

Administrative Law

Williams & Connolly lawyers practice in every federal and state regulatory environment, litigating before administrative law judges and challenging administrative decisions in state and federal courts. The firm represented the former chief executive officers of Fannie Mae and Freddie Mac in the first ever enforcement action brought by their regulator, the Office of Federal Housing Enterprise Oversight (“OFHEO”) (now the Federal Housing Finance Administration (“FHFA”)) located within the Department of Housing and Urban Development (“HUD”). In the same matters, the firm successfully challenged several of the agency’s actions in federal court cases.

Williams & Connolly represented a company in an administrative action brought by the Consumer Product Safety Commission (“CPSC”) over a nationwide recall of allegedly defective fire sprinklers. The firm has also handled numerous administrative proceedings regarding automobile dealerships and hearings before many other government agencies.

Federal Administrative Matters

Examples of the scope of the firm's federal administrative law practice include:

- **Office of Federal Housing Enterprise Oversight (Now Federal Housing Finance Administration)** – Defense of the chief executive officers of Fannie Mae and Freddie Mac against administrative charges alleging violations of the statutes creating both agencies.
- **Department of Defense** – Successful challenge to administrative order preventing interview of witness by defense counsel in investigation of foreign military sales; representation of individuals and companies in security clearance and contract debarment proceedings.
- **Department of Energy** – Investigation concerning procedures for contract awards.
- **Department of Interior** – Successful suit against Fish & Wildlife Service's interpretation of the Endangered Species Act.
- **Department of Justice** – Litigation of handicapped-access regulations as applied to sports arenas.
- **Department of Labor** – Successful challenges to applicability of hours and overtime regulations to journalists; litigation of other applications of Fair Labor Standards Act to other professions.
- **Department of State** – Litigation on procedural standards for visa denials and discretion of U.S. consuls; litigation of requests for information under Freedom of Information Act.
- **Department of Transportation** – Successful appeal to the U.S. Court of Appeals for the D.C. Circuit, challenging Department's approval of merger of two airlines.
- **Environmental Protection Agency** – Representation of chemical manufacturer challenging EPA pesticide restrictions in two-year administrative trial and court review.
- **Consumer Product Safety Commission** – Representation of a restaurant chain in CPSC proceeding investigating restaurant playground equipment.
- **Equal Employment Opportunity Commission** – Extensive practice defending against charges of race and sex discrimination.

- **Federal Communications Commission** - Investigation of telephone company practices; representation of clients in contested administrative proceedings for telephone licenses.
- **Federal Election Commission** – Representation of political figures regarding FEC proceedings and investigations.
- **Federal Energy Regulatory Commission** – Representation of oil producers in complex price-control proceedings.
- **Federal Trade Commission** – Successful defense in administrative trial of agricultural equipment manufacturer charged with unfair trade practices.
- **Securities and Exchange Commission** – Administrative investigations; frequent defense of enforcement actions on behalf of both individuals and corporations.
- **Federal Aviation Administration** – Frequent representation of Air Transport Association of America, the trade association of major airlines. Examples of cases include: (1) winning ruling in court of appeals that FAA penalty provisions were unlawful; (2) obtaining court order blocking new FAA regulations on scheduling hours and duties of pilots.
- **Food and Drug Administration** – Numerous matters on behalf of drug manufacturers, both challenging and supporting FDA regulations and rulings; successful argument on behalf of tobacco industry in landmark Supreme Court decision invalidating FDA's attempt to regulate tobacco. *FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120 (2000).
- **Maritime Administration** – Numerous cases involving ship construction subsidies, including matters progressing to the United States Supreme Court; several matters challenging bidding procedures on LNG tankers.
- **National Credit Union Administration** – Representation in the U.S. Court of Appeals for D.C. Circuit of national credit union association in case challenging agency interpretation of credit union law.
- **Bureau of Alcohol, Tobacco and Firearms** – Dealer license renewal issues.
- **Comptroller of the Currency** – Administrative investigations and enforcement proceedings.
- **Federal Deposit Insurance Corporation** – Defense of administrative proceedings involving bank regulation.
- **General Accounting Office** – Administrative review of contracting procedures and bid protests.
- **Immigration and Naturalization Service** – Issues involving residency, asylum, and obtaining specialized visas.
- **National Labor Relations Board** – Defense of numerous unfair-labor-practice complaints, including rules affecting professional sports teams.
- **National Mediation Board** – Advising carriers in connection with labor issues.
- **Office of Thrift Supervision** – Administrative investigations and enforcement actions.
- **U.S. Coast Guard** – Litigation concerning interpretation of the Wrecked Vessels Act.

- **U.S. Postal Service** – Successful representation, both before an administrative law judge and in court, of direct-mail business.

This listing does not include Williams & Connolly's extensive practice involving numerous government agencies, in disputes involving all aspects of government contracts. These cases include boards of contract appeals, damage actions in the Court of Federal Claims, and contract debarment proceedings. For further information, please refer to the description of this practice. In addition, the firm has handled a wide range of matters related to the Internal Revenue Service, including obtaining favorable private tax rulings and court challenges to the validity of tax regulations. For further information, please refer to the description of the firm's tax controversy practice.

State and Local Administrative Matters

Besides appearing before and interacting with the gamut of federal agencies, Williams & Connolly conducts proceedings before many state regulatory agencies, and also litigates state regulatory decisions in both state and federal courts. Examples include:

- **Metropolitan Washington Airports Authority** – Successful administrative hearing to obtain major airport car-rental concession contract for client.
- **Gaming agencies** – Representation of gaming equipment manufacturers in regulatory proceedings and administrative trials before commissions in several states.
- **State insurance commissions** – Proceedings to challenge revocation of insurance license by state insurance commission.
- **State corporation commissions** – Defend challenges to propriety of corporate actions before state corporation commissions.
- **School boards** – Challenges to the constitutionality of application of school admission qualifications, held to be unlawfully discriminatory.
- **District of Columbia Human Rights Commission** – Defense of race and sex discrimination complaints.
- **Virginia Department of Environmental Quality** – Administrative and court review of decision concerning site of power plant.
- **Florida Department of Highway Safety and Motor Vehicles** – Successful representation of motorcycle dealerships in administrative proceedings and in court.
- **State Motor Vehicle Boards** – Representation of automobile dealers before Boards in many states in protests and petitions concerning franchise regulations, often involving court review as well.