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THE WHITE HOUSE

WASHINGTON

August 24, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Civil Aeronautics Board Decisions in
Miami - Madrid - Tel Aviv and Vacation
Air, Inc.

Richard Darman's office has asked for comments by 2:00 p.m. today on the above-referenced CAB decisions, which were submitted for Presidential review as required by § 801(a) of the Federal Aviation Act of 1958, as amended, 49 U.S.C. § 1461(a). Under this section, the President may disapprove, solely on the basis of foreign relations or national defense considerations, CAB actions involving either foreign air carriers or domestic carriers involved in foreign air transportation. If the President wishes to disapprove such CAB actions, he must do so within sixty days of submission (in these cases, by September 5 and 19, respectively).

The orders here have been reviewed by the appropriate departments and agencies, following the procedures established by Executive Order No. 11920 (1976). OMB recommends that the President not disapprove, and reports that the NSC and the Departments of State, Defense, Justice and Transportation have not identified any foreign relations or national defense reasons for disapproval. Since these orders involve domestic carriers, judicial review is theoretically available. Hence, the proposed letter from the President to the CAB Chairman prepared by OMB includes the standard sentence designed to preserve availability of judicial review, as contemplated by the Executive Order for cases involving domestic airlines.

The Miami - Madrid - Tel Aviv order authorizes service by Air Florida on the specified route; the Vacation Air order authorizes charter service by that carrier. My review confirms OMB's description of these orders as "routine, noncontroversial matters."

A memorandum for Darman is attached for your review and signature.

Attachment

THE WHITE HOUSE

WASHINGTON

August 24, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *FFF/RAH*
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions in
Miami - Madrid - Tel Aviv and Vacation
Air, Inc.

Our office has reviewed the above-referenced CAB decisions and related materials and has no legal objection to the procedure that was followed with respect to Presidential review of such decisions under 49 U.S.C. § 1461(a).

We also have no legal objection to OMB's recommendation that the President not disapprove these orders or to the substance of the letter from the President to the CAB Chairman prepared by OMB.

FFF:JGR:aea 8/24/83

cc: FFFielding
JGRoberts
Subj.
Chron

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

WR

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard G. DARMAN

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: CAB Decisions : Miami - Madrid - Tel Aviv and Vacation Air, Inc.

ROUTE TO: Office/Agency (Staff Name)	ACTION		DISPOSITION	
	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CUH011</u>	ORIGINATOR	<u>83108123</u>		<u>1 1</u>
<u>CVAT18</u>	<u>D</u>	<u>83108123</u>	<u>S</u>	<u>83108124</u> <u>2:00 pm</u>
		<u>1 1</u>		<u>1 1</u>
		<u>1 1</u>		<u>1 1</u>
		<u>1 1</u>		<u>1 1</u>

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet
to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
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- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOB).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

DATE: August 23, ACTION/CONCURRENCE/COMMENT DUE BY: 2:00 p.m. TOMORROW
August 24, 1983

SUBJECT: CAB DECISIONS: Miami-Madrid-Tel Aviv and Vacation Air, Inc.

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HARPER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please provide and comments/recommendations by 2:00 p.m.
 Tomorrow, August 24, 1983.

Thank you.

RESPONSE:



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 23 1983

ACTION

MEMORANDUM FOR: ASSISTANT TO THE PRESIDENT
AND DEPUTY TO THE CHIEF OF STAFF

SUBJECT: Civil Aeronautics Board Decisions:

Miami-Madrid-Tel Aviv
Route Proceeding
Docket 41074
Date due: September 5, 1983

Vacation Air, Inc.
Fitness Investigation
Docket 41165
Date due: September 19, 1983

You will find attached a memorandum for the President about the above international aviation cases. The interested executive agencies have reviewed the Board's decisions and have no objection to the proposed orders.

These are routine, noncontroversial matters. No foreign policy or national defense reasons for disapproving the Board's orders have been identified. I recommend that the President sign the attached letter to the Chairman which indicates that he does not intend to disapprove the Board's orders within the 60 days allowed by statute. Otherwise, the Board's orders become final on the 61st day.

Joseph R. Wright, Jr.

Joseph R. Wright, Jr.
Deputy Director

Attachments:

Memorandum to the President
CAB letters of transmittal
CAB orders
Letter to the Chairman



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

AUG 23 1983

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions:

Miami-Madrid-Tel Aviv

Route Proceeding

Docket 41074

Date due: September 5, 1983

Vacation Air, Inc.

Fitness Investigation

Docket 41165

Date due: September 19, 1983

The Civil Aeronautics Board proposes to take the following actions with regard to the above international aviation cases:

- Issue a 5-year certificate to Air Florida, Inc., authorizing the airline to transport persons, property and mail between Miami, Florida; the intermediate point of Madrid, Spain; and Tel Aviv, Israel. The Board also proposes to issue a backup certificate to Pan American World Airways, Inc., while revoking the airline's current authority to operate between Miami and Madrid. Pan American does not oppose the revocation of its Miami-Madrid authority if it is awarded backup authority in the market.
- Issue a certificate to Vacation Air, Inc., authorizing the airline to engage in foreign charter air transportation of persons, property and mail between the United States and certain foreign points.

