



OFFICE OF FOREIGN ASSETS CONTROL

CIRCULAR 2001

TRAVEL, CARRIER and REMITTANCE FORWARDING SERVICE PROVIDER PROGRAM

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INTRODUCTION

This Circular summarizes the current regulatory program, administered by the Treasury Department's Office of Foreign Assets Control ("OFAC"), that permits certain transactions involving property in which Cuba has an interest with respect to the provision of travel services, carrier services and the forwarding of remittances under the Cuban Assets Control Regulations, 31 CFR Part 515, and the Reporting and Procedures Regulations, 31 CFR Part 501 (jointly, the "Regulations"). However, the Regulations and terms of specific OFAC letters and/or licenses are controlling in all matters.

This Circular provides the basic information applicable to all authorized service providers: Travel Service Providers ("TSPs"), Carrier Service Providers ("CSPs"), and Remittance Forwarders ("RFs") (collectively, the "Service Providers"). It further sets forth information particular to each category of Service Provider in three separate appendixes designated as "Appendix I" for TSPs, "Appendix II" for CSPs, and "Appendix III" for RFs. This body of information, along with the applicable Regulations and specific authorizations issued by OFAC, is referred to as the "Service Provider Program."

This Circular will be reissued in its entirety in September of each year, bearing the name of the year in which it is issued. All procedural and policy changes occurring during the interim period will be issued as amendments to the Circular currently in effect. Other actions, including additions and deletions to the list of authorized Service Providers, will be effected by administrative notice mailed to each Service Provider and will not be incorporated in the Circular.

PART I. -- BASIC PROHIBITIONS AND PENALTIES

The Regulations prohibit all unlicensed transactions by persons subject to the jurisdiction of the United States involving property in which Cuba or a Cuban national has any interest whatsoever, direct or indirect, unless exempt or otherwise authorized. Such property includes, but is not limited to, Cuban passports; Cuban visas; food, lodging, and ground transportation in Cuba; remittances where the beneficiary is a Cuban national; and any Cuba travel-related services.

Consistent with OFAC's enforcement function, civil and criminal fines and penalties and the loss of operating authority may be imposed for violations of, or activity inconsistent with, the Service Provider Program. Criminal penalties for violation of the Regulations range up to 10 years in prison, and \$1 million in corporate and \$250,000 in individual fines. OFAC may impose civil penalties up to \$55,000 per violation.

A Service Provider must be aware of the authorizations and restrictions applicable to individual travelers using its services. The following is a summary of OFAC authorizations available to such individuals, a general discussion of the three forms of authorization under the Service Provider Program, and three appendixes setting forth specific guidelines applicable to each Service Provider category.

PART II. – AUTHORIZATIONS FOR INDIVIDUALS

A. Travel-Related Transactions

It is the responsibility of persons subject to the jurisdiction of the United States, including all U.S. citizens and permanent resident aliens, wherever located, seeking to engage in travel-related transactions with Cuba or to remit funds to Cuba to ensure compliance with the Regulations. As set forth in § 515.560 of the Regulations, a person may be authorized to engage in transactions related to travel to, from and within Cuba if he or she qualifies under a general license or obtains a specific license from OFAC. Categories of travel activities are outlined below. Please refer to the Regulations and the brochures entitled "Cuba: What You Need To Know About The U.S. Embargo" and "Travel Restrictions/Restricciones de Viajes" which describe more fully the several categories of generally licensed travel transactions and those for which specific licenses are available from OFAC. These documents are available on OFAC's website: www.treas.gov/ofac.

Authorized travelers (those travelers having a general or specific OFAC license) may spend no more per day for living expenses in Cuba than the amount set by the State Department for Havana and published in the "Maximum Travel Per Diem Allowances for Foreign Areas." Travelers can check the current *per diem* rate on the Internet at <http://www.state.gov/www/perdiems/index.html>. Under the Regulations, certain authorized travelers, such as journalists, may spend above this amount for transactions directly incident to their authorized activities. An authorized traveler may not pay more than \$500 within a year to Cuba for fees imposed by the Cuban Government for such items as passports, visas fees, and arrival/departure taxes.

For travel arrangements booked through a TSP, those portions of the trip directly involving Cuba may be booked by the TSP, including flights on a carrier and/or charterer that is owned or controlled by Cuba or a Cuban national (a "blocked Cuban carrier"). However, see Fully Hosted Travel, below. Authorized travelers who do not wish to use the services of a TSP or CSP in the United States may book all legs of their trip that involve arrival in or departure from Cuba by using a foreign travel agency not subject to U.S. jurisdiction.

Family visitation: This general license allows persons to engage in transactions related to travel to, from, and within Cuba once every twelve months for the purpose of visiting a close relative in Cuba for humanitarian purposes. Specific licenses may be issued if a person who has traveled to Cuba to visit a close relative under the general license seeks to engage in travel-related transactions again within the same twelve-month period due to humanitarian need. The term "close relative" refers to a person's spouse, child, grandchild, parent, grandparent, great grandparent, uncle, aunt, brother, sister, nephew, niece, first cousin, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, or spouse, widow, or widower of any of the foregoing. In addition to licensees visiting close relatives, this license covers those persons traveling with the licensees who share a common dwelling as a family with the licensees. For the purpose of this provision, a person with a close relative in Cuba employed at the U.S. Interests Section in Havana may also engage in travel-related transactions for family visitation. Such persons qualify under the general license authorizing transactions for one round-trip in a 12-month period and may qualify for a specific license for transactions related to additional trips in the same period.

Other general licenses: Additional general licenses authorize travel-related transactions in connection with the following four categories of travel when the activities fully conform to the criteria described in the Regulations: (a) official business of the U.S. government, foreign governments, and certain intergovernmental organizations, (b) journalistic activity engaged in by full-time journalists and their supporting broadcast or technical personnel, (c) professional research by full-time professionals and attendance at professional meetings or conferences and (d) amateur or semi-professional athletic competition.

Specific license categories: Specific licenses may be issued to accredited U.S. academic institutions to authorize travel-related transactions related to certain educational activities by students or employees affiliated with the institution. Such licenses are valid for multiple trips over a two-year period. Specific licenses may also be issued (in some instances with extended validity permitting multiple trips) for educational activities that do not take place under the auspices of accredited U.S. academic institutions. Religious organizations are also eligible for multiple trip, two-year specific licenses authorizing travel-related transactions by their representatives in connection with a program of religious activities in Cuba.

Other travel categories for which specific licenses may be issued (in some instances with extended validity permitting multiple trips) include but are not limited to: free-lance journalism; activities of recognized human rights organizations and other humanitarian projects that directly benefit the Cuban people; certain public performances, clinics, workshops, exhibitions and athletic and other competitions; certain non-commercial activities of private foundations or research or educational institutions; and travel-related transactions involving informational materials, donations of food or exportations of goods licensed by the Department of Commerce.

Any person who has received an OFAC specific license to engage in travel-related transactions should carry a copy of the license when traveling to, from and within Cuba and make available copies of that license as necessary to those who would provide authorized services in connection with the travel.

B. Fully-hosted travel

“Fully hosted” travel is travel in which all costs are completely covered by a person not subject to U.S. jurisdiction. The Regulations do not prohibit fully-hosted travel within Cuba, provided no person subject to U.S. jurisdiction makes any payment to Cuba or a Cuban national (directly or indirectly) or provides any services to Cuba or a Cuban national in conjunction with such travel. However, someone who is fully hosted is not an authorized traveler for the purposes of § 515.560(c). A fully-hosted traveler may pay for his or her transportation to and from Cuba but may not pay for any other travel-related expenses such as visas. Fully-hosted travelers may not use direct charter flights between Cuba and the United States, nor may they book any portion of their trip on a blocked Cuban carrier.

A person subject to the jurisdiction of the United States would not be considered fully hosted if he or she makes payments to a person in a third-country and that person in turn pays all expenses in Cuba. Prepaid vacation packages arranged through a third-country travel agency do not qualify as fully-hosted travel under the Regulations. Further, a person subject to the jurisdiction of the United States

would **not** be considered fully hosted if he or she provides any services to Cuba or a Cuban national in connection with such fully hosted travel.

Section 515.420 of the Regulations establishes a rebuttable presumption that any person subject to U.S. jurisdiction determined to have traveled to Cuba without the authority of a general or specific license is presumed to have engaged in prohibited travel-related transactions. A traveler may rebut this presumption by presenting a signed statement and relevant supporting documentation (as set forth in the Regulations) from the foreign person hosting the travel.

C. Remittances

The Regulations prohibit the unauthorized transfer of funds to Cuba. A qualifying person subject to the jurisdiction of the United States may remit certain funds to a Cuban national under the following circumstances:

Individual-to-Household and Family Remittances: Any person subject to U.S. jurisdiction who is 18 years of age or older is authorized by general license to send cash remittances to any Cuban household of up to \$300 per household in any 3-month period, provided that no member of the household is a senior-level Cuban government or senior-level Cuban communist party official. Alternatively, such a person may send cash remittances to the household of a close family member in Cuba of up to \$300 per household in any 3-month period. No more than a combined total of \$300 of individual-to-household and family remittances may be sent by a remitter to any one household in any three-month period, regardless of the number of close relatives or other persons residing in that household.

Emigration Remittances: Persons subject to U.S. jurisdiction may send up to \$1,000 per payee on a one-time basis as an "emigration-related" remittance to a Cuban national to enable the payee to emigrate from Cuba to the United States. Of this \$1,000, up to \$500 may be remitted to a Cuban national prior to the payee's receipt of a valid U.S. visa or other U.S. immigration document. The remaining amount may be remitted to the Cuban national only after the payee receives a valid U.S. visa or other U.S. immigration document and the remitter obtains a record of the document prior to sending the funds to Cuba.

Carrying Remittances: In addition to other amounts that authorized travelers may be entitled to carry, persons licensed to engage in Cuba travel-related transactions (this does not include fully-hosted travelers) may carry their own remittances, provided that they may carry no more than a combined total of \$300 of individual-to-household and family remittances, and provided that no emigration-related remittances may be carried before the payee has received a valid U.S. visa or other immigration document and the traveler can supply the visa number and the date of issuance.

Authorized travelers may not carry remittances on behalf of other persons. Funds for remittances that are not within the above-described guidelines are subject to seizure by U.S. Customs.

Cuban nationals returning to Cuba from the United States may also carry any currency brought into the United States and registered by them with the U.S. Customs Service, as well as up to \$300 in funds received as remittances while in the United States. Cuban scholars participating in authorized exchange programs at U.S. academic institutions may carry to Cuba from the United States earned

compensation up to any amount that can be substantiated through payment receipts from such institutions.

D. Recordkeeping

All persons subject to the jurisdiction of the United States engaging in transactions authorized pursuant to the Regulations are required under §§ 501.601 and 501.602 of the Regulations to maintain records of all such transactions and to make them available to OFAC for examination upon request. This recordkeeping requirement also pertains to persons claiming to have been fully-hosted with regard to documentation in support of that assertion. Records must be maintained for five years.

PART III. – AUTHORIZATIONS FOR SERVICE PROVIDERS

All persons subject to the jurisdiction of the United States who wish to provide Cuba-related travel services, carrier services, or remittance forwarding services to qualifying individuals must be authorized by OFAC in order to provide these services pursuant to § 515.572 of the Regulations. OFAC maintains an up-to-date list of such Service Providers, which is available on its Fax-on-Demand service ((202) 622-0077) and at www.treas.gov/ofac. Additions and deletions to the list of Service Providers may also be circulated periodically by administrative notice that will be mailed to all persons currently holding OFAC authorizations or licenses to operate as Service Providers.

A. Application

A person subject to the jurisdiction of the United States may apply to OFAC to become a Service Provider by satisfying the criteria laid out in § 515.572 of the Regulations. OFAC considers such applications on a case-by-case basis. A person seeking to operate in more than one capacity, for example as both a TSP and CSP, must specifically request each type of authorization. Thus, OFAC will consider an application as seeking two types of authorization only if the application so states and only if each type of authorization is addressed in detail.

