

6/3/80 [2]

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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
memo w/att	Harold Brown to the President. Re: Significant actions, Sec. and Dep. Sec. of Defense. (4 pp.)	5/30/80	A
memo	Zbigniew Brzezinski to the President. Re: Venice Economic Summit. (1 p.)	6/3/80	A

FILE LOCATION

Carter Presidential Papers- Staff Offices, Office of Staff Sec.-
Pres. Handwriting File, "6/3/80 [2]." Box 189

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- (A) Closed by Executive Order 12356 governing access to national security information.
- (B) Closed by statute or by the agency which originated the document.
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THE WHITE HOUSE
WASHINGTON

May 16, 1980

Tom Jones:

We have received White House concurrence on the attached. Please take appropriate action.

DPS, OMB, NSC and CEA all concur.

Patti

2706

LIMITED OFFICIAL USE

THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON
20506

May 12, 1980

ACTION

MEMORANDUM FOR: _

THE PRESIDENT

FROM:

AMBASSADOR REUBIN O'D. ASKEW

SUBJECT:

Annual Review of Tariff Treatment of Brooms of Broomcorn

Under a provision of the Tariff Schedules of the United States established by P.L. 89-241, you must determine annually whether the consumption of certain broomcorn brooms has changed substantially since 1975. If your determination is affirmative, you must proclaim a modification of the tariff-rate quotas applicable to such brooms (tariff items 750.26 and 750.29).

The U.S. International Trade Commission reported to you on March 31, 1980 its estimates of domestic consumption of broomcorn brooms. This report was reviewed by the Trade Policy Staff Committee, which concluded unanimously that the decreases reported by the Commission were not sufficiently large to warrant a reduction in the relevant tariff rate quotas. The report of the Committee is attached.

I agree with the conclusions of the Committee and recommend that you make no change in the existing tariff rate quotas on brooms of broomcorn.

Approve _____ Disapprove _____

Attachment

LIMITED OFFICIAL USE

THE WHITE HOUSE
WASHINGTON

5/19/80

Tom Jones:

We have received White House
concurrence on the attached
CAB decision. please take
appropriate action.

Patti



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

MAY 13 1980

ACTION

MEMORANDUM FOR THE STAFF SECRETARY

SUBJECT: Civil Aeronautics Board Decisions:

Bahamasair Holdings Limited	Trans-Mediterranean Airways, S.A.L.
Docket 34941	Docket 35516
Due Date: June 14, 1980	Due Date: June 14, 1980

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.

/s/ R. O. Schlickeisen
R. O. Schlickeisen
Associate Director for
Economics and Government

Attachments:

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

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

MAY 13 1980

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions:

Bahamasair Holdings Limited	Trans-Mediterranean Airways, S.A.L.
Docket 34941	Docket 35516
Due Date: June 14, 1980	Due Date: June 14, 1980

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

- The foreign air carrier permit of Bahamasair Holdings, Limited, is renewed for a five year period. Further, the carrier's permit is amended to allow for the foreign air transportation of persons, property and mail between a point or points in the Bahama Islands and the U.S. coterminal points of Atlanta, Georgia; Chicago, Illinois; Detroit, Michigan; Dallas, Texas; and Fort Lauderdale, Miami, Palm Beach and Tampa, Florida. Any charter trips by Bahamasair must be operated within the Board's Regulations.
- The foreign air carrier permit of Trans-Mediterranean Airways, S.A.L., is renewed for a period of three years. Further, the carrier's permit is amended to allow:
 - (1) foreign air transportation of property and mail between a point or points in Lebanon and New York, New York, via seven intermediate European countries, and
 - (2) charter trips in foreign air transportation subject to the Board's Regulations governing charters. Although Seaboard World Airlines, Inc., has objected to the Board's actions in this case, the carrier's allegation that harm would result to U.S. carriers and the international air transport system is deemed by the Board to be vague and unsupported.

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.

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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.

/s/ R. O. Schlickeisen

R. O. Schlickeisen
Associate Director for
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.
- 2) Disapprove the Board's orders.
-- Implementation materials to be prepared.
- 3) See me.

THE WHITE HOUSE

WASHINGTON

To Chairman Marvin Cohen

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

Bahamasair Holdings Limited

Trans-Mediterranean
Airways, S.A.L.

Docket 34941

Docket 35516

I do not intend to disapprove the Board's orders within the 60 days allowed by statute.

Sincerely,

The Honorable Marvin S. Cohen
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

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ID: 802976

THE WHITE HOUSE

WASHINGTON

DATE: 22 MAY 80

FOR ACTION: LLOYD CUTLER (DOUG HURON)

STU EIZENSTAT

Sp27

INFO ONLY: THE VICE PRESIDENT

concur

SUBJECT: CAB DECISION: TRINIDAD AND TOBAGO AIRWAYS CORP. D/B/A/
BWIA INTL-TRINIDAD AND TOBAGO AIRWAYS, DOCKET 37350;
TOP TOURS, S.A. D/B/A/ TTI TRAVEL, INC., DOCKET 37209

+++++
+ RESPONSE DUE TO DOUG HURON +
+ BY: 1200 PM SATURDAY 24 MAY 80 +
+++++

ACTION REQUESTED: LAST DAY FOR ACTION: JUNE 20, 1980

STAFF RESPONSE: () I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:



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

MAY 21 1980

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil-Aeronautics Board Decisions:

Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.)	Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways
Docket 37209	Docket 37360
Due Date: June 20, 1980	Due Date: June 20, 1980

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

- A foreign indirect air carrier permit will be issued to Top Tours, S.A., (Spain) d/b/a TTI Travel, Inc., (U.S.A.) for a period of five years. The issuance of this permit will allow the Spanish firm to organize tours and to contract with air carriers for the transportation of passengers and their accompanied baggage from any point or points in the United States to any point or points outside the United States, and return.
- The foreign air carrier permit of British West Indian Airways, Limited, will be transferred to Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International - Trinidad and Tobago Airways. By an act of the Parliament of the Republic of Trinidad and Tobago, the country's international and domestic carriers are being merged. The merged firm, Trinidad and Tobago (BWIA International) Airways Corporation, will be designated to replace BWIA as the Trinidadian carrier operating air services to and from the United States. These public policy and corporate actions require the proposed foreign air carrier permit transfer.

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.



R. O. Schlickeisen
Associate Director for
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.
- 2) Disapprove the Board's orders.
-- Implementation materials to be prepared.
- 3) See me.

**MEMORANDUM
OF CALL**

TO:

YOU WERE CALLED BY— YOU WERE VISITED BY—

OF (Organization)

PLEASE CALL → PHONE NO. CODE/EXT. FTS
 WILL CALL AGAIN IS WAITING TO SEE YOU
 RETURNED YOUR CALL WISHES AN APPOINTMENT

MESSAGE

From: Doug Huron

RECEIVED BY	DATE	TIME
-------------	------	------

63-109

☆ U.S. G.P.O. 1979-281-184/13

STANDARD FORM 63 (Rev. 8-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

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

MAY 23 1980

ACTION

MEMORANDUM FOR THE STAFF SECRETARY

SUBJECT: Civil Aeronautics Board Decision:

Aerotour Dominicano, C. por A.

Docket 30870

Due Date: July 7, 1980

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.

/s/ R. O. Schlickeisen

R. O. Schlickeisen
Associate Director for
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 23 1980

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision:
Aerotour Dominicano, C. por A.
Docket 30870
Due Date: July 7, 1980

The Civil Aeronautics Board proposes to issue a foreign air carrier permit to Aerotour Dominicano, C. por A., for a period of five years. This proposed action would authorize the Dominican carrier to engage in: (1) non-scheduled foreign air transportation of property between the Dominican Republic and the U.S. Virgin Islands, San Juan, Puerto Rico, and Miami, Florida; and (2) charter trips in foreign air transportation of property subject to the Board's Regulations governing charter activities.

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 and they have no objection to the Board's proposed order. 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. Otherwise, the Board's order becomes final on the 61st day.

/s/ R. O. Schlickeisen

R. O. Schlickeisen
Associate Director for
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.
-- Appropriate implementation materials to be prepared.
- 3) See me.

THE WHITE HOUSE

WASHINGTON

To Chairman Marvin Cohen

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

Aerotour Dominicano, C. por A.

Docket 30870

I do not intend to disapprove the Board's order within the 60 days allowed by statute.

Sincerely,

The Honorable Marvin S. Cohen
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

FOR OFFICIAL USE ONLY

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

Adopted by the Civil Aeronautics Board
at its office in Washington, D. C.
on the 2nd day of May, 1980

Application of ----- :
 :
 AEROTOUR DOMINICANO, C. por A. : Docket 30870
 :
 for a foreign air carrier permit pursuant :
 to section 402 of the Federal Aviation Act :
 of 1958, as amended :

ORDER

By Order 79-11-13, adopted November 1, 1979, the Board directed all interested persons to show cause why the Board should not, subject to the disapproval of the President, issue a foreign air carrier permit to Aerotour Dominicano, C. por A. to authorize it to engage in (1) non-scheduled foreign air transportation of property between the Dominican Republic and the U.S. Virgin Islands, San Juan, Puerto Rico, and Miami, Florida; and (2) charter trips in foreign air transportation subject to the terms, conditions and limitations of the Board's Regulations governing charters, for a period of five years.

The order directed interested persons having objections to the Board's tentative findings and conclusions set forth in that order, or to the issuance of the proposed foreign air carrier permit, to file their objections within 21 days. In addition, the order provided that in the event no objections were filed, all further procedural steps would be deemed waived, and the Secretary would enter an order which (1) would make final the Board's tentative findings and conclusions, and (2) subject to the disapproval of the President pursuant to section 801(a) of the Act, would issue a foreign air carrier permit to Aerotour Dominicano, C. por A. in the form attached to the order.

No objections to Order 79-11-13 were filed and on November 28, 1979, the Secretary entered an order making final the Board's tentative findings and conclusions. By Order 80-2-10, the Board requested the President to return the order. The problems which lead to that action have been resolved.

ACCORDINGLY,

1. We make final our tentative findings and conclusions set forth in Order 79-11-13;

FOR OFFICIAL USE ONLY

2. We are issuing a foreign air carrier permit in the form attached to Aerotour Dominicano, C. por A.;

3. The Secretary of the Board shall sign the permit on our behalf and shall affix the seal of the Board; and

4. Unless disapproved by the President of the United States under section 801(a) of the Act, this order and the permit attached shall become effective on the 61st day after the submission to the President, 1/ or upon the date of receipt of advice from the President that he does not intend to disapprove the Board's order under that section, whichever is earlier.

5. Aerotour Dominicano, C. por A. shall be a party to the rulemaking proceeding regarding insurance requirements in EDR-395, Docket 37531 and to the accompanying Show Cause Order 80-1-176, January 28, 1980, Docket 37532 (45 FR 7566, February 4, 1980).

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR

Secretary

(SEAL)
All Members concurred.

1/ This order was submitted to the President on MAY 8 1980
The 61st day is JUL 8 1980

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

PERMIT TO FOREIGN AIR CARRIER

AEROTOUR DOMINICANO, C. por A.

is authorized, subject to the provisions set forth, the provisions of the Federal Aviation Act of 1958, as amended, and the orders, rules and regulations of the Board, to engage in foreign air transportation of property, as follows:

Between any point or points in the Dominican Republic and terminal points in the U.S. Virgin Islands, Puerto Rico, and Miami, Florida.

The authority granted above shall be subject to the condition that the holder shall not engage in scheduled international air service.

The holder shall be authorized to engage in charter trips in foreign air transportation, subject to the terms, conditions and limitations prescribed by the Board's Regulations governing charters.

The holder shall conform to the airworthiness and airman competency requirements prescribed by the Government of the Dominican Republic for Dominican international air service.

The holder shall not operate any aircraft under the authority granted by this permit unless the holder complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention.

This permit shall subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the Dominican Republic shall be parties.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966, and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board to which the holder becomes a party.