The Departments of State, Defense, Justice, and Transportation and the National Security Council have not identified any foreign policy or national defense reasons for disapproving the orders in whole or in part.

The Office of Management and Budget recommends that you approve the Board's decisions by signing the attached letter to the Chairman which indicates that you do not intend to disapprove the Board's orders within the 60 days allowed by statute for your review. Also, OMB recommends that you state in your letter that no national defense or foreign policy reason underlies your action. This will preserve whatever opportunity is available under the statute for judicial review.

Joseph R. Wright, Jr.

Joseph R. Wright, Jr.
Deputy Director

Attachments:

CAB letters of transmittal
CAB orders
Letter to the Chairman

Options and Implementation Actions:

- () 1) Approve the Board's orders and preserve whatever opportunity is available for judicial review (DOS, DOD, DOJ, DOT, NSC, OMB).
-- Sign the attached letter to the Chairman.
- () 2) Approve the Board's orders and do nothing to preserve whatever opportunity is available for judicial review.
-- Implementation materials to be prepared.
- () 3) Disapprove the Board's orders.
-- Implementation materials to be prepared.
- () 4) See me.

THE WHITE HOUSE

WASHINGTON

Dear Chairman McKinnon:

I have reviewed the orders proposed by the Civil Aeronautics Board in the following cases:

Miami-Madrid-Tel Aviv
Route Proceeding
Docket 41074

Vacation Air, Inc.
Fitness Investigation
Docket 41165

I have decided not to disapprove the Board's orders. No foreign relations or national defense reason underlies my actions.

Sincerely,

The Honorable Dan McKinnon
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

Adopted by the Civil Aeronautics Board
at its office in Washington, D. C.
on the 1st day of July, 1983

MIAMI-MADRID-TEL AVIV : Docket 41074
ROUTE PROCEEDING :

OPINION AND ORDER ON REVIEW

By Order 82-10-118, October 28, 1982, the Board instituted the Miami-Madrid-Tel Aviv Route Proceeding to select primary and backup carriers to serve the Miami-Madrid-Tel Aviv market. We consolidated the applications of Arrow Airways, Inc., Air Florida, Inc., Eastern Air Lines, Inc. and Transamerica Airlines, Inc., into the proceeding, and we placed in issue whether the dormant authority of Pan American World Airways, Inc. to serve Miami-Madrid on segment 3 of route 132 should be suspended or revoked under section 401(g)(3) of the Act.

Arrow, Eastern and Transamerica subsequently withdrew their applications,^{1/} leaving Air Florida as the only applicant for primary authority and the remaining parties to the case, Air Florida, Pan American and the Bureau of International Aviation entered into a stipulation resolving most of the issues in the proceeding. The stipulation provides that Air Florida will receive the primary award in the form of a temporary experimental certificate, and that Pan American will not oppose the suspension or revocation of its existing Miami-Madrid authority if it is awarded backup authority in the market. The stipulation also provides that the issue of certificate terms and conditions were to be argued on brief to the Administrative Law Judge who would resolve those issues.

On April 5, 1983, Administrative Law Judge Ronnie A. Yoder served his Recommended Decision in which he recommended that Air Florida receive a five-year temporary experimental certificate in the Miami-Madrid-Tel Aviv market, subject to a one-year startup requirement; that Pan American receive a temporary experimental backup certificate of two years' duration; and that Pan American's existing authority in the Miami-Madrid market be revoked. In the event that Air Florida did not start or maintain service during the startup period, Pan American's certificate would also be of five years' duration. Judge Yoder declined to impose an initial tariff condition, and he recommended that carriers be permitted to integrate their new authority with existing foreign route authority. Judge Yoder provided for a one-year startup period so as not to compel Air Florida to inaugurate service during a low traffic season in the event that it encountered delays in obtaining local traffic rights between Madrid and Tel Aviv.^{2/}

1/ See Orders 82-12-124, and 82-12-126, December 28, 1982 and 82-12-133, December 29, 1982.

2/ Compare U.S.-London Case, Order 82-4-64, February 10, 1982, New Gateways to Brazil Case, Order 81-11-137, September 22, 1981.

No party has filed exceptions to the R.D. We have, however, decided to take review on our own initiative for the limited purposes of adding an initial tariff condition to Air Florida's certificate and a startup condition to Pan American's certificate. Except for these modifications, we accept the ALJ's recommended decision, which is attached as an appendix.^{3/}

Initial Tariff Condition

The ALJ declined to impose initial tariff conditions on either carrier because the proceeding did not involve competitive carrier selection and because neither carrier had agreed to one. Although these observations are correct, there are other reasons for imposing an initial tariff condition, and we will do so with respect to Air Florida in this case.^{4/}

In addition to serving as a selection criteria, initial tariff filings may establish the Standard Foreign Fare Level in international markets. In this case, although a SFFL exists in the Miami-Madrid market, Air Florida's service would establish the SFFL in the Miami-Tel Aviv market, and an initial tariff condition is justified at least in this market on that basis alone. In addition, although this is not a contested carrier selection case, Air Florida is receiving a temporary experimental certificate, and Pan American's dormant authority is being revoked in the Miami-Madrid market on the basis of Air Florida's proposal. An initial tariff condition will assist the Board in monitoring how well Air Florida's actual performance lives up to its proposals in the markets. We therefore conclude that an initial tariff condition should be imposed for both the Miami-Madrid and Miami-Tel Aviv markets.

