

Frequently Asked Questions Related to Cuba

Updated April 16, 2015

This document is explanatory only, does not have the force of law, and does not supplement or modify the Executive Orders, statutes, or regulations relating to Cuba. Where specific questions arise about applicability, scope, impact, or any other aspects of these sanctions, it is the responsibility of individuals or entities seeking guidance to review the relevant statutes, regulations, and Executive Orders, and, if appropriate, consult with legal counsel.

I. Embargo

1. Where can I find the amendments to the Cuban Assets Control Regulations (CACR)?

Please see the [Federal Register](#).

2. When is the amendment to the CACR effective?

The amendment became effective when published in the Federal Register on January 16, 2015.

3. Are sanctions on Cuba still in place following the President's announcement on December 17, 2014?

Yes, the Cuba embargo remains in place. Most transactions between the United States, or persons subject to U.S. jurisdiction, and Cuba continue to be prohibited, and OFAC continues to enforce the prohibitions of the CACR. These changes are targeted to further engage and empower the Cuban people by facilitating authorized travel to Cuba by U.S. persons, certain authorized commerce, and the flow of information to, from, and within Cuba.

4. Is the Department of Commerce also amending its rules?

Yes. The Department of Commerce amended its rules which, among other things, authorize the export of certain items to the Cuban private sector and to improve the free flow of information to, from, and among the Cuban people. For additional information, please see the Bureau of Industry and Security website at: <http://www.bis.doc.gov>.

II. Travel

5. What are the travel changes to the Cuba program?

OFAC has issued general licenses within the 12 categories of authorized travel for many travel-related transactions to, from, or within Cuba that previously required a specific license (i.e., an application and a case-by-case determination).

Travel-related transactions are permitted by general license for certain travel related to the following activities, subject to criteria and conditions in each general license: family visits; official business of the U.S. government, foreign governments, and certain intergovernmental organizations; journalistic activity; professional research and professional meetings; educational activities; religious activities; public performances, clinics, workshops, athletic and other competitions, and exhibitions; support for the Cuban people; humanitarian projects; activities of

private foundations or research or educational institutes; exportation, importation, or transmission of information or information materials; and certain authorized export transactions.

6. Do travelers who fall within the scope of a general license need to submit a written request to OFAC for permission to travel or conduct transactions?

No. No further permission from OFAC is required to engage in transactions by a person who meets all criteria in a general license. Individuals wishing to engage in activities that may fall within the scope of a general license should review the relevant general licenses contained in the CACR to determine whether their travel-related transactions are covered by such general licenses. Persons subject to U.S. jurisdiction who wish to engage in any travel within the 12 categories of activities specified in the CACR that does not meet the requirements of a general license will need to apply for a specific license from OFAC.

7. Is travel to Cuba for tourist activities permitted?

No. Consistent with the Trade Sanctions Reform and Export Enhancement Act of 2000 (TSRA), travel-related transactions involving Cuba are only permitted for the 12 categories of activities identified in the CACR. Travel-related transactions for other purposes remain prohibited.

8. What constitutes “a close relative” for generally authorized family travel?

OFAC regulations generally authorize U.S. persons and those sharing a dwelling with them as a family to visit a close relative in Cuba, including a close relative who is a Cuban national or ordinarily resident there, who is a U.S. Government official on official government business, or who is a student or faculty member engaging in authorized educational activities in Cuba with a duration of over 60 days. A close relative is defined as any individual related to a 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.” For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.339 and § 515.561.

9. Who is generally authorized to engage in travel and travel-related transactions for “journalistic activity”?

OFAC has issued an expanded general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to journalistic activities in Cuba. Among other things, this general license authorizes, subject to appropriate conditions, full-time journalists, supporting broadcast or technical personnel, and freelance journalists to travel to Cuba. The traveler’s schedule of activities must not include free time or recreation in excess of that consistent with a full-time schedule. An entire group does not qualify for the general license merely because some members of the group qualify individually. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.563.

10. What constitutes generally authorized travel-related transactions for “professional research” and “professional meetings” in Cuba?

OFAC has issued an expanded general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to professional research in Cuba. Among other things, this general license authorizes, subject to appropriate conditions, professional research in Cuba relating to a

traveler's profession, professional background, or area of expertise. The traveler's schedule of activities must not include free time or recreation in excess of that consistent with a full-time schedule. An entire group does not qualify for the general license merely because some members of the group qualify individually. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.564.

