

**US Restrictions on Use of Russian Controlled Aircraft  
are Now Limited to Sanctioned Persons and Legal Entities,  
Not All Russian Citizens**

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Following up on my communication on March 1 concerning European Union (EU) restrictions on the use of Russian controlled aircraft in view of events in Ukraine, there have been important developments today in the United States.

As of today, the Federal Aviation Administration has issued a new U.S. Notice To Air Missions (NOTAM) 2/2415 (KFDC A0049/22), named Special Security Instructions (SSI), copied below, which provides that the U.S. is limiting the operation of aircraft in U.S. territorial airspace to only specifically named sanctioned persons and legal entities.

An earlier broad prohibition had been announced by the FAA on March 2 on operation of aircraft in U.S. territorial airspace for the benefit of a person who is a citizen of the Russian Federation. This broad prohibition has now been removed by the FAA.

It was removed in response, presumably, to many submissions to the FAA pointing out that the broad prohibition was overbroad. I submitted one such request and was informed by the FAA that there were many such requests. The broad request was restricting U.S. citizens and U.S. green card holders who are also Russian citizens from operating aircraft in the US on domestic charter flights, as flight instructors, or as part of routine pilot training. Such collateral economic damage was, presumably, not intended.

The prior NOTAM 2/9510 applied to:

**ALL RUSSIAN AIR CARRIERS AND COMMERCIAL OPERATORS, REGARDLESS OF THE STATE OF REGISTRY OF THE AIRCRAFT; ALL AIRCRAFT REGISTERED IN THE RUSSIAN FEDERATION; ALL RUSSIAN STATE AIRCRAFT, REGARDLESS OF THE STATE OF REGISTRY OF THE AIRCRAFT; AND ALL AIRCRAFT, REGARDLESS OF THE STATE OF REGISTRY, OWNED, CHARTERED, LEASED, OPERATED OR CONTROLLED BY, FOR, OR FOR THE BENEFIT OF, A PERSON WHO IS A CITIZEN OF THE RUSSIAN FEDERATION**

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The new NOTAM 2/2415 applies to:

ALL RUSSIAN AIR CARRIERS AND COMMERCIAL OPERATORS, REGARDLESS OF THE STATE OF REGISTRY OF THE AIRCRAFT; ALL AIRCRAFT REGISTERED IN THE RUSSIAN FEDERATION; ALL RUSSIAN STATE AIRCRAFT, REGARDLESS OF THE STATE OF REGISTRY OF THE AIRCRAFT; AND ALL AIRCRAFT, REGARDLESS OF THE STATE OF REGISTRY, OWNED, CHARTERED, LEASED, OPERATED OR CONTROLLED BY, FOR, OR FOR THE BENEFIT OF, A RUSSIAN PERSON OR ENTITY IDENTIFIED BY THE INTERNATIONAL TRADE ADMINISTRATION'S CONSOLIDATED SCREENING LIST

These words have been removed by the new NOTAM: A PERSON WHO IS A CITIZEN OF THE RUSSIAN FEDERATION.

These words are replaced by: A RUSSIAN PERSON OR ENTITY IDENTIFIED BY THE INTERNATIONAL TRADE ADMINISTRATION'S CONSOLIDATED SCREENING LIST.

If a Russian citizen or a legal entity is not "a Russian person or entity identified by the International Trade Administration's Consolidated Screening List (CSL), which is available at <https://www.trade.gov/consolidated-screening-list>," then that Russian person or legal entity is not subject to any restriction on operating an aircraft in U.S. territorial airspace.

Accordingly, as of now, the U.S. has reverted to a narrower restriction on who is prevented from operating aircraft in U.S. airspace and the U.S. is no longer following the approach taken in EU Council Regulation EU 2022/334, dated February 28, 2022. The EU regulation provides that: "It shall be prohibited for any aircraft operated by Russian air carriers, including as a marketing carrier in code- sharing or blocked-space arrangements, or for any Russian registered aircraft, or for any non-Russian-registered aircraft which is owned or chartered, or otherwise controlled by any Russian natural or legal person, entity or body, to land in, take off from or overfly the territory of the Union."