The Application Guidelines for persons wishing to receive authorization to operate as a Service Provider are attached to Part III. All applicants must furnish the information required in pages 1-2 of the Application Guidelines. Also, other information is required based on the category of services the applicant wishes to provide. For example, a person wishing to provide both travel and remittance forwarding services must furnish the information requested on pages 3 and 4 of the Application Guidelines in addition to the information required of all applicants on pages 1-2.

The information OFAC requires as part of the initial application process, including the basic application materials, the identities of the parties seeking to operate under the license and the forms and procedures to be used by the applicant, must not only be true and complete at the time of application, but must also be kept up-to-date with OFAC notwithstanding the issuance of an authorization. Failure to inform OFAC in writing of any changes in these areas on an ongoing basis may result in an enforcement action.

Letters of application for authorization to engage in transactions as a TSP, CSP, and/or RF should be mailed to the following address:

**Office of Foreign Assets Control
U.S. Department of the Treasury
909 SE First Ave #736
Miami, FL 33131**

Questions concerning the Service Provider Program may be directed to the OFAC-Miami Office at (305) 810-5140.

B. Conditions of Operation

A Service Provider may provide travel, carrier and/or remittance services only from the Service Provider's principal place of business or branch office(s) as identified in the Service Provider's application and as set forth in OFAC's letter of provisional authorization or specific license (as amended, if applicable). A Service Provider may not provide Cuba-related services after any changes in ownership or control of the Service Provider, changes in location, or the addition of new locations without first receiving further authorization from OFAC.

Service Providers wishing to use other companies (for example: travel agencies booking seats on behalf of passengers) to assist in the licensed service they provide must ensure that transactions are conducted only with other OFAC-authorized Service Providers operating from authorized locations. If a Service Provider has any questions about using the services of another company, the Service Provider should contact OFAC prior to commencing any such transactions.

C. Recordkeeping

Once authorization is granted to a Service Provider, that Service Provider must commence keeping records of its activities. All Service Providers engaging in transactions pursuant to the Regulations are required under §§ 501.601 and 501.602 of the Regulations to provide access to OFAC for examination of records upon request. OFAC will attempt to give prior notice to Service Providers of such requests when consistent with OFAC's compliance and enforcement objectives.

A Service Provider must engage in recordkeeping for each authorized transaction, including transactions between Service Providers. The recordkeeping must include details about individual travelers or remitters and their circumstances sufficient to allow identification and verification that the subject transactions comply with the Regulations. These records must be maintained for five years. The recordkeeping requirement includes all records of any transfer of funds, whether made directly to Cuba or through another Service Provider. The records must be sufficient to link the receipt of funds from a customer to the transfer of the funds to Cuba.

D. Reporting

A Service Provider must furnish periodic reports covering the Service Provider's activity, or lack thereof, during the preceding calendar year. Unless otherwise noted in the authorization, reports must be filed no later than January 20 of each year. Unless otherwise specified by OFAC, reports must be mailed to the OFAC-Miami Office. OFAC may from time to time require other reports.

OFAC provides Service Providers with a suggested format for each category of report (one format tailored specifically to each category of Service Provider). Copies of the suggested formats are attached at the end of each Appendix. If you prefer not to use the OFAC-suggested formats, you must ensure that your report contains all of the information requested in the OFAC formats.

Attachment to Part III
Application Guidelines

**Application Guidelines:
Requirements for all
Service Provider Applicants**

In broad terms, the Office of Foreign Assets Control (“OFAC”) requires that you, as an applicant to be a Travel Service Provider (“TSP”), Carrier Service Provider (“CSPs”), and/or a Remittance Forwarder (“RF”) (either singularly or collectively “Service Provider”), identify yourself in writing, name the type of authorization you seek, and state how you would comply with the Cuban Assets Control Regulations, 31 C.F.R. Part 515 (the “CACR”). What is required in an application follows generally the requirements in § 515.572 of the CACR.

Please note that OFAC will conduct a full federal, state, and local law enforcement background investigation of each owner, significant shareholder, director, and manager of an applicant prior to granting authorization. The information below is needed in part for the background investigation to determine your suitability and fitness for an authorization.

All applicants must provide complete information for all 3 points below:

A. Written affirmation of non-discrimination.

The required affirmation may be made using this language:

I, [the applicant], hereby affirm and demonstrate through my actions that I do not participate in any discriminatory practices engaged in by the Cuban government against certain residents and citizens of the United States. For example, I do not charge discriminatory rates for air travel or require payment for services, such as hotel accommodations and meals, not desired, planned to be utilized, or actually utilized based on such characteristics as race, color, religion, sex, citizenship, place of birth, or national origin.

B. The applicant's corporate or business information. (## 1-9)

1. Current address, telephone number, taxpayer identification number, and name of the official responsible for the applicant's services.
2. All current and former names (including trade names) and addresses (including branch offices) of your business.
3. Address of principal place of business and all branch offices.
4. Complete information concerning city, county, state or federal licenses held since 1988 relevant to the services covered by the license application, including information on denial, suspension, or cancellation of a license.
5. Copies of any bylaws/articles of incorporation, partnership agreements, management agreements, or other documents pertaining to the organization, ownership, control, or management of the applicant.
6. Financial statements and/or annual reports, if any, that you have already prepared for your business.
7. Copies of any foreign contracts, agreements, licenses, or authorizations entered into or granted since 1988 relating to the provision of services of the type covered by your application.
8. Information concerning anticipated foreign contracts, agreements, licenses, and authorizations related to provision of services covered by your license application.
9. A list of all bank accounts (including account name, number, and location) maintained for use by the business entities covered by your license application.

C. The applicant owners'/employees' information. (## 10-16)

10. Identity of and ownership percentage share of each shareholder or partner.
11. Complete name, including, if any, middle name and patronymic and matronymic name, of each officer, director, and stockholder.
12. Place and date of birth of each officer, director, and stockholder.
13. Social Security Number of each officer, director, and stockholder.
14. Complete home address and telephone number of each officer, director, and stockholder.
15. Citizenship of each officer, director, and stockholder and, if not a U.S. citizen, type of resident status in the United States including date on which resident status was granted and any identifying number issued by the U.S. Immigration and Naturalization Service.
16. If the applicant or any officer, director, or stockholder has ever been convicted of a violation of Federal, state, or local law, other than minor motor vehicle violations, a description of all details and circumstances concerning the conviction.

Please note: Your answers to all 16 questions must be phrased as complete sentences repeating the relevant points rather than one word answers. For example, "No officer, director, or stockholder of [the company's name] has ever been convicted of a violation of Federal, state, or local law." (Please do not respond simply: "None".)

In addition to responding to sections A, B, and C, above, you must also respond to the additional requirements set forth in the specific TSP, CSP, and/or RF guidelines, which follow.

Application Guidelines: Travel Service Provider

An applicant to be a TSP must provide:

- A. **Completed "Requirements for all Service Provider Applicants"; and,**
- B. **TSP forms and procedures, described as follows:**

You must describe in detail the forms and procedures you would use in conducting business to ensure compliance with the Service Provider program. In essence, you are representing to OFAC that you will use the process you describe to ensure compliance with the Service Provider program, and OFAC, in reliance upon your representations, may authorize you to engage in TSP transactions. Describe in detail the procedures and the documents that you would use in connection with each of these areas of concern. You may wish to tell us in a narrative form how you would conduct your business.

- **Each person to whom you offer services must be licensed by OFAC or qualify as a "fully hosted" traveler.** Explain in your own words who qualifies under a general license. Describe what specific licenses are available under the CACR. Explain in detail how you would ensure that the person qualifies under a general license. Discuss the limited services you may provide someone who is "fully hosted."
- **Each TSP-related transfer of funds you make must be authorized.** Explain how, for monies due to Cuba for visas, passports, hotel accommodations, car rentals, etc., you would use a third-country bank to transfer those funds. State if you would transfer such funds to another Service Provider for further transfer to Cuba through a third country.

- **You must keep records for a period of 5 years and make reports which are complete and timely.** Explain how you would process travel documents for a person whom you knew to qualify under an OFAC general license or who had a specific license. Include a sample of the document(s) a customer would fill out (using OFAC's suggested formats or your own).

Note: OFAC's suggested formats for ensuring that a traveler is authorized and for TSP reporting are attachments to Appendix I of the Circular.

Application Guidelines: Carrier Service Provider

An applicant to be a CSP must provide:

A. Completed "Requirements for all Service Provider Applicants".

B. CSP-related details of activity, knowledge, and ability:

- Describe the level of activity you seek to undertake as a CSP, including per week figures for the number of flights (the "Flights") and passenger volume (including business plans or draft contracts).
- Document your working knowledge of Department of Transportation, Customs, and OFAC rules related to the operation of the Flights. Include evidence of training, classroom work, or work experience (with dates and references) in directly related areas.
- Certify to your current ability to be responsible for all of the financial requirements inherent in the operation of the Flights. Include a detailed estimate of each relevant expense in the operation of the Flights. Include a written affirmation of your ability to cover such expenses at this time (you may include additional evidence of this ability with your affirmation).
- Document that you have sufficient data processing capacity to satisfy those needs inherent in the operation and oversight of the Flights.

C. CSP forms and procedures:

You must describe the forms and procedures you would use in conducting business to ensure compliance with the requirements of the Service Provider program. In essence, you are representing to OFAC that you will use a process to ensure compliance with the Service Provider program, and OFAC, in reliance upon your representations, may authorize you to engage in CSP transactions. Describe in detail the procedures and the documents that you would use in connection with each of these areas of concern. You may wish to tell us in a narrative form how you would conduct your business.

- **Each person to whom you offer services must be authorized by an OFAC specific or general license.** Describe briefly who qualifies under a general license. Describe what specific licenses are available. Explain in detail how a person would be routinely referred to you by a TSP.
- **Each transfer of funds you make must fall within your CSP authorization.** Explain how, for monies due to Cuba for landing fees, etc., you would use a third country bank to transfer funds. State if you would transfer such funds to another Service Provider for transfer to Cuba through a third country.
- **You must keep records for a period of five years and make reports which are complete and timely.** Explain how you would process and archive your copy of a Department of Transportation Operator-Participant Contract for each customer. State briefly the routine reporting requirement as a CSP.

Note: OFAC's suggested format for CSP reporting is an attachment to Appendix II of the Circular.

Application Guidelines: Remittance Forwarder

An applicant to be a RF must provide:

A. Completed “Requirements for all Service Provider Applicants”.

B. Information about the scope of your proposed RF operation:

- Your application must state whether you seek to conduct RF-related transactions from your offices or through (an) agent(s).
- For a person seeking to work through (an) agent(s), describe how the transactions conducted by your agent(s): (i) are clearly identified for the client as yours and not the agent’s; (ii) are subject to your review, cancellation, and control for the purposes of the Cuban Assets Control Regulations and the Service Provider Program; and (iii) are ultimately your responsibility – you are liable for the transactions conducted through your agent(s).

C. RF procedures, described as follows:

You must describe in detail the procedures you would use in conducting business to ensure compliance with the requirements of the Service Provider program. In essence, you are representing to OFAC that you will use the process you describe to ensure compliance with the Service Provider program, and OFAC, in reliance upon your representations, may authorize you to engage in RF transactions. Describe in detail the procedures that you would use in connection with each of these areas of concern. You may wish to tell us in a narrative form how you would conduct your business.

- **Each person to whom you offer services must be authorized by an OFAC specific or general license.** Explain in your own words the terms and conditions of, and who qualifies under, the OFAC general licenses for immigration, family, and personal remittances. Explain in detail how you would ensure that the person qualifies under a general license. Describe what specific licenses are available.
- **Each RF-related transfer of funds you make must be authorized by an OFAC specific or general license.** Explain how, for monies due to Cuba related to RF transactions, you would use a third-country bank to transfer those funds. State if you would transfer such funds to another Service Provider for further transfer to Cuba through a third country. Explain how, for monies that go to Cuba, you would ensure (1) that the funds are delivered to the intended recipient in Cuba, and (2) that the delivery will occur in a timely fashion.
- **You must keep records for five years and make reports which are complete and timely.** Explain how you would process a remittance. Include reference to the required OFAC form “Cuba Remittance Affidavit.”

