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**Folder Title:** JGR/Civil Aviation Board Decisions  
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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 27, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Civil Aeronautics Board Decision  
in Aeronaves Del Peru, S.A.

Richard Darman's office has asked for comments by close of business Tuesday, May 31, 1983 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 July 18, 1983).

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 foreign carrier, the standard sentence designed to preserve availability of judicial review is omitted from the proposed letter from the President to the CAB Chairman.

This order renews foreign carrier permits for service between Peru and Miami. It suspends the renewed permits, however, until Peru abides by the Peru-U.S. Air Transport Service Agreement by ceasing to interfere with the service of Challenge Air Transport permitted under that agreement.

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

Attachment

THE WHITE HOUSE

WASHINGTON

May 27, 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 Decision  
in Aeronaves Del Peru, S.A.

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:aw 5/27/83

cc: FFFielding  
✓JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

May 27, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision  
in Aeronaves Del Peru, S.A.

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:aw 5/27/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) \_\_\_\_\_

Name of Correspondent: \_\_\_\_\_

*Richard G. Narman*

MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: \_\_\_\_\_

*CAB Decision: Aeronaves del Peru, S.A.*

**ROUTE TO:**

**ACTION**

**DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<i>W Holland</i>	ORIGINATOR	<i>83.05.27</i>			<i>1 1</i>
<i>WAT 18</i>	<i>D</i>	<i>83.05.27</i>		<i>S</i>	<i>83.05.31</i>
		<i>1 1</i>			<i>1 1</i>
		<i>1 1</i>			<i>1 1</i>
		<i>1 1</i>			<i>1 1</i>

**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

COB TUESDAY  
May 31, 1983

DATE: May 26, 1983 ACTION/CONCURRENCE/COMMENT DUE BY: \_\_\_\_\_

SUBJECT: CAB DECISION: Aeronaves Del Peru, S.A.

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	GERGEN	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	HARPER	<input checked="" 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"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	VON DAMM	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Please forward comments on this international aviation case to my office by close of business Tuesday, May 31.

Thank you.

Richard G. Darman  
Assistant to the President  
(x2702)

Response:



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

MAY 26 1983

ACTION

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

SUBJECT: Civil Aeronautics Board Decision:

Aeronaves Del Peru, S.A.  
Dockets 26637, 32089, 35755  
Date due: July 18, 1983

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

This is a routine, noncontroversial matter. No foreign policy or national defense reasons for disapproving the Board's order 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 order within the 60 days allowed by statute. Otherwise, the Board's order becomes final on the 61st day.

Original signed by  
Constance Horner

Constance Horner  
Associate Director  
Economics and Government

Attachments:

Memorandum to the President  
CAB letter of transmittal  
CAB order  
Letter to the Chairman



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

MAY 26 1983

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision:

Aeronaves Del Peru, S.A.  
Dockets 26637, 32089, 35755  
Date due: July 18, 1983

The Civil Aeronautics Board proposes to renew the foreign air carrier permits of Aeronaves del Peru, S.A., and Compania de Aviacion "Faucett", S.A. These permits authorize service between Peru and Miami, Florida. The Board also proposes to suspend the renewed permits until the Peruvian government agrees to fulfill the U.S.-Peru Air Transport Services Agreement. In violation of this agreement, the Peruvian government has prevented Challenge Air Transport, Inc., from serving Iquitos, Talara, and Lima, Peru, in the same flight without frequency limitations.

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.

Original signed by  
Constance Horner

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. (DOS, DOD, DOJ, DOT, NSC, OMB.)  
-- Sign the attached letter to the Chairman.
- 2) Disapprove the Board's order.  
-- Implementation materials to be prepared.
- 3) See me.

THE WHITE HOUSE

WASHINGTON

Dear Chairman McKinnon:

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

Aeronaves Del Peru, S.A.  
Dockets 26637, 32089, 35755

I have decided not to disapprove the Board's order.

Sincerely,

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



FOR OFFICIAL USE ONLY

THE CHAIRMAN  
OF THE  
CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

B-11

MAY 19 1983

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

Dear Mr. President:

I transmit the Board's proposed order on the applications of Aeronaves del Peru, S.A., Docket 26637, and Compania de Aviacion "Faucett," S.A., Dockets 32089 and 35755, 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 will issue foreign air carrier permits to the applicants and adopt the Board's tentative decision in its Order to Show Cause 83-4-56 (enclosed) unless you disapprove it within 60 days of this transmittal. The order suspends the permits issued to the carriers until the Government of Peru fulfills its obligations under the U.S.-Peru Air Transport Services Agreement.