The holder shall not provide foreign air transportation under this permit unless (1) there is in effect third-party liability insurance in the amount of \$1,000,000 or more to meet potential liability claims which may arise in connection with its operations under this permit, and (2) there is in effect minimum liability insurance coverage for bodily injury to or death of cargo handlers in the amount of \$75,000 per cargo handler, and (3) there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the insurance provided under (1) and (2) above. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers. 1/

By accepting this permit, the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The exercise of the privileges granted shall be subject to such other reasonable terms, conditions and limitations required by the public interest as may be prescribed by the Board.

This permit shall be effective on _____, and shall terminate five years thereafter: Provided, that if during the period this permit shall be effective, the operation of the foreign air transportation authorized becomes the subject of any treaty, convention, or agreement to which the United States and the Dominican Republic are or shall become parties, then this permit is continued in effect during the period provided in such treaty, convention, or agreement, or until termination of this period, whichever is earlier.

The Civil Aeronautics Board, through its Secretary, has executed this permit and affixed its seal on May 2, 1980.

PHYLLIS T. KAYLOR

Secretary

(SEAL)

1/ By EDR-395 and accompanying Show Cause Order 80-1-176, Dockets 37531 and 37532, 45 FR 7566, February 4, 1980, the Board proposed to adopt a new Part 205 of its regulations to require \$20,000,000 in third-party liability insurance, with \$300,000 per person passenger and third-party liability coverage, and to amend foreign air carrier permits to make them subject to the new regulations. The holder will be subject to the insurance requirements provided for in those regulations as they may be finally adopted.

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



Adopted by the Civil Aeronautics Board
at its office in Washington, D.C.
on the 1st day of November, 1979

-----	:	
Application of	:	
	:	
AEROTOUR DOMINICANO, C. por A.	:	Docket 30870
	:	
for a foreign air carrier permit pursuant	:	
to section 402 of the Federal Aviation Act	:	
of 1958, as amended	:	
-----	:	

STATEMENT OF TENTATIVE FINDINGS AND CONCLUSIONS
AND ORDER TO SHOW CAUSE

On May 11, 1977, Aerotour Dominicano, C. por A. (Aerotour) filed an application for a foreign air carrier permit to engage in scheduled and nonscheduled foreign air transportation of passengers, cargo and mail between the Dominican Republic and several points in the United States. On May 27, 1977 the Embassy of the Dominican Republic advised the Department of State that the scope of Aerotour's application exceeded the authority it had been granted by the Dominican Government. 1/

On December 1, 1977 Aerotour Dominicano amended its application for a foreign air carrier permit and on March 12, 1979 the applicant submitted a motion for an order to show cause why it should not be issued authority for a period of five years (1) to engage in nonscheduled foreign air transportation of property between the Dominican Republic and terminal points in the U.S. Virgin Islands, San Juan, Puerto Rico, and Miami, Florida; and (2) to engage in charter trips in foreign air transportation of property. Aerotour also requested a waiver of the requirements of Part 312 of the Board's Regulations on the grounds that its three weekly flights to the Virgin Islands, two to San Juan, and one to Miami are not environmentally significant, and that its total services can be conducted with less than 200,000 gallons of fuel annually.

1/ Note No. 298 stated that the Certificate of Authority issued by the Dominican Government granted Aerotour permission to operate only "non-scheduled (charter) air transportation of passengers and cargo between points in the Dominican Republic and points outside of the Dominican Republic."

No answers to the amended application have been filed.

Background

Aerotour Dominicano, C. por A. was organized under the laws of the Dominican Republic on December 22, 1972. The Judicial Service of the Dominican Republic formally acknowledged the legal documents registering the airline on July 12, 1973. 2/ Aerotour has operated all-cargo service in the Caribbean and South America since commencing operations in March 1974 under authority granted by the Dominican Republic in a "Certificate of Exploitation" awarded on June 1, 1973 for a period of five years and renewed for ten years on September 25, 1978. 3/ During the past few years, Aerotour has been operating continuing cargo charter flights carrying fresh produce under long-term contracts between Santo Domingo and St. Croix, St. Thomas, San Juan and Miami authorized by foreign aircraft permits issued by the Board under section 1108(b) of the Federal Aviation Act of 1958, as amended. On June 28, 1979 Aerotour was granted an exemption pursuant to section 416(b) of the Act to operate single-entity cargo charter flights carrying fresh fruits and vegetables between the Dominican Republic and St. Croix/St. Thomas, San Juan and Miami, pending action on its application for a 402 foreign air carrier permit. 4/

Ownership and Control

Aerotour Dominicano's principal office is in Santo Domingo, the capital of the Dominican Republic. The applicant states that its principal organizer, Eduardo Fernandez Morales, a Dominican citizen, owns 95 percent of the issued and outstanding stock of the corporation, with the remaining shares held by his wife, brother and Aerotour employees, all of whom are citizens of the Dominican Republic. Mr. Fernandez is the President, Treasurer, General Manager and Chief Pilot of Aerotour, and is also a Director of the company. The authorized capital of Aerotour is \$50,000 (authorized 500 shares, issued 428 shares) with a par value of \$100 per share. No officer or stockholder of Aerotour owns stock or other interest in any other airline. 5/

2/ Exhibit AT-100, Motion for Show Cause.

3/ Exhibit AT-400, Motion for Show Cause.

4/ See Order 79-6-173.

5/ Exhibits AT-101-106.

Financial and Operating Fitness

The applicant's balance sheet as of December 31, 1978 shows current assets of \$36,469 and current liabilities of \$65,777. Its total assets are \$158,000 and its net worth, approximately \$92,500. While Aerotour has a negative current ratio, the company's income statement for the year ended December 31, 1978 shows an operating profit of \$22,685 and Aerotour states that it has never been unable to meet its financial obligations, nor has it been refused debt financing. 6/

Aerotour owns two Lockheed L1049's and two Lockheed L749's. Aerotour has been engaged in cargo operations since 1974 and flies to Colombia and Curacao, in addition to its services pursuant to authority granted under sections 1108(b) and 416(b) of the Act. According to reports filed in 1979 for operations through the month of April, Aerotour has carried fresh produce to Puerto Rico and the Virgin Islands.

Under its proposed foreign air carrier permit, Aerotour plans to continue an average of three cargo flights per week to the Virgin Islands, two to Puerto Rico, and one to Miami. Because of the varying requirements of Dominican exporters and the seasonal fluctuations in the marketplace for fresh produce, Aerotour will continue to operate its services on an unscheduled basis. Aerotour represents that it has had no accidents, or safety or tariff violations. It has aircraft maintenance facilities at Aeropuerto Las Americas, Dominican Republic.

Public Interest

Aerotour originally sought operating authority pursuant to the United States-Dominican Republic Air Transport Agreement as amended, and the initial application stated that Aerotour was designated by the Government of the Dominican Republic on April 22, 1977 to exercise rights under paragraph 2 of the Annex to the Agreement. Later it was recognized that the Agreement contains no provision with respect to nonscheduled air cargo service, and that Aerotour's application was governed by considerations of reciprocity and comity. 7/ The applicant

6/ Exhibits AT-110-112.

7/ Exhibits AT-400 and 401.

states that Pan American, Eastern, American and Prinair have charter authority to operate to Santo Domingo, 8/ that eight U.S. charter air carriers, as well as a large number of air taxi operators, are authorized to provide cargo charter service in the U.S.-Dominican Republic market, and that the Dominican Government has been liberal in its policy toward cargo operations by U.S. carriers. 9/

In view of the foregoing and all the facts of record, we tentatively find and conclude that:

1. Aerotour Dominicano, C. por A. is substantially owned and effectively controlled by nationals of the Dominican Republic;
2. It is in the public interest to issue a foreign air carrier permit to Aerotour Dominicano, C. por A. in the specimen form attached;
3. The public interest requires that the exercise of the privileges granted by the permit shall be subject to the terms, conditions and limitations contained in the specimen permit attached to this order, and to such other reasonable terms, conditions and limitations required by the public interest as may be prescribed by the Board;
4. Aerotour Dominicano, C. por A. is fit, willing and able to perform properly the transportation described in the specimen permit and to conform to the provisions of the Federal Aviation Act of 1958, as amended, and the rules, regulations and requirements of the Board;
5. The public interest does not require an oral evidentiary hearing on the application; 10/
6. The issuance of a foreign air carrier permit to Aerotour Dominicano, C. por A. would not constitute "a major Federal Action significantly affecting the quality of the human environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 and would not constitute "a major regulatory action" under the Energy Policy and Conservation Act of 1975, as defined in section 313.4(a)(1) of the Board's Regulations; 11/

8/ The July 1979 Air Cargo Guide shows current service by American and Eastern.

9/ The eight carriers are World, TIA, Overseas, McCullough, Evergreen, Capitol, Rich and Airlift. See orders 77-1-99, 77-1-100 and 78-4-44.

10/ Any interested person having objections to the issuance of an order making final the Board's tentative findings and conclusions, and issuing the attached permit, shall be allowed 21 days in which to respond from the date of service of this order. If objections are filed, 10 days will be allowed for answers.

11/ Our tentative findings are based upon the fact that Aerotour's proposed operations approximate those now performed under section 416(b) exemption authority and those formerly authorized under section 1108(b) authority, and that fuel consumption will not be in excess of 200,000 gallons per year.

ACCORDINGLY,

1. We direct all interested persons to show cause why the Board should not (1) make final its tentative findings and conclusions, and (2) subject to the disapproval of the President, pursuant to section 801(a) of the Act, issue a foreign air carrier permit to Aerotour Dominicano, C. por A. for a period of five years in the specimen form attached;

2. Any interested persons objecting to the issuance of an order making final the Board's tentative findings and conclusions and issuing the attached specimen permit shall, no later than November 27, 1979 file with the Board and serve on the persons named in paragraph 5, a statement of objections specifying the part or parts of the tentative findings and conclusions objected to, together with a summary of testimony, statistical data, and concrete evidence to be relied upon in support of the objections. An oral evidentiary hearing or discovery procedures may be requested. The objector should state in detail why such a hearing or discovery is considered necessary and what material issues of decisional fact he would expect to establish through such hearing or discovery which cannot be established in written pleadings. The objector should consider whether discovery procedures alone would suffice to resolve material issues of decisional fact; if so, the type of procedure should be specified (see Part 302, Rules 19 and 20); if not, the reasons why not should be explained. If objections are filed, answers may be filed, but no later than December 7, 1979 ;

3. If timely and properly supported objections are filed, we will give further consideration to the matters and issues raised by the objections before we take further action: Provided, that we may proceed to enter an order in accordance with our tentative findings and conclusions set forth in this order if we determine that there are no factual issues presented that warrant the holding of an oral evidentiary hearing; 12/

4. In the event no objections are filed, all further procedural steps will be deemed waived, and the Secretary shall enter an order which (1) shall make final our tentative findings and conclusions set forth in this order, and (2) subject to the disapproval of the President pursuant to section 801(a) of the Act, shall issue an amended foreign air carrier permit to the applicant in the specimen form attached;

5. We shall serve this order on Aerotour Dominicano, C. por A., the Embassy of the Dominican Republic in Washington, D. C., and the Departments of State and Transportation.

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

We shall publish a summary of this order in the Federal Register and transmit a copy to the President of the United States.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR

Secretary

(SEAL)

All Members concurred.

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

PERMIT TO FOREIGN AIR CARRIER

AEROTOUR DOMINICANO, C. por A.

is authorized, subject to the provisions set forth, the provisions of the Federal Aviation Act of 1958, as amended, and the orders, rules and regulations of the Board, to engage in foreign air transportation of property, as follows:

Between any point or points in the Dominican Republic and terminal points in the U.S. Virgin Islands, Puerto Rico, and Miami, Florida.

The authority granted above shall be subject to the condition that the holder shall not engage in scheduled international air service.

The holder shall be authorized to engage in charter trips in foreign air transportation, subject to the terms, conditions and limitations prescribed by the Board's Regulations governing charters.

The holder shall conform to the airworthiness and airman competency requirements prescribed by the Government of the Dominican Republic for Dominican international air service.

The holder shall not operate any aircraft under the authority granted by this permit unless the holder complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention.

