

§515.572

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other transactions ordinarily incident to the Cuban national's presence in the United States in a non-immigrant status or pursuant to other non-immigrant travel authorization issued by the U.S. government.

(d) This section does not authorize any transfer of property to Cuba, or, except as otherwise authorized in paragraph (b) of this section, any debit to a blocked account.

NOTE TO §515.571: For the authorization of certain transactions by Cuban nationals who become U.S. citizens; are lawful permanent resident aliens of the United States; have applied to become a lawful permanent resident alien of the United States and have an adjustment of status application pending; or are lawfully present and intending to lawfully remain in the United States on a permanent basis, see §515.505 of this part.

(e) The following transactions by or on behalf of a Cuban national are authorized:

(1) All transactions related to the sponsorship or hiring of a Cuban national to work in the United States in a non-immigrant status or pursuant to other non-immigrant travel authorization issued by the U.S. government, except that an employer may not make payments to the Cuban government in connection with the sponsorship or hiring of a Cuban national; and

(2) All transactions in connection with the filing of an application for non-immigrant travel authorization issued by the U.S. government.

[64 FR 25819, May 13, 1999, as amended at 68 FR 14148, Mar. 24, 2003; 69 FR 33773, June 16, 2004; 76 FR 5077, Jan. 28, 2011; 80 FR 2299, Jan. 16, 2015; 80 FR 56923, Sept. 21, 2015; 81 FR 13993, Mar. 16, 2016; 85 FR 60072, Sept. 24, 2020]

§515.572 Provision of travel, carrier, other transportation-related, and remittance forwarding services.

(a) *General licenses*—(1) *Authorization to provide travel services.* Persons subject to U.S. jurisdiction are authorized to provide travel services in connection with travel-related transactions involving Cuba authorized pursuant to this part. 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, if the terms of the applicable general or specific license authorizing the travel expressly exclude such a transaction.

(2) *Authorization to provide carrier services.* (i) Persons subject to U.S. jurisdiction are authorized to provide carrier services to, from, or within Cuba in connection with travel or transportation, directly or indirectly, between the United States and Cuba of persons, baggage, or cargo authorized pursuant to this part.

(ii) The entry into blocked space, code-sharing, or leasing arrangements to facilitate the provision of carrier services by air authorized pursuant to section 515.572(a)(2) is authorized, including the entry into such arrangements with a national of Cuba.

NOTE 1 TO PARAGRAPH (a)(2): The export or reexport to Cuba of items subject to the Export Administration Regulations (15 CFR part 730 *et seq.*), including vessels and aircraft used to provide carrier services, requires separate authorization from the Department of Commerce. See §515.533.

(3) *Authorization to provide remittance forwarding services.* Banking institutions, as defined in §515.314, including U.S.-registered brokers or dealers in securities and U.S.-registered money transmitters, are authorized to provide services in connection with the collection, forwarding, or receipt of remittances authorized pursuant to this part. Nothing in this paragraph (a)(3) authorizes a transaction relating to the collection, forwarding, or receipt of remittances involving any entity or subentity identified on the Cuba Restricted List, as published in the FEDERAL REGISTER and maintained by the State Department and available at <https://www.state.gov/cuba-sanctions/cuba-restricted-list/>.

(4) *Authorization to provide lodging services.* Persons subject to U.S. jurisdiction who are providing carrier services by vessel authorized pursuant to paragraph (a)(2) of this section are authorized to provide lodging services on-board such vessels to persons authorized to travel to or from Cuba pursuant to this part during the period of time the vessel is traveling to, from, or

within Cuba, including when docked at a port in Cuba.

(5) *Authorization to provide civil aviation safety-related services.* Persons subject to U.S. jurisdiction are authorized to provide civil aviation safety-related services to Cuba and Cuban nationals, wherever located, to ensure the safety of civil aviation and the safe operation of commercial aircraft.

NOTE 2 TO PARAGRAPH (a)(5): For provisions related to transactions ordinarily incident to the exportation or reexportation of items to Cuba, see §§ 515.533 and 515.559.

NOTE 3 TO PARAGRAPH (a): Section 515.564 authorizes employees, officials, consultants, or agents of persons subject to U.S. jurisdiction providing travel or carrier services or remittance forwarding services authorized pursuant to this part to engage in the travel-related transactions set forth in §515.560(c) and such additional transactions as are directly incident to travel to Cuba for professional meetings in Cuba, such as those related to safety and security of flights to and from Cuba, or necessary to arrange for travel or carrier services or remittance forwarding to Cuba.

(b) *Required reports and recordkeeping.*

(1) Persons subject to U.S. jurisdiction providing services authorized pursuant to paragraphs (a)(1) through (4) of this section must retain for at least 10 years from the date of the transaction a certification from each customer indicating the section of this part that authorizes the person to travel or send remittances to Cuba. In the case of a customer traveling under a specific license, the specific license number or a copy of the license must be maintained on file with the person subject to U.S. jurisdiction providing services authorized pursuant to this section.

(2) The names and addresses of individual travelers or remitters, the number and amount of each remittance, and the name and address of each recipient, as applicable, must be retained on file with all other information required by §501.601 of this chapter. These records must be furnished to the Office of Foreign Assets Control on demand pursuant to §501.602 of this chapter.

(c) *Specific licenses.* Specific licenses may be issued on a case-by-case basis authorizing the provision of travel, carrier, or remittance-forwarding serv-

ices other than those authorized by paragraph (a) of this section.

NOTE 4 TO §515.572: The following persons may be transported, directly or indirectly, between the United States and Cuba by a person authorized to provide carrier services:

(1) Persons subject to U.S. jurisdiction who are traveling to or from Cuba pursuant to a general license under one of the 12 categories of travel listed in §515.560 or under a specific license from the Office of Foreign Assets Control may be transported between the United States and Cuba;

(2) Cuban nationals applying for admission to the United States, as well as third-country nationals, with a valid visa or other travel authorization issued by the U.S. government may be transported to the United States from Cuba;

(3) Cuban nationals present in the United States in a non-immigrant status or pursuant to other non-immigrant travel authorization issued by the U.S. government may be transported from the United States to Cuba;

(4) Cuban nationals who have taken up residence in the United States and are licensed as unblocked nationals pursuant to §515.505(a)(1) are persons subject to U.S. jurisdiction and may be transported between the United States and Cuba if they meet the criteria set out in (1) above; and

(5) An individual, including a foreign national, who is traveling on official business of the U.S. government, a foreign government, or an intergovernmental organization of which the United States is a member or in which the United States holds observer status—including an employee, contractor, or grantee of such government or intergovernmental organization and any individual traveling on a diplomatic passport, as well as any close relative, as defined in §515.339, accompanying the traveler—may be transported between the United States and Cuba.

[80 FR 2299, Jan. 16, 2015, as amended at 80 FR 56923, Sept. 21, 2015; 81 FR 4586, Jan. 27, 2016; 81 FR 71377, Oct. 17, 2016; 82 FR 52003, Nov. 9, 2017; 84 FR 25993, June 5, 2019; 85 FR 60072, Sept. 24, 2020; 85 FR 67989, Oct. 27, 2020; 87 FR 35091, June 9, 2022; 89 FR 74834, Sept. 13, 2024]

§515.573 Physical presence and business presence in Cuba authorized; Cuban news bureaus.

(a) *Physical presence:* The persons listed in paragraphs (c) and (d) of this section are authorized to engage in all transactions necessary to establish and maintain a physical presence in Cuba to engage in transactions authorized