Note: OFAC’s suggested format for reporting is an attachment to Appendix III of the Circular.

APPENDIXES TO CIRCULAR 2001

APPENDIX I. – TRAVEL SERVICE PROVIDERS

A TSP, as described in § 515.572(a)(1) of the Regulations, may provide services in connection with arranging and assisting authorized travelers to engage in transactions related to travel to, from, and within Cuba. The TSP must ensure that each person seeking to engage in such travel-related transactions qualifies for one of the general license authorizations or has a specific license issued by OFAC, except with respect to the limited transactions a TSP may do in arranging travel through a third country to and from Cuba on behalf of fully-hosted travelers. The TSP must put each passenger on notice about the Cuba embargo prohibitions, both verbally and in writing.

A TSP may not require the purchase of hotel accommodation packages by customers in order to obtain expedited visas or for any other purpose, as this is an example of a discriminatory practice inconsistent with the Regulations. A TSP may assist a Cuban American in obtaining or renewing a Cuban passport, regardless of whether or not the individual is planning to travel to Cuba.

A. Direct Flights

A TSP may make reservations for and issue tickets to an authorized traveler on direct CSP-operated charter flights between the United States and Cuba. A TSP must provide the following information about each traveler on an ongoing basis to the CSP prior to the CSP accepting a reservation or selling a seat on a CSP flight for the passenger: full name (including mother's maiden name), address, date of birth, passport number and country of issuance, airport of departure from the United States and category of travel (identify applicable general or specific license). The terms and conditions of this informational report are described in Appendix II-B.

B. Flights Through Third Countries

A TSP may make reservations for and issue tickets to an authorized or fully-hosted traveler on third-country airline flights between third countries and Cuba. TSPs may arrange travel between a third country and Cuba on a blocked Cuban Carrier on behalf of an authorized traveler, but may not provide such services to fully-hosted travelers. If a TSP were to book fully-hosted travelers on such flights and the fully-hosted travelers were to pay their own airfare, they would be making a payment to Cuba for transportation and would accordingly forfeit their fully-hosted status. The TSP arranging such travel could also be subject to penalties and loss of operating authority for violation of the Regulations.

C. Required Documentation

The TSP must furnish a CSP with the original of a completed Department of Transportation Operator-Participant Contract (the "Operator-Participant Contract") whenever seeking to reserve a seat on a charter flight for a traveler.

The TSP must give copies of OFAC's Warning/Aviso and Travel Restrictions flyer to each person with a reservation at the time the TSP issues airline tickets to the traveler(s).

Attachment to Appendix I

- OFAC's Advisory/ Aviso
- OFAC's Travel Restrictions/Restricciones de Viajes a Cuba
- Suggested Reporting format

ADVISORY

[Pursuant to the Cuban Assets Control Regulations, Travel Service Providers must distribute a copy of this advisory to each person traveling to Cuba at the time airline tickets are issued to the traveler.]

Pursuant to the Cuban Assets Control Regulations, 31 C.F.R. Part 515, there is a U.S. economic embargo against Cuba. As a result of this, there is strict regulation of travel-related transactions to, from, and within Cuba. Under the terms of the U.S. Treasury Department regulations, only transactions related to certain categories of travel are permitted. For your transaction to be authorized, you must fit into one of these categories. The Travel Service Provider has a brochure available which explains these categories.

Carrying currency or other monetary instruments is also restricted under the embargo program. These include cash, drafts, notes, travelers checks, or other negotiable instruments. Travelers are permitted to carry up to \$158 per day for authorized travel-related expenses (this amount may change over time, consult the rate for "Havana" published at <<http://www.state.gov/www/perdiem/index.htm>>) and up to \$100 to buy goods in Cuba which they intend to bring back as accompanied baggage for personal use only.

Travelers above age 18 may also carry family or personal remittances totaling not more than \$300 per trip, regardless of the number of beneficiaries in Cuba to receive funds. Travelers may also carry an unlimited number of one-time emigration remittances not to exceed \$1000 per payee provided they have proof that a visa or travel authorization has been issued to each payee.

Residents of Cuba returning to Cuba may carry remittances received by them while in the United States of up to \$300. No one is authorized to carry remittances on behalf of anyone else. Penalties can be severe and any funds above authorized amounts may be seized.

You may purchase in Cuba, and import into the United States, an unlimited amount of publications, films, posters, phonograph records, photographs, microfilms, microfiches, tapes, compact disks, CD ROMs, artwork or other informational material. Travelers may take additional money needed specifically for this purpose.

Federal regulations require that, in the case where a U.S. Customs or other appropriate Federal law enforcement officer so requires, a passenger must fill out and sign a "Travel to Cuba/Viajes a Cuba Declaration" prior to boarding the airplane. This form is available at the departure gate.

It is also a Federal requirement that you fill out, sign, and return a separate Customs form if you are traveling with an amount of \$10,000 or more in currency or monetary instruments, including money not regulated under the embargo against Cuba. This form is also available at the departure gate.

OFFICE OF FOREIGN ASSETS CONTROL

AVISO

[En conformidad con las Regulaciones de Control de Bienes Cubanos, El Proveedor de Servicios de Viaje deberá entregar una copia de este aviso a todos los pasajeros que viajen a Cuba antes de que los pasajeros salgan de la oficina del Proveedor de Servicios de Viaje.]

En conformidad con las Regulaciones de Control de Bienes Cubanos, 31 C.F.R. Part 515, existe un embargo económico de los Estados Unidos contra Cuba. Como consecuencia de ésto existen estrictos reglamentos en cuanto a las transacciones de viajes a Cuba, desde Cuba, y en Cuba. Bajo los términos de las regulaciones del Departamento del Tesoro, únicamente las transacciones relacionadas con ciertas categorías de viajes son permitidas. Para que sus transacciones sean autorizadas ustedes tienen que satisfacer los requisitos bajo una de estas categorías, las cuales se explican en un folleto que pueden obtener en la oficina del Proveedor de Servicios de Viaje.

Llevar consigo dinero u otros instrumentos monetarios también está restringido bajo el programa del embargo. Estos incluyen dinero en efectivo, cheques de viajero, giros, pagarés u otros instrumentos negociables. Los viajeros tienen permitido llevar un máximo de US\$158 por día para gastos relacionados con sus viajes autorizados (esta cantidad puede cambiar con el tiempo, consulte la tasa de per diem publicada en <<http://www.state.gov/www/perdiem/index.htm>>) y un máximo de US\$100 para la compra en Cuba de los artículos que se propongan traer de regreso consigo como parte de su equipaje solamente para su uso personal.

Los viajeros mayores de 18 años tienen permitido llevar remesas familiares/personales que tengan un total de no más de US\$300 por viaje sin importar el número de beneficiarios en Cuba que van a recibir el dinero. Los viajeros pueden también llevar un número ilimitado de remesas de emigración de una sola vez que no exceda US\$1,000 por beneficiario, siempre y cuando estos tengan comprobante de que una visa o autorización de viaje ha sido expedida a cada beneficiario.

Residentes de Cuba que van de regreso a Cuba pueden llevar consigo una remesa recibida por ellos mientras estaban en los Estados Unidos de un máximo de US\$300. Nadie tiene autorización para llevar remesas a favor de otras personas. Las multas pueden ser severas y cualquier dinero más allá de las cantidades autorizadas puede ser confiscado.

Pueden ustedes comprar en Cuba, e importar a los Estados Unidos, una cantidad ilimitada de publicaciones, películas, carteles, discos fonográficos, fotografías, microfilmes, microfichas, cintas, discos compactos, CD ROMs, obras de arte u otro material informativo. Los viajeros pueden llevar el dinero adicional necesario específicamente para éste propósito.

Los reglamentos Federales requieren que en el caso de que la Aduana de Estados Unidos u otro oficial de la ley Federal lo pidan, el viajero debe completar y firmar una declaración de salida "Travel to Cuba/Viajes a Cuba", antes de abordar el avión. Este formulario se encontrara en el mostrador a la puerta de salida.

Es tambien un requisito Federal el que llene, firme, y entregue por separado un formulario de Aduana si transporta usted una cantidad superior a US\$10,000 en instrumento monetario, incluyendo dinero que no está regulado bajo el embargo contra Cuba. Este formulario se encuentra también en el mostrador.

OFICINA DE CONTROL DE BIENES EXTRANJEROS



■ **BACKGROUND** - Travel to Cuba is severely restricted under the Cuban Assets Control Regulations (the "Regulations") promulgated under The Trading With The Enemy Act. Under these Regulations, spending money relating to Cuban travel is prohibited unless the traveler is licensed. The restrictions include spending money (in any currency) whether travelers go directly to Cuba or via a third country and providing services of any kind to Cuba or a Cuban national. Any foreign person in the United States, is subject to these restrictions while physically present in the United States. Criminal penalties for violating the Regulations, which are enforced by the Department of the Treasury, Office of Foreign Assets Control ("OFAC"), range up to 10 years in prison, \$1,000,000 in corporate and \$250,000 in individual fines. Civil penalties up to \$55,000 per violation may also be imposed.

■ **WHO CAN GO** - The following travelers are authorized, under OFAC general license, to engage in travel transactions while in Cuba:

- **Journalists and support broadcasting or technical personnel** (regularly employed in that capacity by a news reporting organization and traveling for journalistic activities);
- Official **government** travelers (traveling on official business);
- Members of **international organizations** of which the United States is also a member (traveling on official business);
- Persons traveling **once a year** to visit close relatives in circumstances of **humanitarian need** (additional trips within one year will need an OFAC specific license);
- Travelers who have received **specific** licenses from OFAC **prior** to going.
- Full-time professionals whose travel transactions are directly related to **professional research** in their professional areas, provided that their research: (1) is of a noncommercial academic nature, (2) comprises a full work schedule in Cuba, and (3) has a substantial likelihood of public dissemination;
- Full-time professionals whose travel transactions are directly related to attendance at **professional meetings or conferences** in Cuba organized by an international professional organization, institution, or association that regularly sponsors such meetings or conferences in other countries. The organization, institution, or association sponsoring the meeting or conference may not be headquartered in the United States unless it is specifically licensed to sponsor the meeting. The purpose of the meeting or conference cannot be the promotion of tourism in Cuba or other commercial activities involving Cuba, or to foster production of any biotechnological products; and
- **Amateur or semi-professional athletes** or teams traveling to Cuba to participate in an athletic competition held under the auspices of the relevant international sports federation. The athletes must have been selected for the competition by the relevant U.S. sports federation, and the competition must be one that is open for attendance, and in relevant situations, participation, by the Cuban public.