StartUp Condition

As proposed by the ALJ, Pan American's backup authority would be effective for a period of five years if Air Florida failed to start or maintain service, without regard to whether Pan American actually inaugurated service in the markets. It has been our consistent practice, however, to include startup conditions in backup, as well as primary

^{3/} Although the ALJ recommended that both carriers be permitted to integrate the Miami-Madrid-Tel Aviv route with other transatlantic authority, the certificates attached to the R.D. did not provide for such route integration. In addition, Judge Yoder provided for less extensive route integration than is permitted under our current policies. Accordingly, we are also modifying the certificates to specifically authorize the full scope of route integration generally granted to our international carriers.

^{4/} Ordinarily, we would impose an initial tariff condition on the backup as well as the primary certificate in a limited designation market. Because of the rather unusual circumstances in this case, however, Pan American did not include a fare proposal in its application for backup authority, which was primarily intended to protect its dormant authority without impeding implementation of service by Air Florida. While we would not ordinarily accept an application without fare proposals in awarding temporary experimental certificates, we have done so in this case because of these circumstances. In light of this situation, it would be fruitless to impose an initial tariff condition on

certificates in limited designation markets.^{5/} Our reasons for doing so are the same as those for limiting the duration of backup certificates in the first instance. With the passage of time, market conditions may change and backup carriers may lose interest in the route. It is undesirable to have carriers holding dormant authority in the market which may foreclose other carriers which have an interest in serving it from doing so. We see no reason to deviate from that policy in this case, and we will therefore include a startup condition in Pan American's backup certificate. We will provide Pan American with a one year startup period based on the same considerations which lead us to conclude that Air Florida should be provided with a full year to inaugurate its services.

ACCORDINGLY:

1. We grant the application of Air Florida Inc. in Docket 41074 and issue to it a temporary experimental certificate for the Miami-Madrid-Tel Aviv route in the form attached;

2. We award to Pan American World Airways, Inc. a backup certificate for the Miami-Madrid-Tel Aviv route in the form attached;

3. These certificates shall be signed on our behalf by our Secretary and shall have the seal of the Board affixed;

4. We revoke the authority of Pan American to operate between the coterminal point Miami and the intermediate point Madrid on segment 3 of route 132, and amend its certificate for that route in the form attached;

5. The revocation prescribed by Ordering Paragraph 4 shall be effective immediately upon the effective date of this order;

6. Unless disapproved by the President of the United States under §801 of the Act, this order and the attached certificate for Air Florida shall become effective on the 61st day after submission to the President or upon receipt of advice from the President that he does not intend to disapprove the Board's order under that section, whichever occurs earlier;^{6/} and

7. Except to extent granted, we deny all other outstanding applications, motions, petitions and other requests for relief in Docket 41074.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR
Secretary

(SEAL)

All Members concurred.

5/ Eg. New Gateways To Brazil Case, n. 2, supra.

6/ This order was transmitted to the President on JUL 7 1983

The 61st day is SEP 6 1983

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

- - - - -

EXPERIMENTAL CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY

for Route

- - - - -

AIR FLORIDA, INC.

is authorized, subject to the following provisions, the provisions of Title IV of the Federal Aviation Act of 1958, as amended, and the orders, rules and regulations issued under it, to engage in foreign air transportation of persons, property, and mail as follows:

Between the terminal point Miami, Florida, the intermediate point Madrid, Spain and the coterminal point Tel Aviv, Israel.

This service is subject to the following terms, conditions, and limitations:

- (1) The holder shall at all times conduct its operations in accordance with all treaties and agreements between the United States and other countries; and the exercise of the privileges granted by this certificate shall be subject to compliance with such treaties and agreements, and to any orders of the Board issued under them or for the purpose of requiring compliance with them.
- (2) The holder may continue to serve any points named here through the airport it last used regularly to serve that point before the effective date of this certificate. Upon compliance with such procedures as may be prescribed by the Board, the holder may, in addition, regularly serve a point named here through any convenient airport.
- (3) The holder acknowledges that this certificate is granted to determine if the holder's projected services, efficiencies, methods, rates, fares, charges, and other projected results will in fact materialize and remain for a sustained period of time, and to determine whether the holder will provide the innovative and low-priced air transportation it proposed in its application for this authority.

(4) The holder's authority to engage in the transportation of mail is limited to carriage on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General.

(5) Exercise of the authority granted here shall be subject to first obtaining required operating rights from the affected governments.