OFAC has issued an expanded general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to professional meetings in Cuba. Among other things, this general license authorizes, subject to appropriate conditions, professional meetings or conferences in Cuba relating to a traveler's profession, professional background, or area of expertise, provided that the purpose of the meeting or conference is not the promotion of tourism in Cuba. Travel in this category is generally licensed 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. An entire group does not qualify for the general license merely because some members of the group qualify individually. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.564.

11. What constitutes “educational activities” for generally authorized travel?

OFAC has issued an expanded general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to certain educational activities in Cuba. Among other things, this general license authorizes, subject to appropriate conditions, faculty, staff, and students at U.S. academic institutions and secondary schools to engage in certain educational activities in Cuba, Cuban scholars to engage in certain educational activities in the United States, certain activities to facilitate licensed educational programs, and certain people-to-people travel. An entire group does not qualify for the general license merely because some members of the group qualify individually. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.565.

12. Are secondary schools and secondary school students permitted to engage in travel-related transactions under the general license for “educational activities”?

Yes. 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, are authorized under this general license. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.565 (a)(6). This provision allows for participation of a reasonable number of adult chaperones to accompany the secondary school student(s) to Cuba.

13. What constitutes “people-to-people travel” for generally authorized travel?

OFAC has issued a general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to people-to-people educational activities in Cuba. Among other things, this general license authorizes, subject to appropriate conditions, persons subject to U.S. jurisdiction to engage in certain educational exchanges in Cuba under the auspices of an organization that is a person subject to U.S. jurisdiction and sponsors such exchanges to promote people-to-people contact. Additionally, an employee, paid consultant, or agent of the sponsoring

organization must accompany each group traveling to Cuba to ensure the full-time schedule of educational exchange activities, and the predominant portion of the activities must not be with individuals or entities acting for or on behalf of a prohibited official of the Government of Cuba, as defined in 31 CFR § 515.337, or a prohibited member of the Cuban Communist Party, as defined in 31 CFR § 515.338. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.565(b).

14. What is an “organization” in the people-to-people context?

In the people-to-people context, an organization is an entity subject to U.S. jurisdiction that sponsors educational exchanges that do not involve academic study pursuant to a degree program and that promote people-to-people contact. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.565(b).

15. Who is generally authorized to engage in travel-related transactions for “religious activities”?

OFAC has issued an expanded general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to religious activities in Cuba. All persons subject to U.S. jurisdiction, including religious organizations located in the United States and members and staff of such organizations, are generally authorized to engage in travel-related transactions that are directly incident to engaging in religious activities in Cuba provided, among other things, that the travel must be for the purpose of engaging in a program of religious activities. The traveler’s schedule of activities must not include free time or recreation in excess of that consistent with a full-time schedule in Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.566.

16. What constitutes “public performances, clinics, workshops, athletic and other competitions, and exhibitions” for generally authorized travel?

OFAC has issued an expanded general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to participation in amateur and semi-professional international sports federation competitions as well as other athletic and other competitions and public performances, clinics, workshops, and exhibitions in Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.567.

17. What constitutes “support for the Cuban people” for generally authorized travel and other transactions?

OFAC has issued a general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are intended to provide support for the Cuban people, which include activities of recognized human rights organizations; independent organizations designed to promote a rapid, peaceful transition to democracy; and individuals and non-governmental organizations that promote independent activity intended to strengthen civil society in Cuba. The traveler’s schedule of activities must not include free time or recreation in excess of that consistent with a full-time schedule in Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.574.

18. What constitutes “humanitarian projects” for generally authorized travel and other transactions?

OFAC has issued a general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are related to humanitarian projects in or related to Cuba. These authorized humanitarian projects include 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: entrepreneurship and business, 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. The traveler’s schedule of activities must not include free time or recreation in excess of that consistent with a full-time schedule in Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.575.

19. What constitutes “activities of private foundations or research or educational institutes” for generally authorized travel?

OFAC has issued a general license that incorporates previous specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that 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, among other things. The traveler’s schedule of activities must not include free time or recreation in excess of that consistent with a full-time schedule in Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.576.