■ **SPECIFIC LICENSES FOR EDUCATIONAL INSTITUTIONS** - Specific licenses may be issued by OFAC to authorize travel transactions related to certain educational activities by students or employees affiliated with a licensed academic institution. Such licenses are only available to U.S. academic institutions accredited by an appropriate national or regional accrediting association, and such licenses must be renewed after a period of two years. Once an academic institution has applied for and received such a specific license, the following categories of travelers affiliated with that academic institution are authorized to engage in travel-related transactions incident to the following activities without seeking further authorization from OFAC:

- **Undergraduate or graduate students participating in a structured educational program** as part of a course offered at an accredited United States college or university. Students planning to engage in such transactions must carry a letter from the licensed institution stating: (1) the institution's license number, (2) that the student is enrolled in an undergraduate or a graduate degree program at the institution, and (3) that the travel is part of an educational program of the institution;
- Persons doing **noncommercial Cuba-related academic research in Cuba for the purpose of qualifying academically as a professional** (e.g. research towards a graduate degree). Students planning to engage in such transactions must carry a letter from the licensed institution stating: (1) the institutions' license number, (2) that the student is enrolled in a graduate degree program at the institution, and (3) that the Cuba research will be accepted for credit toward that graduate degree;
- **Undergraduate or graduate students participating in a formal course of study at a Cuban academic institution**, provided the Cuban study will be accepted for credit toward a degree at the licensed U.S. institution. A student planning to engage in such transactions must carry a letter from the licensed institution stating: (1) the institution's license number, (2) that the student is currently enrolled in an undergraduate or graduate degree program at the institution, and (3) that the Cuban study will be accepted for credit toward that degree.
- Persons regularly employed in a teaching capacity at a licensed college or university who plan to **teach part or all of an academic program at a Cuban academic institution**. An individual planning to engage in such transactions must carry a letter from the licensed institution stating: (1) the institution's license number, and (2) that the individual is regularly employed by the licensed institution in a teaching capacity.
- **Cuban scholars** teaching or engaging in other scholarly activities at a licensed college or university in the United States. Licensed institutions may sponsor such Cuban scholars, including payment of a stipend or salary.
- **Secondary school students** participating in educational exchanges sponsored by Cuban or U.S. secondary schools and involving the 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. A reasonable number of adult chaperons may accompany the students to Cuba. A secondary school group planning

to engage in such transactions in Cuba must carry a letter from the licensed secondary school sponsoring the trip stating: (1) the school's license number, and (2) the list of the names of all persons traveling with the group.

□ Full-time employees of a licensed institution **organizing or preparing** for the educational activities described above. An individual engaging in such transactions must carry a letter from the licensed institution stating: (1) the institution's license number, and (2) that the individual is regularly employed by the institution.

■ **SPECIFIC LICENSES FOR RELIGIOUS ORGANIZATIONS** - Specific licenses authorizing travel transactions related to religious activities by individuals or groups affiliated with a religious organization may be issued by OFAC. Such licenses are only available to religious organizations located in the United States, and such licenses must be renewed after a period of two years. Once a religious organization has applied for and received such a specific license, travelers affiliated with that religious organization are authorized to engage in travel-related transactions incident to a full-time program of religious activities in Cuba under the auspices of the licensed religious organization without seeking further authorization from OFAC. Individuals planning to engage in such transactions must carry a letter from the licensed religious organization stating: (1) the organization's license number, (2) that they are affiliated with the licensed organization, and (3) that they are traveling to Cuba to engage in religious activities under the auspices of the licensed organization.

■ **OTHER TRAVELERS** - All other travelers who wish to engage in travel-related transactions with Cuba must seek a specific license from OFAC. Such applications will be evaluated on a case-by-case basis. Licenses for pleasure travel to Cuba will not be considered.

■ **HOW MUCH MONEY MAY BE SPENT WHILE IN CUBA** - Only authorized travelers, as listed above, may spend up to the State Department Travel *Per Diem* Allowance for Havana, Cuba, for their living expenses while in Cuba. This includes, but is not limited to, expenditures for lodging, transportation and meals. Please see <<<http://www.state.gov/www/perdiems/index.html>>> for up-to-date changes in the *per diem*. You should also be aware that certain travelers may carry additional funds as necessary to engage in the activities for which they are licensed to travel.

■ **WHAT CAN BE BROUGHT BACK** - The above listed travelers may reenter the United States with up to \$100 of Cuban origin goods for personal use, such as cigars and rum. [Section 515.560(c)(3) of the Regulations]. If unauthorized U.S. travelers return from Cuba with Cuban origin goods, such goods, with the exception of informational materials, may be seized at Customs' discretion. [Section 515.204 of the Regulations]. There are no limits on the import or export of informational materials. [Section 515.206 of the Regulations]. Such materials are statutorily exempt from regulation under the embargo and such items as books, films, tapes and CDs may be transported freely. However, blank tapes and CDs are not considered informational materials and may be seized.

■ **VESSELS** - All persons on board vessels, including the owner, must be an authorized traveler, as listed above, to engage in travel transactions in Cuba. If you are not an authorized traveler, you may **not** purchase meals, pay for transportation, lodging, dockage or mooring fees, cruising fees, visas, entry or exit fees and you may not bring any Cuban origin goods back to the United States. Any payment to

the Marina Hemingway International Yacht Club is considered a prohibited payment to a Cuban national and therefore in violation of the Regulations. Vessel owners are prohibited from carrying travelers to Cuba who pay them for passage if the owner does not have a specific license from OFAC authorizing him to be a Service Provider to Cuba.

■ **FULLY HOSTED TRAVELERS** - Fully-hosted or fully-sponsored travelers may travel to Cuba without contacting OFAC if the traveler's Cuba-related expenses are covered by a person not subject to U.S. jurisdiction. Travel to Cuba is not fully hosted or fully sponsored if a person subject to U.S. jurisdiction pays-before, during, or after the travel--any expenses related to the travel, including travel to Cuba on a Cuban carrier, even if the payment is made to a third-country person or entity that is not subject to U.S. jurisdiction. Examples of costs commonly incurred by travelers to and in Cuba are for meals, lodging, transportation, bunkering of vessels or aircraft, visas, entry or exit fees, and gratuities. In addition, fully-hosted travel to and from Cuba cannot be aboard a direct flight between the United States and Cuba. Travelers whose expenses are covered by a person not subject to U.S. jurisdiction may not bring back any Cuban origin goods, except for informational materials. [see Note to Section 515.420(c) of the Regulations]. Importation of gifts received in Cuba by a fully-hosted traveler may be licensed by OFAC provided the gift is of small value and represents no commercial benefit to Cuba. Customs will detain gifts, pending the outcome of an OFAC license application. Before a licensing determination can be made, all facts surrounding the receipt of the gift must be reviewed. [Section 515.544 of the Regulations].

Any person subject to U.S. jurisdiction determined to have traveled to Cuba without an OFAC general or specific license is presumed to have engaged in prohibited travel-related transactions. In order to overcome this presumption, any traveler who claims to have been fully hosted or fully sponsored or not to have engaged in any travel-related transactions may be asked by Federal enforcement agencies to provide a signed explanatory statement, accompanied by any relevant supporting documentation. Fully-hosted travelers are also prohibited from providing any services to Cuba or to Cuban nationals.

■ **EMERGENCIES** - In case of emergencies requiring financial transactions such as emergency repair of vessels or medical treatment, travelers are urged to contact OFAC at (202)622-2480, to discuss necessary authorizations.

■ **HUMANITARIAN DONATIONS** - There is joint OFAC and Commerce Department ("USDOC") administration over export of gift parcels and humanitarian goods to Cuba to meet basic human needs. If an export is licensed by USDOC, OFAC authorizes financial and other transactions related to that export. Pursuant to the Cuban Democracy Act, donations of food and vitamins to an individual or non-governmental organization may not be restricted. However, the export of medicines and medical supplies must be specifically licensed by USDOC prior to departure. Gift parcels to individuals or non-governmental organizations may be exported under USDOC "General License GIFT" without prior written government approval. [Section 740.12 of the Export Administration Regulations]. The combined content must be valued below \$200, may contain only items for personal use, and may not be for resale. Gift packages may include only the following items: Food, vitamins, seeds, medicines, medical supplies and devices, hospital supplies and equipment, equipment for the handicapped, clothing, personal hygiene items, veterinary medicines and supplies, fishing equipment and supplies, soap making equipment, and certain radio equipment and batteries for such equipment.

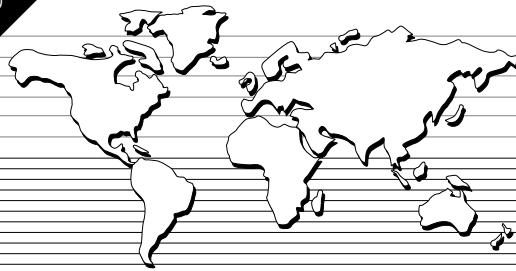
This document is explanatory only and does not have the force of law. The statutes, Executive Orders, and implementing regulations relating to Cuba contain the legally binding provisions governing the sanctions and this document does not supplement or modify those statutes, Executive Orders, or regulations. The Treasury Department's Office of Foreign Assets Control also administers sanctions programs involving Iraq, Libya, the Balkans, North Korea, the Federal Republic of Yugoslavia (Serbia and Montenegro), the National Union for the Total Independence of Angola (UNITA), the Taliban in Afghanistan, Iran, Syria, Sudan, Burma (Myanmar), Sierra Leone, Liberia, Foreign Terrorist Organizations, designated terrorists and narcotics traffickers, and designated foreign persons who have engaged in activities related to the proliferation of weapons of mass destruction. For additional information about these programs or about the Cuban sanctions program, please contact the:

OFFICE OF FOREIGN ASSETS CONTROL
U.S. Department of the Treasury
Washington, D.C. & Miami, Florida
202-622-2520 / 305-810-5140

<<<http://www.treas.gov/ofac>>>



U.S. Department of the Treasury
Office of Foreign Assets Control



CUBA

Restricciones de Viajes a Cuba

■ **ANTECEDENTES** - Los viajes a Cuba están severamente restringidos bajo las Regulaciones del Control de Activos Cubanos (las "Regulaciones") promulgadas bajo el Acto de Comercializar con el Enemigo. Bajo estas regulaciones, cualquier gasto de dinero relacionado con viajes a Cuba está prohibido, a menos que la persona que esté viajando tenga una licencia apropiada. Las restricciones incluyen el gasto de dinero (de cualquier moneda), ya sea que la persona que viaje vaya directamente a Cuba o por vía de un tercer país y proporcionando cualquier tipo de servicios a Cuba o a cualquier persona de nacionalidad cubana. Cualquier persona dentro de los Estados Unidos, a pesar de su nacionalidad, está sujeto a estas restricciones. Las sanciones por la violación a las "Regulaciones", que han sido establecidas por la Oficina de Control de Bienes Extranjeros (OFAC) del Departamento de la Tesorería, conllevan una sentencia de hasta 10 años en la cárcel, multas de \$1,000,000 para corporaciones y \$250,000 para particulares. También pueden ser aplicadas sanciones civiles de hasta \$55,000 por cada violación.

■ **QUIENES PUEDEN VIAJAR A CUBA** - Las siguientes personas están autorizadas para viajar a Cuba y tomar parte en transacciones relacionadas con el viaje mientras que estén en Cuba, siempre y cuando tengan las licencias requeridas por la OFAC:

- ❑ **Periodistas y personal de emisión o técnico** (regularmente empleados en esa posición por una organización de reportajes noticieros y viajando por actividades periodísticas);
- ❑ Oficiales del **gobierno** (cuando estén viajando por asuntos oficiales);
- ❑ Miembros de **organizaciones internacionales** de las cuales los EE.UU. sea también un miembro (viajando por asuntos oficiales);
- ❑ Personas viajando **una vez al año** para visitar parientes cercanos en Cuba en circunstancias de **necesidad humanitaria** (para viajes adicionales durante el mismo año se necesitará una licencia específica de la OFAC);
- ❑ Profesionales cuyos gastos de viajes estén directamente relacionados con **investigación profesional** en sus áreas profesionales, siempre y cuando que su investigación: (1) no sea comercial pero sí de carácter académico, (2) que incluya un itinerario completo de trabajo en Cuba, y (3) que tenga una gran disposición de ser una diseminación pública;
- ❑ Profesionales cuyos gastos de viajes estén directamente relacionados con asistencia a **reuniones o conferencias profesionales** en Cuba, preparadas por una organización profesional internacional, institución o asociación que regularmente auspicia estas reuniones o conferencias en otros países. La organización, institución o asociación auspiciando la reunión o conferencia no puede tener su casa matriz en los EE.UU. a menos que sea específicamente autorizada para auspiciar la reunión. La razón de dicha reunión o conferencia no puede ser la promoción del turismo en Cuba u otras actividades comerciales relacionadas con Cuba, o fomentar la fabricación de productos biotecnológicos;
- ❑ **Atletas o equipos no profesionales o semi profesionales** viajando a Cuba para participar en una competencia atlética con el auspicio de una federación internacional de deportes. Los atletas deben haber sido seleccionados para competir por la federación correspondiente de EE.UU., y la competencia debe estar abierta para los aficionados, y en situaciones relevantes, la participación del público Cubano.

