



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

Issued by the Department of Transportation on March 19, 2002

NOTICE OF ACTION TAKEN -- DOCKETS OST-2000-8562 -- 8

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: **Vietnam Airlines Corporation**

Dates Filed: February 28, 2002

Relief requested: Renew exemption from 49 U.S.C. § 41301 to engage in scheduled foreign air transportation of persons, property and mail between Hanoi and Ho Chi Minh City, Vietnam, on the one hand, and Los Angeles and San Francisco, California; via Taipei, Taiwan, on the other hand. Vietnam Airlines would conduct these services on a code-share basis with China Airlines, Ltd.

If renewal, date and citation of last action: March 2, 2001, in this docket

Applicant representative: George U. Carneal (202) 637-6546 and Ronald P. Brower (202) 637-5762

Responsive pleadings: None filed

DISPOSITION

Action: Approved

Action date: March 19, 2002

Effective dates of authority granted: March 19, 2002-March 19, 2003

Basis for approval (bilateral agreement/reciprocity): March 3, 2000 Memorandum of Discussions between the United States and Republic of Vietnam

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

Standard exemption conditions

The conditions of the March 3, 2000 Memorandum of Discussions between the United States and Republic of Vietnam and the Notice of Action Taken dated March 2, 2001, in this docket (Docket OST-2000-8562).

The Statement of Authorization dated March 2, 2001, authorizing China Airlines/Vietnam Airlines code-share operations, and conditions therein.

Special conditions/Partial grant/Denial basis/Remarks: Vietnam Airlines may not itself operate flights to or from the United States without further order of the Department.

**Action taken by: Paul L. Gretch, Director
Office of International Aviation**

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) the applicant was qualified to perform the proposed operations; (2) our action was consistent with Department policy; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR § 385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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http://dms.dot.gov/reports/reports_aviation.asp*