This permit shall subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the Dominican Republic shall be parties.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966, and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board to which the holder becomes a party.

The holder shall not provide foreign air transportation under this permit unless (1) there is in effect third-party liability insurance in the amount of \$1,000,000 or more to meet potential liability claims which may arise in connection with its operations under this permit, and (2) there is in effect minimum liability insurance coverage for bodily injury to or death of cargo handlers in the amount of \$75,000 per cargo handler, and (3) there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the insurance provided under (1) and (2) above. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers.

By accepting this permit, the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The exercise of the privileges granted shall be subject to such other reasonable terms, conditions and limitations required by the public interest as may be prescribed by the Board.

This permit shall be effective on _____, and shall terminate five years thereafter: Provided, that if during the period this permit shall be effective, the operation of the foreign air transportation authorized becomes the subject of any treaty, convention, or agreement to which the United States and the Dominican Republic are or shall become parties, then this permit is continued in effect during the period provided in such treaty, convention, or agreement, or until termination of this period, whichever is earlier.

The Civil Aeronautics Board, through its Secretary, has executed this permit and affixed its seal on

Secretary

(SEAL)

ID 803009

THE WHITE HOUSE

WASHINGTON

DATE: 27 MAY 80

FOR ACTION: LLOYD CUTLER (DOUG HURON) STU EIZENSTAT

Amur
5/27

INFO ONLY: THE VICE PRESIDENT

SUBJECT: CAB DECISION: AEROTOUR DOMINICANO, C. POR A.; DOCKET
30870

LAST DAY FOR ACTION: JULY 7, 1980

+++++

+ RESPONSE DUE TO DOUG HURON +

+ BY: 1200 PM THURSDAY 29 MAY 80 +

+++++

ACTION REQUESTED: YOUR COMMENTS

STAFF RESPONSE: () I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

**Electrostatic Copy Made
for Preservation Purposes**



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

MAY 23 1980

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision:

Aerotour Dominicano, C. por A.

Docket 30870

Due Date: July 7, 1980

The Civil Aeronautics Board proposes to issue a foreign air carrier permit to Aerotour Dominicano, C. por A., for a period of five years. This proposed action would authorize the Dominican carrier to engage in: (1) non-scheduled foreign air transportation of property between the Dominican Republic and the U.S. Virgin Islands, San Juan, Puerto Rico, and Miami, Florida; and (2) charter trips in foreign air transportation of property subject to the Board's Regulations governing charter activities.

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 and they have no objection to the Board's proposed order. 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. Otherwise, the Board's order becomes final on the 61st day.

R. O. Schlickeisen
Associate Director for
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.
-- Appropriate implementation materials to be prepared.
- 3) See me.



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

MAY 21 1980

ACTION

MEMORANDUM FOR THE STAFF SECRETARY

SUBJECT: Civil Aeronautics Board Decisions:

Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.)	Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways
Docket 37209	Docket 37360
Due Date: June 20, 1980	Due Date: June 20, 1980

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.

/s/ R. O. Schlickeisen

R. O. Schlickeisen
Associate Director for
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

MAY 21 1980

ACTION

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions:

Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.)	Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways
Docket 37209	Docket 37360
Due Date: June 20, 1980	Due Date: June 20, 1980

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

- A foreign indirect air carrier permit will be issued to Top Tours, S.A., (Spain) d/b/a TTI Travel, Inc., (U.S.A.) for a period of five years. The issuance of this permit will allow the Spanish firm to organize tours and to contract with air carriers for the transportation of passengers and their accompanied baggage from any point or points in the United States to any point or points outside the United States, and return.
- The foreign air carrier permit of British West Indian Airways, Limited, will be transferred to Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International - Trinidad and Tobago Airways. By an act of the Parliament of the Republic of Trinidad and Tobago, the country's international and domestic carriers are being merged. The merged firm, Trinidad and Tobago (BWIA International) Airways Corporation, will be designated to replace BWIA as the Trinidadian carrier operating air services to and from the United States. These public policy and corporate actions require the proposed foreign air carrier permit transfer.

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.

/s/ R. O. Schlickeisen
R. O. Schlickeisen
Associate Director for
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.
- 2) Disapprove the Board's orders.
-- Implementation materials to be prepared.
- 3) See me.

THE WHITE HOUSE

WASHINGTON

To Chairman Marvin Cohen

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

Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.)	Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways
--	--

Docket 37209

Docket 37360

I do not intend to disapprove the Board's orders within the 60 days allowed by statute.

Sincerely,

The Honorable Marvin S. Cohen
Chairman
Civil Aeronautics Board
Washington, D. C. 20428

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

Adopted by the Civil Aeronautics Board
at its office in Washington, D.C.
on the 11th day of April, 1980

Application of :

TRINIDAD AND TOBAGO (BWIA INTERNATIONAL) :
AIRWAYS CORPORATION :
d/b/a BWIA INTEKNATIONAL -TRINIDAD AND :
TOBAGO AIRWAYS :

Docket 37360

for transfer of foreign air carrier permit :
held by British West Indian Airways Limited :
pursuant to section 402 of the Federal :
Aviation Act of 1958, as amended :

ORDER

By Order 80-3-84, adopted March 14, 1980, the Board directed all interested persons to show cause why the Board should not, subject to the disapproval of the President, transfer the permit of British West Indian Airways Limited to Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways.

The order directed interested persons having objections to the Board's tentative findings and conclusions set forth in that order, or to the issuance of the proposed foreign air carrier permit, to file their objections within 21 days. In addition, the order provided that in the event no objections were filed, all further procedural steps would be deemed waived, and the Secretary would enter an order which (1) would make final the Board's tentative findings and conclusions and (2) subject to the disapproval of the President under section 801(a)

FOR OFFICIAL USE ONLY

of the Act, would transfer the foreign air carrier permit of British West Indian Airways Limited to Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways in the form attached to the order.

No objections to Order 80-3-84 have been filed.

ACCORDINGLY,

1. We make final our tentative findings and conclusions set forth in Order 80-3-84;

2. We are transferring the foreign air carrier permit held by British West Indian Airways Limited, issued pursuant to Order E-23279, approved February 19, 1966 and Order 79-2-67 adopted January 17, 1979 and effective February 8, 1979, and they are hereby transferred and reissued to Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways;

3. The Secretary of the Board shall sign the permit on our behalf and shall affix the Seal of the Board, and shall be effective ;

4. The foreign air carrier permits held by British West Indian Airways Limited, are hereby canceled effective upon the effective date of the permits issued herein to Trinidad and Tobago (BWIA International) Airways Corporation d/b/a/ BWIA International-Trinidad and Tobago Airways; and

5. Unless disapproved by the President of the United States under section 801(a) of the Act, this order and the permit attached shall become effective on the 61st day after its submission to the President, 1/ or upon the date of receipt of advice from the President that he does not intend to disapprove the Board's order under that section, whichever is earlier.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR
Secretary

(SEAL)

All Members concurred.

1/ This order was submitted to the President on
The 61st day is JUN 21 1980

APR 21 1980

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

PERMIT TO FOREIGN AIR CARRIER
(as reissued)

TRINIDAD AND TOBAGO (BWIA INTERNATIONAL) AIRWAYS CORPORATION
d/b/a BWIA INTERNATIONAL - TRINIDAD AND TOBAGO AIRWAYS

is authorized, subject to the provisions set forth, the provisions of the Federal Aviation Act of 1958, as amended, and the orders, rules, and regulations of the Board, to engage in foreign air transportation of persons, property, and mail, as follows:

1. Between the coterminal points Trinidad and Tobago; Jamaica; the Cayman Islands; and Belize; the intermediate points Barbados; Grenada; St. Lucia; Antigua; St. Kitts; St. Thomas, Virgin Islands; San Juan, Puerto Rico; Santo Domingo, Dominican Republic; Port-au-Prince, Haiti; Jamaica; Cuba; Nassau, Bahamas; and Bermuda; and the terminal point Miami, Florida.
2. Between the terminal point Barbados, and the terminal point New York, New York;
3. Between the terminal point London, England; the intermediate points Shannon, Eire; Iceland; the Azores; Bermuda; Gander and Montreal, Canada; and the terminal point New York, New York; and beyond New York to the terminal point Jamaica;
4. Between the terminal point Antigua, and the terminal point New York, New York;

5. Between the terminal point Trinidad and Tobago; and the terminal point New York, New York; and
6. Between the terminal point St. Lucia, and the terminal point New York, New York.

The holder shall be authorized to engage in charter trips in foreign air transportation, subject to the terms, conditions, and limitations prescribed by the Board's Regulations governing charters.

The holder shall conform to the airworthiness and airman competency requirements prescribed by the Government of Trinidad and Tobago for international air service.

The holder shall not operate any aircraft under the authority granted by this permit, unless the holder complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention.

This permit shall be subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and Trinidad and Tobago shall be parties.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966 and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board and to which the holder becomes a party.

The holder (1) shall not provide foreign air transportation under this permit unless there is in effect third-party liability insurance in the amount of \$1,000,000 or more to meet potential liability claims which may arise in connection with its operations under this permit, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the third-party liability insurance provided, and (2) shall not provide foreign air transportation with respect to persons unless there is in effect liability insurance sufficient to cover the obligations assumed in Agreement CAB 18900, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the passenger liability insurance

provided. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers.^{1/}

The initial tariff filed by the holder shall not set forth rates, fares and charges lower than those that may be in effect for any U.S. air carrier in the same foreign air transportation; However, this limitation shall not apply to a tariff filed after the initial tariff regardless of whether this subsequent tariff is effective before or after the introduction of the authorized service.

By accepting this permit, the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The exercise of the privileges granted here shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Board.

This permit shall be effective on _____ . The holder's authority to serve Routes 4, 5, and 6 as described elsewhere in this permit, shall continue in effect until February 7, 1984. Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention, or agreement, this permit shall terminate (1) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the route or routes authorized by this permit from the routes which may be operated by airlines designated by the Government of Trinidad and Tobago (or in the event of the elimination of any part of the authorized route, the authority granted shall terminate to the extent of such elimination); or (2) upon the effective date of any permit granted by the Board to any other carrier designated by the Government of Trinidad and Tobago in lieu of the holder, or (3) upon the termination or expiration of the Air Services Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland effective February 11, 1946 (Bermuda I) to the extent that Agreement remains in effect pursuant to an Exchange of Notes dated September 27 and October 9, 1962, between the Government of the United States of America and the Government of Trinidad and Tobago. However, clause (3) of this

^{1/} By EDR-395, Docket 37531, and Order 80-1-176, Docket 37532, 45 FR 7566, February 4, 1980, the Board proposed to adopt a new Part 205 of its Regulations to require \$20,000,000 in third party liability insurance, with \$300,000 per person passenger and third party liability coverage and to amend foreign air carrier permits to make them subject to the new regulations. The holder will be subject to the insurance requirements provided for in those regulations as they may be finally adopted.

paragraph shall not apply if, prior to the occurrence of the event specified in clause (3), the operation of the foreign air transportation authorized becomes the subject of any treaty, convention, or agreement to which the United States of America and Trinidad and Tobago are or shall become parties.

The Civil Aeronautics Board, through its Secretary, has executed this permit and affixed its seal on April 11, 1980.

PHYLLIS T. KAYLOR
Secretary

(SEAL)

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



Adopted by the Civil Aeronautics Board
at its office in Washington, D.C.
on the 14th day of March, 1980

-----	:
Application of	:
	:
TRINIDAD AND TOBAGO (BWIA INTERNATIONAL)	:
AIRWAYS CORPORATION	:
d/b/a BWIA INTERNATIONAL-TRINIDAD AND	:
TOBAGO AIRWAYS	:
	:
for transfer of foreign air carrier permit	:
held by British West Indian Airways Limited	:
pursuant to section 402 of the Federal	:
Aviation Act of 1958, as amended	:
-----	:

Docket 37360

STATEMENT OF TENTATIVE FINDINGS AND CONCLUSIONS
AND ORDER TO SHOW CAUSE

British West Indian Airways Limited (BWIA) is the holder of a foreign air carrier permit issued pursuant to Order E-23279, approved February 19, 1966, authorizing it to engage in foreign air transportation of persons, property and mail over various routes, and to engage in charter trips in foreign air transportation, subject to the provisions of Part 212 of the Board's Economic Regulations. In addition, BWIA holds a temporary foreign air carrier permit issued by Order 79-2-67, adopted January 17, 1979, effective February 8, 1979, authorizing it to engage in nonstop foreign air transportation of persons, property and mail between the terminal points Antigua, St. Lucia, and Trinidad and Tobago, respectively, and the terminal point New York, New York for a period of five years.

