



Rachel Schwartz

Associate

Washington, D.C.

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Practice Areas

- Government Contracts
- Maritime Litigation
- Maritime Regulatory
- Trade Regulation, Export Controls & Sanctions
- Transportation & Trade

Industry Sectors

- Aviation
- Maritime

Education

- Georgetown University Law Center, J.D., 2022
- Tulane University, B.A., 2014

Bar Admissions

- District of Columbia

Awards & Honors

- *The Legal 500 United States* "Rising Star" for Transport: Aviation and Air Travel, 2024

Rachel concentrates her practice on advising domestic and international clients on issues related to the regulation of the maritime and aviation industries. Additionally, she advises clients from a number of industries on antitrust and other government regulatory matters, including government investigations, foreign investment, mergers and acquisitions, federal grant applications, and general government contracting matters.

Rachel's maritime work includes representing clients before the Federal Maritime Commission (FMC) in connection with regulatory requirements, adjudicatory proceedings, and fact-finding investigations. Her maritime work further includes counseling on compliance with FMC regulatory requirements. Rachel also has a range of maritime transactional experience, including assisting with the due diligence of private equity investments in the shipping industry, and assisting with the transfer, sale, and reflagging of vessels.

In Rachel's broader government counseling practice, she provides comprehensive government contracting assistance, including working with clients in responding to bid protests at the federal, state, and local levels, and counseling clients on applying for federal procurement opportunities and maintaining compliance with federal government contracts. She also counsels both domestic and international clients throughout the Committee on Foreign Investment in the United States's (CFIUS) pre-filing and filing review process.

In Rachel's aviation practice, she advises U.S. and foreign airlines on compliance with aviation laws and regulations, including those enforced by the U.S. Department of Transportation (DOT), the Federal Aviation Administration (FAA), the Transportation Security Administration (TSA), and the Department of Homeland Security (DHS). She also counsels clients on navigating aviation regulatory issues concerning mergers and acquisitions, FAA and DOT licensing and certification, DOT consumer protection requirements, U.S. Customs and Border Protection (CBP) facilitation issues, and TSA enforcement matters.

Prior to joining the firm, Rachel participated in the Cozen O'Connor Summer Associate Program, where she researched and drafted memoranda on complex litigation matters relating to white-collar crime, administrative law, maritime law, legal ethics, and evidentiary issues.

Rachel earned her law degree from The Georgetown University Law Center. While in law school, Rachel was senior print editor of *The Georgetown Environmental Law Review*, a fellow with the Washington Legal Clinic, an intern for the Office of the State Superintendent of Education, General Counsel, and co-chair of Homecourt, a student group that organizes the yearly flagship fundraiser for the Washington Legal Clinic for the Homeless. For her efforts to improve her community, Rachel was awarded the Dean's Certificate for Outstanding Service to the Georgetown Law Community.

Prior to law school, Rachel worked to improve her community as a program manager with two nonprofit organizations in Pittsburgh, Pennsylvania. She earned her undergraduate degree from Tulane University.

Experience

Rachel Schwartz

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Secured a unanimous victory from the U.S. Court of Appeals for the D.C. Circuit on behalf of an ocean carrier, vacating a decision by the Federal Maritime Commission ("FMC") that the carrier had improperly charged detention and demurrage fees to a trucker under the U.S. Shipping Act. Our team forcefully argued that the FMC's decision was arbitrary and capricious in contravention of the FMC's own regulations, ignored important facts, and misapplied the so-called "incentive principle" created by the FMC. The D.C. Circuit agreed, finding the FMC's reasoning "illogical" and with a "myopic focus" on the incentive principle rather than the reasonableness of the charges in question.

Represented Wayve Technologies Ltd., a pioneering company in autonomous vehicle technology principally based in the United Kingdom, in connection with clearing a review with the Committee on Foreign Investment in the United States (CFIUS). CFIUS clearance represented the final hurdle for the company to close on more than \$1 billion in investment from a Japan-based investor. CFIUS granted full national security clearance with no conditions after an intense 45-day review period during which we responded to a multitude of question sets.