(6) The holder shall file initial tariffs at levels no higher than those stipulated in Exhibit AF-9 in Docket 41074 as adjusted to reflect increases in transatlantic industry average costs accruing after the date the fare proposals in that Exhibit were calculated.

(7) In conjunction with the service authorized here, the holder may provide service beyond Madrid to any European point named on its certificate for Route 197F.

Exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations as the Board may prescribe in the public interest.

This certificate shall become effective on _____, and shall expire [one year later]; Provided, however, that if the holder inaugurates service under this certificate on or before that date, the authorization will continue in effect until [five years after its effective date], unless the Board earlier suspends, modifies or deletes the authority.

The Civil Aeronautics Board has directed its Secretary to execute this certificate, and affix the Board's seal, on July 1, 1983.

PHYLLIS T. KAYLOR
Secretary

(SEAL)

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

- - - - -

EXPERIMENTAL CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY
(BACKUP AUTHORITY)

for Route

- - - - -

PAN AMERICAN WORLD AIRWAYS, INC.

is authorized, subject to the following provisions, the provisions of Title IV of the Federal Aviation Act of 1958, as amended, and the orders, rules and regulations issued under it, to engage in foreign air transportation of persons, property, and mail as follows:

Between the terminal point Miami, Florida, the intermediate point Madrid, Spain and the terminal point Tel Aviv, Israel.

This service is subject to the following terms, conditions, and limitations:

- (1) The holder shall at all times conduct its operations in accordance with all treaties and agreements between the United States and other countries; and the exercise of the privileges granted by this certificate shall be subject to compliance with such treaties and agreements, and to any orders of the Board issued under them or for the purpose of requiring compliance with them.
- (2) The holder may continue to serve any points named here through the airport it last used regularly to serve that point before the effective date of this certificate. Upon compliance with such procedures as may be prescribed by the Board, the holder may, in addition, regularly serve a point named here through any convenient airport.
- (3) The holder acknowledges that this certificate is granted to determine if the holder's projected services, efficiencies, methods, rates, fares, charges, and other projected results will in fact materialize and remain for a sustained period of time, and to determine whether the holder will provide the innovative and low-priced air transportation it proposed in its application for this authority.

(4) The holder's authority to engage in the transportation of mail is limited to carriage on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General.

(5) Exercise of the authority granted here shall be subject to first obtaining required operating rights from the affected governments.

(6) In conjunction with the service authorized here, the holder may provide service beyond Madrid to any European point named on its certificate for Route 132.

Exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations as the Board may prescribe in the public interest.

Unless otherwise provided by order of the Board, this certificate shall not become effective until Air Florida's certificate authority in the Miami-Madrid-Tel Aviv market has expired or been deleted or suspended, and shall expire [2yrs.fromeffectivedateofAirFlorida's]; Provided, however, that if this authority becomes effective prior to that date, it shall not expire until [samedateasAirFlorida'sexpires], unless the holder fails to inaugurate service within 365 days of that effective date, in which case this certificate will expire on the 366th day.

The Civil Aeronautics Board has directed its Secretary to execute this certificate, and affix the Board's seal, on July 1, 1983.

PHYLLIS T. KAYLOR
Secretary

(SEAL)

CERTIFICATE AMENDMENT

Pan American World Airways, Inc. for Route 132

Amend as follows:

1. Delete Miami as a coterminal point from segment 3; and
2. Add a new segment ().
() Between the terminal point Miami, Florida: the intermediate points the Azores, and Lisbon, Portugal; and the terminal point Rome, Italy.

THE WHITE HOUSE

WASHINGTON

September 8, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Civil Aeronautics Board Decision in
Tower Air, Inc.

Richard Darman's office has asked for comments as soon as possible on the above-referenced CAB decision, which was submitted for Presidential review as required by § 801(a) of the Federal Aviation Act of 1958, as amended, 49 U.S.C. § 1461(a). Under this section, the President may disapprove, solely on the basis of foreign relations or national defense considerations, CAB actions involving either foreign air carriers or domestic carriers involved in foreign air transportation. If the President wishes to disapprove such CAB actions, he must do so within sixty days of submission (in this case, by October 28).

The order here has been reviewed by the appropriate departments and agencies, following the procedures established by Executive Order No. 11920 (1976). OMB recommends that the President not disapprove, and reports that the NSC and the Departments of State, Defense, Justice and Transportation have not identified any foreign relations or national defense reasons for disapproval. Since this order involves a domestic carrier, judicial review is theoretically available, and the proposed letter from the President to the CAB Chairman prepared by OMB includes the standard sentence designed to preserve availability of judicial review.

The order authorizes specified service by Tower Air on a New York-Brussels-Tel Aviv route.

A memorandum for Darman is attached for your review and signature.

Attachment

THE WHITE HOUSE
WASHINGTON

September 8, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *FFF/RAA*
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision in
Tower Air, Inc.

Our office has reviewed the above-referenced CAB decision and related materials and has no legal objection to the procedure that was followed with respect to Presidential review of such decisions under 49 U.S.C. § 1461(a).

We also have no legal objection to OMB's recommendation that the President not disapprove this order or to the substance of the letter from the President to the CAB Chairman prepared by OMB.

