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Folder Title: JGR/Civil Aviation Board Decisions

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WASHINGTON

January 3, 1985

MEMORANDUM FOR RICHARD G. DARMAN

ASSISTANT TO THE PRESIDENT

FROM:

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

CAB Decisions Regarding Temporary Certificate

Extension and Michigan Peninsula Airways

Our office has reviewed the above-referenced CAB decisions, issued before the CAB terminated operations, 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 Secretary of Transportation prepared by OMB.

Mr. Fielding did not participate in the review of this matter.

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# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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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.

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# WHITE HOUSE STAFFING MEMORANDUM

DATE: 1/3/84 ACTION/CONCURRENCE/COMMENT DUE BY: 1/3 - c.o.b. TODAY

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WASHINGTON

January 31, 1985

MEMORANDUM FOR RICHARD G. DARMAN

ASSISTANT TO THE PRESIDENT

FROM:

he was the

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

Proposed CAB Decisions: Million Air, Inc.; Bowman Aviation, Inc.; Delta Air Lines, Inc.;

Silvas Air Lines; Texas-Alberta-Alaska

Our office has reviewed the above-referenced CAB decisions, issued before the CAB terminated operations, 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 Secretary of Transportation prepared by OMB.

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# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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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.

WASHINGTON

#### February 21, 1985

MEMORANDUM FOR DAVID L. CHEW

STAFF SECRETARY

FROM:

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

CAB Decisions: Certain Foreign Air Carriers; Kar-Air oy; China Airlines, Ltd.; Balair AG;

Transporturile Aeriene Romane (TAROM)

Our office has reviewed the above-referenced CAB decisions, issued before the CAB terminated operations, 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 Secretary of Transportation prepared by OMB.

I would note, however, that there is an error in the memorandum for the President signed by the Associate Director of OMB for Economics and Government. The last two sentences should be deleted. Since these orders involve foreign air carriers, the President should not state in his letter to the Secretary of Transportation that no national defense or foreign policy reason underlies his decision. That statement, designed to preserve the availability of judicial review, is appropriate only with respect to CAB orders involving domestic carriers. The proposed letter does not follow the erroneous recommendation in the memorandum, and is correct as drafted.

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHIP

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

Document No. 245499

# WHITE HOUSE STAFFING MEMORANDUM

ACTION/CONCURRENCE/COMMENT DUE BY: 2/25/85

DATE: \_\_\_\_2/21/85

RESPONSE:

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EMARKS:  Please provide any comment/recommendation by Monday, February 25th.  Thank you.											



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

ACTION

FEB 20 1985

MEMORANDUM FOR THE PRESIDENT

SUBJECT:

Civil Aeronautics Board Decisions:

Certain Foreign Air Carriers

Docket 42601

Date due: March 1, 1985

China Airlines, Ltd.

Docket 42002

Date due: March 1, 1985

Kar-Air oy Docket 40371

Date due: March 1, 1985

Balair AG Docket 39914

Date due: March 1, 1985

Transporturile Aeriene Romane (TAROM) Docket 29833

Date due: March 1, 1985

Prior to its sunset on January 1, 1985, the Civil Aeronautics Board (CAB) proposed the following actions with regard to the above international aviation cases:

- Revoke the foreign air carrier permits held by certain carriers from Canada, the United Kingdom, and Venezuela for failure to maintain a certificate of insurance. None of the affected carriers objected to the proposed order.
- Amend the authority of China Airlines, Ltd., (the airline of Taiwan), authorizing China Airlines to add Amsterdam, The Netherlands, as a beyond point to its currently authorized United States coterminal points.
- Amend and reissue for an indefinite period of time the authority of Kar-Air oy (a Finnish airline) to conduct charters, carrying persons and property, between the United States and Finland.
- Amend and reissue for five years the authority of Balair AG (a Swiss airline) to conduct charters, carrying persons and property, between the United States and Switzerland.
- Reissue the authority of Transporturile Aeriene Romane (TAROM), owned by the Government of Romania, to engage in foreign air transportation of persons, property, and mail between the United States and Romania, via intermediate points in Europe and Canada.

Because the Department of Transportation has assumed the responsibility for processing international aviation decisions previously made by the Board, the attached letter is addressed to the Secretary of Transportation. 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 Secretary 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 actions. This will preserve whatever opportunity is available under the statute for judicial review.