■ **LICENCIAS ESPECIFICAS PARA INSTITUCIONES EDUCATIVAS** - Las licencias específicas pueden ser emitidas por la OFAC para permitir transacciones de viaje relacionadas con ciertas actividades educativas de estudiantes o empleados afiliados a una institución académica autorizada. Estas licencias sólo están disponibles para instituciones académicas de los EE.UU. acreditadas por una asociación nacional o regional apropiadamente acreditada y estas licencias deben ser renovadas después de un período de dos (2) años. Una vez que una institución académica haya solicitado y recibido esta licencia específica, las siguientes categorías de viajeros afiliados a esa institución académica serán autorizados para tomar parte en transacciones de viaje a Cuba y relacionadas a las siguientes actividades sin solicitar autorización adicional de la OFAC:

- ❑ **Estudiantes universitarios participando en un programa educativo estructurado** que sea parte de un curso ofrecido por una universidad estadounidense acreditada. Los estudiantes planificando tomar parte en debidas transacciones deben portar una carta de la institución autorizada expresando: (1) el número de licencia de la institución, (2) que el estudiante esté registrado en un programa universitario o de postgrado en dicha institución, y (3) que el viaje forme parte de un programa educativo de la misma institución.
- ❑ Personas haciendo **investigación académica no comercial relacionada con Cuba con el propósito de calificar académicamente a un título profesional** (ej. investigación para su título de postgrado). Los estudiantes planificando tomar parte en dichas transacciones deben portar una carta de la institución expresando: (1) el número de licencia de la institución, (2) que el estudiante esté registrado en un programa de postgrado en la institución, y (3) que la investigación acerca de Cuba será aceptada como crédito para el título de postgrado.
- ❑ Estudiantes universitarios participando en un **curso formal de estudios en una institución académica Cubana**, siempre y cuando el estudio en Cuba sea aceptado como crédito para un título en la institución estadounidense autorizada. Un estudiante planificando tomar parte en esas transacciones debe portar una carta de la institución autorizada expresando lo siguiente: (1) el número de licencia de la institución, (2) que el estudiante en ese momento este registrado en un programa universitario en la institución, y (3) que el estudio Cubano será aceptado como crédito para ese título.
- ❑ Personas regularmente empleadas en calidad de profesor de una universidad autorizada, quienes planifican **enseñar parte o todo de un programa académico en una institución académica Cubana**. Un individuo planificando tomar parte en estas transacciones debe portar una carta de la institución autorizada expresando: (1) el número de licencia de la institución, y (2) que el individuo esté regularmente empleado por la institución autorizada en la capacidad de enseñanza.
- ❑ **Escolares cubanos** enseñando o tomando parte en otras actividades doctas en una universidad autorizada en los EE.UU. Las instituciones autorizadas pueden auspiciar a tales escolares cubanos, incluyendo pago de estipendio o sueldo.
- ❑ **Estudiantes de colegios** participando en intercambios educativos auspiciados por colegios cubanos o estadounidenses e involucrando la participación de los estudiantes en un curso formal de estudios o en un programa estructurado educativo ofrecido por un colegio u otra institución académica conducido por un profesor u otro oficial del colegio. Un número razonable de chaperones pueden acompañar a los estudiantes a Cuba. Un grupo colegial que planifique tomar parte en tales transacciones en Cuba deben portar una carta del colegio autorizado auspiciando el viaje expresando: (1) el número de licencia del colegio, y (2) un

listado de todos los nombres de las personas viajando con el grupo.

□ Empleados a tiempo completo de una institución autorizada **organizando o preparando** las actividades educativas anteriormente descritas. Un individuo que tome parte en tales transacciones debe portar una carta de la institución autorizada expresando: (1) el número de licencia de la institución, y (2) que el individuo este empleado regularmente por la institución.

■ **LICENCIAS ESPECIFICAS PARA ORGANIZACIONES RELIGIOSAS** - Las licencias específicas autorizando transacciones de viaje relacionadas con actividades religiosas por individuos o grupos afiliados a una organización religiosa pueden ser emitidas por la OFAC. Tales licencias sólo están disponibles para organizaciones religiosas localizadas en los EE.UU. y las mismas deben ser renovadas después de un período de dos (2) años. Una vez que una organización ha solicitado y ha recibido tal licencia específica, los viajeros afiliados con esa organización religiosa están autorizados para tomar parte en transacciones de viajes relacionados con un programa a tiempo completo de actividades religiosas en Cuba bajo el auspicio de una organización religiosa autorizada sin tener que obtener autorización adicional de la OFAC. Los individuos que planifiquen tomar parte en tales transacciones deben portar una carta de la organización religiosa autorizada expresando: (1) el número de licencia de la organización, (2) que son afiliados a la organización autorizada, y (3) que están viajando a Cuba para tomar parte en actividades religiosas bajo el auspicio de la organización autorizada.

■ **LAS DEMAS PERSONAS QUE QUIEREN TOMAR PARTE EN TRANSACCIONES RELACIONADAS CON VIAJES A CUBA DEBEN SOLICITAR UNA LICENCIA ESPECIFICA DE LA OFAC** - Tales aplicaciones serán evaluadas en base a un caso específico. Las licencias para viajar a Cuba por placer no serán consideradas.

■ **CUANTO DINERO SE PUEDE GASTAR MIENTRAS USTED ESTA EN CUBA** - Solo las personas o instituciones autorizadas para viajar, antes mencionadas, pueden gastar hasta el "per diem" por gastos establecido por el departamento del estado para Habana, Cuba. Esto incluye, pero no esta limitado a, gastos de hospedaje, transportación y comida. Por favor ver <http://www.state.gov/www/perdiems/index.html> para el cambio de la moneda al día en el per diem. Usted también tiene que estar enterado que ciertos viajeros pueden llevar fondos adicionales como es necesario para tomar parte en las actividades que ellos han sido autorizados a viajar.

■ **QUE SE PUEDE TRAER** - Las personas antes mencionadas, quienes estén viajando, pueden regresar a los EE.UU. con hasta US\$100.00 en productos de origen Cubano para uso personal, como cigarros y ron. Si los viajeros estadounidenses no autorizados regresan de Cuba con productos de origen cubano, tales productos, con la excepción de materiales de información, pueden ser confiscados a la discreción de la Aduana de los Estados Unidos. No hay límites sobre la importación o exportación de materiales de información. Tales materiales están decretados exentos de regulación bajo el embargo, y artículos como libros, películas, cintas y discos compactos pueden ser transportados libremente. Sin embargo, cintas en blanco y discos compactos en blanco no son considerados materiales de información y pueden ser confiscados.

■ **EMBARCACIONES** - Todas las personas en embarcaciones, incluyendo al dueño, deben ser viajeros autorizados, como los antes mencionados, para participar en transacciones de viaje en Cuba. Si usted no es un viajero autorizado, usted **NO** puede comprar comida, pagar por transportación, hospedaje, honorarios de amarre o muelle, honorarios de navegación, visas, honorarios de entrada y salida y usted no puede traer productos de origen cubano a los EEUU. Cualquier pago al Club Náutico Internacional Hemingway será considerado un pago prohibido a una persona de nacionalidad cubana y por eso una violación a las Regulaciones. Los dueños de embarcaciones tienen prohibido transportar pasajeros a Cuba que

les pagan por el pasaje, si el dueño no tiene una licencia específica de la OFAC autorizandolo para ser un proveedor de servicio a Cuba.

■ **VIAJEROS CON TODOS LOS GASTOS PAGOS** – Los viajeros con todos los gastos pagos o completamente patrocinados pueden viajar a Cuba sin contactar a la OFAC si los gastos relacionados con el viaje a Cuba son cubiertos por una persona no sujeta a jurisdicción Estadounidense. Los viajes a Cuba no se consideran con todos los gastos pagos o completamente patrocinados si una persona bajo jurisdicción Estadounidense paga--antes, durante o después del viaje --cualquier gasto relacionado con el viaje, incluyendo viajes a Cuba en un transporte cubano, aunque el pago sea hecho por una persona o una tercera entidad que no está sujeta a la jurisdicción de los EE.UU. Algunos ejemplos de costos comunmente incurridos por viajeros hacia y en Cuba son de comida, hospedaje, transportación, abastecimiento de combustible de embarcaciones o aviones, visas, pagos de entrada o salida, y propinas. Además, los viajes con todos los gastos pagos o completamente patrocinados hacia y desde Cuba no pueden ocurrir en un vuelo directo entre los EEUU y Cuba. Los viajeros cuyos gastos son cubiertos por una persona no sujeta a jurisdicción estadounidense no pueden traer ningún producto de origen cubano, exepcto materiales de información. La importación de regalos recibidos en Cuba por un viajero completamente patrocinado puede ser autorizado por la OFAC, con tal que el regalo sea de un poco valor y no represente un beneficio comercial para Cuba. La aduana estadounidense confiscará los regalos, hasta determinar si es posible la aplicación de una licencia por la OFAC. Antes de que una determinación de licencia pueda ser hecha, todos los datos acerca del recibo del regalo tendrá que ser revisado.

Cualquier persona sujeta a la jurisdicción de los EE.UU. que se determine que ha viajado a Cuba sin una licencia específica o general de la OFAC se considerará que ha estado involucrada en transacciones prohibidas relacionadas con el viaje. Para poder subyugar esta presunción, todo viajero que afirme haber viajado con todos los gastos pagos o haber sido completamente patrocinado o que no ha estado involucrado en transacciones relacionadas con el viaje a Cuba, puede ser obligado por las agencias de constreñimiento a proveer una declaración explicatoria firmada, junto con documentos relevantes que sustenten el caso. Los viajeros completamente patrocinados también tienen prohibido proveer cualquier servicio a Cuba o personas de nacionalidad cubana.

■ **EMERGENCIAS** - En el caso de emergencias que requieran de transacciones financieras como reparación de un barco o tratamiento médico, los viajeros tienen la facultad de contactarse con la OFAC al (202)622-2480, para informarse sobre las autorizaciones necesarias.

■ **DONACIONES HUMANITARIAS** - Existe una administración conjunta entre la OFAC y el Departamento de Comercio de los Estados Unidos (USDOC) sobre la exportación de productos humanitarios a Cuba con el fin de satisfacer necesidades humanas básicas. Si una exportación está autorizada por el USDOC, la OFAC en cambio, autoriza transacciones financieras y otras transacciones relacionadas con esa exportación y vice versa. Conforme al Acto Democrático de Cuba, las donaciones de comida y vitaminas a una persona u organización no gubernamental pueden no ser restringidas. Sin embargo, la exportación de medicinas y suministros médicos debe ser específicamente autorizadas por el USDOC antes de su envío. Los paquetes de regalos pueden ser exportados por individuos u organizaciones no gubernamentales según la "Licencia General de Regalos" del Departamento de Comercio sin aprobación gubernamental por escrito anticipada. El contenido total debe tener un valor menor de US\$200, y sólo puede contener artículos con fines humanitarios para uso personal y no pueden ser para la reventa. Los paquetes de regalos sólo pueden incluir los siguientes artículos: comida, vitaminas, semillas, medicinas, suministros y equipos médicos, suministros y equipos para hospitales, equipos para inválidos, ropa, artículos de higiene personal, medicinas y suministros veterinarios, equipaje y suministros de pesca, equipo para hacer jabón, y ciertos equipos de radio y baterías para el mismo.