By application filed in Docket 37360, dated January 2, 1980, Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad & Tobago Airways (T&TAC) requests approval of the transfer to it of the above-mentioned foreign air carrier permits of BWIA. T&TAC has also requested waiver of the filing of an environmental evaluation and waiver from Rule 1704(a) and Part 211 of the Board's regulations to the extent information over and above that supplied with the application would otherwise be supplied.

In support of its application T&TAC states that by an Act of Parliament, BWIA and Trinidad and Tobago Air Services--the country's international and domestic carriers are being merged and that the applicant will be designated to replace BWIA as the Trinidadian carrier operating air services to and from the United States; that the applicant is wholly owned by nationals of the Republic of Trinidad and Tobago; that the applicant is succeeding to the assets and liabilities of BWIA, will employ the officers and key management personnel of that carrier, and will continue BWIA's operations without substantial change; 1/ that as recently as January 1979 the Board and the President of the United States found that it was in the public interest to amend and renew the foreign air carrier permit of BWIA 2/; that there is nothing to indicate that circumstances have changed and thus there are no determinative facts which need be developed in an oral hearing, and that therefore the foreign air carrier permit of BWIA should be transferred to the newly formed Trinidad and Tobago (BWIA International) Airways Corporation.

No answers or objections to the application or motion have been filed.

- 1/ The applicant has attached as an exhibit Act No. 50 of 1958, an act of Parliament of the Republic of Trinidad and Tobago establishing the Trinidad and Tobago (BWIA International) Airways Corporation (the Corporation) as successor to British West Indian Airways Limited and Trinidad and Tobago Air Services Limited. This corporation will assume control of the companies' airline operations when an Airline Understating Vesting Order is issued by the Cabinet Minister having responsibility for the Corporation.
- 2/ Order 79-2-67.

After a complete review of the record, we tentatively find and conclude that:

1. The applicant is fit, willing and able properly to perform the transportation described in the attached specimen permit; 3/

2. The applicant is substantially owned and effectively controlled by the Government of Trinidad and Tobago; 4/

3. It is in the public interest to transfer the foreign air carrier permit to the applicant in the specimen form attached; 5/

4. The public interest requires that the exercise of the privileges granted by the permit shall be subject to the terms, conditions, and limitations contained in the specimen permit attached to this order, and to such other reasonable terms, conditions and limitations as may be prescribed by the Board;

5. The public interest does not require an oral evidentiary hearing on the application;

6. The transfer of the foreign air carrier permit would not constitute "a major Federal action significantly affecting the quality of the human environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 and will not constitute

3/ Applicant was found fit by the Board just one year ago. We have no reason to believe or any information indicating the carrier is unfit. Order 79-2-67, January 17, 1979. The Federal Aviation Administration has notified the Board that it finds no evidence in its records which would require the Board to take adverse action on the applicant's application.

4/ See footnote 1 supra. See also Exhibit B-1, Statement of Ownership dated June 21, 1979, signed by The Permanent Secretary of The Ministry of Finance, Government of Trinidad and Tobago.

5/ Since the necessity for the issuance of the amended foreign air carrier results from an internal restructuring by The Government of Trinidad and Tobago of its airline operations nothing has changed which would warrant a conclusion different from our previous findings. Order 79-2-67. See also Orders 74-3-4, 74-4-17, and 75-3-7.

a "major regulatory action" under the Energy Policy and Conservation Act of 1975, as defined in section 313.4(a)(1) of the Board's Regulations; 6/

7. The applicant's request for a waiver under section 312.6 of the Board's Regulations of the requirement to file an environmental evaluation should be granted;

8. The applicant's request for a waiver from Rule 1704(a) and Part 211 to the extent they require information over and above that contained in the application should be granted; and

9. Except to the extent granted, the application of Trinidad and Tobago (BWIA International) Airways Corporation d/b/a BWIA International-Trinidad and Tobago Airways in Docket 37360 should be denied.

ACCORDINGLY,

1. We direct all interested persons to show cause why the Board should not (1) make final its tentative findings and conclusions, and (2) subject to the disapproval of the President transfer the foreign air carrier permit of British West Indian Airways Limited to the applicant in the specimen form attached;

2. Any interested person having objections to the issuance of an order making final the Board's tentative findings and conclusions and issuing the attached specimen permit shall, no later than April 10, 1980, file with the Board and serve on the persons named in paragraph 5 below, a statement of objections specifying the part or parts of the tentative findings or conclusions objected to, together with a summary of testimony, statistical data, and concrete evidence expected to be relied upon in support of the objections.

6/ Our tentative findings are based upon the fact that the transfer to the applicant of the foreign air carrier permit of British West Indian Airways Limited will not result in a significant increase in civil aviation operations at U.S. points, nor will it result in the annual consumption of 10 million gallons of fuel, because the applicant will provide essentially the same services presently offered by BWIA.

If an oral evidentiary hearing is requested, the objector should state in detail why such hearing is considered necessary and what relevant and material facts the objector would expect to be established through such hearing which cannot be established in written pleadings. The objector should consider whether discovery procedures alone would suffice to resolve material issues of decisional fact; if so, the type of procedure should be specified (see Part 302, Rules 19 and 20); if not, the reasons why not should be explained. If objections are filed answers may be filed, but no later than April 21, 1980;

3. If timely and properly supported objections are filed, we will give further consideration to the matters and issues raised by the objections before we take further action, except that we may proceed to enter an order in accordance with our tentative findings and conclusions set forth in this order, if we determine that there are no factual issues presented that warrant the holding of an oral evidentiary hearing; 7/

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Secretary shall enter an order which (1) shall make final our tentative findings and conclusions set forth in this order, and (2) subject to the disapproval of the President pursuant to section 801(a) of the Act, shall transfer the foreign air carrier permit of British West Indian Airways Limited to the applicant in the specimen form attached; and

5. We are serving this order upon the Ambassador of the Government of Trinidad and Tobago, the U.S. Departments of Transportation and State.

A summary of this order will be published in the Federal Register and a copy will be sent to the President.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR
Secretary

(SEAL)

All Members concurred.

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

SPECIMEN PERMIT

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

PERMIT TO FOREIGN AIR CARRIER
(as reissued)

TRINIDAD AND TOBAGO (BWIA INTERNATIONAL) AIRWAYS CORPORATION
d/b/a BWIA INTERNATIONAL - TRINIDAD AND TOBAGO AIRWAYS

is authorized, subject to the provisions set forth, the provisions of the Federal Aviation Act of 1958, as amended, and the orders, rules, and regulations of the Board, to engage in foreign air transportation of persons, property, and mail, as follows:

1. Between the coterminal points Trinidad and Tobago; Jamaica; the Cayman Islands; and Belize; the intermediate points Barbados; Grenada; St. Lucia; Antigua; St. Kitts; St. Thomas, Virgin Islands; San Juan, Puerto Rico; Santo Domingo, Dominican Republic; Port-au-Prince, Haiti; Jamaica; Cuba; Nassau, Bahamas; and Bermuda; and the terminal point Miami, Florida.
2. Between the terminal point Barbados, and the terminal point New York, New York;
3. Between the terminal point London, England; the intermediate points Shannon, Eire; Iceland; the Azores; Bermuda; Gander and Montreal, Canada; and the terminal point New York, New York; and beyond New York to the terminal point Jamaica;
4. Between the terminal point Antigua, and the terminal point New York, New York;

5. Between the terminal point Trinidad and Tobago; and the terminal point New York, New York; and
6. Between the terminal point St. Lucia, and the terminal point New York, New York.

The holder shall be authorized to engage in charter trips in foreign air transportation, subject to the terms, conditions, and limitations prescribed by the Board's Regulations governing charters.

The holder shall conform to the airworthiness and airman competency requirements prescribed by the Government of Trinidad and Tobago for international air service.

The holder shall not operate any aircraft under the authority granted by this permit, unless the holder complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention.

This permit shall be subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and Trinidad and Tobago shall be parties.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966 and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board and to which the holder becomes a party.

The holder (1) shall not provide foreign air transportation under this permit unless there is in effect third-party liability insurance in the amount of \$1,000,000 or more to meet potential liability claims which may arise in connection with its operations under this permit, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the third-party liability insurance provided, and (2) shall not provide foreign air transportation with respect to persons unless there is in effect liability insurance sufficient to cover the obligations assumed in Agreement CAB 18900, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the passenger liability insurance

provided. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers.^{1/}

The initial tariff filed by the holder shall not set forth rates, fares and charges lower than those that may be in effect for any U.S. air carrier in the same foreign air transportation; However, this limitation shall not apply to a tariff filed after the initial tariff regardless of whether this subsequent tariff is effective before or after the introduction of the authorized service.

By accepting this permit, the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The exercise of the privileges granted here shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Board.

This permit shall be effective on . The holder's authority to serve Routes 4, 5, and 6 as described elsewhere in this permit, shall continue in effect for a period of five years. Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention, or agreement, this permit shall terminate (1) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the route or routes authorized by this permit from the routes which may be operated by airlines designated by the Government of Trinidad and Tobago (or in the event of the elimination of any part of the authorized route, the authority granted shall terminate to the extent of such elimination); or (2) upon the effective date of any permit granted by the Board to any other carrier designated by the Government of Trinidad and Tobago in lieu of the holder, or (3) upon the termination or expiration of the Air Services Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland effective February 11, 1946 (Bermuda I) to the extent that Agreement remains in effect pursuant to an Exchange of Notes dated September 27 and October 9, 1962, between the Government of the United States of America and the Government of Trinidad and Tobago. However, clause (3) of this

^{1/} By EDR-395, Docket 37531, and Order 80-1-176, Docket 37532, 45 FR 7566, February 4, 1980, the Board proposed to adopt a new Part 205 of its Regulations to require \$20,000,000 in third party liability insurance, with \$300,000 per person passenger and third party liability coverage and to amend foreign air carrier permits to make them subject to the new regulations. The holder will be subject to the insurance requirements provided for in those regulations as they may be finally adopted.

paragraph shall not apply if, prior to the occurrence of the event specified in clause (3), the operation of the foreign air transportation authorized becomes the subject of any treaty, convention, or agreement to which the United States of America and Trinidad and Tobago are or shall become parties.

The Civil Aeronautics Board, through its Secretary, has executed this permit and affixed its seal on

Secretary

(SEAL)

FOR OFFICIAL USE ONLY

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

Adopted by the Civil Aeronautics Board
at its office in Washington, D.C.
on the 10th day of April, 1980

Issuance to :
: TOP TOURS, S.A. (SPAIN) d/b/a :
: TTI TRAVEL, INC. (U.S.A.) : Docket 37209
: :
of a foreign indirect air carrier :
permit pursuant to section 402 of :
the Federal Aviation Act of 1958, :
as amended :

ORDER

By Order 80-3-75, adopted March 14, 1980, the Board directed all interested persons to show cause why the Board should not, subject to the disapproval of the President, issue a permit to Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.) for a period of five years authorizing it to engage indirectly in the foreign air transportation of persons and their accompanied baggage from any point or points in the United States to any point or points outside the United States, and return.

The order directed interested persons having objections to the Board's tentative findings and conclusions set forth in that order, or to the issuance of the proposed indirect foreign air carrier permit, to file their objections within 21 days. In addition, the order provided that in the event no objections were filed, all further procedural steps would be deemed waived, and the Secretary would enter an order which (1) would make final the Board's tentative findings and conclusions and (2) subject to the disapproval of the President under section 801(a) of the Act, would issue a foreign indirect air carrier permit to Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.).