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

FOR OFFICIAL USE ONLY

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

June 13, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Civil Aeronautics Board Decisions in  
Windward Islands Airways; Maersk Air  
I/S; Air Panama International, S.A.;  
GRM International, Inc.

Richard Darman's office has asked for comments by close of business Tuesday, June 14, 1983 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 June 21, 21, July 8, and 18, 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. These orders involve foreign carriers, and accordingly the proposed letter from the President to the CAB Chairman prepared by OMB omits the standard sentence designed to preserve availability of judicial review.

These are, as OMB states, routine, noncontroversial matters. The first three orders authorize service by the named carriers; the fourth order denies an application by a Philippine carrier for service as a freight forwarder since such service is not permitted U.S. carriers by the Philippines.

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

Attachment

THE WHITE HOUSE

WASHINGTON

June 13, 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  
Windward Islands Airways; Maersk Air  
I/S; Air Panama International, S.A.;  
GRM International, 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:aw 6/13/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

June 13, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions in  
Windward Islands Airways; Maersk Air  
I/S; Air Panama International, S.A.;  
GRM International, 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:aw 6/13/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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

Name of Correspondent: Richard G. Durman

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: CAB Decisions; Windward Islands Airways; Maersk Air I/S; Air Panama International, S.A.; GRM International, Inc.

ROUTE TO:	ACTION	DISPOSITION
Office/Agency      (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>CW Holland</u>	ORIGINATOR	<u>83106110</u>
<u>CW AT 18</u>	Referral Note: D	<u>8306110</u> <u>583106114</u>
_____	Referral Note:	_____
_____	_____	_____
_____	Referral Note:	_____
_____	_____	_____
_____	Referral Note:	_____
_____	_____	_____
_____	Referral Note:	_____

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

- DISPOSITION CODES:**
- A - Answered
  - C - Completed
  - B - Non-Special Referral
  - 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: June 10, ACTION/CONCURRENCE/COMMENT DUE BY: c.o.b. June 14, 1983

SUBJECT: CAB DECISIONS: Windward Islands Airways; Maersk Air I/S; Air Panama International, S.A.; GRM International, 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 type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" 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 edits/comments by c.o.b. June 14, 1983.

Thank you.

**RESPONSE:**

Richard G. Darman  
Assistant to the President



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

JUN 9 1983

ACTION

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

SUBJECT: Civil Aeronautics Board Decisions

Windward Islands Airways  
International N.V.  
Docket 40913  
Date due: June 21, 1983

Maersk Air I/S  
Docket 41070  
Date due: June 21, 1983

Air Panama Internacional, S.A.  
Docket 40768  
Date due: July 8, 1983

GRM International, Inc.  
Docket 41430  
Date due: July 18, 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.

Constance Horner  
Associate Director  
Economics and Government

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

JUN 9 1983

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions:

Windward Islands Airways  
International N.V.  
Docket 40913  
Date due: June 21, 1983

Maersk Air I/S  
Docket 41070  
Date due: June 21, 1983

Air Panama Internacional, S.A.  
Docket 40768  
Date due: July 8, 1983

GRM International, Inc.  
Docket 41430  
Date due: July 18, 1983

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

- Amend the foreign air carrier permit of Windward Islands Airways International N.V. authorizing the airline to transport persons, property, and mail between the Netherlands Antilles, on the one hand, and St. Thomas and St. Croix, U.S. Virgin Islands, and San Juan, Puerto Rico, on the other, with an intermediate stop in Tortola, British Virgin Islands.
- Amend and reissue the foreign air carrier permit of Maersk Air I/S authorizing the airline to provide charter transportation of persons and accompanying baggage between Denmark, Norway, and Sweden, and the United States. The permit is scheduled to expire in November, 1987.
- Amend and reissue the foreign air carrier permit of Air Panama Internacional, S.A., authorizing the airline to transport persons, property, and mail between: (1) the Republic of Panama, on the one hand, and Miami and New York, on the other; and (2) the Republic of Panama and Los Angeles, with an intermediate stop in Mexico City, Mexico.
- Deny the request of GRM International, Inc., (a Philippine airline) for authority to provide interstate and overseas service in the United States as a foreign freight forwarder. The Board proposes this action because the Philippine Government does not permit U.S. airlines to provide comparable service in the Philippines.

