

BF-430

TITLE 14 -- AERONAUTICS AND SPACE

CHAPTER I -- FEDERAL AVIATION AGENCY

(Reg. Docket No. 169)

SPECIAL CIVIL AIR REGULATION SR-437

(Affects Parts 60 and 620)

Flight Plans for Flight of Civil Aircraft Over Cuba

In order to provide for the proper coordination and clearance of all civil aircraft departing the United States for flight to or over Cuba, this regulation requires the pilot in command of such aircraft to file a flight plan prior to take-off. The DVFR or IFR flight plan required in Section 620.11 of the Security Control of Air Traffic Rules may be used for this purpose. Additionally, at least one hour prior to departure a statement in writing with certain supplemental information must be filed with the office of the Immigration and Naturalization Service at the international airport from which such flights will depart.

This regulation does not apply to scheduled air carriers or foreign air carriers conducting flights from a place in the United States over routes authorized in operations specifications issued by the Administrator.

Since a situation exists requiring the immediate adoption of this regulation for the national security and safety in air commerce

I find that notice and public procedure hereon are impracticable, and that good cause exists for making this regulation effective on November 4, 1959.

In consideration of the foregoing, the following Special Civil Air Regulation is adopted.

No person shall operate a civil aircraft from the United States for flight over, or landing within Cuba, unless departure is made from an international airport designated as an international airport of entry in section 5.13 of the Air Commerce Regulations of the Bureau of Customs (19 CFR §6.13).

The pilot in command of a civil aircraft departing from the continental United States (excluding Alaska) for flight over, or landing within, Cuba, shall file a DVFR or IFR flight plan in accordance with the requirements prescribed in Section 620.11 of the Security Control of Air Traffic Rules (14 CFR Part 620). In addition, at least one hour prior to the time of departure from such international airport, the pilot in command shall file with the office of the Immigration and Naturalization Service at the airport a written statement containing the information in the flight plan, together with the following further information: number and names of all persons aboard the aircraft, description of the cargo, if any, carried aboard the aircraft, and the international airport of departure.

This regulation shall not apply to aircraft operated by a scheduled air carrier or foreign air carrier departing from the United States over routes authorized in operations specifications issued by the Administrator.

This regulation shall become effective on November 4, 1959, and remain in effect until superseded, rescinded or revoked.

(Sections 313(a), 601(a), 1202; 72 Stat. 752, 775, 800; 49 U.S.C. 1354(a), 1421(a), 1522).

JAMES T. PYLE  
Acting Administrator

Issued in Washington, D. C., on October 30, 1959.