20. What constitutes “exportation, importation or transmission of information or informational materials” for generally authorized travel?

OFAC has issued a general license that incorporates prior specific licensing policy and authorizes, subject to appropriate conditions, travel-related transactions and other transactions that are directly incident to the exportation, importation, or transmission of information or informational materials in Cuba. The traveler’s schedule of activities must not include free time or recreation in excess of that consistent with a full-time schedule in Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.545. The definition of “information and informational materials” may be found at 31 CFR § 515.332.

21. Can I purchase a ticket to Cuba directly from an airline based or operating out of the United States?

Yes, provided that you are authorized to travel to Cuba pursuant to a general or specific license. Airlines subject to U.S. jurisdiction are authorized to provide air carrier services to authorized travelers, and travelers may purchase tickets provided that their travel is authorized pursuant to the CACR. Airlines and travelers are responsible for maintaining records of their Cuba-related transactions for at least five years.

22. May an individual authorized traveler use his or her private boat to travel to Cuba?

A person subject to U.S. jurisdiction engaging in authorized travel pursuant to an OFAC general or specific license may use a personal boat for his or her travel, and the travel of the boat's crew, to Cuba provided that he or she obtains a license from the [Bureau of Industry and Security \(BIS\)](#) for the temporary sojourn of the vessel. Goods exported to Cuba also require a license or must be eligible for a license exception from BIS.

23. Are U.S. vessels, including private boats and commercial passenger ferries, permitted to carry passengers to Cuba?

The new general license allowing the provision of carrier services between the United States and Cuba is limited to the provision of such services by aircraft; it does not authorize providing carrier services by vessel. Providing carrier services by vessel would require a specific license from OFAC. This would include an individual using his or her own personal boat to transport passengers to Cuba. Vessels on temporary sojourn to Cuba also require a license from the [Bureau of Industry and Security \(BIS\)](#). Goods exported to Cuba also require a license or must be eligible for a license exception from BIS.

24. Are there any spending limits for authorized U.S. travelers while in Cuba?

The per diem rate previously imposed no longer applies, and there is no specific dollar limit on authorized expenses. Authorized travelers may engage in transactions ordinarily incident to travel within Cuba, including payment of living expenses and the acquisition in Cuba of goods for personal consumption there; other expenditures, other than those directly incident to the traveler's authorized activities in Cuba, are not authorized. In addition, travelers are authorized to acquire in Cuba and import as accompanied baggage into the United States merchandise with a value not to exceed \$400 per person, provided that no more than \$100 of the merchandise consists of alcohol or tobacco products and the merchandise is imported for personal use only.

25. Are there any restrictions on what foreign persons entering the United States from travel that included Cuba may bring in their accompanied baggage?

A non-U.S. person (i.e. not a U.S. citizen or resident) arriving in the United States is authorized to import Cuban-origin merchandise, other than tobacco and alcohol, as accompanied baggage provided the merchandise is not in commercial quantities and not imported for resale. *See* 31 CFR § 515.569. If the non-U.S. person is on a trip that included travel to Cuba, the person also is authorized to import as accompanied baggage alcohol or tobacco products purchased or otherwise acquired in Cuba with a value not to exceed \$100 for personal use only. *See* 31 CFR § 515.560(c)(3).

26. Can I purchase Cuban-origin cigars and/or Cuban-origin rum or other alcohol while traveling in Cuba?

Persons authorized to travel to Cuba may purchase alcohol and tobacco products while in Cuba for personal consumption while there. Authorized travelers may return to the United States with up to \$100 worth of alcohol and/or tobacco products acquired in Cuba in accompanied baggage, for personal use only.

27. Can I purchase Cuban-origin cigars and/or Cuban-origin rum or other Cuban-origin alcohol over the internet or while in a third country (i.e., not Cuba)?

No. These transactions remain prohibited, and OFAC has not issued any general license that would authorize them.

III. Travel Services

28. Do air carriers need to obtain specific licenses from OFAC to provide services?

No. A new general license authorizes persons subject to U.S. jurisdiction to provide air carrier services to, from, or within Cuba, in connection with authorized travel, without the need for a specific license from OFAC. However, while no additional license is required from OFAC, air carriers wishing to provide service will still need to secure regulatory approvals from other concerned U.S. Government agencies, including the Department of Transportation (Office of the Secretary and the Federal Aviation Administration) and the Department of Homeland Security. For a complete description of what the OFAC general license authorizes and the restrictions that apply, please see 31 CFR § 515.572(a)(2).