Este documento es solamente explicatorio y no tiene fuerza de ley. Los estatutos, las ordenes ejecutivas, y las regulaciones implementarias que estén relacionadas con Cuba contienen las provisiones legalmente obligatorias que regulan las sanciones y este documento no reemplaza o modifica esos estatutos, ordenes ejecutivas, o regulaciones. La Oficina de Control de Bienes Extranjeros del Departamento de la Tesorería de los Estados Unidos también administra programas de sanciones involucrando a Iraq, Libia, Corea del Norte, los Balcanes, la República Federal de Yugoslavia (Serbia y Montenegro), la Unión Nacional para la Independencia Total de Angola (UNITA), el Taliban en Afganistan, Irán, Siria, Sudán, Burma (Myanmar), Sierra Leone, Liberia, Organizaciones de Terroristas Extranjeros, terroristas y narcotraficantes indicados y personas extranjeras señaladas quienes han tomado parte en actividades relacionadas con la proliferación de armas de destrucción masiva. Para información adicional sobre estos programas o sobre el programa de sanciones de Cuba, por favor contactar:

OFFICE OF FOREIGN ASSETS CONTROL
U.S. Department of the Treasury
Washington, D.C. & Miami, Florida
202-622-2520/305-810-5140

<<<http://www.treas.gov/ofac>>>

TRAVEL SERVICE PROVIDERS REPORT
REPORTE DE PROVEEDORES DE SERVICIOS DE VIAJE

Reporting Period: from _____ **to** _____
Período del reporte: de _____ *a* _____

Pursuant to 31 C.F.R. 515.572 the following periodic report is submitted by:
En conformidad con 31 C.F.R. Parte 515.572, el siguiente reporte es presentado por:

(the "Service Provider")
(el "Proveedor de Servicios")

(Provisional Authorization #)
(Número de la Autorización Provisional)

1. The **total number of customers** for whom the Service Provider arranged travel to, from, or within Cuba is: _____
El número total de clientes a quienes el Proveedor de Servicios arregló viajes a, desde, o en Cuba es:

2. The **number of customers** in #1 above whose Cuba-related travel was within each of the following categories:
El número de clientes del #1 cuyos viajes a Cuba fueron bajo las siguientes categorías:
 - a. Under an OFAC General License:
Bajo una Licencia General de OFAC:
 - i. Journalistic activities in Cuba: _____
Actividades periodísticas en Cuba:
 - ii. Official Government travelers and members of intergovernmental organizations: _____
Oficiales del gobierno y miembros de organizaciones intergubernamentales:
 - iii. Persons visiting family members in Cuba: _____
Personas que visitan familiares en Cuba:
 - iv. Amateur or semi-professional athletes in athletic competition in Cuba: _____
Atletas aficionados o semi-profesionales en competencias atléticas en Cuba:
 - v. Professional research and professional meetings in Cuba: _____
Investigación profesional y conferencias profesionales en Cuba:
 - b. Under an OFAC Specific License: _____
Bajo una Licencia Específica de OFAC:
 - c. Cuban citizens and residents of Cuba who visited the United States under a valid visa: _____
Ciudadanos cubanos y residentes de Cuba quienes visitaron los Estados Unidos bajo una visa válida:
 - d. "Fully Hosted" travelers _____

3. The **total net dollar amount** transferred to Cuba or Cuban Nationals in connection with the Service Provider's travel-related business is: \$ _____

La cantidad neta en dólares transferida a Cuba o a individuos de nacionalidad cubana en relación con negocios de viaje de el Proveedor de Servicios es:

4. The purpose(s) for which the **total net dollar amount** in #3 above was transferred to Cuba or Cuban Nationals is (are) as follows:

El propósito por el cual la cantidad total neta en dólares del # 3 fue transferida a Cuba o a individuos de nacionalidad cubana es el siguiente:

a. Legalization of documents: \$ _____
Legalización de documentos:

b. Requests for visas to visit Cuba: \$ _____
Solicitudes de visas para visitar Cuba:

c. Requests for Cuban passports for Cuban Americans: \$ _____
Solicitudes de pasaportes cubanos para Cubano-Americanos:

d. Payment for hotels and meals in Cuba: \$ _____
Pago por hoteles y alimentos en Cuba:

e. Payment for airline tickets: \$ _____
Pago por boletos de avión:

f. Other: (please specify category and dollar amount): \$ _____
Otros: (favor de especificar categoría y cantidad en dólares):

Total for # 4 \$ _____

*Total del # 4 (must equal No.3 above)
(debe igualar al #3 arriba)*

5. Amounts received **from** other service providers:
Cantidades recibidas de otros proveedores de servicios:

Name of Service Provider: _____
Nombre del Proveedor de Servicios:

Dollar amount received from this service provider: \$ _____
Cantidad en dólares recibida de este proveedor:

6. The method of transferring the total net dollar amount in #3 above to Cuba was:
El método de transferencia de la cantidad neta en dólares del #3 a Cuba fue:

a. Transfers to other service providers:

Transferencia a otros proveedores de servicios:

Name of Service Provider: _____

Nombre del Proveedor de Servicios:

Net dollar amount sent to this service provider: \$ _____

Cantidad neta en dólares enviada a este proveedor:

b. Bank Transfers to Cuba or Cuban National:

Transferencias bancarias a Cuba o a individuos de nacionalidad cubana:

Name of bank: _____

Nombre del banco:

Account number: _____

Número de cuenta:

Name of receiving bank: _____

Nombre del Banco recibidor:

Recipient's account name: _____

Nombre de cuenta del destinatario:

Recipient's account number: _____

Número de cuenta del destinatario:

Net dollar amount sent via bank transfer using this bank: \$ _____

Neto en dólares enviado por medio de transferencia bancaria usando este banco:

Total net dollar amount (total of 6a + 6b) sent via all Service Providers
and all bank transfers to Cuba or Cuban Nationals:

\$ _____

*Cantidad neta total de dólares (el total de 6a + 6b) enviada por medio de todos los
Proveedores de Servicios y todas las transferencias bancarias a Cuba o a individuos
de nacionalidad cubana:*

(Must equal #3 above)
(debe igualar al #3 arriba)

Signature of Official Responsible for Licensed Services
Firma del Oficial Responsable por los Servicios de Licencia

Date
Fecha

APPENDIX II. -- CARRIER SERVICE PROVIDERS

A CSP, as described in § 515.572(a)(2) of the Regulations, may operate direct charter flights for authorized passengers between the United States and Cuba. CSPs must also use their best effort to (1) honor reservations of U.S. Government personnel and (2) guarantee cargo/diplomatic pouch space on any flight as requested by the U.S. Government.

A. Passengers Eligible for Direct Flights

A CSP may provide direct-flight services to individuals falling into the categories discussed below. Direct flights are not available to those individuals traveling to Cuba fully hosted.

1. *Individuals traveling from the United States to Cuba:*

- Individuals who are traveling to Cuba to engage in activities in Cuba that qualify under a general license or for which a specific license has been issued by OFAC;
- Cuban citizens returning to Cuba after visiting the United States under a valid visa or visa waiver issued by the State Department;
- Individuals returning to Cuba after traveling in the United States on official government business or under a specific license issued by OFAC; and
- Individuals traveling on diplomatic passports (including accompanying minor children traveling on any passport).

Please note that third-country nationals departing from the United States for Cuba are subject to U.S. jurisdiction at the time of departure and must abide by rules on the carriage of currency to Cuba and other applicable departure requirements.

2. *Individuals traveling from Cuba to the United States:*

- Individuals who are returning to the United States from Cuba after having engaged in activities in Cuba that met the criteria for a general license or for which a specific license was issued;
- Cuban citizens entering the United States under a valid visa or visa waiver issued by the State Department;
- Individuals who are traveling to the United States on official government business or under a specific license issued by OFAC; and
- Individuals traveling on diplomatic passports (including accompanying minor children traveling on any passport).

Please note that eligible travelers may return from Cuba on direct flights without having traveled to Cuba on a direct flight at the outset of their trip. In addition, please note that the general license for family visits covers only visits to close relatives who reside in Cuba, not in the United States. Thus, a

third-country national visiting Cuba would not be eligible to book passage on a direct flight to visit close relatives living in the United States.

B. Procedural Guidelines

Taking Reservations for future flights: A CSP may only accept a reservation once it has received from a TSP the original of a fully completed and executed Operator-Participant Contract. Exception: The CSP may make a reservation without having received the original Operator-Participant Contract if the CSP determines that a photocopy or fax copy of the Operator-Participant Contract shows it has been completed and the CSP is satisfied that the original copy will be received prior to flight departure time. The CSP need not have other records, such as a copy of the Travel Affidavit, specific license, or other proof of authorization, prior to making a reservation, provided the CSP records the identity of the referring TSP and the CSP **has no reason to believe** that the traveler does not qualify under an OFAC general license category or possess an OFAC specific license.

Approved Airports: Direct flights between Cuba and the United States must operate on a non-stop basis between Cuba and one of the following U.S. airports: Miami International Airport (“MIA”), Los Angeles International Airport (“LAX”), or John F. Kennedy International Airport (“JFK”), during normal Customs business hours of 8:00 am and 10:00 pm. If a CSP seeks to depart outside of these hours, then clearance must be received in advance both from the OFAC-Miami Office and from the official with the discretion to provide clearance on behalf of the U.S. Customs Service at the following contact numbers:

Airport	Department	Telephone
MIA:	Service Port Director	(305) 869-2800
JFK:	Area Director	(718) 553-1542
LAX:	Port Director	(310) 215-2618

CSPs must provide OFAC with a copy of their schedule of flights as submitted to the Department of Transportation (the “charter prospectus”) as soon as possible prior to the month of operation using this fax number: (305) 810-5148. A CSP that is not required to file a charter prospectus with the Department of Transportation must notify Customs of an intended departure 24 hours prior to such departure for purposes of outbound inspection via phone and fax:

Airport	Department	Telephone	Fax
MIA:	CET Operations	(305) 869-2720	(305) 869-2738
JFK:	Outbound	(718) 553-1509	(718) 553-0093
LAX:	Outbound	(310) 215-2444	(310) 215-2013

Passenger Information: As set forth in Appendix I, each TSP must, on an ongoing basis, provide details about every authorized traveler to the CSP prior to the CSP accepting a reservation or selling a seat on a CSP flight. The CSP must in turn provide detailed information to OFAC in Washington, DC by electronic mail 48 to 72 hours prior to departure of the flight. The content of this informational report is as follows: 1) All the information provided by the TSP particular to each authorized traveler; 2) U.S. departure and return dates; and 3) the name of the TSP(s) who arranged for the travel. CSPs must file the data by means of a file transfer using a modem and Internet connection. Technical assistance is available by calling OFAC’s Compliance Programs Division at (202) 622-2490.

Check-in and Boarding Operations: A CSP may only provide carriage to Cuba to a ticketed traveler who has been routinely referred by a TSP and where the CSP **has no reason to believe** that the traveler does not qualify under an OFAC general license category or possess an OFAC specific license. Prior to providing transportation services, the CSP must record the identity of the referring TSP.

The CSP may check-in at the airport only those travelers for whom the CSP has a complete and original Operator-Participant Contract. Further, the CSP shall manage its employees and contractors so that check-in and boarding go forward in a manner that is customary and reasonable for such international flights, consistent with applicable Federal, State, or local law or regulations. The CSP shall inform the airline contracted to operate the flight of the special procedures required for charter flights to Cuba.

C. Passenger Forms

Travel to Cuba Declaration/Viajes a Cuba (OMB Form 1505-0118) (the "Form"): The CSP shall have blank Forms available at the gate. If a Customs or other appropriate Federal law enforcement official identifies a traveler and requires that the traveler fill out a Form, the CSP will provide a blank Form and require that the person complete the Form before the person is allowed into the jet way for the outbound aircraft. The CSP must then make available to the U.S. Customs Service inspector at the departure gate the completed Form. The Customs inspector may return the Form to the CSP after reviewing it. When completed Forms are returned, then all of the completed Forms must be forwarded to the OFAC-Miami office no later than the fifth day of the month following the month of travel or as otherwise arranged with the Miami Sanctions Coordinator. Contact the OFAC-Miami Office for blank Forms: (305) 810-5140.

Customs Form 4790: A CSP must have available copies of Customs Form 4790 for use by travelers carrying more than \$10,000 in authorized currency or monetary instruments, consistent with applicable Customs laws and regulations.