Original signed by Constance Horner

Constance Horner Associate Director Economics and Government

#### Attachments:

CAB letters of transmittal CAB orders
Letter to the Secretary

## Options and Implementation Actions:

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

#### WASHINGTON

#### Dear Madam Secretary:

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

Certain Foreign Air Carriers Docket 42601 China Airlines, Ltd. Docket 42002

Kar-Air oy Docket 40371 Balair AG Docket 39914

Transporturile Aeriene Romane (TAROM) Docket 29833

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

Sincerely,

The Honorable Elizabeth Dole Secretary of Transportation Washington, D.C. 20590

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# THE CHAIRMAN OF THE

#### CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

DEC 2 1 1994

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

Dear Mr. President:

I transmit the Board's proposed orders on the applications of TAROM (Docket 29833), Balair (Docket 39914), China Airlines (Docket 42002), and Finnair and Kar-Air (Dockets 40370/40371), 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 in Docket 29833 will amend and reissue TAROM's foreign air carrier permit, and adopt the Board's tentative decision in its Order to Show Cause 84-10-122 (enclosed); the order in Docket 39914 will amend and reissue Balair's foreign air carrier permit; the order in Docket 42002 will amend and reissue China Airlines' foreign air carrier permit; and the order in Dockets 40370/40371 will amend and reissue Kar-Air's foreign air carrier permit and cancel Finnair's foreign air carrier permit--unless you disapprove them within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise the Department of Transportation 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, all unclassified portions of the decision may be released on or after the sixth day following this transmittal unless the Department of Transportation is notified by your Assistant for National Security Affairs.

Respectfully yours,

eland Dan Lakingor

Dan McKinnon

Enclosures

- FOR OFFICIAL USE ONLY pmf 8/6/05



# THE CHAIRMAN

OF THE

#### CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

DEC 8 1 1984

out 816103

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

Dear Mr. President:

I transmit the Board's proposed order revoking the foreign air carrier permits held by seven foreign air carriers, Docket 42601, 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 revoke the foreign air carrier permit held by each of the carriers unless you disapprove it within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise the Assistant Secretary of Transportation for Policy and International Affairs to that effect: this will allow 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, it is planned 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,

Dan McKinnon

Enclosures

WASHINGTON

#### February 21, 1985

MEMORANDUM FOR DAVID L. CHEW

STAFF SECRETARY

FROM:

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

CAB Decisions: Jet Charter Service, Inc.; Tower Travel Corporation; Aloha Airlines, Inc.; USAir, Inc.; National Airlines, Inc.

Our office has reviewed the above-referenced CAB decisions, issued before the CAB terminated operations, 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 Secretary of Transportation prepared by OMB.

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Keep this worksheet attached to the original incoming letter.

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# WHITE HOUSE STAFFING MEMORANDUM

DATE: 2/20/85 A	CTION/CONCURR	ENCE/CO	MMENT DUE BY:2	/22/85	-
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REMARKS:					

Please provide any comments/recommendations directly to me.

RESPONSE:



# EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

FEB 20 1000

### MEMORANDUM FOR THE PRESIDENT

SUBJECT:

Civil Aeronautics Board Decisions:

Jet Charter Service, Inc.

d/b/a/ Jet 24

Docket 42160

Date due: March 1, 1985

Aloha Airlines, Inc.

Docket 42156

Date due: March 1, 1985

Tower Travel Corporation d/b/a Atlantic Express

Docket 42435

Date due: March 1, 1985

USAir, Inc. Docket 42544

Date due: March 1, 1985

National Airlines, Inc.

Docket 42658

Date due: March 4, 1985

Prior to its sunset on January 1, 1985, the Civil Aeronautics Board (CAB) proposed the following actions with regard to the above international aviation cases:

- Authorize Jet Charter Service, Inc., to engage in foreign air transportation of persons, property, and mail between San Juan, Puerto Rico, and Madrid, Spain, and between Miami, Florida, and Zurich, Switzerland.
- Authorize Aloha Airlines, Inc., to engage in foreign air transportation of persons, property, and mail between the United States and Korea, Indonesia, Singapore, Thailand, Taiwan, and Hong Kong.
- Authorize Tower Travel Corporation to engage in foreign air transportation of persons, property, and mail between the United States and The Netherlands.
- -- Allow USAir to add Syracuse, New York, as an intermediate point to its existing Boston-Toronto route authority.
- -- Amend the certificate of National Airlines, Inc., to authorize scheduled foreign air transportation of persons, property, and mail between the United States, on one hand, and Korea and Taiwan, on the other hand.

Because the Department of Transportation has assumed the responsibility for processing international aviation decisions previously made by the Board, the attached letter is addressed to the Secretary of Transportation. 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 Secretary 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 actions. This will preserve whatever opportunity is available under the statute for judicial review.

Original signed by Constance Horner

Constance Horner Associate Director Economics and Government

#### Attachments:

CAB letters of transmittal CAB orders Letter to the Secretary

# 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 Secretary.
- ( ) 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.

WASHINGTON

# Dear Madam Secretary:

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

Jet Charter Service, Inc.