29. Do travel service providers (such as travel agents and tour group operators) need to obtain specific licenses from OFAC to provide services for travel to Cuba?

No. A new general license authorizes persons subject to U.S. jurisdiction, including travel agents and tour group operators, to provide travel services in connection with authorized travel without the need for specific licenses from OFAC. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.572(a)(1). The provision of services related to travel for tourist or other unauthorized travel to Cuba remains prohibited.

30. Are airlines and travel service providers required to verify that an individual traveler is authorized to travel to Cuba?

Persons subject to U.S. jurisdiction providing authorized carrier or travel services must retain for at least five years from the date of the transaction a certification from each customer indicating the provision of the CACR that authorizes the person to travel to Cuba. In the case of a customer traveling under a specific license, a copy of the license must be maintained on file. The names and addresses of individual travelers must also be maintained on file for at least five years. *See* 31 CFR § 515.572(b).

IV. Remittances

31. What changes have been made with respect to authorized remittances by U.S. persons to Cuba?

The limits on generally licensed periodic remittances that may be sent to a Cuban national, other than a prohibited official of the Government of Cuba or a prohibited member of the Cuban Communist Party, have been raised from \$500 per quarter to \$2,000 per quarter. For a complete description of what the OFAC general license authorizes and the restrictions that apply, please see 31 CFR § 515.570(b).

Certain remittances to Cuban nationals for humanitarian projects, support for the Cuban people, or development of private business are now generally authorized. For a complete description of

what the OFAC general license authorizes and the restrictions that apply, please see 31 CFR § 515.570(g).

The amount of authorized remittances travelers to Cuba may carry has been increased to \$10,000 per authorized trip. For a complete description of this authorization and the restrictions that apply, please see 31 CFR § 515.560(c)(4).

32. Is a bank, credit union, or money service business (MSB) such as a money remitter permitted to process my authorized remittances to Cuba?

Yes. Under the new general licenses, banking institutions, as defined in 31 CFR § 515.314, U.S.-registered brokers or dealers in securities, and U.S.-registered money transmitters are permitted to process authorized remittances to Cuba without having to obtain a specific license, subject to the recordkeeping and reporting requirements set forth therein. For a complete description of what the OFAC general license authorizes and the restrictions that apply, please see 31 CFR § 515.572(a)(3).

V. Banking

33. Are authorized travelers in Cuba permitted to use credit or debit cards issued by a U.S. financial institution?

Yes. Travelers are advised to check with their financial institution before traveling to Cuba to determine whether the institution has established the necessary mechanisms for its credit or debit cards to be used in Cuba. *See* 31 CFR § 515.560(c)(5) and 515.584(c).

34. Can my bank refuse to allow me to use my credit or debit card in Cuba?

OFAC regulations do not require financial institutions or credit card companies to accept, maintain, or facilitate authorized financial relationships or transactions.

35. Can U.S. financial institutions permit the use of credit and debit cards they issue by, and process credit and debit card transactions for, third-country nationals whose travel to, from, or within Cuba may not fall within the 12 categories of authorized travel?

Yes. Section 515.584(c) of the CACR authorizes all transactions incident to the processing and payment of credit and debit cards transactions for third-country nationals traveling to, from, or within Cuba.

36. Are financial institutions other than banks permitted to open correspondent accounts in Cuba?

Depository institutions, as defined in 31 CFR § 515.333, which include certain financial institutions other than banks, are permitted to open correspondent accounts at banks in Cuba. *See* 31 CFR § 515.584(a).

37. Are Cuban banks permitted to open correspondent accounts at U.S. banks?

No. U.S. depository institutions are permitted to open correspondent accounts at Cuban banks located in Cuba and in third countries, and at foreign banks located in Cuba, but Cuban banks are not generally licensed to open such accounts at U.S. banks. *See* note to 31 CFR § 515.584(a).

38. May foreign branches of U.S. banks open and operate accounts for newly unblocked Cuban nationals in third countries?

Yes, however all funds transfers to or from such an account involving Cuba or a national of Cuba (other than an unblocked national) must be authorized or exempt.