No objections to Order 80-3-75 have been filed.

FOR OFFICIAL USE ONLY

ACCORDINGLY,

1. We make final our tentative findings and conclusions set forth in Order 80-3-75;
2. We are issuing a foreign indirect air carrier permit in the form attached to Top Tours, S.A. (Spain) d/b/a TTI, Inc. (U.S.A.);
3. We make the exercise of the privileges granted by this permit subject to any terms, conditions, and limitations prescribed; the conditions set forth in paragraphs (a) and (b) below, and such other conditions may be prescribed by the Board:
 - (a) With respect to the operations conducted pursuant to the authority granted, the holder shall be subject to the provisions of the Board's Special Regulations governing charter operations, as now or later amended;
 - (b) In using the authority granted here, the holder may use less than its full name (Top Tours, S.A. [Spain] d/b/a TTI Travel, Inc. [U.S.A.]) on all of its printed advertising, tickets, stationery and other public documents so long as such documents contain a statement that the holder is a wholly owned subsidiary of Top Tours, S.A. (Spain).
4. The Secretary of the Board shall sign the permit on our behalf and shall affix the seal of the Board; and
5. Unless disapproved by the President of the United States under section 801(a) of the Act, this order and the permit attached shall become effective on the 61st day after its submission to the President, 1/ or upon the date of receipt of advice from the President that he does not intend to disapprove the Board's order under that section, whichever is earlier.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR
Secretary

(SEAL)

All Members concurred.

1/ This order was submitted to the President on APR 21 1980
The 61st day is JUN 21 1980

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

PERMIT TO FOREIGN INDIRECT AIR CARRIER

TOP TOURS, S.A. (SPAIN) d/b/a
TTI TRAVEL, INC. (U.S.A.)

is authorized, subject to the provisions set forth, the provisions of the Federal Aviation Act of 1958, as amended, and to the orders, rules and regulations of the Board, to engage indirectly in foreign air transportation of persons and their accompanied baggage from any point or points in the United States to any point or points outside the United States, and return.

This permit is subject to all applicable provisions of any treaty, convention, or agreement affecting the right to engage in indirect air transportation of persons now in effect, or that may become effective during the period this permit remains in effect, to which the United States and Spain shall be parties.

The exercise of the privileges granted shall be subject to the terms, conditions, and limitations set forth in Order dated _____, and to such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Board.

By accepting this permit the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against it in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of its operations under this permit.

This permit shall be effective on _____, and shall terminate in five years: However, if during this period operation of the indirect foreign air transportation authorized becomes the subject of any treaty convention, or agreement to which the United States and Spain are or shall become parties, then this permit will continue in effect during the period provided in such treaty, convention, or agreement.

The Civil Aeronautics Board through its Secretary has executed this permit and affixed its seal on April 10, 1980.

PHYLLIS T. KAYLOR
Secretary

(SEAL)



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

Adopted by the Civil Aeronautics Board
at its office in Washington, D.C.
on the 14th day of March, 1980

-----	:	
Issuance to	:	
	:	
TOP TOURS, S.A. (SPAIN) d/b/a	:	
TTI TRAVEL, INC. (U.S.A.)	:	Docket 37209
	:	
of a foreign indirect air carrier	:	
permit pursuant to section 402 of	:	
the Federal Aviation Act of 1958,	:	
as amended	:	
-----	:	

STATEMENT OF TENTATIVE FINDINGS AND CONCLUSIONS
AND ORDER TO SHOW CAUSE

By application filed December 4, 1979, TTI Travel, Inc. (TTI) requests that it be issued an indirect foreign air carrier permit to provide Public Charters. 1/ TTI asks that its application be processed by show cause procedures.

Further, TTI requests authority to conduct its indirect foreign air carrier activities under the name "TTI Travel, Inc." explaining that the State of New York as well as other jurisdictions have proscribed the use of the name Top Tours because similar businesses already authorized to do business use that or similar sounding names. TTI further argues that identification of TTI as a foreigner would be an unwarranted stigmatization of it in the public eye and would be contrary to the Board's reasoning in its revised regulations dealing with the liberalized regulation of foreign air freight forwarders. 2/

1/ TTI Travel, Inc. is organized under the laws of the State of New York by a certificate filed November 18, 1969. TTI Travel, Inc. is, however, a wholly owned subsidiary of Top Tours, S.A., a company organized under the laws of Spain on February 9, 1973.

2/ ER-1159, Docket 35568, adopted November 28, 1979.

No answers or objections to the application have been filed.

This request will be denied pending examination in a rulemaking. Current Board policy is to issue the permit in the name of the foreign corporation, subject to doing business as the U.S. corporation subsidiary agent and to require disclosure of foreign ownership in all advertisements, stationary, or public documents. This has been accomplished by requiring foreign tour operators to use the name of the parent company as well as the subsidiary and to include the operator's nationality in parenthesis, in all dealings with the public. 3/ We will, therefore, deny TTI's request to operate as TTI, Inc., but we will issue a permit to operate in the name of Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A).

After a complete review of the record, we tentatively find and conclude that:

1. Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.) is fit, willing and able properly to perform the indirect foreign air transportation described in the attached specimen permit; 4/
2. Top Tours, S.A. (Spain) is substantially owned and effectively controlled by nationals of Spain; 5/

3/ Order 79-11-93, dated November 15, 1979, at 5.

4/ Top Tours, S.A. started as a tour operator on Minorca in the Balearic Islands in 1973. It expanded its operation throughout the Balearic Islands and included among its business ventures the organizing of inter-island charter flights, with complete ground packages. In 1978, it started operating in Madrid and in 1979 in the South of Spain. Its officers and key personnel have experience in the travel business ranging from a minimum of 5 years to 27 years for the President. As of December 31, 1978, it has current assets worth \$111,616, total assets worth \$168,972 and a total net worth of \$76,765.

5/ The stock of Top Tours, S.A. is divided into 200 shares at a nominal value of 30,000 pesetas (\$4,615.00). One hundred shares are owned by the President, Leoncio Salasan Robledo, 80 shares are owned by a member of the Board, Bartolome Gili Amengual, and 20 shares are owned by the Manager of the Ibiza office, Pascual Mora Mascaros. Top Tours, S.A. owns all of the shares of TTI Travel, Inc. All of the officers and directors of Top Tours, S.A. are Nationals of Spain.

3. It is in the public interest to issue an indirect foreign air carrier permit to Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.) in the specimen form attached; 6/

4. The public interest requires that the exercise of the privileges granted by the permit shall be subject to the terms, conditions, and limitations contained in the specimen permit attached to this order, and to such other reasonable terms, conditions and limitations as may be prescribed by the Board;

5. The public interest does not require an oral evidentiary hearing on the application;

6. The issuance of an indirect foreign air carrier permit to Top Tours, S.A. (Spain) d/b/a TTI Travel, Inc. (U.S.A.) would not constitute "a major Federal Action significantly affecting the quality of the human environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 and will not constitute a "major regulatory action" under the Energy Policy and Conservation Act of 1975, as defined in section 313.4(a)(1) of the Board's Regulations; 7/

8. Except to the extent granted, the application of TTI Travel, Inc. in Docket 37209 should be denied.

ACCORDINGLY,

1. We direct all interested persons to show cause why the Board should not (1) make final its tentative findings and conclusions, and (2) subject to the disapproval of the President issue an indirect foreign air carrier permit to the applicant in the specimen form attached;

2. Any interested person having objections to the issuance of an order making final the Board's tentative findings and conclusions and issuing the attached specimen permit shall, no later than April 9, 1980, file with the Board and serve on the persons named in paragraph 5 below, a statement of objections specifying the

6/ The Spanish Government imposes no restrictions on U.S. indirect air carriers' service to Spain. The principles of comity and reciprocity dictate that it is in the public interest to grant the application.

7/ Our tentative findings are based upon the fact that the applicant does not operate any aircraft and its proposed operations will not result in a significant increase in civil aviation operations.

part or parts of the tentative findings or conclusions objected to, together with a summary of testimony, statistical data, and concrete evidence expected to be relied upon in support of the objections. If an oral evidentiary hearing is requested, the objector should state in detail why such hearing is considered necessary and what relevant and material facts the objector would expect to be established through such hearing which cannot be established in written pleadings. The objector should consider whether discovery procedures alone would suffice to resolve material issues of decisional fact; if so, the type of procedure should be specified (see Part 302, Rules 19 and 20); if not, the reasons why not should be explained. If objections are filed answers may be filed, but no later than April 21, 1980;

3. If timely and properly supported objections are filed, we will give further consideration to the matters and issues raised by the objections before we take further action, except that we may proceed to enter an order in accordance with our tentative findings and conclusions set forth in this order, if we determine that there are no factual issues presented that warrant the holding of an oral evidentiary hearing; 8/

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Secretary shall enter an order which (1) shall make final our tentative findings and conclusions set forth in this order, and (2) subject to the disapproval of the President pursuant to section 801(a) of the Act, shall issue an amended foreign air carrier permit to the applicant in the specimen form attached; and

5. We are serving this order upon TTI Travel, Inc., the Ambassador of Spain in Washington, D.C.; the United States Departments of State and Transportation.

A summary of this order will be published in the Federal Register and a copy will be sent to the President.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR
Secretary

(SEAL)

All Members concurred.

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

SPECIMEN PERMIT

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

PERMIT TO FOREIGN INDIRECT AIR CARRIER

TOP TOURS, S.A. (SPAIN) d/b/a
TTI TRAVEL, INC. (U.S.A.)

is authorized, subject to the provisions set forth, the provisions of the Federal Aviation Act of 1958, as amended, and to the orders, rules and regulations of the Board, to engage indirectly in foreign air transportation of persons and their accompanied baggage from any point or points in the United States to any point or points outside the United States, and return.

This permit is subject to all applicable provisions of any treaty, convention, or agreement affecting the right to engage in indirect air transportation of persons now in effect, or that may become effective during the period this permit remains in effect, to which the United States and Spain shall be parties.

The exercise of the privileges granted shall be subject to the terms, conditions, and limitations set forth in Order dated , and to such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Board.

By accepting this permit the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against it in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of its operations under this permit.

This permit shall be effective on _____, and shall terminate in five years: However, if during this period operation of the indirect foreign air transportation authorized becomes the subject of any treaty convention, or agreement to which the United States and Spain are or shall become parties, then this permit will continue in effect during the period provided in such treaty, convention, or agreement.

The Civil Aeronautics Board through its Secretary has executed this permit and affixed its seal on _____.

Secretary

(SEAL)

THE SOLICITOR GENERAL

WASHINGTON

May 23, 1980

RH
WADE H. MCCREE, JR.

072392

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

Dear Mr. President:

I deeply appreciate the autographed picture of us shaking hands when you graciously received President Janofsky of the American Bar Association and a small delegation of lawyers on Law Day. I have proudly displayed it prominently in my office to remind me of the commitment and concern of our President.

Respectfully yours,

Wade

Wade H. McCree, Jr.



OFFICE OF THE SUPERINTENDENT
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996

RH
MASP

20 May 1980

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

072211'

Dear Mr. President:

This is to report that I served as your representative on April 27th in placing the Presidential Wreath at the grave of President Ulysses S. Grant in New York, New York.

The Brigade Staff, United States Corps of Cadets, and a chaplain, color guard, bugler and drummer from the United States Military Academy assisted in the brief but impressive ceremony.

It was a privilege and an honor for us from West Point to represent you.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. J. Goodpaster".