FFF:JGR:aea 9/8/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

September 8, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision in
Tower Air, Inc.

Our office has reviewed the above-referenced CAB decision and related materials and has no legal objection to the procedure that was followed with respect to Presidential review of such decisions under 49 U.S.C. § 1461(a).

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FFF:JGR:aea 9/8/83

cc: FFFielding
JGRoberts
Subj.
Chron

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

John

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 / 1 /

Name of Correspondent: Richard G. DARMAN

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: CAB Decision : Tower Air, Inc.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CWU011</u>	ORIGINATOR	<u>83109107</u>			<u> 1 / 1 / </u>
	Referral Note:				
<u>CWAT18</u>	<u>D</u>	<u>83109107</u>		<u>S</u>	<u>83109107 08</u> <u>CAB ASAF</u>
	Referral Note:				
		<u> 1 / 1 / </u>			<u> 1 / 1 / </u>
	Referral Note:				
		<u> 1 / 1 / </u>			<u> 1 / 1 / </u>
	Referral Note:				
		<u> 1 / 1 / </u>			<u> 1 / 1 / </u>
	Referral Note:				

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Comments: _____

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Send all routing updates to Central Reference (Room 75, OEOb).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

DATE: September 8 ACTION/CONCURRENCE/COMMENT DUE BY: c.o.b. September 15

SUBJECT: CAB Decision: Tower Air, Inc.

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input type="checkbox"/> SS	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
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FIELDING	<input type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward any comments/recommendations to my office by c.o.b. September 15, 1983.

Thank you.

RESPONSE:

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

SEP 7 1983

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision:

Tower Air, Inc.
Fitness Investigation
Docket 41422
Date due: October 28, 1983

The Civil Aeronautics Board proposes to take the following actions with regard to the above international aviation case:

- Issue a certificate to Tower Air, Inc., authorizing the airline to engage in foreign air transportation of persons, property, and mail between New York, New York; the intermediate point of Brussels, Belgium; and Tel Aviv, Israel.

The Departments of State, Defense, Justice, and Transportation and the National Security Council have not identified any foreign policy or national defense reasons for disapproving the order in whole or in part.

The Office of Management and Budget recommends that you approve the Board's decision by signing the attached letter to the Chairman which indicates that you do not intend to disapprove the Board's order within the 60 days allowed by statute for your review.

Constance Horner
Associate Director
Economics and Government

Attachments:

CAB letter of transmittal
CAB order
Letter to the Chairman

Options and Implementation Actions:

- () 1) Approve the Board's order, and preserve whatever opportunity is available for judicial review (DOS, DOD, DOJ, DOT, NSC, OMB).
-- Sign the attached letter to the Chairman.
- () 2) Approve the Board's order, and do nothing to preserve whatever opportunity is available for judicial review.
-- Implementation materials to be prepared.
- () 3) Disapprove the Board's order.
-- Implementation materials to be prepared.
- () 4) See me.

THE WHITE HOUSE

WASHINGTON

Dear Chairman McKinnon:

I have reviewed the order proposed by the Civil Aeronautics Board in the following case:

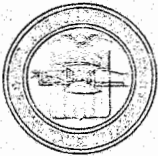
Tower Air, Inc.
Fitness Investigation
Docket 41422

I have decided not to disapprove the Board's order. No foreign relations or national defense reason underlies my action.

Sincerely,

The Honorable Dan McKinnon
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

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CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

OFFICE OF THE CHAIRMAN

AUG 29 1983

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I transmit the Board's proposed Order in Docket 41422, Tower Air, Inc. Fitness Investigation, for your consideration under section 801(a) of the Federal Aviation Act of 1958, as amended by the Airline Deregulation Act of 1978. The Order issues to Tower Air, Inc. a certificate authorizing New York-Brussels-Tel Aviv service.

If you should decide earlier that you will not disapprove, please advise me to that effect; this will allow us to issue the order earlier.

We are submitting the proposed decision to you before publication under the provisions of section 801(a) of the Federal Aviation Act of 1958. In accordance with Executive Order 11920, however, we plan to release all unclassified portions of the decision on or after the sixth day following this transmittal unless notified by your Assistant for National Security Affairs.

Respectfully yours,

Signed Dan McKinnon

Dan McKinnon

Enclosures

OFFICIAL USE ONLY

THE WHITE HOUSE

WASHINGTON

Dear Chairman McKinnon:

I have reviewed the order proposed by the Civil Aeronautics Board in the following case:

Tower Air, Inc.
Fitness Investigation
Docket 41422

I have decided not to disapprove the Board's order. No foreign relations or national defense reason underlies my action.

Sincerely,

The Honorable Dan McKinnon
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

Attention: John Roberts



FOR OFFICIAL USE ONLY

THE CHAIRMAN
OF THE
CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

B-11

SEP 12 1983

Mrs. Constance Horner
Associate Director for Economics
and Government
Office of Management and Budget
Room 246, Old EOB
Washington, D.C. 20503

Dear Mrs. Horner:

I enclose a letter of transmittal to the President, together with the Board's proposed order concerning the Soviet attack on Korean Air Lines Flight 007, Docket 41688. The proposed order will, if not disapproved by the President, take immediate resolute action against the Soviet air carrier Aeroflot, as requested by the President, and adopt the Board's decision in its Order to Show Cause 83-9-43 (enclosed).