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.



Constance Horner  
Associate Director  
Economics and Government

Attachments:

CAB letters of transmittal  
CAB orders  
Letter to the Chairman

Options and Implementation Actions:

- ( ) 1) Approve the Board's orders. (DOS, DOD, DOJ, DOT, NSC, OMB).  
-- Sign the attached letter to the Chairman.
- ( ) 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:

Windward Islands Airways  
International N.V.  
Docket 40913

Maersk Air I/S  
Docket 41070

Air Panama Internacional, S.A.  
Docket 40768

GRM International, Inc.  
Docket 41430

I have decided not to disapprove the Board's orders.

Sincerely,

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



FOR OFFICIAL USE ONLY

THE CHAIRMAN  
OF THE  
CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

B-11

MAY 19 1983

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

Dear Mr. President:

I transmit the Board's proposed order on the application of GRM International, Inc., Docket 41430, 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 will adopt the Board's tentative decision in its Order to Show Cause 83-4-103 (enclosed) and deny the carrier's application unless you disapprove it within 60 days of this transmittal.

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

FOR OFFICIAL USE ONLY



THE CHAIRMAN  
OF THE  
CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

B-11

MAY 9 1983

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

Dear Mr. President:

I transmit the Board's proposed order on the application of Air Panama Internacional, S.A., Docket 40768, 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 will adopt the Board's decision establishing simplified procedures and issue an amended permit to the applicant unless you disapprove it within 60 days of this transmittal.

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

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



THE CHAIRMAN  
OF THE  
CIVIL AERONAUTICS BOARD  
WASHINGTON, D. C. 20428

B-11

APR 22 1983

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

Dear Mr. President:

I transmit the Board's proposed order on the application of Maersk Air I/S, Docket 41070, 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 will adopt the Board's decision establishing simplified procedures and issue an amended permit to the applicant unless you disapprove it within 60 days of this transmittal.

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

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  
Chairman

Enclosures

FOR OFFICIAL USE ONLY



THE CHAIRMAN  
OF THE  
CIVIL AERONAUTICS BOARD  
WASHINGTON, D. C. 20428

B-11

APR 22 1983

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

Dear Mr. President:

I transmit the Board's proposed order on the application of Windward Islands Airways International N.V., Docket 40913, 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 will adopt the Board's decision establishing simplified procedures and issue an amended permit to the applicant unless you disapprove it within 60 days of this transmittal.

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

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  
Chairman

Enclosures

THE WHITE HOUSE

WASHINGTON

June 14, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Civil Aeronautics Board Decisions  
in Worldwide Airlines, Inc.

Richard Darman's office asked for comments by close of business Monday, June 13, 1983 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 this case, by July 2).

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.

The proposed letter to the CAB Chairman, however, does not include the standard sentence designed to preserve availability of judicial review in such cases. Inquiries with the CAB (through OMB) and the Departments of Justice and Transportation disclosed no explanation for the omission. Transportation reiterated its general view that the sentence was surplusage, in light of the 1978 amendment to § 801(a) specifically preserving judicial review of orders not disapproved by the President. Justice advised that the sentence be included, since the new § 801(a) has yet to be tested by the courts. We have adhered to the Justice view in the past on this general question. Accordingly, I have recommended inclusion of the judicial review sentence in the attached draft memorandum for Darman.

Attachment

THE WHITE HOUSE

WASHINGTON

June 14, 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 Worldwide Airlines, 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 this order. Since this order involves a domestic carrier, and none of the reviewing agencies have identified any foreign relations or national defense reasons for Presidential action, the letter to the CAB Chairman should, pursuant to Executive Order 11920, contain the following sentence: "No foreign relations or national defense consideration underlies my decision not to disapprove this order."

FFF:JGR:aw 6/14/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

June 14, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions  
in Worldwide Airlines, 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 this order. Since this order involves a domestic carrier, and none of the reviewing agencies have identified any foreign relations or national defense reasons for Presidential action, the letter to the CAB Chairman should, pursuant to Executive Order 11920, contain the following sentence: "No foreign relations or national defense consideration underlies my decision not to disapprove this order."

