



CIRCULAR 2012

**TRAVEL, CARRIER and REMITTANCE FORWARDING
SERVICE PROVIDER PROGRAM**

OFFICE OF FOREIGN ASSETS CONTROL

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CIRCULAR 2012

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Circular 2012

I. Overview

This Circular describes the licensing and oversight program administered by the United States Department of the Treasury's Office of Foreign Assets Control ("OFAC") that permits certain otherwise prohibited transactions involving the provision of travel services, carrier services, and the forwarding of remittances in which Cuba has an interest. This program is administered pursuant to section 515.572 of the Cuban Assets Control Regulations, 31 CFR Part 515 (the "Regulations"). The licensing and oversight program described in this Circular includes the four appendices and any addendum issued pursuant to this Circular, along with the Regulations and the terms and conditions of each specific authorization issued by OFAC. Each Travel Service Provider ("TSP"), Carrier Service Provider ("CSP"), and Remittance Forwarder ("RF") (collectively "Service Provider(s)," "SP(s)," or "you") is responsible for satisfying the requirements set out in this program, the "Service Provider Program," or "SP Program," which are incorporated as a part of each SP authorization. Particular requirements of the program are referred to as "SP Program requirements."

The Regulations prohibit all unlicensed transactions by persons subject to the jurisdiction of the United States¹ involving property in which Cuba or a Cuban national has any interest whatsoever, direct or indirect, unless exempt or otherwise authorized by OFAC. Such prohibited transactions include, but are not limited to, the provision of services related to Cuban passports; Cuban visas; travel in Cuba, such as arranging or paying for food, lodging, airline tickets to Cuba (direct or indirect) and ground transportation; and the transfer of funds to Cuba or a Cuban national.²

The Application Guidelines to be used by persons interested in receiving SP authorization are contained in Appendix I of this Circular. Three other appendices provide specialized information in the following areas for authorized SPs: the SP Operational Guidelines (Appendix II); the SP Screening Guidelines (Appendix III); and the SP Recordkeeping and Reporting Guidelines (Appendix IV).

Procedural and policy changes may be issued as amendments to the Circular or as special notices from OFAC. Authorized SPs will be directly notified of any such changes, and, unless otherwise noted, such changes will have immediate effect. OFAC maintains an up-to-date list of authorized SPs, which is available on the OFAC website at

¹The term "person subject to the jurisdiction of the United States" as defined in section 515.529 of the Regulations, means (a) any individual, wherever located, who is a citizen or legal resident of the United States; (b) any person within the United States as defined in section 515.330; (c) any corporation organized under the laws of the United States or of any State, territory possession, or district of the United States; and (d) any corporation, partnership, or association, wherever organized or doing business, that is owned or controlled by persons specified in paragraph (a) or (c) of section 515.529.

² A person solely carrying U.S.-origin cargo by air to Cuba, consistent with the appropriate authorization(s) from the U.S. Department of Commerce, need not be an SP.

www.treasury.gov/resource-center/sanctions/Programs/Pages/cuba.aspx. Any changes to this list will be published on OFAC's website. SPs are required to remain up-to-date with the SP list, as failure to do so may cause them to violate the SP Program by conducting transactions with an unauthorized company or person. See the SP Screening Guidelines (Appendix III) for further details. OFAC's website has a subscription service that allows a subscriber to receive automated notices from OFAC of changes under any OFAC program, including notification of a published update to the SP list.

II. Service Provider Program

All persons subject to the jurisdiction of the United States who wish to provide Cuba-related travel services, carrier services, or remittance forwarding services must be authorized by OFAC pursuant to section 515.572 of the Regulations. In becoming an SP, you undertake to offer to the public certain services using the forms and procedures that are consistent with the requirements of the SP Program as detailed in this Circular.

A. Application Process

A person subject to the jurisdiction of the United States may apply to OFAC to become an SP by satisfying the criteria laid out in the SP Application Guidelines (Appendix I). OFAC considers such applications on a case-by-case basis.

Your letter to OFAC serves as your application. There is no form to complete. Provide answers to the questions and concerns raised in the SP Application Guidelines (Appendix I). Mail your completed, signed application and any other written communication to the attention of the SP Program at the following address:

Office of Foreign Assets Control
U.S. Department of the Treasury
1500 Pennsylvania Ave, NW
Washington DC 20220

Please direct questions concerning the SP Program application process to the OFAC-Miami office at (786) 845-2828.

B. General Obligations of Service Providers

1. No Discriminatory Practices

All SPs are prohibited from participating or engaging in any discriminatory practices in general, including those engaged in by the Cuban Government against certain residents and citizens of the United States.

2. OFAC Notice/Approval of Change in Information or Operations

You must immediately report any change in the information initially submitted to OFAC as part of your SP application in response to the questions in the SP Application Guidelines (Appendix I), Part II (“Your Information”) at the time of the change. Please note that as a part of your annual reporting requirement, you must certify each year that Your Information is current, accurate, and complete. You may operate from the address you identify as the principal place of trade (your main office) and then from other office locations within the United States and its territories, without written approval from OFAC to use those other office locations unless OFAC explicitly provides to the contrary.

Changes in the following three operational areas require *advance, written* notice to, and authorization by, OFAC:

- The ownership or management of the SP;
- The principal place of trade; or
- The name or “doing business as” (“d/b/a”) by which you offer services to the public.

