

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

**ENFORCEMENT NOTICE REGARDING THE TEMPORARY
RESTRICTION OF TRAVEL INTO THE UNITED STATES BY AIRLINES
TO INDIVIDUALS RECENTLY PRESENT IN THE DEMOCRATIC
REPUBLIC OF THE CONGO, UGANDA, AND SOUTH SUDAN**

The U.S. Department of Transportation (Department or DOT) Office of Aviation Consumer Protection (OACP), a unit within the Office of the General Counsel, regulates whether airlines may limit access to air transportation because a passenger has or is suspected of having a communicable disease.¹ Due to a severe, expanding outbreak of the Ebola disease caused by the Bundibugyo virus strain, OACP is issuing this notice to advise airlines and the public that airlines may deny boarding or refuse air transportation to the United States for any traveler, including a U.S. citizen or U.S. national, who cannot attest that they have not been present in the Democratic Republic of the Congo (DRC) within the prior 21 days consistent with the Notice and Order issued by the Centers for Disease Control and Prevention (CDC) of the Department of Health and Human Services (HHS).² In addition, airlines may deny boarding to foreign travelers and Lawful Permanent Residents (LPRs) who were present in Uganda or South Sudan in the prior 21 days and must ensure that U.S. citizens traveling from Uganda or South Sudan only enter the United States through designated airports for enhanced health screening.

Background

An ongoing outbreak of Ebola disease caused by the Bundibugyo virus remains active across multiple provinces in the DRC, with cross-border cases confirmed in Uganda and elevated risk in South Sudan.³ As of October 25, 2026, health authorities have confirmed over 10,000 cases and over 4,800 deaths, making this the largest Bundibugyo strain outbreak on record.⁴ This Ebola disease outbreak is spreading substantially faster than previous Ebola outbreaks.⁵

¹ 14 CFR 382.21.

² U.S. Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC), Notice and Order, *Requirement for Attestation by All Persons Arriving in the United States From Any Foreign Country via Transportation by Aircraft and Controlled Free Pratique for Airlines and Other Aircraft Operators Confirming That Such Persons Have Not Been In The Democratic Republic Of The Congo in the Past 21 Days*, 91 FR 67582 (Oct. 27, 2026) (amended Oct. 28, 2026).

³ U.S. Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC), *Order Under Sections 362 & 365 of the Public Health Service Act (42 U.S.C. §§ 265, 268) and 42 C.F.R. § 71.40 Continuing the Suspension of the Right to Introduce Certain Persons From Countries Where a Quarantinable Communicable Disease Exists* (“CDC Title 42 Order”) (signed Oct. 9, 2026; effective Oct. 12, 2026); U.S. Customs and Border Protection (CBP) Carrier Liaison Program Bulletin No. 5633-0726 (July 21, 2026).

⁴ Ebola Outbreak: Current Situation. CDC, https://www.cdc.gov/ebola/situation-summary/index.html#cdc_situation_summary_numbers-latest-data (accessed Oct. 27, 2026).

⁵ CDC Title 42 Order, Section III.B (October 12, 2026).

Ebola spreads through direct contact with infected bodily fluids or contaminated materials.⁶ The virus has an incubation period of up to 21 days, during which an infected individual may remain asymptomatic while traveling.⁷ It causes serious illness that, if left untreated, can cause death.⁸

Legal Authority

The Department's regulation implementing the Air Carrier Access Act, 14 CFR part 382, addresses whether airlines may limit access to air transportation on the basis that a passenger has a communicable disease. Part 382 permits airlines to refuse transportation if a passenger's condition poses a "direct threat" to the health or safety of others.⁹ Airlines must consider the severity of potential consequences and whether the disease can be transmitted by casual contact in an aircraft cabin.¹⁰ An airline may rely on directives issued by public health authorities, such as the Centers for Disease Control and Prevention (CDC), when assessing whether a condition poses a direct threat.¹¹ DOT regulations also require airlines to comply with all mandatory Federal Aviation Administration (FAA) safety regulations, Transportation Security Administration (TSA) security directives, and Department of Homeland Security (DHS) travel restrictions.¹²

Restrictions on Travel by Federal Agencies

Federal agencies enforce travel constraints through coordinated statutory mechanisms; a number of orders and directives have been issued in response to the current Ebola outbreak. First, under a CDC Public Health Order issued under 42 U.S.C. § 265 and 268, foreign nationals and Lawful Permanent Residents (LPRs) are prohibited from entering the U.S. if they were in the DRC, Uganda, or South Sudan in the preceding 21 days.¹³ Second, DHS, in concert with CDC, utilizing DHS' title 49 transportation security authority, is enforcing commercial aviation federal public health travel restrictions.¹⁴ Under these measures: (1) foreign nationals and LPRs departing from the DRC, Uganda, and South Sudan cannot enter the United States until 21 days after leaving the aforementioned countries;¹⁵ (2) anyone (including U.S. citizens and U.S. nationals) departing from the DRC is subject to these restrictions and cannot board commercial flights to the U.S. until 21 days after leaving the DRC;¹⁶ and (3) U.S. citizens and nationals departing from Uganda or South Sudan may travel to the United States but they must fly into DHS-designated airports for CDC public health screening.¹⁷ Third, TSA has issued Information Circular (IC)

⁶ CDC Title 42 Order, Section III.B (October 12, 2026).

