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RELEASE IN FULL

BACKGROUND STATEMENT

AGREEMENT WITH THE COMMONWEALTH OF THE BAHAMAS (NAT-I-2719)

1. Statement regarding Memorandum of Agreement (MOA) between the United States of America, Department of Transportation, Federal Aviation Administration (FAA), and The Commonwealth of The Bahamas, Minister of Transport. This MOA was signed for the FAA by Thomas P. Messier, Director of International Aviation, on December 20, 1988, in Washington, D.C. and for the Minister of Transport by Frank Bartlett, Permanent Secretary, Minister of Transport, on May 17, 1989, in Nassau, Bahamas.

2. Explanation of Agreement

The purpose of this agreement--essentially an "umbrella" technical assistance agreement--is to establish the general terms and conditions under which the FAA will, within its capabilities, available resources, and statutory authority, provide FAA technical assistance to the Minister in its efforts to improve the civil aviation infrastructure and facilities in The Commonwealth of The Bahamas. Explicit services rendered under the MOA will be specified and agreed upon by FAA and the Minister in annexes which will become part of the MOA.

3. Background Information

The FAA has been involved since August 1983, in a joint venture with the Government of The Commonwealth of The Bahamas (GCOB) on a radar project at Nassau which operates a primary Airport Surveillance Radar, coupled with a secondary long range radar beacon transponder system.

The FAA, through an MOA (NAT-I-1419), provided technical advisory services to the Minister for modernizing the civil aviation infrastructure, facilities, and airspace system for The Commonwealth of The Bahamas. That MOA was signed by the FAA on July 20, 1983, and by the Minister on August 12, 1983, and was in effect through December 31, 1988. During that period, FAA provided qualified specialists in Nassau to develop and implement programs related to maintenance of airway facilities,

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operations and procedures of air traffic control which may have been required by the Minister. Prior to the expiration of NAT-I-1419, the Minister indicated a desire to request a continuation of services, by FAA specialists on a temporary duty (TDY) basis, to provide technical guidance to the Minister. Accordingly, FAA prepared an umbrella agreement (NAT-I-2719) which effectively provides for the continuation of FAA technical support services and made provisions for annexes to the MOA to accommodate program requirements and/or changes that may occur in the future. FAA prefers the umbrella type of MOA since it provides a medium for covering a variety of technical assistance activities over an extended period of time. Thus, FAA prepared and signed NAT-I-2719 and accompanying Annex 1 on December 20, 1988, both of which, upon signature by the Minister of Transport official, become effective on May 17, 1989. The umbrella MOA and Annex 1 remains in effect unless terminated by one of the parties in accordance with the MOA.

4. Effect of Agreement

Assistance provided by FAA under Annexes to this umbrella MOA could enhance the efforts of the Minister in providing a more efficient air traffic control system which is vital to the operational safety of civil aviation. FAA assistance which is expected to be provided will also contribute to the making of a climate conducive to the sale of U.S. aviation products and services to the Minister.

5. Legal Authority

FAA derives legal authority for entering into this agreement from Sections 305 and 313 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1346) and Sections 3, 4, and 5 of the International Aviation Facilities Act of 1948, as amended (49 U.S.C. 1154).

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