

Categories of travel to Cuba under General Licenses

Effective January 16, 2015

Below is a summary of certain sections of the Cuban Assets Control Regulations, 31 C.F.R. Part 515, that contain general licenses to travel to Cuba. However, you need to consult these Regulations themselves for a complete list of the requirements and restrictions for travel to Cuba (go to <http://www.ecfr.gov>). It is the traveler's obligation to determine whether he or she is licensed to travel to Cuba under these Regulations.

All travelers and organizations engaging in transactions (travel or otherwise) using one of these general or specific licenses must keep a full and accurate record of each such transactions engaged in and such record shall be available for examination for at least 5 years after the date of such transaction.

31 C.F.R. § 515.561(a) Family visits

Persons subject to U.S. jurisdiction, and persons traveling with them who share a common dwelling as a family, are authorized to travel to visit a “close relative,” who is: (a) a national of Cuba; (b) a person ordinarily resident in Cuba; (c) a person located in Cuba pursuant to the authorizations in §515.565(a)(1) through (4) (educational activities), provided that the authorized traveler will be in Cuba for more than 60 days; or (d) a person located in Cuba pursuant to the authorization in §515.562 (official government business).

The term “close relative” used with respect to any person means any individual related to that person by blood, marriage, or adoption who is no more than three generations removed from that person or from a common ancestor with that person.

31 C.F.R. § 515.562(a) Official business of the U.S. government, foreign governments, and certain intergovernmental organizations.

Persons who are employees, contractors, or grantees of the U.S. government, any foreign government, or any intergovernmental organization of which the United States is a member or holds observer status, and who are traveling on the official business of their government or intergovernmental organization, are authorized to engage in travel-related transactions and such additional transactions as are directly incident to activities in their official capacities.

31 C.F.R. § 515.563(a) Journalistic activities in Cuba

Persons who are: regularly employed as a journalist by a news reporting organization; regularly employed as supporting broadcast or technical personnel; freelance journalists with a record of previous journalistic experience working on a freelance journalistic project; broadcast or technical personnel with a record of previous broadcast or technical experience who are supporting a freelance journalist working on a freelance journalistic

project, are authorized to engage in travel-related transactions and such additional transactions as are directly incident to journalistic activities in Cuba, as long as their schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule.

31 C.F.R. § 515.564(a)(1) Professional research in Cuba

Travel-related transactions and such additional transactions as are directly incident to professional research are authorized provided that: (i) the purpose of the research relates to the traveler's profession, professional background, or area of expertise, including area of graduate-level full-time study; (ii) That the traveler does not engage in recreational travel, tourist travel, travel in pursuit of a hobby, or research for personal satisfaction only; and (iii) the schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule of professional research.

31 C.F.R. § 515.564(a)(2) Professional Meetings in Cuba

Travel-related transactions and such additional transactions as are directly incident to professional research are authorized provided that: (i) the purpose of the meeting or conference is not the promotion of tourism in Cuba; (ii) the purpose of the meeting directly relates to the traveler's profession, professional background, or area of expertise, including graduate-level full-time study; (iii) and the travel does not engage in recreational travel, tourist travel, or travel in pursuit of a hobby; and (iv) the schedule of activities does not include free time recreation in excess of that consistent with a full-time schedule of attendance at professional meetings and conferences.

31 C.F.R. § 515.565(a) Educational Activities

Persons subject to U.S. jurisdiction, including U.S. academic institutions and their faculty, staff, and students are authorized to engage in travel-related transactions and such additional transactions as are directly incident to:

Colleges and Universities:

- 1- Participation in a structured educational program in Cuba as part of a course offered for credit by a U.S. graduate or undergraduate degree-granting academic institution that is sponsoring the program;
- 2- Noncommercial academic research in Cuba specifically related to Cuba and for the purpose of obtaining an undergraduate or graduate degree;
- 3- Participation in a formal course of study at a Cuban academic institution, provided the formal course of study in Cuba will be accepted for credit toward the student's graduate or undergraduate degree;
- 4- Teaching at a Cuban academic institution related to an academic program at the Cuban institution, provided that the individual is regularly employed by a U.S. or other non-Cuban academic institution;
- 5- Sponsorship including the payment of a stipend or salary, of a Cuban scholar to teach or engage in other scholarly activity at the sponsoring U.S. academic institution;