It follows that for aircraft for which title is held by a U.S. trust company for the benefit of a non-U.S. citizen pursuant to a trust agreement, an operating agreement may be put in place, or kept in place with a U.S. operator that is not also subject to the EU restrictions.

The text of the new NOTAM released today is as follows:

FDC 2/2415 (KFDC A0049/22) SECURITY...SPECIAL SECURITY INSTRUCTIONS (SSI)

PROHIBITION ON RUSSIAN FLIGHT OPERATIONS IN THE TERRITORIAL AIRSPACE OF THE U.S.

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THIS NOTAM REPLACES FDC 2/9510 (KFDC A0048/22) FOR THE PURPOSE OF CLARIFYING APPLICABILITY.

PURSUANT TO 49 USC SECTIONS 40103 AND 40113(A), ALL RUSSIAN AIR CARRIERS AND COMMERCIAL OPERATORS, REGARDLESS OF THE STATE OF REGISTRY OF THE AIRCRAFT; ALL AIRCRAFT REGISTERED IN THE RUSSIAN FEDERATION; ALL RUSSIAN STATE AIRCRAFT, REGARDLESS OF THE STATE OF REGISTRY OF THE AIRCRAFT; AND ALL AIRCRAFT, REGARDLESS OF THE STATE OF REGISTRY, OWNED, CHARTERED, LEASED, OPERATED OR CONTROLLED BY, FOR, OR FOR THE BENEFIT OF, A RUSSIAN PERSON OR ENTITY IDENTIFIED BY THE INTERNATIONAL TRADE ADMINISTRATION'S CONSOLIDATED SCREENING LIST ([HTTPS://WWW.TRADE.GOV/CONSOLIDATED-SCREENING-LIST](https://www.trade.gov/consolidated-screening-list)) ARE PROHIBITED FROM OPERATING TO, FROM, WITHIN, OR THROUGH U.S. TERRITORIAL AIRSPACE, EXCEPT FOR AIRCRAFT ENGAGED IN HUMANITARIAN OR SAR OPERATIONS SPECIFICALLY AUTHORIZED BY THE FAA, STATE AIRCRAFT OPERATIONS GRANTED A DIPLOMATIC CLEARANCE BY THE U.S. DEPARTMENT OF STATE AND AIRCRAFT EXPERIENCING IN-FLIGHT EMERGENCIES.

ALL EXCEPTED AIRCRAFT OPERATIONS UNDER THIS NOTAM MUST RECEIVE APPROPRIATE ECONOMIC AUTHORIZATION FROM THE U.S. DEPARTMENT OF TRANSPORTATION PRIOR TO CONDUCTING FLIGHT OPERATIONS TO, FROM, WITHIN, OR THROUGH U.S. TERRITORIAL AIRSPACE. AIRCRAFT OPERATORS SUBJECT TO THIS NOTAM WHO DO NOT COMPLY WITH THESE INSTRUCTIONS MAY BE INTERCEPTED, AND THEIR PILOTS AND OTHER CREWMEMBERS DETAINED AND INTERVIEWED BY LAW ENFORCEMENT OR SECURITY PERSONNEL, AS APPROPRIATE. ALL PREVIOUSLY OBTAINED FAA AUTHORIZATIONS FOR AIRCRAFT AND OPERATIONS SUBJECT TO THIS NOTAM TO OPERATE IN U.S. TERRITORIAL AIRSPACE ARE REVOKED.

OPERATORS SUBJECT TO THIS NOTAM WISHING TO OBTAIN AN FAA AUTHORIZATION TO OPERATE IN U.S. TERRITORIAL AIRSPACE MUST SUBMIT A REQUEST TO THE FAA SYSTEM OPERATIONS SUPPORT CENTER (SOSC) AT 1-202-267-8276 OR EMAIL 9-ATOR-HQ-SOSC@FAA.GOV. REQUESTS FOR DOT ECONOMIC AUTHORIZATION MUST BE SUBMITTED TO THE U.S. DEPARTMENT OF TRANSPORTATION OFFICE OF INTERNATIONAL AVIATION AT SCHEDULEFILING@DOT.GOV. SFC-UNL Effective: 2203100500Z--2205252359Z