39. In what ways can Cuban nationals lawfully present in the United States participate in the U.S. financial system?

Certain Cuban nationals who have taken up residence in the United States on a permanent basis and who meet the requirements set forth in 31 CFR § 515.505 are licensed as unblocked nationals, and may participate fully in the U.S. financial system. *See* 31 CFR § 515.505(a)(1); (d).

Pursuant to 31 CFR § 515.571, Cuban nationals who are present in the United States in a non-immigrant status or pursuant to other non-immigrant travel authorization issued by the U.S. government, such as a non-immigrant visa, may open and maintain bank accounts for the duration of their stay in the United States in such status. Accounts that are not closed prior to the departure of Cuban nationals from the United States must be blocked and reported as such. Section 515.571 also authorizes such Cuban nationals to engage in normal banking transactions involving foreign currency drafts, travelers' checks, or other instruments negotiated incident to travel in the United States.

40. If a Cuban national resident in the United States has applied to become a lawful permanent resident alien of the United States, does that individual have to apply to OFAC to be treated as an unblocked national?

No. If a Cuban national has taken up residence in the United States and has applied to become a lawful permanent resident alien of the U.S. and has an adjustment of status application pending, then the Cuban national is considered unblocked and does not need to apply to OFAC to be treated as an unblocked national, provided that he or she is not a prohibited official of the Government of Cuba or a prohibited member of the Cuban Communist party. *See* 31 CFR § 515.505(a)(1).

41. Should financial institutions apply for a specific license to release funds transfers or accounts previously blocked solely because of the interest of an individual who has now become an unblocked national under the recent amendment to the CACR?

The CACR include general licenses authorizing as unblocked nationals certain Cuban nationals who have taken up permanent residence in the United States or a third country. For a complete description of what these general licenses authorize and the restrictions that apply, please see 31 CFR § 515.505(a). The CACR also include a general license authorizing banking institutions to unblock any account that had been previously blocked solely because of the interest therein of one or more persons now licensed as unblocked nationals. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.505(b).

If your situation appears to meet the terms of these general licenses, we suggest that you contact the U.S. financial institution blocking the funds transfer or account to request that they review your situation within the context of the terms of the appropriate general license. If the terms of a general license apply, there is no need to seek specific authorization from OFAC, and it is

OFAC's policy not to grant specific licenses authorizing transactions for which the provisions of an outstanding general license are applicable. See 31 C.F.R. § 501.801(a).

42. Do banking institutions need to apply for a specific license to release funds transfers or accounts previously blocked pursuant to the CACR that are now authorized by general license?

If a transaction was previously blocked pursuant to the CACR at the time of the transaction, and the CACR was later amended to allow similar transactions, the earlier transaction is not unblocked unless the CACR amendment includes a general license unblocking previously blocked funds. Transactions must be authorized pursuant to the CACR at the time they are processed. To the extent not authorized by a general license, a specific license would be required to release funds transfers or unblock accounts previously blocked.

43. What new transactions involving wire transfers to Cuba are authorized?

OFAC has issued a new general license that authorizes U.S. depository institutions to reject funds transfers originating and terminating outside the United States where neither the originator nor the beneficiary is a person subject to U.S. jurisdiction and provided that certain prohibited individuals do not have an interest in the transfer. U.S. depository institutions are authorized to process such funds transfers where they would be authorized pursuant to the CACR if the originator or beneficiary were a person subject to U.S. jurisdiction. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.584(d).

VI. Trade/Business

44. Is Cuba open for U.S. business and investment?

Persons subject to U.S. jurisdiction are prohibited from doing business or investing in Cuba unless licensed by OFAC. An OFAC general license authorizes the exportation from the United States, and the reexportation of 100% U.S.-origin items from third-countries, to Cuba only in those cases where the exportation or reexportation is licensed or otherwise authorized by the Commerce Department. The Commerce Department currently authorizes limited categories of items to be exported or reexported to Cuba.