D. Department of Commerce Requirements

The aircraft used for flights to Cuba must be licensed for temporary export by the U. S. Commerce Department's Bureau of Export Administration ("BXA"). In accordance with Parts 740.15(a)(1) and 740.15(a)(2)(i) of the Commerce Department's Export Administration Regulations, 15 C.F.R. Parts 730-774, the aircraft may qualify for Commerce License Exception AVS and not require a specific export license. If the aircraft does not qualify under the provisions of AVS, a specific export license must be obtained from the Commerce Department. For more information on the Commerce Department's export control requirements pertaining to Cuba, call BXA at (202) 482-4252.

Additionally, BXA is responsible for licensing exports of goods from the United States to Cuba. While OFAC is responsible for licensing travel-related transactions for sales representatives from companies selling pharmaceutical/medical products and food and agricultural commodities, samples taken to Cuba by the sales representatives still require BXA licensing. Licensed shipments will be permitted to depart the United States for Cuba from an authorized U.S. airport under established U. S. Customs rules. Please direct any questions concerning this matter to BXA at 202-482-4252 and to OFAC at 305-810-5140.

Failure to obtain the appropriate authorization from any federal governing authority for any exportation may result criminal prosecution, civil monetary penalty, or loss of operating authority, pursuant to the Regulations.

Note to Appendix II: The guidelines provided in this Circular do not apply to persons interested in obtaining authorization to operate as a CSP solely for the purpose of air ambulance emergency evacuations or for the purpose of carrying authorized or exempt goods to Cuba. Such persons should submit their applications to OFAC's Washington, D.C. office.

Attachments to Appendix II

- "Travel to Cuba/Viajes a Cuba" Declaration Card (OMB form 1505-0118)
- Suggested Reporting format



TRAVEL TO CUBA



FORM APPROVED
OMB #1505-0118
EXPIRES 11/02

**U.S. DEPARTMENT OF THE TREASURY
OFFICE OF FOREIGN ASSETS CONTROL
DECLARATION**

Each Departing Traveler Must Provide The Following Information And Sign Below:

1. Last (Family) Name:		2. Mother's Maiden Name:	
3. First (Given) Name:		4. Middle Initial (s):	5. Birth Date: (day/mo/yr) / /
6. U.S. Address: (Street Number/Apartment Number/Mailing Address in U.S.)			
6. (a) U.S. Address: (City)		6. (b) U.S. Address: (State / Zip Code)	
7. Number of Family Members Traveling With You:			
8. Airline/Flight No.:			
9. Country of Citizenship:			
10. Country of Permanent Residence:			
11. Passport Number:		11. (a) Country of Issuance:	
12. I, and my minor children (if any), are carrying currency or monetary instruments in the amount of or equivalent to: (U.S. Dollars) \$			
13. The duration of my stay in Cuba will be: (Number of days)			

All Travelers Except Permanent Residents of Cuba Returning Home Must Complete Items the Below:

14. I am traveling: (check one and complete applicable field)

<input type="checkbox"/>	To visit close relatives.
<input type="checkbox"/>	As an official representative of the following government or international organization:
<input type="checkbox"/>	For newsgathering purposes on behalf of:
<input type="checkbox"/>	As a full-time professional researcher on the topic of:
<input type="checkbox"/>	To attend professional meetings or conference on:
<input type="checkbox"/>	To participate in an amateur or semi-professional athletic competition.
<input type="checkbox"/>	Under Foreign Assets Control ("OFAC") License Number:

WARNING: Transactions relating to travel, trade, and financial dealings with Cuba are restricted under the Cuban Assets Control Regulations, 31 C.F.R. Part 515, and the Trading With the Enemy Act, 50 USC App. Section 5(b). Your response to this form is mandatory, pursuant to the Reporting and Procedures Regulations, 31 C.F.R. 501.602, to insure compliance with these provisions. Failure to complete and surrender this form automatically revokes Failure to complete and surrender this form automatically revokes any authorizations for your travel transactions relating to Cuba. 18 USC 1001 provides for up to 5 years imprisonment and a US\$10,000 fine for falsification or misrepresentation of the facts requested on this form. You are reminded that it is illegal to make use of charge cards during your stay in Cuba.

PAPERWORK REDUCTION ACT STATEMENT: The estimated average burden associated with this collection of information is 5 minutes per respondent. Comments concerning the accuracy of this burden estimate, or any other aspect of this collection of information, should be directed to the Office of Information Resources Management, U.S. Department of the Treasury, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220 or to the Office of Management and Budget, Paperwork Reduction Project (1505-0118), Washington, D.C. 20503.

SIGN BELOW: I have read the above statements and made a truthful declaration:

X

SIGNATURE

DATE (DAY/MO/YR)

OFFICIAL USE ONLY

STAMP

INSPECTOR'S NAME:

BADGE NUMBER:



VIAJES A CUBA



FORM APPROVED
OMB #1505-0118
EXPIRES 11/02

DEPARTAMENTO DE LA TESORERIA DE LOS EE.UU.
OFICINA DE CONTROL DE BIENES EXTRANJEROS
DECLARACIÓN

Cada Viajero Debe Proveer La Siguiete Información Y Firmar Abajo:

1. Primer Apellido:	2. Segundo Apellido:	
3. Nombre:	4. Segundo Nombre:	5. Fecha de nacimiento: (día/mes/año) / /
6. Dirección en los EE.UU.: (Número de calle/Número de departamento/Dirección en EE.UU.)		
6. (a) Dirección en los EE.UU.: (Ciudad)		6. (b) Dirección en los EE.UU.: (Estado y Código Postal)
7. Número de Miembros de Su Familia Viajando con Usted:		
8. Aerolínea/No. de Vuelo:		
9. País de Ciudadanía:		
10. País de Residencia Permanente:		
11. Número de Pasaporte	11. (a) País de Emisión:	

12. Yo, y mis hijos menores de edad (si hubiese), estamos cargando dinero o instrumentos monetarios en el monto de o equivalente a: (Dólares EE.UU.) \$

13. La duración de mi estadía en Cuba será: (Número de días)

Todos Viajeros, Excepto Residentes Permanentes de Cuba Regresando a Casa, Tienen Que Contestar las Siguietes Preguntas:

14. Estoy viajando: (marque uno y llene el espacio correspondiente)

<input type="checkbox"/>	Para visitar parientes cercanos.
<input type="checkbox"/>	Como un representante oficial del gobierno u organización internacional siguiente:
<input type="checkbox"/>	Con el proposito de hacer investigación periodística a nombre de:
<input type="checkbox"/>	Como un investigador profesional sobre el tema de:
<input type="checkbox"/>	Para asistir a reuniones o conferencias profesionales sobre:
<input type="checkbox"/>	Para participar en competencia atlética no profesional o semi profesional.
<input type="checkbox"/>	Bajo una licencia de la Oficina de Control de Bienes Extranjeros ("OFAC") Número:

AVISO: Las transacciones relativas a viajes, comercio, y tratos financieros con Cuba estan restringidos bajo las Regulaciones del Control de Activos Cubanos, 31 C.F.R. Parte 515, y el Acto de Comercializar con el Enemigo, 50 USC App. Section 5(b). Su respuesta a este formulario es obligatorio, conforme a las Regulaciones de Reportaje y del Procedimiento, 31 C.F.R. 501.602, para asegurar el cumplimiento a estas provisiones. La falta de completar y entregar este formulario automaticamente revoca cualquier autorización para sus transacciones de viaje relacionadas con Cuba. 18 USC 1001 provee hasta 5 años de prisión y una multa de US\$10,000 por falsificación o falsa representación de los hechos requeridos en este formulario. Usted esta advertido que es ilegal usar sus tarjetas de crédito durante su estadía en Cuba.

DECLARACIÓN DEL ACTO DE REDUCCIÓN DE PAPEL: El tiempo promedio para recolectar esta información es de 5 minutos por aplicante. Los comentarios sobre la precisión de este promedio, o cualquier otro aspecto de esta recolección de información, debe ser dirigida a la Oficina de la Gerencia de Recursos Informaticos, Departamento de la Tesorería, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220 o a la Oficina de Gerencia y Presupuesto, Proyecto de Reducción de Papel (1505-0118), Washington, D.C. 20503.

FIRMA ABAJO: Yo he leído las declaraciones antesmencionadas y he hecho una declaración honesta:

X

FIRMA	FECHA (DIA/MES/AÑO)
SOLO PARA USO OFICIAL	SELLO
NOMBRE DEL INSPECTOR:	
NUMERO DE DIVISA:	

CARRIER SERVICE PROVIDERS REPORT
REPORTE DE PROVEEDORES DE SERVICIOS DE TRANSPORTE

Reporting Period: from _____ **to** _____
Período del reporte: de _____ *a* _____

Pursuant to 31 C.F.R. 515.572 the following periodic report is submitted by:
En conformidad con 31 C.F.R. Parte 515.572, el siguiente reporte es presentado por:

(the "Service Provider")
(el "Proveedor de Servicios")

(Provisional Authorization #)
(Número de la Autorización Provisional)

1. The **total number of customers** which the Service Provider transported to, from, or within Cuba is: _____
El número total de clientes a quienes el Proveedor de Servicios transportó a, desde, o en Cuba es:

2. The **number of customers** in #1 above whose Cuba-related travel was within each of the following categories:
El número de clientes del #1 cuyos viajes a Cuba fueron bajo las siguientes categorías:
 - a. Under an OFAC General License: _____
Bajo una Licencia General de OFAC:
 - i. Journalistic activities in Cuba: _____
Actividades periodísticas en Cuba:
 - ii. Official Government travelers and members of intergovernmental organizations: _____
Oficiales del gobierno y miembros de organizaciones intergubernamentales:
 - iii. Persons visiting family members in Cuba: _____
Personas que visitan familiares en Cuba:
 - iv. Amateur or semi-professional athletes in athletic competition in Cuba: _____
Atletas aficionados o semi-profesionales en competencias atléticas en Cuba:
 - v. Professional research and professional meetings in Cuba: _____
Investigación profesional y conferencias profesionales en Cuba:
 - b. Under an OFAC Specific License: _____
Bajo una Licencia Específica de OFAC:
 - c. Cuban citizens and residents of Cuba who visited the United States under a valid visa: _____
Ciudadanos cubanos y residentes de Cuba quienes visitaron los Estados Unidos bajo una visa válida:

3. The **total net dollar amount** transferred to Cuba or Cuban Nationals in connection with the transportation provided is: \$ _____

La cantidad neta en dólares transferida a Cuba o a individuos de nacionalidad cubana en relación con el transporte proveído es:

4. The purpose(s) for which the total **net dollar amount** in #3 above was transferred to Cuba or Cuban Nationals is (are) as follows:
El propósito por el cual la cantidad neta total en dólares del #3 fue transferida a Cuba o a individuos de nacionalidad cubana es el siguiente:

a. Landing Fees: \$ _____
Cuota de aterrizaje:

b. Other: (please specify category and dollar amount): \$ _____
Otros: (favor de especificar categoría y cantidad en dólares):

c. Total: \$ _____
Total: (must equal #3 above)
(debe igualar al #3 arriba)

5. Amounts received **from** other service providers:
Cantidades recibidas de otros proveedores de servicios:

Name of Service Provider: _____
Nombre del Proveedor de Servicios:

Dollar amount received from this service provider: \$ _____
Cantidad en dólares recibida de este proveedor:

For Airline Tickets: \$ _____
Por boletos de avión:

For Visas, Passports, etc. \$ _____
Por visas, pasaportes, etc.

