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3:20 p.m.

Order 98-5-4  
Served: May 7, 1998

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

**Action on IATA Agreement  
Issued by the Department of Transportation  
on the 1<sup>st</sup> day of May, 1998**

**Docket:** OST-98-3735 <sup>1/</sup>

**Description:** The agreement increases all cargo rates and related charges from Malaysia to points throughout the world, including U.S. points, by ten to fifteen percent to help offset the devaluation of the Malaysian ringgit.<sup>2/3/</sup>

We do not find the resolution incorporated in the above docket to be adverse to the public interest or in violation of 49 U.S.C. 41309, provided that approval is subject, where applicable, to conditions previously imposed.

**Accordingly,** we approve and grant antitrust immunity to the agreement, subject, where applicable, to conditions previously imposed.

This order shall be effective and become the action of the Department of Transportation upon the expiration of ten days, unless within such period a petition for review is filed pursuant to 14 CFR 385.30 or the Department gives notice that it will review this order on its own motion. Such actions are subject to judicial review under 49 U.S.C. 46110.

Given the noncontroversial nature of this agreement and the availability of the above procedure, we are waiving the 21-day period prescribed by 14 CFR 303.42.

Paul L. Gretch  
Director, Office of International Aviation

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<sup>1/</sup> IATA Telex TV/6051, filed with the Department on April 10, 1998.

<sup>2/</sup> Passenger fares, cargo rates and related charges are specified in the local currency of the country of origin under procedures conditionally approved by Orders 84-5-108, May 31, 1984, and 88-4-21, April 4, 1988. IATA monitors exchange rate fluctuations and may propose offsetting fare and/or rate revisions when currency movements exceed certain criteria. The fare and/or rate revisions, however, must be filed and approved before being implemented.

<sup>3/</sup> Rates to TC2 (Europe/Middle East/Africa) and TC3 (Asia/ Australasia/Pacific Islands) increase ten percent, while rates to TC1 (Western Hemisphere) increase fifteen percent.