A. J. GOODPASTER
Lt. General, U.S. Army
Superintendent

9.
R. Hutcherson

**The President's Committee
on Employment
of the Handicapped
Washington, D. C. 20210**



May 16, 1980

Associate Members

- THE SECRETARY OF STATE
- THE SECRETARY OF THE TREASURY
- THE SECRETARY OF DEFENSE
- THE ATTORNEY GENERAL
- THE SECRETARY OF THE INTERIOR
- THE SECRETARY OF AGRICULTURE
- THE SECRETARY OF COMMERCE
- THE SECRETARY OF LABOR
- THE SECRETARY OF HEALTH, EDUCATION,
AND WELFARE
- THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT
- THE SECRETARY OF TRANSPORTATION
- THE ADMINISTRATOR OF VETERANS AFFAIRS
- THE OFFICE OF PERSONNEL MANAGEMENT
- THE ADMINISTRATOR OF THE GENERAL
SERVICES ADMINISTRATION
- THE UNITED STATES INTERNATIONAL
COMMUNICATION AGENCY
- THE POSTMASTER GENERAL

The President
The White House
Washington, DC 20500

072100

Dear Mr. President:

In behalf of the nearly 5,000 people who attended our Annual Meeting the first of May, I express our deepest gratitude for coming to our meeting and delivering an address we shall never forget.

Throughout the rest of the meeting, our people, handicapped and otherwise, had stars in their eyes about you and about your words.

We are reproducing your speech as an attractive pamphlet and will distribute it throughout this country.

You have inspired the handicapped people of the United States.

Respectfully,

Harold Russell
Chairman

NAME Senator Wendell Ford

1494

TITLE D-Ky.

CITY/STATE _____

Requested by Frank Moore

Date of Request June 2, 1980

Phone Number--Home () _____

Work () 224-4343

Other () _____

INFORMATION (Continued on back if necessary)

To discuss the oil import fee.

NOTES: (Date of Call 6-2)

(?)

NAME Senator Richard Stone

1487

D-Fla.

TITLE _____

CITY/STATE _____

Requested by Frank Moore

Date of Request 6-2-80

Phone Number--Home () _____

Work () 224-3041

Other () _____

INFORMATION (Continued on back if necessary)

To discuss the oil import fee.

NOTES: (Date of Call 6-2)

Will search mailings - & try to help

(?)

Don follow up

NAME Nancy Kassebaum

1489

Senator

TITLE _____

CITY/STATE Kansas - R

Requested by Frank Moore

Phone Number--Home () _____

Date of Request 6/2/80

Work (202) 224-4774

Other () _____

INFORMATION (Continued on back if necessary)

To discuss the oil import fee

NOTES: (Date of Call _____)

*Problem - ~~Spent~~ Dole -
(?) will consider*

THE WHITE HOUSE
WASHINGTON

June 2, 1980

To Jack Watson

The attached was returned in
the President's outbox today
and is forwarded to you for
appropriate handling.

Rick Hutcheson

	FOR STAFFING
	FOR INFORMATION
✓	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND
	NO DEADLINE
	FOR APPROPRIATE HANDLING
	LAST DAY FOR ACTION

	ADMIN CONFID
	CONFIDENTIAL
	SECRET
	EYES ONLY

ACTION
FYI

	VICE PRESIDENT
	JORDAN
	CUTLER
	DONOVAN
	EIZENSTAT
	MCDONALD
	MOORE
	POWELL
✓	WATSON
	WEDDINGTON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

f.y.i.

& suggest marginal note
forwarding to watson

0115-7 Arch Henderson
Copy sent to McKellar - 6/2/80 M

THE CITY OF PURVIS, MISSISSIPPI

"An Equal Opportunity Employer"

May 30, 1980

ZIP CODE 39475

PHONE 601-794-2472

*cc Mayor McKellar
Jack Watson will do
what we can to help
you - J.C.
cc to McKellar
Sent 6/2/80 M*

President of the United States
The White House
Washington, D. C. 20500

Re: Wastewater Project #C28041502 *cc Watson*

Dear Mr. President:

I had the opportunity of having lunch on the Mississippi Gulf Coast on Wednesday, May 28th with your most gracious and lovely wife. It was indeed a pleasure.

We have problems here in Purvis that only you can help us solve and your wife gave me this address where I could get your personal attention to this matter. I realize you are very busy with important matters that concern us all, but ask that you give a few minutes of your valuable time to our problems.

We have a 201 Wastewater Sewer Project that we have been working on with the Environmental Protection Agency for eight to ten years. We have changed engineers on the project but have completed two of the three phases on this project. We have completed the planning and designing phases and are ready to submit application for the third, or construction, phase for this project. However, we have been informed that the funds are frozen.

We are also involved in a joint Farmers Home Administration/Environmental Protection Agency water extension and improvement plan with a loan that has been approved by FmHA for our water extension.

This is a time of the year when we are most likely to get favorable construction bids and weather for working on this project. Since the water project has already been approved, we are somewhat reluctant to dig out portions of the streets for the water line construction and later have to do the same for the sewer project and resurface and reconstruct our streets for both projects. The same engineers are handling both projects and if they are carried out simultaneously much less expense would be incurred by the city of Purvis and the government.

Electrostatic Copy Made
for Preservation Purposes

J. W. MCKELLAR, MAYOR

BOARD OF ALDERMEN

WM. DOCK CAGLE

JOHN T. HUDSON

JOHN W. JORDAN

LYNUS L. LOTT

NELL E. TEMPLE

President of the United States

Page 2

May 30, 1980

Mr. President, we have raw sewerage running in our streets, yards and ditches in the City of Purvis and if we were able to continue this construction now, or as soon as possible, we could alleviate this situation. We have gone to considerable expense in matching funds on this project, most of it taken up in engineering, and we will have no construction to show for this expense if the project is not finished.

You are our last resort to continue this project and relieve the intolerable condition we are in. I hope and pray that you will see fit to lift or waive the freeze in our situation so that we may finish this project with the least possible expense. This situation is deplorable and is hazardous to the health of the citizens of Purvis.

Yours truly,



J. W. McKellar
Mayor

THE WHITE HOUSE
WASHINGTON

02 Jun 80

Stu Eizenstat

The attached was returned in
the President's outbox today
and is forwarded to you for
appropriate handling.

Rick Hutcheson

THE WHITE HOUSE
WASHINGTON

May 30, 1980

MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT *Stu*
SUBJECT: Annual Report of the Railroad Retirement Board

Attached is the 1979 Annual Report of the Railroad Retirement Board which you need not read.

The report, as submitted, did not advance the Administration's proposals to solve the funding crisis which threatens the benefits paid to 1 million former rail workers, their dependents, and survivors. A statement of "Advice of Chairman William P. Adams" has therefore been prepared to be included in the front of the report. This statement discusses the nature of the problems facing the Railroad Retirement Board and urges support of the Administration's legislative proposal to respond to these issues.

I recommend you sign and transmit this report to Congress with the Chairman's advice printed in the front of the report.

(TWO SIGNATURES REQUESTED)

*Stu - I presume
Sounds ok -
OMB approves
J*

THE WHITE HOUSE
WASHINGTON

02 June 80

The Vice President
Hamilton Jordan
Jody Powell
Al McDonald
Jack Watson
Frank Moore
Hedley Donovan
Lloyd Cutler
Anne Wexler
Sarah Weddington
Stu Eizenstat
Charlie Schultze
Jim McIntyre
Alfred Kahn

The attached was returned in the
President's outbox today and is
forwarded to you for your personal
information.

Rick Hutcheson

EYES ONLY



Office of the Attorney General
Washington, D. C. 20530

May 30, 1980

Principal Activities of the Department of Justice
For The Week of May 24 through May 30, 1980

1. Shooting of Vernon Jordan

Following the discovery of evidence which indicates that Vernon Jordan's shooting may be the result of premeditated action by two or more persons, the FBI has undertaken a full civil rights investigation into the incident. Twenty FBI agents led by Wayne Davis, Special Agent in Charge of the Indianapolis office, are conducting the inquiry.

2. Miami Initiatives

Action has been taken on the initiatives the Attorney General announced in Miami: a federal grand jury has begun to hear evidence in the McDuffie case, additional investigators and prosecutors have been sent to the U.S. Attorney's office to expedite the review of other civil rights cases and a new Community Relations Service office has been opened.

3. ABSCAM

Indictments for bribery were returned this week against two Philadelphia congressmen -- Michael D. Myers and Raymond F. Lederer -- and local Pennsylvania and New Jersey officials in the ABSCAM investigation. Furthermore, the United States District Court for the District of Columbia denied Congressman John Murphy's Freedom of Information Act request to obtain ABSCAM evidence on the grounds that releasing this material would jeopardize the investigation and the grand jury proceedings.

4. Cuba Situation

Since the May 14 policy announcement, 706 boats have returned from Cuba with passengers. 641 of these vessels have been constructively seized and 65 have actually been taken into custody. Additionally, there have been five felony arrests of captains who have disobeyed the May 14 policy. Now that the statutory time period has elapsed, proceedings to collect the fines assessed against 1481 vessels will be commenced. Community pressure to relax enforcement will mount.

There are 623 Cubans who have been detained for having criminal records for serious offenses in Cuba. Asylum applications for over half of these have been sent to the State Department for expedited review. After the review, the Immigration and Naturalization Service will commence exclusion hearings for these detainees.

5. Meetings and Events

The Attorney General and members of the Department met with Jose Luis Siquieros, President of the Inter-American Bar Association from Mexico on May 29. Also on that day, the Attorney General delivered the commencement address at the University of Maryland. On May 30, the Attorney General and other officials in the Department had a luncheon meeting with Yunbing Tang, one of the first students from the People's Republic of China to attend an American Law School (Harvard).

THE WHITE HOUSE

WASHINGTON

May 30, 1980

①
/

MEMORANDUM TO THE PRESIDENT

FROM: ALFRED E. KAHN

Fred

SUBJECT: Weekly Activities Summary

Wage/Price Program

Kerr-McGee Corporation, an Oklahoma City refiner, agreed to forego \$19.5 million in allowable second program year revenues in order to remain in compliance with the price guidelines. That figure, along with others we have called to your attention (e.g., the Mobil \$30 million), compares interestingly with the \$25 million total CWPS authorization we are requesting of Congress for fiscal '81.

The Council also announced that Burlington Northern Air Freight, one of the country's largest air freight carriers, is out of compliance. The company admitted that its price increases exceeded the standard for the first six and nine months of the program; and the Council denied Burlington's request for a gross inequity exception based on the single fact that its profits were below the industry average.

The Council also released a report on the relationship between CWPS' price standards for petroleum refiners, the DOE standards, and national energy policy. The report concludes that application of the second year price standards to petroleum refiners strikes a "reasonable balance" between our national energy goals and fighting inflation. CWPS also committed itself to work with DOE on a continuing study of the effects of these two sets of standards on refiners and to consider seriously any changes that might be warranted in the third program year.

Health Care

The work required to put into place your April 24 decision to stop Federal financing of new hospitals or renovations in overbedded areas will be completed by next Thursday, June 5. OMB's draft circular setting out the procedure for enforcement of the policy will have been completed and coordinated by then. I will make the public announcement, emphasizing the policy's anti-inflationary aspect. Senior staff people from HHS, my

office and Stu's will brief key members of Congress on Tuesday and Wednesday. We have tentative promises of an affirmative public response from Blue Cross-Blue Shield, the health manufacturing industries, and the American Medical Association.

Regulatory Reform

Trucking. We are meeting with the House Public Works Committee staff to help draft report language and hope to have the bill to the Rules Committee next week, and on the floor around June 10 or 11. We think Elliott Levitas intends to offer a floor amendment providing for legislative veto of ICC rules, which we are gearing up to oppose strongly.

Communications. Thanks in part to the pressure we exerted last week, the House is once again moving on H.R. 6121. A subcommittee markup has been set for June 11, and we will use the ten days to make one last major effort to push for legislation this year.

U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

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May 30, 1980 .

MEMORANDUM FOR THE PRESIDENT

FROM: THE SECRETARY OF LABOR *RM*

SUBJECT: Major Departmental Activities
May 26-30, 1980

Proposed Executive Order debaring flagrant labor law violators. This afternoon a Cabinet level group is meeting again with Stu Eizenstat to review our progress on this Executive Order. A great deal of work has been done and I believe that a good legal and economic case has been made. It is a complex issue but I believe it would be both a good policy and will enhance our relationships with the unions. I hope we can have a recommendation to you in the next week or two.

International Labor Organization. I will be leaving Sunday to attend the opening session of the ILO in Geneva. We are well prepared and the conference should prove to be very beneficial.