If the President agrees with the Board that these actions would be in the public interest, I request to be advised of his intent not to disapprove, so that the order can be issued immediately.

I enclose additional copies of the letter and order. In connection with any distribution which the Office of Management and Budget may find necessary and desirable, you should note that until the decision is released to the public in accordance with Executive Order 11920, the documents are confidential in nature and should be treated accordingly.

Sincerely,

signed Dan McKinnon

Dan McKinnon

Enclosures

cc: National Security Council
Department of Transportation
Department of State
Department of Defense
Department of Justice
The White House

FOR OFFICIAL USE ONLY



FOR OFFICIAL USE ONLY
THE CHAIRMAN
OF THE
CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

B-11

SEP 12 1983

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I transmit the Board's proposed order concerning the Soviet attack on Korean Air Lines Flight 007, Docket 41688, for your consideration under section 801(a) of the Federal Aviation Act of 1958, as amended by the Airline Deregulation Act of 1978. As you requested, the order will take resolute action against the Soviet air carrier Aeroflot effective immediately and adopt the Board's decision in its Order to Show Cause 83-9-43 (enclosed) unless you disapprove it.

If you should decide that you will not disapprove, please advise me to that effect; this will allow the prompt issuance of the order.

We are submitting the proposed decision to you before publication under the provisions of section 801(a) of the Federal Aviation Act of 1958. In accordance with Executive Order 11920, however, we plan to release all unclassified portions of the decision on or after the sixth day following this transmittal unless notified by your Assistant for National Security Affairs.

Respectfully yours,

signed Dan McKinnon

Dan McKinnon

Enclosures

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UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D.C.

Adopted by the Civil Aeronautics Board
at its office in Washington, D.C.,
on the 12th day of September 1983

In re :
: SOVIET ATTACK ON KOREAN AIR :
: LINES FLIGHT 007 : Docket 41688
: :
: :
: :

ORDER

By Order 83-9-43, adopted September 8, 1983, the Board announced its tentative decision to condition the permit of Aeroflot Soviet Airlines to prohibit Aeroflot from selling any air transportation in the United States, and to condition U.S. air carrier certificates to restrict commercial relations between U.S. carriers and Aeroflot. The U.S. carrier conditions would furthermore be deemed as incorporated into the operating authorization of any U.S. carrier not operating by virtue of a certificate. The Board gave interested persons until 12:00 noon, Eastern Daylight Saving Time, September 12, 1983, to show cause why this tentative decision should not be made final.

The only comment we received was a joint comment from General Tours, Inc. and Genair. They claim that our proposed action would be unwise and ineffective and that it would hurt the U.S. travel industry while having only minimal effect on the Soviets.

After fully considering everything in the joint General Tours/Genair comment, we have decided to make final the tentative decision we announced in Order 83-9-43. We recall that our tentative decision was taken pursuant to a request from the President to take appropriate, immediate action in response to the Soviet attack on Korean Air Lines Flight 007. Indeed, the President specifically described the actions we should take. We acknowledged that the proposed actions "could create hardships for travellers and shippers and could deprive U.S. airlines and travel agents of revenues as well as create administrative burdens for them." But we determined that "the request of the President, based on essential foreign aviation policy grounds, overrides these considerations...." (Order 83-9-43, at 3). General Tours and Genair have said nothing to convince us otherwise, or to provide us with any valid basis for rejecting the President's request.

ACCORDINGLY,

1. We make final our tentative findings and conclusions set forth in Order 83-9-43;
2. The following condition is added to the permit of Aeroflot Soviet Airlines:

Effective immediately and until further order of the Board, Aeroflot shall not sell any air transportation in the United States or otherwise issue any tickets or shipping documents in the United States.

FOR OFFICIAL USE ONLY

3. All U.S. air carrier certificates either already issued, or to be issued, shall contain the following conditions:

Effective immediately and until further order of the Board, the holder and its agents shall not:

- (1) Enter into or maintain any interline service agreements, arrangements, or understandings with Aeroflot effective on, or entered into, after September 12, 1983;
- (2) Carry traffic to, from or within the United States where Aeroflot is on the itinerary after September 12, 1983;
- (3) Accept any ticket or shipping document issued by Aeroflot for air transportation to, from or within the United States after September 12, 1983;
- (4) Sell in the United States any air transportation any part of which is on Aeroflot after September 12, 1983.

4. The conditions set forth in paragraph 3, above, shall be deemed as incorporated by reference into the operating authorization of any U.S. carrier not operating by virtue of a certificate;

5. We expect all carriers affected by the actions we have taken in this order, to make every effort to accommodate the needs of all affected passengers;

6. This order shall become effective upon the date of receipt of advice from the President of the United States that he does not intend to disapprove the Board's order under section 801(a) of the Act;^{1/} and

7. We shall serve a copy of this order upon all certificated U.S. carriers, the Air Transport Association, the Regional Airline Association, Aeroflot Soviet Airlines, the Ambassador of the U.S.S.R. in Washington, D.C., and the U.S. Departments of State and Transportation.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR
Secretary

(SEAL)
All Members concurred.

