

## § 515.560

(v) No U.S. dollar accounts are involved; and

(vi) Any financing or other extension of credit by a U.S.-owned or controlled firm is granted on normal short-term conditions which are appropriate for the commodity to be exported.

(2) [Reserved]

(3) Importation of goods of Cuban origin into countries in the authorized trade territory.

NOTE TO PARAGRAPH (b): On October 23, 1992, sections 1705 and 1706 of the Cuban Democracy Act of 1992, Pub. L. 102-484 (Oct. 23, 1992) (codified at 22 U.S.C. 6004 and 6005, respectively), prohibited OFAC from issuing licenses for any transaction described in this paragraph other than those transactions currently set forth in paragraph (a).

(c) The term *strategic goods* means any item, regardless of origin, of a type included in the Commodity Control List of the U.S. Department of Commerce (15 CFR part 399) and identified by the code letter “A” following the Export Control Commodity Numbers, or of a type the unauthorized exportation of which from the United States is prohibited by regulations issued under the Arms Export Control Act of 1976, 22 U.S.C. 2778, or under the Atomic Energy Act of 1954, 42 U.S.C. 2011, *et seq.*, or successor acts restricting the export of strategic goods.

(d) *General license.* Travel-related transactions set forth in § 515.560(c) and such other transactions as are directly incident to market research, commercial marketing, sales or contract negotiation, accompanied delivery, installation, leasing, servicing, or repair in Cuba of exports that are consistent with the licensing policy under paragraph (a) of this section 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.

(e) *Certain travel-related transactions restricted.* Nothing in paragraph (d) of this section authorizes the lodging, paying for lodging, or making any reservation for or on behalf of a third party to lodge, at any property on the Cuba Prohibited Accommodations List to the extent prohibited by § 515.210.

(f) *Specific licenses.* Specific licenses may be issued on a case-by-case basis authorizing the travel-related trans-

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actions set forth in § 515.560(c) and such other transactions as are related to certain transactions by U.S.-owned or -controlled foreign firms with Cuba that do not qualify for the general license under paragraph (d) of this section.

NOTE 1 TO § 515.559: For authorization of the reexportation of U.S.-origin items, see § 515.533. Transactions by U.S.-owned or -controlled foreign firms directly incident to the exportation of information or informational materials or the donation of food to non-governmental entities or individuals in Cuba are exempt from the prohibitions of this part. See § 515.206. For the waiver of the prohibitions contained in § 515.207 with respect to vessels transporting shipments of items pursuant to this section, see § 515.550.

NOTE 2 TO § 515.559: See § 515.585 for provisions related to certain transactions by persons subject to U.S. jurisdiction with certain Cuban nationals in third countries.

[40 FR 47108, Oct. 8, 1975, as amended at 42 FR 1472, Jan. 7, 1977; 42 FR 16621, Mar. 29, 1977; 50 FR 27438, July 3, 1985; 53 FR 47527, Nov. 23, 1988; 58 FR 34710, June 29, 1993; 64 FR 25814, May 13, 1999; 66 FR 36687, July 12, 2001; 68 FR 14146, Mar. 24, 2003; 80 FR 2294, Jan. 16, 2015; 80 FR 56921, Sept. 21, 2015; 81 FR 13991, Mar. 16, 2016; 81 FR 71376, Oct. 17, 2016; 85 FR 60071, Sept. 24, 2020]

### § 515.560 Travel-related transactions to, from, and within Cuba by persons subject to U.S. jurisdiction.

(a) The travel-related transactions listed in paragraph (c) of this section may be authorized either by a general license or on a case-by-case basis by a specific license for travel related to the following activities (see the referenced sections for the applicable general and specific licensing criteria):

