers," co-author, Aviation Regulation in the United States (ABA Book Publishing, 2014).
- "Nondiscrimination on the Basis of Disability in Air Travel," co-author, Aviation Regulation in the United States (ABA Book Publishing, 2014).
- "Airlines Need Protections Too" , The Air & Space Lawyer, May 2013.
- "ATF Ruling 2010-10: ATF's Evolving Policy on Firearms Manufacturing," Small Arms Review, May 2011.
- Contributor to Eckert Seamans' Aviation Blog

SPEAKING ENGAGEMENTS

- "Hot Topics in Consumer Protection", moderator, American Bar Association, Forum on Air and Space Law 2023 Washington Update Conference, Washington, D.C., February 2023.
- "Practitioner Night," guest speaker on aviation law, Georgetown Law, 2020.
- "The Shifting Security Landscape at Airports after Terrorist Attacks in the Non-Secure Areas," panelist, International Air Transport Association's Legal Symposium 2017, Washington, D.C., January 2017.
- "Aviation & Transportation Infrastructure: Performance & Prospects," 2017 Legislative Forum, State Capital Group, Washington, D.C., January 2017.