1/ This Order was submitted to the President on September 12, 1983.

At the outset, we recall that by Order 82-1-6 we acted to ensure that Aeroflot could operate no further flights to or from the United States. Specifically, we withdrew the operating privileges held by Aeroflot under its section 402 permit. That order remains in effect. However, Aeroflot has been able to provide services in the U.S.-U.S.S.R. market through interline connections. It is the latter service we have been requested to curtail.

First, we propose to prohibit Aeroflot from issuing any transportation documents in the United States. In Order 80-5-18, we said that in light of Pan American's inability to perform for Aeroflot the services provided for in the Pan American-Aeroflot General Sales Agency Agreement, Aeroflot cannot, without an exemption from us, sell or operate air transportation in the United States. Aeroflot's exemption expired in January 27, 1982, and has not been renewed. By this order we reaffirm the prohibition, and have tentatively decided to extend it to all commercial traffic documents. We propose to achieve this objective by adding the following condition to Aeroflot's permit.

Effective immediately and until further order of the Board, Aeroflot shall not sell any air transportation in the United States or otherwise issue any tickets or shipping documents in the United States.

Second, with respect to the President's additional requests, we have tentatively decided to add the following conditions to all U.S. air carrier certificates: 2/

Effective immediately and until further order of the Board, the holder and its agents shall not:

- (1) Enter into or maintain any interline service agreements, arrangements, or understandings with Aeroflot effective on, or entered into, after September 12, 1983;
- (2) Carry traffic to, from or within the United States where Aeroflot is on the itinerary after September 12, 1983;
- (3) Accept any ticket or shipping document issued by Aeroflot for air transportation to, from or within the United States after September 12, 1983;
- (4) Sell in the United States any air transportation any part of which is on Aeroflot after September 12, 1983.

2/ The conditions would be deemed as having been incorporated by reference into the operating authorization of any U.S. air carrier not operating pursuant to a certificate. Accordingly, it would also apply to U.S. air carriers operating pursuant to exemption authority.

Taken together, the actions we are proposing today are designed to restrict commercial relationships between Aeroflot and U.S. airlines, consistent with the President's request. As such, Aeroflot will be prohibited from selling any transportation in the United States. U.S. air carriers or their U.S. agents will not be permitted to engage in the activities involving Aeroflot listed by the President, namely: carrying traffic to, from or within the United States where Aeroflot is on the itinerary; accepting tickets or shipping documents issued by Aeroflot for air transportation to, from, or within the United States; selling in the United States any air transportation any part of which is on Aeroflot; and entering into or maintaining any interline service agreements, arrangements, or understandings with Aeroflot.

We appreciate that these actions could create hardships for travelers and shippers and could deprive U.S. airlines and travel agents of revenues as well as cause administrative burdens for them. In any event, we tentatively find that the request of the President, based on essential foreign aviation policy grounds, overrides these considerations and is otherwise consistent with the requirements of the Federal Aviation Act of 1958, as amended.

Under section 401(g)(1) of the Act, "[t]he Board ...may alter, amend, modify, or suspend any ...certificate ...if the public convenience and necessity so require" Section 401(e)(1) provides that the Board shall attach to the privileges granted by the certificates "such reasonable terms, conditions, and limitations as the public interest may require." Section 402 of the Act contains similar provisions affecting the permits of foreign carriers.

Under section 102(a)(5) of the Act, the Board must consider the foreign policy and defense needs of the United States in assessing the public convenience and necessity and the public interest. In the circumstances of this case, we have weighed the merits of the President's request in light of section 102 and all other statutory criteria and have tentatively concluded that the considerations raised by the President are of overriding public importance here and that they require the certificate and permit amendments proposed in this order.

ACCORDINGLY,

1. We direct all interested persons to show cause why the tentative decision set forth above should not be made final;

2. Comments in response to this order shall be filed with the Board no later than 12 noon, Eastern Daylight Saving Time, September 12, 1983, and served on the persons named in paragraph 4;

3. In the event no comments are filed, all further procedural steps shall be deemed waived, and the Secretary shall enter an order which (1) shall make final our tentative findings and conclusions set forth in this order, and (2) subject to the disapproval of the President pursuant to section 801(a) of the Act, shall prohibit Aeroflot from selling any air transportation in the United States and shall amend the certificates of all U.S. air carriers so as to add a new condition as described above; 3/ and

4. We shall serve a copy of this order upon all certificated U.S. air carriers, Aeroflot Soviet Airlines, the Air Transport Association, the Regional Airline Association, the Ambassador of the U.S.S.R. in Washington, D.C., and the U.S. Departments of State and Transportation;

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR
Secretary

(SEAL)

All Members concurred.