⁷ CDC Title 42 Order, Section III.B (October 12, 2026).

⁸ CDC Title 42 Order, Section III.B (October 12, 2026).

⁹ 14 CFR 382.21.

¹⁰ 14 CFR 382.21(b)(2).

¹¹ 14 CFR 382.21(b)(1).

¹² 14 CFR 382.7(g).

¹³ CDC Title 42 Order, Sections I & II (October 12, 2026); CBP Carrier Liaison Program Bulletin No. 5584-0526 (May 26, 2026).

¹⁴ CBP Carrier Liaison Program Bulletin No. 5633-0726 (July 21, 2026).

¹⁵ CDC Title 42 Order (October 12, 2026).

¹⁶ CBP Carrier Liaison Program Bulletin No. 5633-0726 (July 21, 2026).

¹⁷ CBP Carrier Liaison Program Bulletin No. 5584-0526 (May 26, 2026); CBP Carrier Liaison Program Bulletin No. 5633-0726 (July 21, 2026).

26-06 recommending that U.S. air carriers and foreign air carriers operating flights into the U.S. adhere strictly to CDC/DHS boarding restrictions and screening protocols.¹⁸

Passenger Rights and Medical Certificates

Under DOT's regulation, if a passenger is suspected of having a communicable disease, an airline is permitted to require a medical certificate addressing the passenger's condition to determine whether the communicable disease could pose a direct threat to the health or safety of others on the flight. Although airlines are permitted to deny boarding based on a direct threat assessment, part 382 generally requires airlines to accept a medical certificate identifying alternative measures for preventing transmission, unless the airline cannot carry out the measures.¹⁹

When an airline restricts a passenger's travel based on a communicable disease, part 382 requires the airline to permit the passenger to travel up to 90 days from the date of the denied boarding at the fare that would have applied to the passenger's originally scheduled trip without penalty, or provide a refund to the passenger for any unused flights.²⁰ The passenger determines which of these options to accept.²¹ Also, any airline that restricts a passenger's travel based on a communicable disease must provide a written explanation to the passenger, if requested, within 10 days of the request.²²

Further, under 14 CFR part 262, when a passenger is restricted or prohibited from traveling due to a government border closure, entry restriction, or serious communicable disease public health directive, airlines are required to provide the passenger with a transferable travel credit or voucher valid for at least five years from the issuance date.²³ Also, under 14 CFR part 260, when there is a significant change to a passenger's itinerary such as a required reroute to a DHS-designated airport for CDC health screening, and the passenger chooses to not travel, an airline must provide a prompt refund.²⁴ A consumer is entitled to either a refund under part 260 or part 382 or a five-year transferable travel voucher under part 262 and must select one option.

Enforcement Policy

The authority to pursue or not to pursue enforcement action against airlines with respect to air travel consumer protection and civil rights requirements lies with OACP.

As explained above, airlines may refuse transportation to passengers who pose a direct threat to the health or safety of others because of a communicable disease. In determining whether a passenger poses a direct threat, the regulation specifically permits airlines to rely on Orders issued by public health authorities such as the CDC, the consequences of the communicable disease, and whether the disease can be transmitted by casual contact. The CDC has determined that travel restrictions are necessary to prevent the transmission of Ebola into the United States. Because the virus has an incubation period of up to 21 days, the restrictions apply even if a passenger exhibits no outward signs of infection.

¹⁸ TSA Information Circular IC 26-06, *Ebola Notification to Passengers* (July 31, 2026).

¹⁹ See 14 CFR 382.23(c).

²⁰ 14 CFR 382.21(d).

²¹ 14 CFR 382.21(d).

²² 14 CFR 382.21 (e).

²³ 14 CFR part 262.

²⁴ 14 CFR part 260.

Although part 382 allows passengers with a communicable disease to present a medical certificate identifying alternative measures for preventing transmission of the disease, there are no easily implementable measures on a commercial flight that will prevent the transmission of Ebola in a closed aircraft cabin. Based on this high risk, OACP, as a matter of enforcement discretion, will not take action against an airline for declining to accept a medical certificate or for adhering strictly to CDC/DHS travel directives for individuals traveling from the DRC, Uganda, or South Sudan.

OACP cautions airlines that this enforcement policy does not relieve airlines of their obligations under DOT consumer protection regulations (14 CFR parts 260, 262, and 382) to offer affected passengers rebooking, a prompt refund, or a transferable five-year travel voucher/credit as appropriate, nor does it affect the obligation to provide a written explanation within 10 days of a request stating the reasons for the restriction.

Questions regarding this notice may be addressed to the Office of Aviation Consumer Protection (C70), 1200 New Jersey Avenue, S.E., Washington, D.C. 20590.

By:

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