Aloha Airlines, Inc.

d/b/a/ Jet 24 Docket 42160 Docket 42156

Tower Travel Corporation d/b/a Atlantic Express

USAir, Inc. Docket 42544

Docket 42435

National Airlines, Inc. Docket 42658

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

Sincerely,

The Honorable Elizabeth Dole Secretary of Transportation Washington, D.C. 20590



# THE CHAIRMAN OF THE CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

DEC 8 1 7574

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

Dear Mr. President:

I transmit the Board's proposed order on the application of Jet Charter Service, Inc. d/b/a Jet 24, Docket 42160, 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 in its order and issue a certificate to the applicant to conduct foreign air transportation unless you disapprove it within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise the Assistant Secretary of Transportation for Policy and International Affairs to that effect; this will allow 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,

Dan McKinnon

Enclosures

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### FOR OFFICIAL USE ONLY

# THE CHAIRMAN

#### CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

DEC 3 1 1984

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

Dear Mr. President:

I transmit the Board's proposed order on the application of Tower Travel Corporation d/b/a Atlantic Express, Docket 42435, 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 84-12-68 (enclosed) and issue a certificate to the applicant to conduct foreign air transportation unless you disapprove it within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise me, or after December 31, 1984, the Department of Transportation, to that effect; this will allow 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,

elened Dan McKinnon

Dan McKinnon

**Enclosures** 

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## FOR OFFICIAL USE ONLY



# THE CHAIRMAN OF THE CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

DEC S 1 1834

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

Dear Mr. President:

I transmit the Board's proposed order on the application of Aloha Airlines, Inc., Docket 42156, 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 to the applicant a certificate and adopt the Board's decision in its order unless you disapprove it within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise me, or after December 31, 1984, the Department of Transportation, 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,

Dan McKinnon

**Enclosures** 

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## EOR OFFICIAL USE ONLY

THE CHAIRMAN

#### CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

DEC 3 1 1984

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

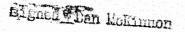
Dear Mr. President:

I transmit the Board's proposed order on the application of USAir, Inc., Docket 42544, 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 amend the applicant's certificate and adopt the Board's decision in its order unless you disapprove it within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise me, or after December 31, 1984, the Department of Transportation, 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,



Dan McKinnon

Enclosures

FOR OFFICIAL USE ONLY prof 8/6/05

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#### THE CHAIRMAN OF THE

### CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

uEC 3 1 1984

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

Dear Mr. President:

I transmit the Board's proposed order on the application of National Airlines, Inc., Docket 42658, 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 amend the applicant's certificate and adopt the Board's decision in its order unless you disapprove it within 60 days of this transmittal.

If you should decide earlier that you will not disapprove, please advise me, or after December 31, 1984, the Department of Transportation, 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,

Shyllis F. Raylor

Dan McKinnon

Enclosures

FOR OFFICIAL USE ONLY AND

WASHINGTON

March 1, 1985

MEMORANDUM FOR DAVID L. CHEW

STAFF SECRETARY

FROM:

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

CAB Decision: Interstate Airlines, Inc.

Our office has reviewed the above-referenced CAB decision, issued before the CAB terminated operations, 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 Secretary of Transportation prepared by OMB.

# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



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# WHITE HOUSE STAFFING MEMORANDUM

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# EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

FEB 28 1985

MEMORANDUM FOR THE PRESIDENT

SUBJECT:

Civil Aeronautics Board Decision:

Interstate Airlines, Inc. Docket 42564
Date due: March 5, 1985

Prior to its sunset on January 1, 1985, the Civil Aeronautics Board (CAB) proposed the following action with regard to the above international aviation case:

-- Authorize Interstate Airlines, Inc., to engage in worldwide charter air transportation of property and mail.

Because the Department of Transportation has assumed the responsibility for processing international aviation decisions previously made by the Board, the attached letter is addressed to the Secretary of Transportation. 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 Secretary which indicates that you do not intend to disapprove the Board's order 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

Constance Horner Associate Director Economics and Government

Attachments:

CAB letter of transmittal CAB order Letter to the Secretary

## 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 Secretary.
- ( ) 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.

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#### THE CHAIRMAN OF THE CIVIL AERONAUTICS BOARD

WASHINGTON, D. C. 20428

DEC 3 1 1984

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

Dear Mr. President:

I transmit the Board's proposed Order in Docket 42564, Application of Interstate 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 a certificate to Interstate Airlines, Inc. authorizing foreign charter air transportation of property and mail. The proposed Order will become effective if not disapproved by the President within 60 days of its transmittal.

If you should decide earlier that you will not disapprove, please advise me or, after December 31, the Department of Transportation to that effect; this will allow the order to be issued 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.

Jan McKinnon

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