Secondary Schools:

- 6- Educational Exchanges sponsored by Cuban or U.S. secondary schools involving secondary school students' participation in a formal course of study or in a structured educational program offered by a secondary school or other academic institution and led by a teacher or other secondary school official. This includes participation by a reasonable number of adult chaperones to accompany the secondary school students to Cuba;

Academic Seminars, Conferences, Workshops:

- 7- Sponsorship or co-sponsorship of non-commercial academic seminars, conferences, and workshops related to Cuba or global issues involving Cuba and attendance at such events by faculty, staff, and students of a participating U.S. academic institution;

Travel to organize and prepare all the above:

- 8- The organization of, and preparation for, activities described above (1-7) by members of the faculty and staff of the sponsoring U.S. academic institution or secondary school; OR
- 9- Facilitation by an organization or a member of the staff of such an organization, of licensed educational activities in Cuba on behalf of U.S. academic institutions or secondary schools, provided that:
 - a. The organization is directly affiliated with one or more U.S. academic institutions or secondary schools;
 - b. The organization facilitates educational activities that meet the requirements of one or more the general licenses described in paragraphs 1,2,3, and 6; and
 - c. The educational activities must, by prior agreement, be accepted for credit by the affiliated U.S. academic institution or approved by the affiliated secondary school.

Note 1: U.S. academic institutions or secondary schools engaging in activities authorized by this section are permitted to open and maintain accounts at Cuban financial institutions for the purpose of accessing funds in Cuba for transactions authorized in this section.

Note 2: All members of the faculty and staff (including adjunct faculty and part-time staff) of the sponsoring U.S. academic institution are authorized to participate in the activities described above. A student currently enrolled in a U.S. academic institution is authorized to participate in the academic activities in Cuba described above through any sponsoring U.S. academic institution.

31 C.F.R. § 515.565(b) People to People Travel

The travel-related transactions and such additional transactions as are directly incident to educational exchanges not involving academic study pursuant to a degree program – that is, people-to-people exchanges – are authorized, provided that:

- 1- The exchanges take place under the auspices of an organization subject to U.S. jurisdiction and that sponsors such exchanges to promote people-to-people contact;
- 2- Travel must be for the purpose of engaging, while in Cuba, in a full-time schedule of activities intended to enhance contact with the Cuban people, support civil society in Cuba, or promote the Cuban people's independence from Cuban authorities.
- 3- Each traveler has a full-time schedule of educational exchange activities that will result in meaningful interaction between the traveler and individuals in Cuba;
- 4- An employees, paid consultant, or agent of the sponsoring organization accompanies each group traveling to Cuba to ensure that each traveler has a full-time schedule of educational exchange activities; and
- 5- The predominant portion of the activities engaged in by individual travelers is not with individuals or entities acting for or on behalf of certain prohibited officials of the Government of Cuba or certain members of the Cuban Communist Party.

Important:

Note 1: An organization that sponsors and organizes trips to Cuba in which travelers engage in individually selected and/or self-directed activities would not qualify for the general license.

Authorized trips are expected to be led by the sponsoring organization.

Transactions related to activities that are primarily tourist-oriented, including self-directed educational activities that are intended only for personal enrichment, are not authorized.

31 C.F.R. §515.566(a) Religious activities in Cuba

Persons, including religious organizations located in the United States and members and staff of such organizations, are authorized to engage in the travel-related transactions and such additional transactions as are directly incident to engaging in religious activities in Cuba provided they engage in a full-time schedule of religious activities while in Cuba.

