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International Aviation Decisions (4 of 10)
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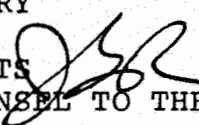
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THE WHITE HOUSE

WASHINGTON

July 15, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: DOT International Aviation Decisions:
The Interface Group (Five Star Airlines)
and Trans World Airlines

Our office has reviewed the above-referenced Department of Transportation International Aviation decisions, 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.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence Received (YY/MM/DD) 1 1Name of Correspondent: D. Chew☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: DOT International Aviation Decision:
The Interface Group (Five Star Airlines)
and Trans World Airlines

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>CUHOLL</u>	<u>ORIGINATOR</u>	<u>85107112</u>			<u>1 1</u>
<u>CUAT18</u>	<u>R</u>	<u>85107112</u>		<u>S</u>	<u>85107116</u>
	Referral Note:			<u>COB</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>
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ACTION CODES:

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 to be used as Enclosure

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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.
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THE WHITE HOUSE

WASHINGTON

July 16, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: DOT International Aviation Decision:
Security of Aircraft and Safety of
Passengers Transiting Lebanon

Our office has reviewed the above-referenced Department of Transportation International Aviation decision, 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 the Department of Transportation.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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Received (YY/MM/DD) 1 1Name of Correspondent: Dave Chew☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: DOT International Aviation Decision:
Security of Aircraft and Safety of
Passengers Transiting Lebanon

ROUTE TO:

ACTION

DISPOSITION

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<u>CUHOLL</u>	ORIGINATOR	<u>85107112</u>			<u>1 1</u>
	Referral Note:				
<u>CUAT18</u>	<u>R</u>	<u>85107112</u>			<u>85107116</u>
	Referral Note:				<u>COB</u>
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
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WHITE HOUSE STAFFING MEMORANDUMDATE: 7/12/85 ACTION/CONCURRENCE/COMMENT DUE BY: c.o.b. July 16thSUBJECT: DOT International Aviation Decision: Security of Aircraft and
Safety of Passengers Transiting Lebanon

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☐	LACY	☐	☐
REGAN	☐	☐	McFARLANE	☒	☐
STOCKMAN	☐	☐	OGLESBY	☐	☐
BUCHANAN	☐	☐	ROLLINS	☐	☐
CHAVEZ	☐	☐	RYAN	☐	☐
CHEW	☐	☐	SPEAKES	☐	☐
DANIELS	☐	☐	SPRINKEL	☐	☐
FIELDING	☒	☐	SVAHN	☒	☐
FRIEDERSDORF	☐	☐	TUTTLE	☐	☐
HENKEL	☐	☐	_____	☐	☐
HICKEY	☐	☐	_____	☐	☐
HICKS	☐	☐	_____	☐	☐
KINGON	☐	☐	_____	☐	☐

REMARKS: Please give your recommendations to my office by close of business July 16th. Thanks.

RESPONSE:

1985 JUL 12 PM 7:08

David L. Chew
Staff Secretary
Ext. 2702

FOR OFFICIAL USE ONLY



THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

JUL 9 1985

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

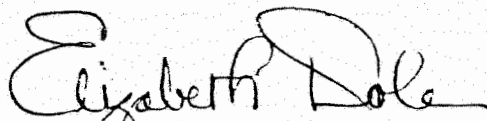
Dear Mr. President:

I transmit the Department's proposed order in the matter of Security of Aircraft and Safety of Passengers Transiting Lebanon, Docket 43232. This order would condition the authority of all U.S. and foreign air carriers to prohibit the sale in the United States of any transportation by air which includes any type of stop in Lebanon.

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

I am 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,


Elizabeth Hanford Dole

Enclosures



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

JUL 12 1985

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Department of Transportation International
Aviation Decision:

Security of Aircraft and Safety
of Passengers Transiting Lebanon
Docket 43232
Date due: September 7, 1985

The Department of Transportation (DOT) proposes to take the following action with regard to the above international aviation case:

- Amend all United States air carrier certificates and foreign air carrier permits to prohibit the sale in the United States of any transportation by air which includes any type of stop in Lebanon.

The Departments of State, Defense, and Justice, and the National Security Council have no objection to the proposed order.

This air case is a special instance involving important national security considerations. Therefore, to fully explain your action on this, DOT has prepared an expanded letter to the Secretary, for your signature.