- (1) Family visits (see § 515.561);
- (2) Official business of the U.S. government, foreign governments, and certain intergovernmental organizations (see § 515.562);
- (3) Journalistic activity (see § 515.563);
- (4) Professional research and professional meetings (see § 515.564);
- (5) Educational activities (see § 515.565);
- (6) Religious activities (see § 515.566);
- (7) Public performances, clinics, workshops, athletic and other competitions, and exhibitions (see § 515.567);
- (8) Support for the Cuban people (see § 515.574);

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(9) Humanitarian projects (see § 515.575);

(10) Activities of private foundations or research or educational institutes (see § 515.576);

(11) Exportation, importation, or transmission of information or informational materials (see § 515.545); and

(12) Certain export transactions that may be considered for authorization under existing Department of Commerce regulations and guidelines with respect to Cuba or engaged in by U.S.-owned or -controlled foreign firms (see §§ 515.533 and 515.559).

(b) Effective October 28, 2000, no specific licenses will be issued authorizing the travel-related transactions in paragraph (c) of this section in connection with activities other than those referenced in paragraph (a) of this section.

(c) Except as provided in paragraph (d) of this section, persons generally or specifically licensed under this part to engage in transactions in connection with travel to, from, and within Cuba may engage in the following transactions:

(1) *Transportation to, from, and within Cuba; Cuban visas.* All transportation-related transactions ordinarily incident to travel to, from, and within Cuba, including the acquisition of Cuban visas, are authorized.

(2) *Living expenses in Cuba.* All transactions ordinarily incident to travel within Cuba, including payment of living expenses and the acquisition in Cuba of goods for personal consumption there, are authorized.

(3) *Importation of Cuban merchandise.* The purchase or other acquisition in Cuba and importation as accompanied baggage into the United States of merchandise is authorized, provided that the merchandise is imported for personal use only. This paragraph does not apply to the importation into the United States of Cuban-origin alcohol or tobacco products. The importation of Cuban-origin information and informational materials is exempt from the prohibitions of this part, as described in § 515.206. The importation of certain other specified goods and services is authorized in §§ 515.544, 515.547, 515.569, 515.578, 515.582, and 515.585.

(4) *Carrying remittances to Cuba.* The carrying to Cuba of any remittances that the licensed traveler is authorized to remit pursuant to § 515.570 is authorized, provided that no emigration-related remittances authorized by § 515.570(e) are carried to Cuba unless a U.S. immigration visa has been issued for each payee and the licensed traveler can produce the visa recipients' full names, dates of birth, visa numbers, and visa dates of issuance.

(5) *Processing certain financial instruments.* All transactions incident to the processing and payment of credit cards, debit cards, stored value cards, checks, drafts, travelers' checks, and similar instruments used or negotiated in Cuba by any person authorized pursuant to this part to engage in financial transactions in Cuba are authorized. Persons subject to U.S. jurisdiction may rely on the traveler with regard to compliance with this paragraph, provided that such persons do not know or have reason to know that a transaction is not authorized by this section.

NOTE TO § 515.560(c)(5): Please see § 515.584 for additional provisions related to the processing and payment of credit and debit card transactions.

(6)(i) *Opening and maintaining bank accounts.* All transactions incident to the opening and maintenance of accounts, including the deposit of funds in such accounts by wire transfer, at a financial institution in Cuba are authorized, provided that such accounts are used only while the traveler is located in Cuba and for the purpose of accessing funds in Cuba for transactions authorized pursuant to, or exempt from, this part.

(ii) *Closing bank accounts.* All transactions incident to the closing of accounts opened pursuant to the authorization in paragraph (c)(6)(i) of this section are authorized, provided that any transfer of funds may only be effected by wire transfer to an account maintained at a depository institution, as defined in § 515.333, that is a person subject to U.S. jurisdiction.

NOTE TO PARAGRAPH (c)(6): Account(s) authorized by this general license may only be accessed while the account holder is located in Cuba for travel authorized pursuant to this part. The account(s) may not be accessed or utilized by the account holder

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unless the account holder is located in Cuba and is engaging in authorized transactions. The account(s) may be maintained but not accessed while the account holder is located outside of Cuba other than for the purpose of funding or closing the bank account as authorized in paragraph (c)(6).

