

## MILITARY OVERFLIGHTS

*Exchange of notes at Washington September 29 and November 22, 1938*

*Entered into force November 22, 1938*

*Extended by agreements of June 3 and 15, 1939;<sup>1</sup> June 13 and 18, 1940;<sup>1</sup> May 26 and June 12, 1941;<sup>1</sup> and July 6 and August 27, 1942<sup>1</sup>*

*Expired June 30, 1943*

Department of State files

*The Cuban Ambassador to the Secretary of State*

[TRANSLATION]

EMBASSY OF CUBA

WASHINGTON, D.C.

*September 29, 1938*

EXCELLENCY:

I have the honor to address Your Excellency to state the following to you:

On June 2, 1931, the Embassy of the United States in Cuba requested in the name of its Government, by note number 539, the granting of a general permit for a period of one year, to expire on June 30, 1932, for the aircraft of the War and Navy Departments of its country to fly over Cuba and land in Cuban territory without need of a specific application for authorization for each flight. On June 10, 1931, the Government of Cuba, through the Department of State, notified the American Embassy of the granting of the request referred to above. The Embassy replied to the said note on the 12th of the same month and year, giving thanks, in the name of its Government for the concession and declaring that it had been requested for the purpose of eliminating the requirements (then required) of a specific application for each flight, the Embassy promising to notify the Government of Cuba of the details of those that were made.

Subsequently, on May 12, 1932, and likewise through the American Embassy at Habana, an extension of the arrangement or general permit for an additional period of one year was requested of the Government of Cuba. The Government of Cuba being desirous of complying with the request of

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<sup>1</sup> Not printed.

the United States, it granted this new concession, and since then, up to the present, it has taken pleasure in agreeing to the annual extensions periodically requested by Your Excellency's Government. It must be pointed out that since 1934, at the application of the United States itself, the permit has been extended to cover lighter-than-air craft (*naves más ligeras que el aire*).

Having received instructions from my Government to request of Your Excellency's Government, invoking the principle of international reciprocity, the granting of the same facilities to Cuban aircraft, I am requesting Your Excellency to be good enough to take an interest [in securing] from your Government the granting of an annual permit identical with that granted to the United States Government, so that Cuban military and naval aircraft may fly over American territory and land thereon under the same conditions and with the same formalities as aircraft belonging to the United States War and Navy Departments now used in flying over and landing on Cuban territory.

A copy of a memorandum prepared by the Office of Protocol of the Department of State is enclosed,<sup>1</sup> in which a chronological statement is made of the extensions requested and granted.

Accept, Excellency, the assurances of my very high and distinguished consideration.

V. VALDÉS RODRÍGUEZ

His Excellency  
Mr. CORDELL HULL,  
*Secretary of State,*  
*Washington.*

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*The Secretary of State to the Cuban Ambassador*

NOVEMBER 22, 1938

EXCELLENCY:

I have the honor to refer to your note of September 29, 1938 requesting that Cuban military and naval aircraft be granted privileges similar to those now enjoyed by United States service aircraft for flights over Cuban territory.

I now take pleasure in advising you that the reciprocal privileges requested will be granted by this Government for the period ending June 30, 1939, subject to compliance with all applicable laws and regulations, particularly those pertaining to air space reservations and the air traffic rules contained in part 50 of the Civil Air Regulations.

I should appreciate your advising me of the details of each flight as far in advance as possible.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

R. WALTON MOORE

His Excellency

Señor Dr. PEDRO MARTÍNEZ FRAGA,  
*Ambassador of Cuba.*