FFF:JGR:aw 6/14/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

*Robert*

- 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 -- Applications  
Worldwide Airlines, Inc. Dockets 32606,  
32607

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>CU1011</u>		ORIGINATOR	<u>83106110</u>		<u>  1  /  1  /  </u>
		Referral Note:			
<u>CUAT 18</u>		<u>D</u>	<u>83106110</u>	<u>S</u>	<u>83106113</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:			

- 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, OEOP).  
 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: June 8, 1983 ACTION/CONCURRENCE/COMMENT DUE BY: June 13, 1983

SUBJECT: CAB Decisions -- Applications of Worldwide Airlines, Inc.  
Dockets 32606, 32607

	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 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"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input 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 forward comments to my office by close of business Monday, June 13.

Thank you.

RESPONSE:



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

JUN 8 1983

ACTION

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

SUBJECT: Civil Aeronautics Board Decisions

Applications of Worldwide Airlines, Inc.  
Dockets 32606, 32607  
Date due: July 2, 1983

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

This is a routine, noncontroversial matter. No foreign policy or national defense reasons for disapproving the Board's order 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 order within the 60 days allowed by statute. Otherwise, the Board's order becomes final on the 61st day.

A handwritten signature in cursive script, reading "Constance Horner".

Constance Horner  
Associate Director  
Economics and Government

Attachments:

Memorandum to the President  
CAB letter of transmittal  
CAB order  
Letter to the Chairman



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

JUN 8 1983

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions:  
Applications of Worldwide Airlines, Inc.  
Dockets 32606, 32607  
Date due: July 2, 1983

The Civil Aeronautics Board, for over four years, has been reviewing the applications for domestic and international charter authority received from over sixty firms in the Former Large Irregular Air Service Investigation (Dockets 33361, 33362, 33363). As a part of this proceeding, the Board proposes to issue a certificate of public convenience and necessity to Worldwide Airlines, Inc., authorizing the airline to engage in foreign charter air transportation of persons, property, and mail, subject to certain restrictions.

This order is consistent with the Board's policy of responding favorably to charter air transportation service applicants so that new firms will act as a competitive spur to the rest of the air transport industry.

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. (DOS, DOD,  
DOJ, DOT, NSC, OMB).  
-- Sign the attached letter to the Chairman.
- ( ) 2) 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:

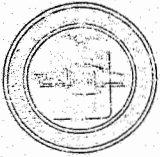
Applications of Worldwide  
Airlines, Inc.  
Dockets 32606, 32607

I have decided not to disapprove the Board's order.

Sincerely,

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

OFFICIAL USE ONLY



CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

OFFICE OF THE CHAIRMAN

MAY 3 1983

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

Dear Mr. President:

I transmit the Board's proposed Order in Docket 33363, Former Large Irregular Service Investigation, and in Dockets 32606 and 32607, Applications of Worldwide Airlines, Inc., 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 Worldwide Airlines, Inc. a certificate authorizing it to engage in foreign air transportation.

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  
Chairman

Enclosures

OFFICIAL USE ONLY

6/15/83

THE WHITE HOUSE  
WASHINGTON

TO: *RJR*  
FROM: *Richard A. Hauser*  
*Deputy Counsel to the President*

FYI: \_\_\_\_\_

COMMENT:  \_\_\_\_\_

ACTION:  \_\_\_\_\_

6/16

*told Leo Danard: no discussion,  
send us anything Timmons  
sent in for immediate reply  
by our office. We can't comment  
on substance of CAS action -  
already done before CAS by DOT,  
etc.*

*file: CAB  
Decisions*

THE WHITE HOUSE  
WASHINGTON

June 13, 1983

MEMORANDUM FOR: EDWIN L. HARPER  
FROM: WENDELL W. GUNN *W. W. Gunn*  
SUBJECT: Transfer of Braniff Airlines'  
South American Routes to Eastern Airlines

On March 24, 1983, the CAB issued instructions for Eastern Airlines to receive a temporary certificate (for six years) to operate the U.S./South American routes that Eastern took over from Braniff just over a year ago. Eastern contends that the understanding at the time they agreed to take over the routes was that it would receive a permanent certificate. The CAB has advised the President of its decision.

If the President wishes to veto the CAB decision, he has until June 24 to do so. Usually these are routine non-controversial matters and the President advises the CAB ahead of time that he will not intervene. This particular case, however, deserves additional review.

In April 1982, Braniff agreed to sell the rights to its South America routes to Pan Am in a desperate attempt to raise cash. In spite of Braniff's statements that it would soon run out of cash and might have to abandon the routes, the CAB denied interim approval to the agreement, telling Braniff to find another purchaser.

