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DOT move may speed up Texas Air-Eastern merger

WASHINGTON (AP) — The Transportation Department removed one hurdle Monday in considering the proposed acquisition of Eastern Airlines by Texas Air Corp., possibly bringing a quicker decision on the merger.

The department said it will no longer require a formal evidentiary hearing before an administrative law judge as part of the proceeding, which is to lead to a decision later this summer.

The hearing, which had been scheduled for this week, would have allowed critics of the proposed \$600 million merger to raise questions about possible competitive problems and also cross-examine merger proponents.

But the department said a recent agreement under which Texas Air Corp. would sell some landing and takeoff slots at Washington's National and New York's LaGuardia airports to ease competition concerns in the Northeast corridor has made the more extended evidentiary hearing unnecessary.

Instead, the department is expected within a few weeks to issue a preliminary decision on the merger and then allow parties to file papers showing why the decision should not be made final.

A final decision on whether to approve the merger is still planned by Aug. 31, department spokesman Alan Pollock said.

Critics of the Texas Air-Eastern deal have complained that such a merger would severely reduce competition along the heavily traveled Northeast "shuttle" corridor linking Washington, New York and Boston.

Eastern Airlines and New York Air, which also is owned by Texas Air Corp., currently dominate and compete vigorously in the shuttle market. Last month, Texas Air announced it was selling some operating rights held by New York Air at Washington and New York to Pan American World Airways so Pan Am can begin competing shuttle service next October.

The Texas Air-Pan Am deal

prompted the Justice Dept. to reverse itself and support the Air acquisition of Eastern. Eastern previously had said the deal should be rejected if new routes were not available in the corridor.

The agreement between Air and Pan Am "has significantly modified the competitive corridor markets and the hearing procedures are a necessary to resolve the Transportation Department's canceling the evidentiary hearing."

But the department cannot reject a request by Texas Air for an "exemption basis." It has been the quickest cause no opposing views have been considered.

Under the so-called "shuttle" procedure, the department makes a tentative decision on opponents 60 days to file responses before a final decision is announced.

Transsexual says voting was 'fixed' for Legion post

NEW LONDON, Conn. (AP) — A woman who last year lost her bid to become the first transsexual to command an American Legion post was again defeated Monday, losing to a male Vietnam veteran.

Bridgette Poi Brusseau, who was decorated during the Korean War while in the U.S. Air Force as Robert "Bobby" Brusseau, lost to Dominic Q. Cirioni Jr., 43, on a 52-22 vote by the John Coleman Prince Post No. 9.

Brusseau left immediately after the election, but told reporters in the parking lot she would ask the national American Legion headquarters in Indianapolis to look into the election.

"I consider it fixed," she said. "It's simply a matter of IOUs. A lot of members who never showed up before came here tonight to pay their dues."

Brusseau, 51, said many members felt threatened by the fact that she is a transsexual.

Teacher Ronald Estabrooks of Mystic, a Korean War veteran, said: "Members of the American Legion have very traditional attitudes toward things like this. I'm very old fashioned. I still think if you're born a girl, you should stay a girl."

Brusseau says the publicity generated by last year's election took its toll

and she found herself "on a psychiatrist's couch."

Brusseau, who has changed her shoulder-length platinum hair to a shorter strawberry-blond and taken back her family name, said she was a "ninny" last year to allow the campaign to focus on her 1973 sex-change operation in Mexico. She bristles when the issue is raised now.

"Why do people always refer to me as transsexual Bridgette Poi?" she asked. "I am a woman. My birth certificate lists me as Bridgette Roslynn Brusseau."

This year, she focused on mismanagement and poor accounting that she says plague the post and concentrated on getting the vote out. Last year, Brusseau lost to incumbent Cmdr. Joseph Ottaviano Jr. in a vote of 23-13, a meager turnout for a post with more than 300 members.

Ottaviano made an issue of Brusseau's sex-change operation last year, but insists her gender isn't the reason he's supporting Cirioni, the vice commander, this year.

"Altering her body is between her and her maker. All I'm basing my opinion on is who deserves to be commander. And Nick has earned it," he said.

Louisiana deluged by rains

SHREVEPORT, La. (AP) — Five inches of rain fell in west Louisiana Monday, causing the death of a man who was trying to direct traffic at a wreck, officials said.

Rain slacked off and waters fell quickly during the afternoon, but forecasts said moving from Texas to Louisiana could move in and dump two inches of rain.

Outside southwest Shreveport, a tank truck loaded with a man who had stopped to help traffic around a wreck.

Chester D. Heald, 36, Keatchie was slammed into a car he was trying to protect. Do Parish Sheriff Don Heald.

The car's driver and passenger wife both were out of the car but Heald was killed. Hiram M. Barger Keatchie seriously injured Deputy Ricky Johnson.

Vanessa Leary, 29, of age, Texas, was taken to a fire station where firefighters saved her fifth child, a boy.

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