31 C.F.R. § 515.567(a) Amateur and Semi-Professional International Sports Federation Competitions

The travel-related transactions and such other transactions as are directly incident to athletic competition by amateur or semi-professional athletes or athletic teams traveling to participate in athletic competition in Cuba are authorized, provided that:

- The athletic competition in Cuba is held under the auspices of the international sports federation for the relevant sport;
- The U.S. participants in the athletic competition are selected by the U.S. federation for the relevant sport; and
- The competition is open for attendance, and in relevant situations participation, by the Cuban public.

31 C.F.R. § 515.567(b) Public Performances, Clinics, Workshops, Other Athletic or Non-Athletic Competitions, and Exhibitions

The travel-related transactions and such other transactions as are directly incident to participation in a public performance, clinic, workshop, athletic competition not covered by paragraph (a) of this section, non-athletic competition, or exhibition in Cuba by participants in such activities are authorized, provided that:

- The event is open for attendance, and in relevant situations participation, by the Cuban public.
- All U.S. profits from the event after costs are donated to an independent nongovernmental organization in Cuba or a U.S. based charity, with the objective, to the extent possible, of promoting people to people contacts or otherwise benefiting the Cuban people; and
- Any clinics or workshops in Cuba must be organized and run, at least in part, by the authorized traveler.

31 C.F.R. § 515.574(a) Support for the Cuban People

The travel-related transactions and other transactions that are intended to provide support for the Cuban people are authorized, provided that:

Persons are authorized provided:

1- The activities are of

- a. recognized human rights organizations;
- b. Independent organization designed to promote a rapid, peaceful transition to democracy; or
- c. Individuals and non-governmental organizations that promote independent activity intended to strengthen civil society in Cuba; and

2- The traveler's schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule.

31 C.F.R. § 515.575(a) Humanitarian Projects

Transactions, including the travel-related transactions, that are related to the humanitarian projects in or related to Cuba that are designed to directly benefit the Cuban people as described below are authorized provided that: the traveler's schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule.

Authorized humanitarian projects: medical and health related projects; construction projects intended to benefit legitimately independent civil society groups; environmental projects; projects involving formal or non-formal educational training, within Cuba or off-island, on the following topics: civil education, journalism, advocacy and organizing, adult literacy, or vocational skills; community-based grassroots projects; projects suitable to the development of small-scale private enterprise; projects that are related to agricultural and rural development that promote independent activity; microfinancing

projects, except for loans, extensions of credit, or other financing prohibited by 31 C.F.R. § 515.208; and projects to meet basic human needs.

31 C.F.R. § 515.576(a) Activities of private foundations or research or educational institutes.

The travel-related transactions and such additional transactions as are directly incident to activities by private foundations or research or educational institutes with an established interest in international relations to collect information related to Cuba for noncommercial purposes are authorized provided that the traveler's schedule of activities does not include free time or recreation in excess of that consistent with a full time schedule.

31 C.F.R. § 515.545 Transactions related to information and informational materials

The exportation, importation, or transmission of information or informational materials are authorized provided that the traveler's schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule.

Information and informational materials means: publications, films, posters, photograph records, microfilms, microfiche, tapes, compact disks, CD ROMS, art works, news wire feeds, and other information and informational articles.

31 C.F.R. § 515.533(d) Exportation and reexportation of certain internet-based services.

The travel-related transactions and such additional transactions as are directly incident to the conduct of market research, commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of items consistent with the export or reexport licensing policy of the Department of Commerce are authorized, provided that the traveler's schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule. The exportation or reexportation, directly or indirectly, from the United States or by a person subject to U.S. jurisdiction to Cuba of services incident to the exchange of communications over the internet, such as instant messaging, chat and email, social networking, sharing of photos and movies, web browsing, blogging, web hosting provided that is it not for the promotion of tourism, and domain name registration services are authorized.

Additional General License authorization

31 C.F.R. § 515.572 Authorization to provide travel services, carrier services, and remittance forwarding services

Employees, officials, consultants, or agents of persons providing travel or carrier services or remittance forwarding services are authorized to engage in travel-related transactions to travel to Cuba for professional meetings.