45. Can U.S. trade delegations travel to Cuba?

Trade delegations are authorized to travel to Cuba only if each member of the delegation meets the criteria of an applicable general license authorizing travel to Cuba or has obtained a specific license from OFAC. Authorized trade delegations generally fall under one of two general licenses for travel authorization; either (1) 31 CFR § 515.533(d), which authorizes travel-related and other transactions incident to the exportation of certain authorized goods from the U.S. to Cuba, specifically the conduct of "market research, commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of items consistent with the export or report licensing policy of the Commerce Department," or (2) 31 C.F.R. § 515.564(a), which authorizes transactions related to professional research or professional meetings in Cuba. For a complete description of what these general licenses authorize and the restrictions that apply, please see 31 CFR §§ 515.533(d) and 515.564(a).

Neither of the aforementioned general licenses authorizes the establishment of a permanent physical presence in Cuba.

46. Are insurers allowed to provide travel insurance for authorized travel to Cuba?

Yes. *See* 31 CFR § 515.560.

47. May U.S. insurers issue policies and pay claims related to group health, life, and travel insurance on behalf of third-country nationals traveling to or within Cuba?

Yes, provided that the insurance policy is as global policy. Section 515.580 of the CACR authorizes persons subject to U.S. jurisdiction to issue or provide global health, life, or travel insurance policies for individuals ordinarily resident in a country outside of Cuba who travel to or within Cuba, regardless of whether the insurance policy is issued only to that individual or to a group, such as to all employees of a particular company. For instance, a U.S. insurer may pay medical claims pursuant to a group health insurance policy to or on behalf of a covered third-country national injured while traveling in Cuba. However, this provision does not authorize a person subject to U.S. jurisdiction to issue an insurance policy that is specific to travel to Cuba. A separate provision of the CACR, 31 CFR § 515.560, authorizes the provision of health, life, and travel insurance-related services for authorized U.S. travelers.

48. Are insurance policies that are issued to a “group” (e.g., an employer and its employees) authorized by the CACR?

Section 515.580 of the CACR authorizes global insurance policies covering individuals ordinarily resident in a country outside of Cuba traveling to Cuba. The policy may be issued to a group, such as all employees of a company. The “global” requirement means it cannot be specific to travel to Cuba. For example, it does not authorize an individual travel policy issued to a traveler specifically to cover a planned trip to Cuba. It also does not authorize issuing a policy to a non-U.S. travel agent specifically to cover its traveler clients where the travel agency is solely in the business of planning trips to Cuba.

49. What types of Cuban-origin goods are authorized for importation into the United States?

Persons subject to U.S. jurisdiction authorized to travel to Cuba may import into the United States as accompanied baggage merchandise acquired in Cuba with a value not to exceed \$400 per person, including no more than \$100 in alcohol and tobacco products.

Persons subject to U.S. jurisdiction are also authorized to import certain goods produced by independent Cuban entrepreneurs as determined by the State Department, to be set forth in the [State Department’s Section 515.582 list](#).

The importation into the United States from Cuba of information and informational materials is exempt from the prohibitions of the Cuban Assets Control Regulations. The definition of “information and informational materials” may be found at 31 CFR § 515.332.

VII. Telecommunications

50. What types of telecommunications and internet-based services are authorized under general license?

OFAC has issued an expanded general license which, subject to appropriate conditions, generally authorizes transactions that establish mechanisms to provide commercial telecommunications services in Cuba or linking third countries and Cuba. OFAC has also updated the general licenses authorizing telecommunications-related transactions, including payment related to the provision of telecommunications involving Cuba or provided to Cuban individuals. Pursuant to this provision, U.S. persons may, for example, purchase calling cards for people to use in Cuba and/or may pay the bills of such people directly to a telecommunications operator located in Cuba, such as ETECSA. These steps to facilitate improved access to telecommunications services for Cubans and increased international connections are intended to increase the ability of the Cuban people to communicate freely and to better provide for efficient and adequate telecommunications services between the United States and Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.542.

Persons subject to U.S. jurisdiction may provide additional services incident to internet-based communications and related to certain authorized exportations and reexportations of communications items. The range of such services has been expanded to coincide with changes to Commerce Department regulations, and such services can now be provided for a fee to certain end users. For example, transactions incident to providing fee-based internet communications services such as e-mail or other messaging platforms, social networking, VOIP, web-hosting, or domain-name registration are now authorized in most circumstances. Services related to many kinds of software (including applications) used on personal computers, cell phones, and other personal communications devices are also authorized, along with other services related to the use of such devices. Finally, services such as cloud storage, software design, business consulting, and the provision of IT management and support related to use of hardware and software exported or reexported to Cuba pursuant to the Commerce Department's Consumer Communications Device authorization is permitted. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.578.