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

Original signed by
Constance Horner

Constance Horner
Associate Director
Economics and Government

Attachments:

DOT letter of transmittal
DOT order
Letter to the Secretary

Options and Implementation Actions:

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

THE WHITE HOUSE

WASHINGTON

Dear Madam Secretary:

I have reviewed the order proposed by the Department of Transportation in the following case:

Security of Aircraft and Safety
of Passengers Transiting Lebanon
Docket 43232

I find that its expeditious issuance is consistent with Presidential Determination 85-14 under Section 1114 of the Federal Aviation Act to suspend air service between the United States and Lebanon. Moreover, your action is an important step in implementing my policy with respect to Beirut International Airport in light of Lebanon's failure to act consistently with the Convention for the Suppression of Unlawful Seizure of Aircraft.

For these reasons, I have decided not to disapprove the proposed order.

Sincerely,

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

THE WHITE HOUSE

WASHINGTON

July 19, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Aviation Decisions

As we discussed. Revision of the Executive Order at Transportation was derailed as the pertinent officials became involved in implementing the various policy initiatives with respect to the airports at Athens and Beirut. The process should be back on track now.

Attachment

THE WHITE HOUSE

WASHINGTON

July 22, 1985

MEMORANDUM FOR WHITE HOUSE STAFF

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

SUBJECT: Aviation Decisions

Executive Order 11920 (June 10, 1976) established procedures for Presidential review of international aviation decisions pursuant to Section 801 of the Federal Aviation Act, 49 U.S.C. § 1461. That Order is in the process of being revised, in light of the sunset of the Civil Aeronautics Board. Section 4 of the Executive Order prohibits individuals within the Executive Office of the President from discussing Section 801 cases -- those involving international aviation -- with outside parties, and requires such individuals to refer written communications on Section 801 cases from outside parties to the appropriate office outside the Executive Office of the President. These restrictions are still in effect. You should refuse to discuss cases subject to the President's approval under Section 801 with interested private parties, and you should refer any written communications you receive on such cases to this office for appropriate referral.

I would also remind you that purely domestic aviation decisions not subject to Presidential approval under Section 801 would typically implicate our general policy against White House interference in particular matters pending before agencies with adjudicative responsibilities. You should consult with this office before discussing such cases with interested private parties or Government agencies.

FFF:JGR:aea 7/22/85

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

July 22, 1985

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Aviation Decisions

Executive Order 11920 (June 10, 1976) established procedures for Presidential review of international aviation decisions pursuant to Section 801 of the Federal Aviation Act, 49 U.S.C. § 1461. That order is in the process of being revised, in light of the sunset of the Civil Aeronautics Board. Section 4 of the Executive Order prohibits individuals within the Executive Office of the President from discussing Section 801 cases -- those involving international aviation -- with outside parties, and requires such individuals to refer written communications on Section 801 cases from outside parties to the appropriate office outside the Executive Office of the President. These restrictions are still in effect. You should refuse to discuss cases subject to the President's approval under Section 801 with interested private parties, and you should refer any written communications you receive on such cases to this office for appropriate referral.

I would also remind you that purely domestic aviation decisions not subject to Presidential approval under Section 801 would typically implicate our general policy against White House interference in particular matters pending before agencies with adjudicative responsibilities. You should consult with this office before discussing such cases with interested private parties or Government agencies.

FFF:JGR:aea 7/19/85

cc: FFFielding

JGRoberts

Subj

Chron

THE WHITE HOUSE

WASHINGTON

August 8, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: DOT International Aviation Decision:
Martinair Holland, N.V.

Our office has reviewed the above-referenced Department of Transportation International Aviation decision, 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 the Department of Transportation.

ID #

CU

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Received (YY/MM/DD) 1 / 1Name of Correspondent: D. Chew☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: DOT International Aviation Decision: Martinair
Holland, N.V.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
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		Referral Note:				
<u>Unit 18</u>		<u>R</u>	<u>85,08,08</u>		<u>S</u>	<u>85,08,08</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:				
			<u>1 / 1</u>			<u>1 / 1</u>
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THE WHITE HOUSE

WASHINGTON

August 2, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: DOT International Aviation Decisions:
Air America, Inc. and Key Airlines

Our office has reviewed the above-referenced Department of Transportation International Aviation decisions, 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 the Department of Transportation.

ID # 303080

CU

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 1

Name of Correspondent: D. Chew

☐ MI Mail Report

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

Subject: DOT International aviation decisions re: air
America, Inc. and Key Airlines

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CU Hall		ORIGINATOR	85108102			1 1
		Referral Note:				
CUat 18		B	85108102		S	85108107 5PM
		Referral Note:				
			1 1			1 1
		Referral Note:				
			1 1			1 1
		Referral Note:				
			1 1			1 1
		Referral Note:				
			1 1			1 1
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