

**Congress of the United States**  
**Washington, DC 20515**

September 28, 2022

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

Dear Secretary Buttigieg,

We write with deep concerns about the nearly 50 migrants that Florida Governor Ron DeSantis transported to Martha’s Vineyard earlier this month under reportedly false pretenses. According to a civil lawsuit and media reports, these migrants — who were originally from Venezuela — were falsely told that they would be traveling to Boston, Massachusetts or Washington, D.C. in apparent violation of the Department of Transportation’s Charter-Broker Rule, which prohibits brokers from misrepresenting the destination of a charter flight. We urge DOT to swiftly investigate the company and individuals responsible for these representations and take all necessary action to protect migrants from such dishonest behavior.

On September 14, Florida tapped a \$12 million fund to transport nearly 50 migrants — apparently willingly — from the state to Martha’s Vineyard. While this exercise has rightfully drawn intense criticism, new details suggest that the political stunt was even more appalling than it originally seemed. According to a civil suit filed on September 20, the migrants were “lur[ed]” by the “false promises and false representations” that, if they boarded the flights to other states, they would receive employment, housing, educational opportunities, and other like assistance upon their arrival.”<sup>1</sup> For example, a woman named “Perla” targeted migrants outside a shelter in San Antonio, Texas, telling Yanet, a plaintiff in the civil case, that she would be landing in Washington, D.C., and telling Jesus, another plaintiff in the same case, that he would be landing in Washington, D.C., or Boston. Only as they neared Martha’s Vineyard in the middle of the night were the migrants informed of their true destination. News reports further corroborate these stories, “paint[ing] a picture of a carefully orchestrated, taxpayer-funded operation with little apparent concern for the interests of the migrants caught in the middle.”<sup>2</sup>

This conduct is not only cruel but also may have violated DOT’s Charter-Broker Rule. According to the rule, which the Trump administration issued in 2018, persons or entities that hold out or arrange charter air transportation — known as charter brokers — are prohibited from

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<sup>1</sup> Complaint at 4, *Alianza Americas v. DeSantis*, No. 1:22-cv-11550 (D. Mass. Sept. 20, 2022).

<sup>2</sup> Beth Reinhard, Maria Sacchetti & Molly Hennessy-Fiske, *Mysteries, legal challenges follow Fla. Gov. Ron DeSantis’s migrant flights*, WASH. POST. (Sept. 25, 2022), <https://www.washingtonpost.com/politics/2022/09/25/desantis-perla-migrant-flight-marthas-vineyard/>.

misrepresenting “the time of departure or arrival, points served, route to be flown, stops to be made, or total trip-time from point of departure to destination.”<sup>3</sup> In this case, Vertol Systems Company, Inc. appears to have signed a \$1.6 million contract with Florida to relocate the migrants,<sup>4</sup> and then appears to have hired Ultimate Jet Charters to operate the flights. Vertol, at the very least, then likely constituted a charter-broker subject to DOT rules in the transaction. Similarly, Perla, other unidentified individuals in the civil lawsuit, and potentially even the state of Florida and its officers — depending on their precise interactions with the migrants — may also qualify as charter brokers. To the extent that any of those individuals or entities misled migrants about flight details, they may have violated the Charter-Broker Rule and be liable for a civil penalty.

Charter brokers and air carriers should not assist states like Florida in relocating migrants with false promises about their ultimate destination. The Department should use all tools within its authority — including enforcement of its consumer protection rules — to ensure that migrants are not transported under false pretenses as part of a competition among wannabe Trump acolytes to claim the mantle of cruelest governor in the United States.

Thank you for your attention to this important matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Seth Moulton  
Member of Congress



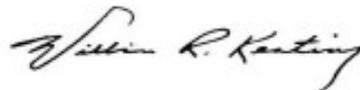
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Stephen F. Lynch  
Member of Congress



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Lori Trahan  
Member of Congress



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William R. Keating  
Member of Congress



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Jake Auchincloss  
Member of Congress

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<sup>3</sup> 14 C.F.R. § 295.50.

<sup>4</sup> TRANSPARENCY FLORIDA,

[http://www.transparencyflorida.gov/Searches/SearchVendors\\_Warrant.aspx?FY=23&VID=2910978&BE=55150200&LI=\\*\\*\\*\\*\\*&AC=108845&Fund=1000&ST=vertol&ID=&OVID=2910978&SC=F](http://www.transparencyflorida.gov/Searches/SearchVendors_Warrant.aspx?FY=23&VID=2910978&BE=55150200&LI=*****&AC=108845&Fund=1000&ST=vertol&ID=&OVID=2910978&SC=F).