3/ Since provision is made for the filing of comments to this order, petitions for reconsideration will not be entertained.

THE WHITE HOUSE

WASHINGTON

September 8, 1983

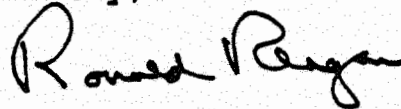
Dear ~~Mr. McKinnon~~: *Da*

The Soviet attack on Korean Airlines Flight 007 on September 1, 1983, which resulted in the loss of 269 innocent lives, calls for a united, firm and measured response from the international community. Toward this end, I have initiated a number of measures in coordination with other nations and in international fora to ensure that measures are taken against the Soviet Union to secure appropriate redress for this tragic loss of lives and property.

I therefore have determined that it is in the essential foreign policy interests of the United States to take resolute action against the Soviet air carrier Aeroflot. I have determined that it would be appropriate to reaffirm the suspension of Aeroflot flights to and from the United States which has been in effect since January 5, 1982. In addition, I am requesting the Civil Aeronautics Board to take the following steps effective as of September 12, 1983: (1) suspend Aeroflot's right to sell any air transportation in the United States; (2) preclude U.S. air carriers from carrying traffic to, from or within the United States where Aeroflot is on the itinerary; (3) prohibit U.S. air carriers from selling in the United States any air transportation any part of which is on Aeroflot; (4) direct U.S. air carriers to suspend any interline service arrangements with Aeroflot either effective as of or entered into after September 12, 1983; and (5) prohibit U.S. air carriers from accepting any ticket or shipping document issued by Aeroflot for air transportation to, from or within the United States.

The Board should take appropriate, immediate action to implement this decision. These actions will be consistent with the international obligations of the United States. These measures should remain in effect until further notification.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald Reagan".

The Honorable Dan McKinnon
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Civil Aeronautics Board Decisions in
Powell Air Ltd. and Aviacion Y Comercio, S.A.

Richard Darman's office has asked for comments by close of business Monday, September 19 on the above-referenced CAB decisions, which were submitted for Presidential review as required by § 801(a) of the Federal Aviation Act of 1958, as amended, 49 U.S.C. § 1461(a). Under this section, the President may disapprove, solely on the basis of foreign relations or national defense considerations, CAB actions involving either foreign air carriers or domestic carriers involved in foreign air transportation. If the President wishes to disapprove such CAB actions, he must do so within sixty days of submission (in these cases, by September 26 and 23, respectively).

The orders here have been reviewed by the appropriate departments and agencies, following the procedures established by Executive Order No. 11920 (1976). OMB recommends that the President not disapprove, and reports that the NSC and the Departments of State, Defense, Justice and Transportation have not identified any foreign relations or national defense reasons for disapproval. Since these orders involve foreign carriers, the proposed letter from the President to the CAB Chairman prepared by OMB does not include the standard sentence designed to preserve availability of judicial review.

The Powell Air order authorizes charter service between Canada and the U.S.; the Aviacion Y Comercio order authorizes charter service between Spain and the U.S.

A memorandum for Darman is attached for your review and signature.

Attachment

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions in
Powell Air Ltd. and Aviacion Y Comercio, S.A.

Our office has reviewed the above-referenced CAB decisions and related materials and has no legal objection to the procedure that was followed with respect to Presidential review of such decisions under 49 U.S.C. § 1461(a).

We also have no legal objection to OMB's recommendation that the President not disapprove these orders or to the substance of the letter from the President to the CAB Chairman prepared by OMB.

FFF:JGR:aea 9/16/83

cc: FFFielding
JGRoberts
Subj.
Chron

SEP 19 1983

THE WHITE HOUSE
WASHINGTON

September 16, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions in
Powell Air Ltd. and Aviacion Y Comercio, S.A.

Our office has reviewed the above-referenced CAB decisions and related materials and has no legal objection to the procedure that was followed with respect to Presidential review of such decisions under 49 U.S.C. § 1461(a).

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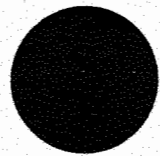
FFF:JGR:aea 9/16/83

cc: FFFielding
JGRoberts
Subj.
Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

John ?



Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard G. DARMAN

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: CAB Decision: Powell Air Ltd. and
Aviacion Y Comercio, S.A.

ROUTE TO: Office/Agency (Staff Name)	ACTION		DISPOSITION	
	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CWJ011</u>	<u>ORIGINATOR</u>	<u>83,09,15</u>		<u>1 1</u>
	Referral Note:			
<u>CWDT13</u>	<u>D</u>	<u>83,09,15</u>	<u>S</u>	<u>83,09,19</u>
	Referral Note:		<u>CAB</u>	
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

7:45 pm

DATE September 15 ACTION/CONCURRENCE/COMMENT DUE BY: c.o.b. September 19

SUBJECT: CAB DECISION: POWELL AIR LTD AND AVIACION Y COMERCIO, S.A.

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input type="checkbox"/> SS	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please provide any comments/recommendations by c.o.b. Monday, September 19, 1983.

Thank you.

RESPONSE: