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THE WHITE HOUSE

WASHINGTON

December 16, 1974

MEMORANDUM FOR THE PRESIDENT

THROUGH:

DONALD RUMSFELD

FROM:

JERRY H. JONES

SUBJECT:

CAB Decision re: Allegheny Airlines  
Dockets 27228, 27170, and 27171

Attached for your action is a proposed CAB order regarding the above-mentioned matter. To approve the order, you need take no further action. However, should the decision be to stay or veto the order, you must do so by close of business today. The CAB decision was split, with 3 favoring and 2 dissenting. While the executive agencies consulted unanimously disagreed with the Board's decision, there was some uncertainty among the agencies as to your authority in this case.

The Justice Department submitted a legal opinion at 7:00 p.m., tonight, which finds that you do have adequate authority for disapproval. Transportation, OMB, and the Office of the Counsel (Areeda and Chapman) all agree that you should disapprove the order. Time did not permit CIEP and State review of the Justice opinion but both agencies had previously indicated they would recommend disapproval provided you had sufficient authority to do so.

Approve order by taking no action \_\_\_\_\_

Disapprove order JH

12/16/74  
10:24 PM