For the sake of service continuity and for foreign policy reasons, the President, DoT, and DoS wrote to the CAB, urging it to "act to prevent disruption" of service to South America.

Braniff then initiated discussions with Eastern and eventually entered into an Interim Operating Agreement for Eastern to operate the routes for six years. The agreement provided that Braniff must give timely notice that it intends to return to the South America routes and if it does not, Eastern continues to operate them. The board granted interim approval and gave Eastern exemption authority to operate for fifteen months. The issue of long-term authority was to be considered in subsequent proceedings.

Braniff filed Chapter XI in mid May (12th or 13th) and in order to prevent interruption of service, Eastern began servicing the routes the following afternoon.

On March 24, 1983, the CAB issued instructions for Eastern to receive six-year temporary certificate, after hearing oral arguments.

Eastern's representative, Bill Timmons, sent me a copy of a letter from Drew Lewis to himself supporting their understanding that Eastern was to receive a permanent certificate. (I explained to Timmons that while the matter is under White House review, I could not discuss it until I received advice from White House Counsel.)

I doubt that there is a legal question here, although that's someone else's call. But if closer examination reveals that Eastern came forth as a "white knight" in a delicate situation and became the innocent victim of a misunderstanding, then we should be concerned.

With your permission, I will send a copy of this memo to White House Counsel for further guidance. The clock runs out on June 24.

cc: Ken Cribb  
Richard Hauser  
Roger Porter

THE WHITE HOUSE

WASHINGTON

June 7, 1983

MEMORANDUM FOR RICHARD A. HAUSER

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

CAB Decisions: Air Specialities Corp.,  
Tampa-London Service Proceeding,  
Braniff-South American Route Transfer  
Case and Trans World Airlines

---

This memorandum is addressed to you because Eastern Air Lines, Inc., is involved in one of the subject orders.

Richard Darman's office has asked for comments by close of business Friday, June 10, 1983 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 June 17, 20, 26, and July 3, 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 Air Specialties order authorizes new service by that carrier and the order in the Tampa-London proceeding authorizes primary service on that route by Arrow Air and backup service by Air Florida. The Braniff order authorizes

Eastern to service Braniff's South American routes, while the TWA order denies a request for renewal of backup authority on the ground that it is no longer needed.

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

Attachment

THE WHITE HOUSE

WASHINGTON

June 7, 1983

MEMORANDUM FOR RICHARD G. DARMAN <sup>15/</sup>  
ASSISTANT TO THE PRESIDENT

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: CAB Decisions: Air Specialities Corp.,  
Tampa-London Service Proceeding,  
Braniff-South American Route Transfer  
Case and Trans World Airlines

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.

Fred F. Fielding did not participate in this matter.

RAH:JGR:aw 6/7/83

cc: Richard A. Hauser  
JGRoberts  
Subj.  
Chron

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

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

Date Correspondence Received (YY/MM/DD) 1

Name of Correspondent: Richard G. Darman

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: CAB Decisions: Air Specialties Corp., Tampa - London Service Proceedings, Braniff - South American Route Transfer Case and Trans World Airlines

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>WHolland</u>	<u>ORIGINATOR</u>	<u>8310607</u>
<u>CUAT 18</u>	<u>Referral Note:</u>	<u>D 8310607</u>
	<u>Referral Note:</u>	<u>S 8310610</u>
	<u>Referral Note:</u>	<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>
	<u>Referral Note:</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
  - 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

DATE: June 6, 1983 ACTION/CONCURRENCE/COMMENT DUE BY: June 10, 1983

SUBJECT: CAB Decisions: Air Specialties Corp, Tampa-London Service Proceeding  
Braniff-South American Route Transfer Case and Trans World Airlines

	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 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 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 forward comments on these cases by close of business Friday, June 10.

Thank you.