Other: (please specify category and dollar amount): \$ _____
Otros: (favor de especificar categoría y cantidad en dólares):

6. The method of transferring the total net dollar amount in #3 above to Cuba was:
El método de transferencia de la cantidad neta en dólares del #3 a Cuba fue:

a. Transfers to other service providers:
Transferencia a otros proveedores de servicios:

1. Name of Service Provider: _____
Nombre del Proveedor de Servicios:

Net dollar amount sent to this service provider: \$ _____
Cantidad neta en dólares enviada a este proveedor:

b. Bank Transfers to Cuba or Cuban National:

Transferencias bancarias a Cuba o a individuos de nacionalidad cubana:

Name of bank: _____

Nombre del banco:

Account number: _____

Número de cuenta:

Name of receiving bank: _____

Nombre del Banco recibidor:

Recipient's account name: _____

Nombre de cuenta del destinatario:

Recipient's account number: _____

Número de cuenta del destinatario:

Net dollar amount sent via bank transfer using this bank:

\$ _____

Neto en dólares enviado por medio de transferencia bancaria usando este banco:

Total net dollar amount (total of 6a + 6b) sent via all Service Providers
and all bank transfers to Cuba or Cuban Nationals:

\$ _____

*Cantidad neta total de dólares (el total de 6a + 6b) enviada por medio de todos los
Proveedores de Servicios y todas las transferencias bancarias a Cuba o a individuos
de nacionalidad cubana:*

(Must equal #3 above)
(debe igualar al #3 arriba)

Signature of Official Responsible for Licensed Services

Firma del Oficial Responsable por los Servicios de Licencia

Date

Fecha

APPENDIX III – REMITTANCE FORWARDERS

An RF, as described in § 515.572(a)(3) of the Regulations, may forward authorized remittances to Cuba on behalf of authorized remitters (see discussion of authorized remitters in Part II-C of this Circular). U.S. depository institutions, as defined in § 515.333 of the Regulations, are generally authorized in § 515.572(a)(3) to forward authorized remittances to Cuba through third countries, but may apply for authorization as an RF in order to do so directly. All RFs and U.S. depository institutions are required to use the OFAC Remittance Affidavit to ensure compliance with the Regulations regarding the eligibility of remitters and the limitations on dollar amounts and frequency of transfers.

Attachments to Appendix III

- Remittance Affidavit (TDF 90-22.52)
- Suggested Reporting format



CUBAN REMITTANCE AFFIDAVIT

Form approved
OMB #1505-0167
expires 01/31/02

This affidavit is to be completed by the remitter, pursuant to the Cuban Assets Control Regulations, 31CFR Part 515, under the Trading with the Enemy Act, 50 U.S.C. App. 1-44, and the Cuban Liberty and Democratic Solidarity Act, 22 U.S.C. 6001-6010. It is to be submitted to the remittance service provider and kept on file for five years, subject to audit by the U.S. Department of the Treasury.

Esta declaración jurada tiene que ser llenada por el remitente, en conformidad con el "Control y Regulaciones de Bienes Cubanos," 31 CFR Parte 515, bajo la "Ley Sobre Comercio con el Enemigo," 50 U.S.C. App. 1-44, y bajo la "Ley Relativa a Cuba Sobre la Libertad y la Solidaridad Democrática," 22 U.S.C. 6001-6010. Dicha declaración jurada debe ser presentada a la agencia remitente y mantenerse en los archivos por cinco años y esta sujeta a auditoría por el Departamento del Tesoro de los EE.UU.

I, _____, DECLARE AND STATE THAT
(Print name)
THE FOLLOWING IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE:

YO, _____, DECLARO, Y AFIRMO QUE,
(Su nombre en letra de molde)
A MI CONOCIMIENTO, LO SIGUIENTE ES VERIDICO Y CORRECTO:

EMIGRATION REMITTANCE

1. I understand that I may send two \$500 emigration remittances per payee to enable the payee to emigrate to the United States. Only one of these remittances may be sent before the payee has received a valid visa from the U.S. State Department. I certify that my total emigration remittances to this payee will not be greater than \$1000.

Name of Payee: _____

Payee's Date of Birth: _____

2. I am sending more than \$500, **OR** I have already sent a pre-visa emigration remittance to this payee. I certify that the payee has received an immigration visa from the U.S. State Department as follows:

Number of Payee's Visa: _____

Date of Payee's Visa: _____

PERSONAL REMITTANCE

I understand that I may send up to \$300 per payee's household in a 3-month period provided that no member of that household is a senior-level Cuban government or Communist party official. The total combined amount of Personal and Family Remittances I send may not exceed \$300 per payee's household in a 3-month period. I certify that I am 18 or older, that no member of the payee's household is a senior-level Cuban government or Communist party official, and that this payment will not exceed the combined Personal and Family Remittance limit of \$300 per payee's household in a 3-month period.

FAMILY REMITTANCE

I understand that I may send up to \$300 per payee's household in a 3-month period to any household inhabited by my close relative(s) or those of my spouse for their support. The total combined amount of Personal and Family Remittances I send may not exceed \$300 per payee's household in a 3-month period. I certify that I am 18 or older and that this payment will not exceed the combined Personal and Family Remittance limit of \$300 per payee's household in a 3-month period.

Name of Payee: _____

Payee's Address: _____

REMESA DE EMIGRACION

1. Entiendo que yo puedo enviar dos remesas de emigración de US\$500 por beneficiario para ayudarlo a emigrar a los EE.UU. Solo una de estas remesas puede ser enviada antes de que el beneficiario haya recibido una visa válida del Departamento del Estado de los EE.UU. Yo afirmo que el total de las remesas de emigración a este beneficiario no será mayor de US\$1000.

Nombre del beneficiario: _____

Fecha de Nacimiento del beneficiario: _____

2. Estoy enviando mas de US\$500, **o** ya he enviado una remesa de emigración pre-visa a este beneficiario. Yo afirmo que el beneficiario ha recibido del Departamento del Estado de los Estados Unidos la visa de inmigración siguiente:

Número de Visa del beneficiario: _____

Fecha de Visa del beneficiario: _____

REMESA PERSONAL

Entiendo que puedo enviar hasta US\$300 por hogar de beneficiario en un período de tres meses siempre y cuando ningún miembro del hogar del beneficiario sea oficial mayor del gobierno de Cuba o un oficial mayor del partido comunista. La cantidad total de Remesas Familiar y Personal combinadas que envío no debe exceder los US\$300 por hogar de beneficiario en un período de tres meses. Yo afirmo que soy mayor de 18 años y que ningún miembro del hogar del beneficiario es oficial mayor del gobierno de Cuba o un oficial mayor del partido comunista y que este pago no excederá la cantidad total de Remesas Familiar y Personal combinadas de US\$300 por hogar de beneficiario en un período de tres meses.

REMESA FAMILIAR

Entiendo que yo puedo enviar hasta US\$300 por hogar de beneficiario en un período de tres meses para manutención a cualquier hogar en el cual habiten mis familiares cercanos o los de mi esposo(a). La cantidad total de Remesas Familiar y Personal combinadas que envío no debe exceder los US\$300 por hogar de beneficiario en un período de tres meses. Yo afirmo que soy mayor de 18 años y que este pago no excederá la cantidad total de Remesas Familiar y Personal combinadas de US\$300 por hogar de beneficiario en un período de tres meses.

Nombre del Beneficiario: _____

Dirección del Beneficiario: _____

SIGNATURE OF REMITTER (FIRMA DEL REMITANTE):

Street Address (Dirección):

City, State and Zip Code (Ciudad, Estado, Zona Postal):

Telephone Number (Número de Teléfono):

Mother's Maiden Name (Apellido de soltera de su madre):

Date of birth of remitter (fecha de nacimiento del remitente):

Witnessed by employee of remitting agency (Firma de Testigo del Empleado de la Agencia Remitente):

Signature (Firma)

Name of Remitting Agency (Nombre de la Agencia Remitente)

Date (Fecha)

FORWARDERS OF REMITTANCES REPORT
REPORTE DE PROVEEDORES DE SERVICIOS DE REMESAS

Reporting Period: from _____ **to** _____
Período del reporte: de _____ *a* _____

Pursuant to 31 C.F.R. 515.572 the following periodic report is submitted by:
En conformidad con 31 C.F.R. Parte 515.572, el siguiente reporte es presentado por:

(the "Service Provider")
(el "Proveedor de Servicios")

(Provisional Authorization #)
(Número de la Autorización Provisional)

1. The **total number of customers** who sent remittances to Cuba through the Service Provider is: _____
El número total de clientes quienes enviaron remesas a Cuba por medio de el Proveedor de Servicios es:

2. The **total number of:**
 - a. Households in Cuba that received family or individual-to-household remittances through the Service Provider is: _____
Hogares en Cuba que recibieron remesas familiar o individual por medio de el Proveedor de Servicios es:

 - b. Individuals in Cuba who received emigration-related remittances through the Service Provider is: _____
Individuos en Cuba que recibieron remesas de emigracion por medio de el Proveedor de Servicios es:

 - c. Individuals and organizations in Cuba that received specifically licensed remittances through the Service Provider is: _____
Individuos y organizaciones en Cuba que recibieron remesas bajo Licencia Específica por medio de el Proveedor de Servicios son:

3. The **gross receipts** from the Service Providers customers who sent remittances to Cuba is: \$ _____
El recibo bruto de el Proveedor de Servicios deribado de clientes quienes enviaron remesas a Cuba es:

4. The **gross receipts** received by the Service Provider from other Service Providers to forward to Cuba is: \$ _____
El recibo bruto recibido por el Proveedor de Servicios de otros Proveedores de Servicios para ser enviado a Cuba es:

5. The **total dollar amount** the Service Provider retained as fees for services provided in # 3 and # 4 above: \$ _____
El total neto de la cantidad en dólares que el Proveedor de Servicios retuvo como honorarios por servicios proveídos en el # 3 y # 4 arriba:

6. The **net total dollar amount** the Service Provider transferred to Cuba or a Cuban National is: \$ _____
El total neto de la cantidad en dólares que el Proveedor de Servicios transfirió a Cuba o individuos de nacionalidad cubana es: (should equal(3+4) - 5)
(debe igualar (3 + 4) - 5)

7. Purpose(s) for which the net dollar amount in #6 above was transferred to Cuba or a Cuban National is as follows:

El propósito por el cual la cantidad neta total de dólares en el #8 arriba fue transferida a Cuba es el siguiente:

- a. Emigration-related remittances: _____
Remesas relacionadas con emigración:

- b. Individual-to-household remittances: _____
Remesas personales:

- c. Family remittances: _____
Remesas familiares:

- d. Specifically licensed remittances: _____
Remesas bajo Licencia Específica:

- e. Total Sent: \$ _____
Total enviado: (Must equal #6 above)
(debe igualar al #6 arriba)

8. Amounts received **from** other service providers:
Cantidades recibidas de otros proveedores de servicios:

Name of Service Provider: _____
Nombre del Proveedor de Servicios:

Dollar amount received from this service provider: \$ _____
Cantidad en dólares recibida de este proveedor:

9. The method of transferring the net dollar amount in # 6 above to Cuba was:
El método de transferencia de la cantidad neta en dólares del #6 a Cuba fue:

- a. Transfers to other service providers:
Transferencias a otros proveedores de servicios:

Name of Service Provider: _____
Nombre del Proveedor de Servicios:

Dollar amount sent to this service provider: \$ _____
Cantidad en dólares enviada a este proveedor:

- b. Bank Transfers to Cuba or Cuban Nationals:
Transferencias bancarias a Cuba o a individuos de nacionalidad cubana :

Name of bank: _____
Nombre del banco:

Account number: _____
Número de cuenta:

Name of receiving bank: _____
Nombre del banco recibidor:

Recipient's account name: _____
Nombre de cuenta del destinatario:

Recipient's account number: _____
Número de cuenta del destinatario:

Net dollar amount sent via bank transfer using this bank: \$ _____
Neto en dólares enviado por medio de transferencia bancaria usando este banco:

Total net dollar amount sent via all Service Providers and all bank transfers
to Cuba or Cuban Nationals: \$ _____
*Cantidad neta total de dólares enviada por medio de todos los Proveedores de Servicios
y todas las transferencias bancarias a Cuba o a individuos de nacionalidad cubana:* (should equal 9a + 9b; also
must equal the amount in #6)
*(debe igualar #9a + 9b; además
igualar la cantidad del #6)*

Signature of Official Responsible for Licensed Services
Firma del Oficial Responsable por los Servicios de Licencia

Date
Fecha