VIII. Third-Country Effects

51. Are Cuban nationals located outside of Cuba still considered blocked?

Yes, but any individual Cuban national who can establish that he or she has taken up permanent residence outside of Cuba and otherwise meets the requirements set forth in 31 CFR § 515.505 is generally licensed as an unblocked national.

52. Can U.S.-owned or -controlled entities in third countries engage in trade/commerce with Cuban nationals located outside of Cuba?

U.S.-owned or -controlled entities in third countries may provide goods and services to a Cuban national who is an individual located outside of Cuba, provided that the transaction does not involve a commercial exportation, directly or indirectly, of goods or services to or from Cuba. For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.585.

53. Are U.S.-owned or -controlled entities in third countries authorized to provide financial services to Cuban nationals located outside of Cuba?

U.S.-owned or -controlled entities in third countries may provide financial services to a Cuban national who is an individual located outside of Cuba, provided that the transaction does not involve a commercial exportation, directly or indirectly, of goods or services to or from Cuba.

For a complete description of what this general license authorizes and the restrictions that apply, please see 31 CFR § 515.585.

IX. Miscellaneous

54. What change has been made to the regulatory interpretation of “cash in advance”?

The regulatory interpretation of “cash in advance” has been changed from “cash before shipment” to “cash before transfer of title and control” to allow expanded financing options for authorized exports to Cuba. For the full text, see 31 CFR § 515.533.

55. What types of projects would fall within the authorization in 31 CFR § 515.575 for microfinancing projects?

Among other things, the provision for microfinancing projects in Section 515.575 of the CACR authorizes the provision of certain financial services to unemployed, underemployed, and low-income Cubans who have little or no access to conventional banks or comparable resources, and which may include a limited return on investment. In addition, Section 515.570(g)(1) of the CACR authorizes remittances to individuals and independent non-governmental entities in Cuba to support authorized microfinancing projects. These provisions would authorize, for example, relatively limited contributions of funds to support individual entrepreneurs in sectors that need access to working capital, investment loans, insurance, or training in order to start or expand their operations. Sections 515.575 and 515.570(g)(1) of the CACR do *not* authorize loans, extensions of credit or other financing related to transactions involving confiscated property the claim to which is owned by a U.S. national, which are prohibited by 31 CFR § 515.208. For additional guidance or fact-specific questions, we would encourage you to contact OFAC.

56. If a person had applied for a specific license from OFAC before the CACR was revised but now believes that the proposed activity is authorized pursuant to a general license, does that person need to wait for his or her specific license application to be adjudicated?

No. If persons meet the qualifications listed in the general license, then they do not need to wait for an official determination from OFAC regarding their specific license application. Persons who have determined they may proceed under a general license may wish to contact OFAC Licensing to withdraw existing applications.

57. What types of goods and services produced by independent Cuban entrepreneurs are authorized for importation into the United States from Cuba pursuant to 31 CFR § 515.582?

Pursuant to Section 515.582 of the CACR, certain goods and services produced by independent Cuban entrepreneurs, as set forth in a list maintained by the [State Department on its website](#), are authorized for importation, and persons subject to U.S. jurisdiction may engage in associated transactions necessary to import these authorized goods and services. The State Department list provides details of the goods and services authorized for importation into the U.S. from Cuba pursuant to this provision. This list references sections and chapters of the Harmonized Tariff Schedule (HTS) of the United States to indicate categories of goods that are *not* eligible for importation into the United States pursuant to 31 CFR § 515.582, even if such goods were produced by independent Cuban entrepreneurs; any other goods produced by independent Cuban entrepreneurs and not covered by the listed sections and chapters of the HTS may be imported, as provided in the State Department’s Section 515.582 List and subject to compliance with all other

relevant requirements under state and federal law and regulations. Section 515.582 of the CACR authorizes the importation of all services supplied by independent Cuban entrepreneurs, again, as provided in the State Department's Section 515.582 List and subject to compliance with other requirements in state and federal law and regulations.