(d) Nothing in paragraphs (c)(2), (c)(3), and (c)(6)(i) of this section authorizes a direct financial transaction prohibited by § 515.209, and nothing in paragraph (c)(2) of this section authorizes the lodging, paying for lodging, or otherwise making any reservation for or on behalf of a third party to lodge, at any property on the Cuba Prohibited Accommodations List to the extent prohibited by § 515.210, in each case if the terms of the applicable general or specific license expressly exclude such a transaction.

(e) A blocked Cuban national permanently resident in Cuba who is departing the United States may carry currency as follows:

(1) The amount of any currency brought into the United States by the Cuban national and registered with U.S. Customs and Border Protection upon entry;

(2) Funds received as remittances pursuant to § 515.570 by the Cuban national during his or her stay in the United States; and

(3) Salaries or other compensation earned by the Cuban national up to any amount that can be substantiated through payment receipts as authorized in § 515.571(a)(5).

(f) Nothing in this section authorizes transactions in connection with tourist travel to Cuba.

NOTE 1 TO § 515.560: Each person relying on the general authorization in this section must retain specific records related to the authorized travel transactions. See §§ 501.601 and 501.602 of this chapter for applicable recordkeeping and reporting requirements.

NOTE 2 TO § 515.560: This section authorizes the provision of health insurance-, life insurance-, and travel insurance-related services to authorized travelers, as well as the receipt of emergency medical services and the making of payments related thereto.

NOTE 3 TO § 515.560: The export or reexport to Cuba of goods (including software) or technology subject to the Export Administration Regulations (15 CFR parts 730

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through 774) may require separate authorization from the Department of Commerce.

[64 FR 25814, May 13, 1999, as amended at 66 FR 36688, July 12, 2001; 68 FR 14146, Mar. 24, 2003; 69 FR 33771, 33773, June 16, 2004; 74 FR 46006, Sept. 8, 2009; 76 FR 5074, Jan. 28, 2011; 80 FR 2295, Jan. 16, 2015; 80 FR 56922, Sept. 21, 2015; 81 FR 13992, Mar. 16, 2016; 81 FR 71376, Oct. 17, 2016; 82 FR 52000, Nov. 9, 2017; 85 FR 60071, Sept. 24, 2020]

### § 515.561 Family visits.

(a) *General license.* Persons subject to the jurisdiction of the United States and persons traveling with them who share a common dwelling as a family with them are authorized to engage in the travel-related transactions set forth in § 515.560(c) and such additional transactions as are directly incident to: visiting a close relative, as defined in § 515.339, who is a national of Cuba or a person ordinarily resident in Cuba; or visiting a close relative located in Cuba or accompanying a close relative traveling to Cuba pursuant to the authorizations in § 515.562 (official government business), § 515.563 (journalistic activity), § 515.564(a)(1) (professional research), § 515.565(a)(1)(1) through (4) and (6) (educational activities), § 515.566 (religious activities), § 515.575 (humanitarian projects), or § 515.576 (activities of private foundations or research or educational institutes). Nothing in this paragraph authorizes a direct financial transaction prohibited by § 515.209, or the lodging, paying for lodging, or making any reservation for or on behalf of a third party to lodge, at any property on the Cuba Prohibited Accommodations List to the extent prohibited by § 515.210.

NOTE TO PARAGRAPH (a): Each person relying on the general authorization in this paragraph must retain specific records related to the authorized travel transactions. See §§ 501.601 and 501.602 of this chapter for applicable recordkeeping and reporting requirements.

(b) *Specific licenses.* Specific licenses may be issued on a case-by-case basis authorizing the travel-related transactions set forth in § 515.560(c) and such other transactions as are related to family visits that do not qualify for the general license under paragraph (a) of this section.

(c) An entire group does not qualify for the general license in paragraph (a)