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Community WASHINGTON, D.C. 20506
Services Administration



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MEMORANDUM FOR THE PRESIDENT

TO: Rick Hutcheson
Staff Secretary

FROM: William W. Allison
Acting Director

SUBJECT: Weekly Report of Significant Activity
(May 27-30, 1980)

DATE: May 30, 1980

APPOINTMENT OF NEW DIRECTOR AND ASSISTANT DIRECTOR
FOR COMMUNITY ACTION:

On May 28, 1980 the President asked the Senate to confirm the appointment of Richard Rios as the next Director of CSA. Mr. Rios is currently the head of the State Economic Opportunity Office in California.

At the same time the President nominated Michael T. Blouin as the Assistant Director for Community Action.

It is expected that the Senate will hold confirmation hearings on these appointments in the early part of June. CSA is already working with the Senate to provide them with appropriate information for the hearings.



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

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May 30, 1980

MEMORANDUM TO THE PRESIDENT

THROUGH Rick Hutcheson
Staff Secretary

SUBJECT: Weekly Report

DROUGHT. Significant rain, 1-3 inches, fell during the weekend over west and central Alberta, lighter totals from East Central Alberta to Manitoba were helpful but not adequate to alleviate the dry soil conditions there. Wheat planting is essentially complete in Canada. Scattered very light showers in Dakotas were of little help to crops over weekend. Conditions are favorable for some additional rain to develop over Dakotas in next 3-4 days. In 1959, dry conditions until June (like 1980) resulted in wheat yields being lowered to 1/3 to 1/2 of the 1958 and 1960 yields. Rainfall in June of 1959 was more than adequate.

USSR. The Argentine Grain Board reports that Argentina shipped 2.98 million tons of grains to the USSR out of total shipments of 4.98 million tons during January-April 1980. Shipments to the USSR included 1.77 million tons of wheat, 963,000 tons of corn and 180,000 tons of sorghum.

The USSR Central Statistical Board reported that as of May 26, Soviet farmers sowed 123.1 million hectares of spring crops, or 85 percent of the planned area. Included in this area are 82.1 million hectares of spring grains and pulses (84 percent of plan). The report also indicated that maize for grain had been sown on more than 3.8 million hectares, or 558,000 hectares above last year, and that plantings of sunflowers and sugar beets were almost complete while sowings of soybeans continued to lag.

CHINA. China purchased 100,000 tons of wheat for delivery in 1980/81. Grain sales to China total 1.7 million each of corn and wheat in 1979/80 and 1.57 million tons of wheat in 1980/81, including 100,000 tons of optional origin wheat.

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CORN. The CCC retendered 40.3 million bushels (1.02 million tons) of corn in May 28th's tender, bringing the total retendered to 126.3 million bushels of corn (3.2 million tons). CCC corn purchases now total 115.8 million bushels (2.9 million tons).

WHEAT. The CCC retendered 6.7 million bushels (182,000 tons) of wheat, bringing total wheat retenders to 57.3 million bushels (1.6 million tons) as of May 28.

BEANS. The CCC also announced that it has issued an invitation for bids on contract rights for the 400,000 tons of soybean meal affected by the suspension of U.S. exports to the USSR.



DALE E. HATHAWAY
Acting Secretary



THE SECRETARY OF THE TREASURY
WASHINGTON 20220
May 30, 1980

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MEMORANDUM FOR THE PRESIDENT

Subject: Highlights of Treasury Activities

1. THE MARKETS AND THE DOLLAR

- . Stocks declined on average in relatively active trading. The Dow Jones index lost 3.27 points from last Friday to close at 850.83, about 92 points above the April 21 low of 759.13.
- . Interest rates moved up over the week in light trading following the one-point drop in the discount rate to 12 percent.
- . Treasury's announcement of \$2.0 billion 13-day cash management bills today came as a surprise to market participants. It is the first time that an issue was announced, auctioned, and delivered on the same day. The average auction yield was 9.72 percent.
- . Major banks are posting prime rates of 14 percent, compared with a range of 14-1/2 percent to 15-1/2 percent last week.
- . Gold in London rose \$24.50 over the week to close at \$553.50 today. The June silver contract on COMEX rose \$1.97 from May 23 to close at \$13.95 today.
- . The dollar closed mixed in London having fallen during the week against the German mark and rising against the Swiss franc and the Japanese yen.

2. DEBT LIMIT-OIL IMPORT FEE

- . Late this afternoon the House and Senate passed a bill providing for a five-day extension of the debt limit ceiling. No oil import fee rider was attached to the bill. Full legislation on the debt ceiling will be taken up on June 5.

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3. CHRYSLER

- . During the week, representatives of Chrysler's several hundred lenders have been meeting with Treasury personnel to resolve technical issues and to assemble a final financing package. Significant progress has been made, but agreements are subject to later approval by each bank. Documents are to be prepared this weekend and distributed for signature by early next week.
- . Issuance of guaranteed loans has been deferred from June 3 to the week of June 9, because of delays in the documentation and unresolved issues.

4. SECRET SERVICE CANDIDATE PROTECTION

- . Secret Service protection for Ambassador Bush was discontinued at noon on May 27, 1980.



G. William Miller

THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

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MEMORANDUM FOR: The President
Attention: Rick Hutcheson, Staff Secretary

SUBJECT: Weekly Report of Major Activities

Appointments

The appointment of Daniel Taylor, Assistant Secretary for Vocational and Adult Education - Designate, has been sent to the Senate.

Swearing-in ceremonies for Steven A. Minter, Under Secretary, will be held at the White House on June 3.

Congressional Testimony

Bill Fischer, Assistant Secretary for Planning and Budget, testified on the Department's proposed reprogramming for the School Finance Study before the House Labor-Health and Human Services-Education Subcommittee on Appropriations on May 29.

Meetings

The Department has planned a number of activities in conjunction with the visit of a delegation from the People's Republic of China next week. The delegation includes Ambassador Chi Zemin and Minister of Education Lin Zhaonan.

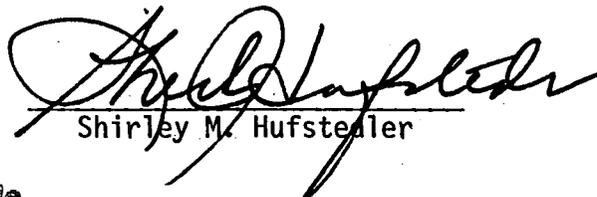
I will address the Chief State School Officers on June 2 at an annual meeting sponsored by the Education Department.

Cuban Refugees

Department staff visited Miami two weeks ago to talk with State and local educators about the effects of Cuban immigration on local school systems. On the basis of that visit, we have identified steps that ED could take to help the schools cope with the influx of Cuban students. We are discussing these actions with Jack Watson.

White House Interagency Task Force on Miami

Former Commissioner of Education Bill Smith represented the Department during the Task Force's visit to Miami on May 27 through May 29. Smith met with representatives of State, county, and local governments as well as the Community of Liberty City to discuss the recent racial violence in Miami.


Shirley M. Hufsteler

THE SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

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FYI

May 30, 1980

REPORT TO THE PRESIDENT

Secretary's Travel. Secretary Klutznick has concluded the meeting of the U.S.-Poland Joint Economic Commission in Warsaw, the substance of which has been reported separately. After attending the OECD Ministerial Meeting in Paris and the opening session of the ILO in Geneva, he will return to Washington Thursday evening.

Miami: EDA and MBDA officials are working closely with Jack Watson's office to assess the situation in Miami after the rioting and to recommend appropriate Administration responses. The Administration's ability to respond rapidly and effectively is now being hampered by deep hostility, both at the street level and among community leaders, and by posturing among the various racial, economic, and political factions of the Miami/Dade County area. Having completed on-site review this week, EDA and MBDA will forward recommendations to Jack Watson by early next week. Some recommendations will be for immediate action; however, EDA assistance will be long term help in planning and carrying out programs developed to assist in the recovery from the rioting. Coincidentally, I am scheduled to dedicate the opening on a large new Foreign Trade Zone in Miami on June 14, and we will encourage minority firms to become involved in the trade opportunities created by the new Zone.

Departmental Priorities. The list of priorities we furnished Stu Eizenstat this week on your 1981 Agenda reflects the Department's primary focus on international trade, productivity, and industrial policy. These issues are integral to the economic change we face in the 1980's and to the competitive position of the U.S. in the world marketplace -- themes we recommend for inclusion in your State of the Union message.

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Congressional Trade Breakfasts: We will describe the details of our reorganized international trade operation at the Senate and House Congressional trade breakfasts on June 11 and 18, respectively. Secretary Klutznick, Special Trade Representative Askew, and other Commerce officials will describe how the trade reorganization plan is functioning, discuss the Administration's commitment to increased exports and listen to Congressional concerns.


Homer E. Moyer, Jr.
Acting Secretary

THE UNDER SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

MAY 3 0 1980

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MEMORANDUM FOR THE PRESIDENT

SUBJECT: Weekly Report of HHS Activities

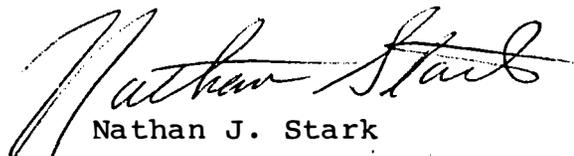
White House Interagency Task Force for Miami. Representatives of the Department joined other government officials in Miami this week to assess the destruction in Miami and the needs of the Black community. Fortunately, many health and human services centers were not severely damaged and could be reopened immediately. The Department is developing appropriate health and social services programs for the area and plans to have these programs in full operation by June 6.

White House Conference on Families. The White House Conference on Families will hold the first of its three Conferences at the Baltimore Convention Center June 5-7. The Baltimore Conference will bring together more than 635 delegates from 19 states and territories.

Mount St. Helens. The Department has initiated a surveillance network involving more than 40 hospitals in Washington, Idaho, and Montana to monitor health hazards which may arise as a result of the Mount St. Helens volcanic eruption.

Cuban Arrivals. In addition to health programs and social security activity, the Department has been given the responsibility for operating a Cuban reunification registry by the Federal Emergency Management Administration. The registry will permit Cuban Americans to identify the names of close relatives still in Cuba to facilitate the selection of Cubans to be allowed into the United States, should the Cuban Government agree to permit an orderly flow of people to this country.

Los Angeles Speech. The Secretary is speaking to the Baptist Ministers' Union of Southern California today. In her remarks, she will highlight the Administration's accomplishments in the area of health and human services and ask for their support over the next four years.


Nathan J. Stark

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THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410

May 30, 1980

MEMORANDUM FOR: The President
Attention: Rick Hutcheson, Staff Secretary

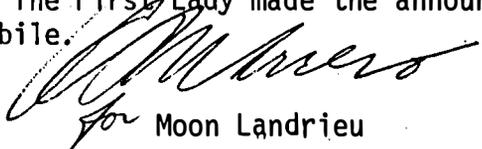
Subject: Weekly Report of Major Departmental Activities

GNMA Milestone Reached. The Government National Mortgage Association (GNMA) has now guaranteed over \$100 billion in mortgage-backed securities since the program's inception ten years ago. The \$100 billion level was achieved on May 23 when Ronald P. Laurent, President of GNMA, approved the issuance of a \$3 million mortgage-backed securities pool by Southeast Mortgage Company of Miami. Since 1970, the GNMA Mortgage-Backed Securities Program has provided the financing for approximately 3 million home purchases.

HUD/DOE Work Together on Weatherization. The Department of Housing and Urban Development and the Department of Energy are combining resources to weatherize apartments for low-income tenants in federally-subsidized housing. Special emphasis is being placed on dwellings occupied by the elderly and the handicapped. The results should be warmer homes and lower heating bills next winter for up to one million people. The program could help save an estimated 8,000 subsidized projects from default and perhaps foreclosure on their HUD-insured mortgages because of skyrocketing fuel bills. The weatherization work itself should also provide new jobs and job training opportunities for tenants eligible under the Department of Labor's Comprehensive Employment and Training Act.