RESPONSE:



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

JUN 6 1983

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions:

Air Specialties Corp.  
Docket 40857  
Date due: June 17, 1983

Tampa-London Service  
Proceeding  
Docket 40937  
Date due: June 20, 1983

Braniff-South American  
Route Transfer Case  
Docket 40534  
Date due: June 26, 1983

Trans World Airlines, Inc.  
Docket 41232  
Date due: July 3, 1983

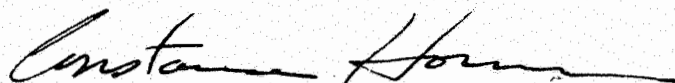
The Civil Aeronautics Board proposes to take the following actions with regard to the above international air cases:

- Amend the certificate of Air Specialties Corp. authorizing the airline to provide worldwide charter transportation of persons, property, and mail.
- Issue a five-year certificate to Arrow Air, Inc., authorizing the airline to transport persons, property, and mail between Tampa, Florida, and London, United Kingdom. The CAB proposes to issue backup authority for this route to Air Florida, Inc.
- Issue a five-year certificate to Eastern Air Lines, Inc., authorizing the airline to transport persons, property, and mail between Boston, Dallas/Ft. Worth, Houston, Miami, New Orleans, New York/Newark, Los Angeles, San Francisco, and Washington, D.C., on the one hand, and Buenos Aires, Argentina, on the other, with intermediate stops in Panama City, Panama; Bogota and Cali, Colombia; Quito and Guayaquil, Ecuador; Lima, Peru; and La Paz, Bolivia. The Board also proposes to authorize service between Dallas/Ft. Worth, Houston, Los Angeles, Miami, New Orleans, and New York/Newark, on the one hand, and Barranquilla, Colombia, on the other. These routes had been served by Braniff, prior to its suspension of service. The Board proposes to amend Braniff's certificate to suspend its authority to serve Argentina, Bolivia, Chile, Colombia, Ecuador, Panama, Paraguay, and Peru until April, 1989.

- Deny the application of Trans World Airlines, Inc., requesting renewal of its backup authority to transport persons, property, and mail between Miami, Florida, and London, United Kingdom. The Board's purpose in issuing temporary backup authority for a limited-entry route is to ensure that the market is served if the primary airline fails to inaugurate service or suspends service shortly after inaugurating service. Pan American is serving the Miami-London route and shows no sign of suspending service. Thus, the Board's purpose in assigning Trans World as backup carrier has been achieved and the Board believes that the temporary certificate should expire in accordance with its terms.

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.



Constance Horner  
Associate Director  
Economics and Government

**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:

Air Specialties Corp.  
Docket 40857

Tampa-London Service  
Proceeding  
Docket 40937

Braniff-South American  
Route Transfer Case  
Docket 40534

Trans World Airlines, Inc.  
Docket 41232

I have decided not to disapprove the Board's orders. No foreign relations or national defense consideration underlies my decision not to disapprove this order.

Sincerely,

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

**CIVIL AERONAUTICS BOARD**

WASHINGTON, D.C. 20428

IN REPLY REFER TO:

B-11

**APR 18 1983**

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

Dear Mr. President:

I transmit the Board's proposed order on the application of Air Specialties Corp., Docket 40857, 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 will issue an amended certificate to the applicant and adopt the Board's tentative decision in its Order to Show Cause 83-3-121 (enclosed) unless you disapprove it within 60 days of this transmittal.

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

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  
Chairman

Enclosures



**OFFICIAL USE ONLY**  
**CIVIL AERONAUTICS BOARD**

WASHINGTON, D.C. 20428

IN REPLY REFER TO:

APR 21 1983

B-1-39

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

Dear Mr. President:

I transmit the Board's proposed Order in Docket 40937, Tampa-London Service Proceeding, 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 Arrow Air, Inc. a temporary experimental certificate and awards to Air Florida, Inc. a backup certificate for the Tampa-London route.

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  
Chairman

Enclosures

**OFFICIAL USE ONLY**

FOR OFFICIAL USE ONLY

CIVIL AERONAUTICS BOARD

WASHINGTON, D.C. 20428

IN REPLY REFER TO:



APR 27 1983

R-1-36

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

Dear Mr. President:

I transmit the Board's proposed Order in Docket 40534, Braniff-South American Route Transfer Case, 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 approves an agreement between Eastern Air Lines, Inc. and Braniff Airways, Inc. to transfer most of Braniff's South American routes to Eastern and issues to Eastern Air Lines, Inc. a temporary experimental certificate for those routes.

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  
Chairman

Enclosures

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THE CHAIRMAN  
OF THE  
CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

B-11

MAY 4 1983

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

Dear Mr. President:

I transmit the Board's proposed order denying the application of Trans World Airlines, Inc. for renewal of its temporary, experimental certificate for back-up authority between Miami and the United Kingdom, Docket 41232, 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 will adopt the Board's decision and deny the carrier's application unless you disapprove it within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise me to that effect; this will allow the earlier 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  
Chairman

Enclosures

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