



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

Order 2022-6-1

Issued by the Department of Transportation
on the 1st day of June, 2022

Served: June 1, 2022

In re:

**SUSPENSION OF OPERATIONS
BETWEEN THE UNITED STATES AND
CUBA**

**Dockets DOT-OST-2020-0129
DOT-OST-2020-0011
DOT-OST-2016-0226
DOT-OST-2016-0021
DOT-OST-1998-20**

ORDER

By this Order, the U.S. Department of Transportation (the Department or DOT), acting at the request of the Department of State, revokes previous actions restricting certain air services between the United States and Cuba.

During 2019 and 2020, acting on requests from then-Secretary of State Michael R. Pompeo to then-Secretary of Transportation Elaine L. Chao, DOT took a number of actions to restrict certain air transportation services between the United States and Cuba. In summary, those restrictive actions consisted of the following:

- **Notice dated October 25, 2019:** DOT suspended the exemption authority and frequency allocations granted to all U.S. carriers to engage in scheduled foreign air transportation between any point in the United States and any of the nine international airports in Cuba other than Havana.¹
- **Notice dated January 10, 2020:** DOT (1) suspended the authority granted to all public charter operators to conduct public charter flights between any point in the United States

¹ The nine international airports, other than Havana's José Martí International Airport (HAV), are: the Ignacio Agramonte International Airport in Camagüey (CMW); the Jardines del Rey Airport in Cayo Coco (CCC); the Vilo Acuña Airport in Cayo Largo (CYO); the Jaime González Airport in Cienfuegos (CFG); the Frank País Airport in Holguín (HOG); the Sierra Maestra Airport in Manzanillo (MZO); the Juan Gualberto Gómez Airport in Matanzas (VRA); the Abel Santamaría Airport in Santa Clara (SNU); and the Antonio Maceo Airport in Santiago de Cuba (SCU).

and any point in Cuba, except Havana; and, (2) established a limit on the number of authorized public charter flights between the United States and Havana.²

- **Order 2020-8-4:** By final decision, DOT amended all exemptions granted under 49 U.S.C. § 40109, 14 CFR Part 294, and 14 CFR Part 298, and all authorizations granted under 14 CFR Part 375, to preclude, until further order of the Department, the operation of charter flights between the United States and Cuba, except for authorized public charters to and from Havana, or other authorized charter flights for emergency medical purposes, search and rescue, and other travel deemed to be in the interest of the United States. DOT also tentatively imposed a corresponding condition on all U.S. carrier certificates and foreign air carrier permits.
- **Order 2020-11-14:** DOT finalized the tentative findings and conclusions of Order 2020-8-4, and amended all U.S. air carrier certificates issued under 49 U.S.C. § 41102, and all foreign air carrier permits issued under 49 U.S.C. § 41302, to preclude, until further order of the Department, the operation of charter flights between the United States and Cuba, except for authorized public charters to and from Havana, or other authorized charter flights for emergency medical purposes, search and rescue, and other travel deemed to be in the interest of the United States.

By letter dated May 31, 2022, Secretary of State Antony J. Blinken wrote to Secretary of Transportation Pete Buttigieg, stating:

Consistent with Administration measures announced May 16 in support of the Cuban people, and in the foreign policy interests of the United States, I respectfully request the Department of Transportation terminate all civil aviation restrictions on flights between the United States and Cuba implemented at the previous request of the U.S. Department of State in letters dated October 25, 2019; January 7, 2020; and August 13, 2020.³

Accordingly, the Department finds that it is in the public interest to revoke, effective immediately, the actions referenced above and set forth in the ordering paragraphs below.⁴

ACCORDINGLY,

1. The Department revokes its Notice dated October 25, 2019, in Dockets DOT-OST-2016-0021, DOT-OST-2016-0226, and DOT-OST-1998-20;
2. The Department revokes its Notice dated January 10, 2020, in Docket DOT-OST-1998-20;

² By Order 2020-5-7 DOT finalized procedures to distribute authorized public charters within the limit.

³ The letter summarized the restrictions that remain in effect for which the Department of State now seeks termination. The full text of the letter is attached as an Appendix to this Order.

⁴ We will also dismiss, as moot, the pending requests for relief from the above actions.

3. The Department revokes Orders 2020-5-7⁵, 2020-8-4, and 2020-11-14;
4. The Department dismisses, as moot, the pending applications for emergency exemptions in Docket DOT-OST-2020-0129, and the pending motion for allocation of Havana public charter flights in Docket DOT-OST-2020-0011;
5. This order shall be effective upon issuance; and
6. The Department will serve this Order on all certificated carriers operating large aircraft; all foreign air carriers holding permits; all other U.S. and foreign carriers holding Department authority under which they might perform charter flights to Cuba and that have electronic mail addresses currently on file with the Department; all public charter operators with recent U.S.-Cuba operations; the Ambassador of Cuba in Washington, DC; the Federal Aviation Administration; and the U.S. Department of State.

By:

Carol A. (Annie) Petsonk
Assistant Secretary for
Aviation and International Affairs

(SEAL)

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<http://www.regulations.gov>

⁵ With the January 10, 2020 Notice establishing the numerical limit on U.S.-Havana public charters revoked, there is no remaining need for the procedures DOT established in Order 2020-5-7 to implement the limit.

**THE SECRETARY OF STATE
WASHINGTON**

May 31, 2022

The Honorable
Pete Buttigieg
Secretary of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Secretary:

Consistent with Administration measures announced May 16 in support of the Cuban people, and in the foreign policy interests of the United States, I respectfully request the Department of Transportation terminate all civil aviation restrictions on flights between the United States and Cuba implemented at the previous request of the U.S. Department of State in letters dated October 25, 2019; January 7, 2020; and August 13, 2020. Those restrictions, currently in effect, include:

- 1) The suspension of the authority granted to all U.S. carriers that authorizes scheduled foreign air transportation between any point in the United States and any point in Cuba, except José Martí International Airport (HAV) in Havana;
- 2) The suspension of the authority granted to all public charter operators that authorizes public charter flights between any point in the United States and any point in Cuba, except José Martí International Airport (HAV) in Havana;
- 3) The establishment of a limit on the number of authorized public charter flights between the United States and José Martí International Airport (HAV); and
- 4) The suspension of all charter flights between the United States and all airports in Cuba, except for authorized public charters to and from Havana and other authorized charter flights for emergency medical purposes, search and rescue, and other travel deemed to be in the interest of the United States.

Upon the Department of Transportation taking the requested action, scheduled and charter air services between the United States and Cuban airports may resume effective immediately, pursuant to the Department of Transportation's regulations and policies. Nothing in the Department of State's request to terminate these restrictions and to resume travel for lawful purposes relieves any party from complying with all applicable regulations and requirements of other U.S. agencies and with all applicable laws of the United States. The Department of State considers that this action would not conflict with the U.S. government's obligations under applicable international agreements.

Sincerely,


Antony J. Blinken