Inspector General Report Goes to Congress. HUD's semiannual report on fraud, waste and mismanagement control activities, mandated by Section 5 of the Inspector General Act of 1978, will be transmitted to Congress tomorrow, May 31. The report for the six month period ending March 31 shows that the Department recovered more than \$11 million in improperly expended program funds as a result of audits by the HUD Office of Inspector General. The money came from program fund recipients who were required to make restitution based on audit findings of inappropriate expenditures. The report reflects the effective working relationship that exists between the Inspector General and other staff in the Department. Its findings enhance management's effectiveness, and we will give high priority to implementation of its recommendations.

Disaster Money Awarded. We have awarded over \$2 million in disaster assistance to Pike County, Kentucky and three counties in Alabama which are recovering from disasters that occurred last year. In Kentucky the money will help to relocate some 50 people out of the flood plain and assist about 80 people in rehabilitating their homes. Among other things, the money will assist the Alabama community of Gulf Shores to recover from the devastating effects of Hurricane Frederick. The HUD money was funding of last resort, since there were no other federal funds available to assist these areas. The amount represents money recaptured from Fiscal Year '79 and involves no expenditure of new funds. The First Lady made the announcement of aid to Alabama when she was in Mobile.


for Moon Landrieu

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THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

May 30, 1980

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MEMORANDUM FOR THE PRESIDENT

THROUGH: Rick Hutcheson, Staff Secretary

FROM : William J. Beckham, Jr.
Acting Secretary

A handwritten signature in black ink, appearing to read 'William J. Beckham, Jr.', is written over the 'FROM' line.

SUBJECT: Significant Issues for the Week of May 26

Cuban Refugee Situation - The Coast Guard and Navy have been successful in halting the southbound flow of vessels to Cuba. The flow of vessels returning from Cuba with refugees has been slow but steady. Based on our latest intelligence estimates, within a few more days nearly all U.S. boats will be out of Mariel.

As of midnight May 28, the exodus of refugees from Cuba to the United States had resulted in 989 search and rescue operations, 25 fatalities, and the entrance of 87,860 Cubans seeking asylum.

China Civil Air Negotiations - Negotiations continue toward a new U.S.-China air transport agreement. In addition to talks on fundamental issues (routes, fares, capacity, number of U.S. airlines), the Chinese also have been meeting with the FAA on technical and safety matters.

The final agreement is likely to include the following points:

one U.S. carrier to begin operations to China immediately, with a second entering the market in mid-1982; traditional regulation of first class and normal economy fares, but allowing carriers discretion to offer specified discount fares; service from New York and either San Francisco or Los Angeles, via Honolulu, to Shanghai and Beijing; other U.S. points (unspecified) and Canton would be available to the carriers of both countries in two years; intermediate rights would be available to the carriers of both countries in Japan.

The principal unresolved issue continues to be the Chinese insistence of some guarantee of "balance" in market shares. If agreement cannot be found in the next few days, the likelihood is that a third round of talks will be required.

Mt. St. Helens - All roads previously closed by the eruption of Mt. St. Helens are now open, except for those leading directly to the mountain. The major efforts of the Department now are to complete a damage assessment and to disseminate information to motorists on preventing damage to automotive engines from the volcanic ash. In the latter effort, the Department of Defense and the auto industry have provided good support. General Motors and Ford probably will run local informational ads for motorists. All departmental efforts are being coordinated through the Federal Emergency Management Agency.

Republic Airlines/Hughes Airwest Acquisition - Republic Airlines has filed an application with the CAB for approval to buy Hughes Airwest. The CAB has tentatively concluded that the legal requirements for acquisition under the Federal Aviation Act have been met and has issued an order to show cause why the transaction should be disapproved. The Department of Transportation has concluded that approval of the acquisition is consistent with the public interest.



THE SECRETARY OF ENERGY
WASHINGTON, D.C. 20585

May 30, 1980

MEMORANDUM FOR: THE PRESIDENT
FROM: CHARLES W. DUNCAN, JR.
JOHN C. SAWHILL
SUBJECT: Weekly Activity Report
Week of May 26-30, 1980

1. Synthetic Fuels Corporation: Our staff is working with Committee staffs to draft the legislative language reflecting the Conference agreements. We are hopeful that the drafting can be completed in two weeks. We are also working with Committee staffs on the plan for implementing the Corporation.
2. Utility Oil Backout: The Senate Energy Committee continued to mark up S. 2470 this week and another session is expected next week. A substitute being discussed by Sen. Domenici raises the possibility that the bill will be sidetracked to the Environment and Public Works Committee where it could be killed. Cong. Dingell opposes any major changes to the House version which is based on Administration specifications and has indicated he will not mark up the bill if the Senate makes major changes.
3. Oil import fee: The appeal will be argued on June 9. We hope to have a decision within two weeks after argument. The House is moving to bring the fee to a floor vote before the appeal is decided. Rule Committee Chairman Bolling will try to tie it up in that Committee. Six votes are needed to move it to the floor which could happen if all five Republicans and one Democrat vote to do so.
4. Mexican nuclear facilities: Mexico is now reviewing the results of French and Swedish studies of proposed nuclear power projects. Canada is expected to complete its study on June 15. After all three studies are in hand, the Mexican government is expected to begin contracting potential suppliers in these three countries and the United States.

If the French proposal is accepted, there will be significant problems for the United States effort to control proliferation. The French proposal includes Mexican involvement in developing the French chemical exchange enrichment process. Should that prove uneconomic, the French propose to transfer their gaseous diffusion enrichment technology.

5. Regulatory actions: There will be a number of regulatory actions taken next week:

- . a notice of proposed rulemaking will be issued to permit NPR exchanges for the SPR.

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- . a final standby rule will be issued to provide for distribution of SPR crude.
 - . a notice of proposed rulemaking will be issued to revise the gasoline allocation program.
 - . a final rule will be issued under the Fuel Use Act concerning new facilities, administrative procedures, and definitions.
 - . a notice of proposed rulemaking will be issued to establish energy efficiency standards for nine home appliances.
6. Summit: I reviewed the proposed communique yesterday with Henry Owen. I think your team has done a good job. My only concern is that we not yield to Canadian pressure to soften the language on pricing at international market levels.
7. Trips. John Sawhill travelled to West Virginia this week to meet with Governor Rockefeller on utility oil backout, to make a speech on coal policy and to visit the Cannolton coal mine with the Vice President.

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CONGRESSIONAL QUARTERLY
Weekly Report

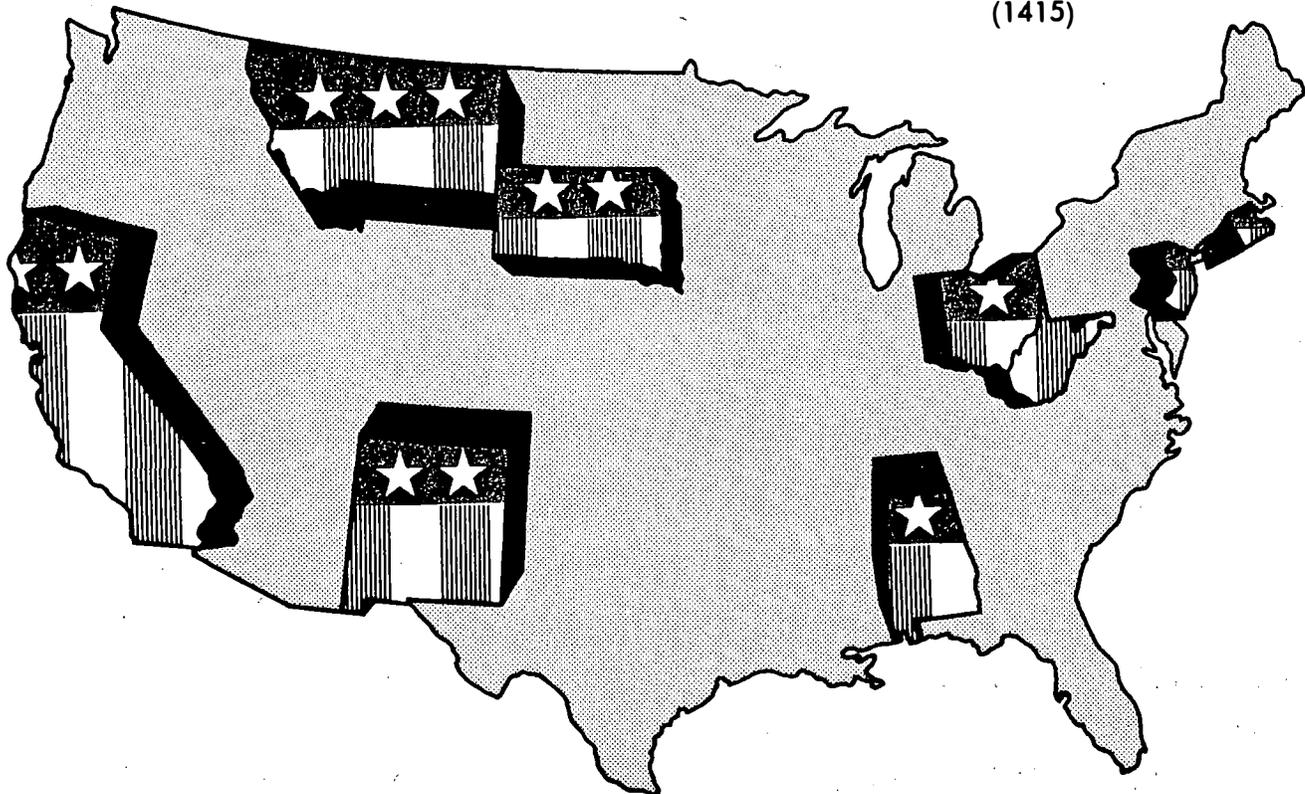
Vol. 38, No. 21 • Pages 1385-1456 • May 24, 1980

Budget Compromise (1387) ①

Trucking Deregulation (1390)

The Final Primaries

(1415)



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THE WHITE HOUSE

WASHINGTON

May 31, 1980

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ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR THE PRESIDENT

FROM:

ANNE WEXLER *Anne*

SUBJ:

Activities Report -- Week Ending May 30, 1980

1. Budget. I have sent you a sampling of the interest groups' supporting statements. Although the major unions and state and local governments worked particularly hard on our side, the strongest effort was made by NEA which brought local leaders in from all over the country. We will continue to stay in close contact with the groups as the conference proceeds, but each group will have different priorities for increasing domestic expenditures and we will not get in the middle of those debates. Our role will be to stand behind our March 14 budget while Frank and Jim work with the "gang of five" and Congressman Obey. I think the groups will follow Obey's lead on the new conference report.

Having made a very strong commitment to fight for our priorities, our intention to work in the appropriations and authorizing committees will be believable. We are constantly repeating that it was this Administration which readjusted priorities to increase our defense readiness, to balance the budget and to target funds to the greatest needs.

2. Anti-Inflation Efforts. The Outreach Task Force keeps working at efforts to show your visible involvement in fighting inflation and to educate the public. Your "jawboning" sessions have had two impacts: First, we have seen some price reductions and we are gathering material to show the cumulative effect. Second, corporate executives are now conscious of the fact that you will be involved personally. They recognize what it means to be invited to the White House for a consultation session, even if their business or industry does not sell directly to the consuming public. We are working with Fred Kahn, Phil and Fran to continue these meetings and perhaps to include some regional meetings while you are traveling.

3. Miscellaneous: - Fair Housing: We will meet to discuss strategy on the Fair Housing bill with our supporting interest groups early in the week. This vote is all the more important in the current situation.
- We continue to work with the interest groups on the draft registration proposals. The groups indicate that we will have difficulty holding off Hatfield's C.O. Amendment on the Senate floor although things look better for removing it in conference. They report that the problem is that conservatives who want more than just registration will not help us to overcome Hatfield.
 - A number of industry groups helped us defeat Senator Johnston's proposal to remove the requirement that natural gas fired utilities switch to coal.
 - 150 of the approximately 250 groups at the April transportation energy conservation kick-off have sent in pledges to participate in the effort. Several more are waiting for board approvals. They take this effort seriously and we have a tracking system to assure follow-up to those who have responded as well as those who have not.