If you seek to make a change to Your Information in any of these three operational areas, please (1) write to OFAC identifying and explaining any requested changes; (2) receive a written response from OFAC amending your authorization; and (3) act to put into effect this change. Similarly, if you voluntarily relinquish your authorization, you must inform OFAC in writing within five business days of ceasing to engage in regulated transactions. Further requirements in connection with the termination of an SP business are discussed in the SP Recordkeeping and Reporting Guidelines (Appendix IV).

You also must ensure that OFAC has your current telephone and fax numbers and an official email address for the SP. It is essential that OFAC be able to contact you by phone, fax, or email during normal business hours.

OFAC requires that the SP owner be involved in the management of each location. For each location, the SP owner must:

- Know its full address, as well as telephone numbers, fax numbers, and email addresses used for your transactions there;
- Know if the space is used for any purpose other than the conduct of the SP’s transactions; and
- Know all employees or agents operating from that location who approve or direct the SP’s transactions, and those who open and close the office. OFAC may inquire about the manner in which you ensure compliance with the Circular, including whether you regularly conduct training on its contents.

With regard to the SP’s transactions in each location, you must ensure that all banking for the SP’s transactions is handled through a bank account with which you are acquainted. For any SP’s transactions conducted in cash, you must establish a system of receipts and ensure that the system of receipts relates to your recordkeeping. *See* the SP Recordkeeping and Reporting Guidelines (Appendix IV).

3. Utilizing Your Authorization

SPs are required to utilize their authorization(s) by engaging in at least one transaction covered by the Circular annually. Failure to meet this annual utilization requirement may result in the suspension or revocation of your authorization.

4. Clear Identification of Your Business Identity

You must have a sign readily visible at each authorized office that identifies you by the name under which you were given SP authorization, and you must post a copy of your most recent and current OFAC SP authorization in a readily visible place in such offices. Similarly, for all SP-related business, you must use the business name under which you received SP authorization. Holding yourself out as currently being authorized, such as by displaying an OFAC authorization, when the authorization has been suspended or revoked is prohibited.

5. Background Investigations

OFAC may deem it appropriate to conduct background investigations of each owner, significant shareholder, director, manager, and other key employees directly involved in the SP's Cuba-related business. Any derogatory information developed during this process may result in the suspension or revocation of your authorization, or the denial of any pending request for authorization.

6. Mandatory Change of Practices

OFAC may make changes to your authorization by requiring new procedures or prohibiting certain transactions that were previously authorized. Upon notification of such changes, whether through publication of a new rule in the *Federal Register*, changes in the circular, or through direct correspondence with you, you must comply immediately.

7. Conflicts of Interest

You are responsible for objectively evaluating the eligibility of a client to obtain the services that you are licensed to provide. This responsibility may be difficult to discharge if you have another interest in the proposed travel activities. For this reason, OFAC will not issue you authorization both as (i) a Service Provider related to travel or transportation (TSP and/or CSP) and (ii) a licensee to organize group travel, such as to conduct people-to-people educational exchanges pursuant to section 515.565(b)(2) of the Regulations.

As a TSP or CSP, you may not sponsor or promote the travel-related transactions of a group that is traveling to Cuba to engage in activities that qualify under a general license or for which a specific license has been issued to that group by OFAC.

You also may not intermingle your operations with those of a group travel licensee by providing services that ought to be those of the group travel licensee. For example, an SP may not provide regulated services for a group travel licensee's trip to Cuba if the SP has

had any role in assisting the licensee to recruit travelers for participation in the group travel licensee's trip.

C. Limitations on Services Provided to Clients

1. Providing Only Specifically Authorized Services

You may only provide those services for which you are authorized, as described in the SP Operational Guidelines (Appendix II). For example, if you are authorized only as a TSP, you may engage only in TSP-related transactions, and you may not provide any services requiring an RF or CSP authorization.

2. Client Notice

OFAC relies on SPs to provide clients with notice of the relevant restrictions on engaging in certain Cuba-related transactions. For example, if you are authorized as a TSP, you must provide all travelers with a copy of "*Cuba: What You Need to Know About the U.S. Embargo*," which is available on the OFAC website at www.treasury.gov/resource-center/sanctions/Programs/Pages/cuba.aspx.

3. Ensuring That Each Client Qualifies as Licensed

Before providing regulated services to a person, you must determine that the potential client either (1) qualifies under the terms of one of the OFAC general license categories or (2) has a specific license. If the person does not so qualify, you may not provide any Cuba travel-related, transportation-related, or remittance forwarding services to that person. The SP Screening Guidelines (Appendix III) discuss in greater detail your responsibility to screen each client.

4. SPs May Not Issue Cuban Visas

No SP, acting on behalf of or at the direction of the Government of Cuba ("GoC"), may issue a GoC visa to any person. This prohibition extends to SPs purchasing blank GoC visa forms and/or completing blank GoC visa forms with the names of persons so as to convey to those persons privileges from the GoC. Nothing in this prohibition restricts a TSP from assisting an authorized person in (1) engaging in the necessary transactions to make application to the GoC on behalf of a client or (2) receiving from the GoC an executed GoC visa and forwarding it to the SP's client.

D. Limitations on Conducting Business with Other Persons/Companies

1. Required Use of Authorized Service Providers

If you wish to use other individuals or entities subject to U.S. jurisdiction (for example, a travel agency) to assist in the licensed service you provide (for example, booking seats or issuing charter flight vouchers for your clients), you must ensure that those individuals or

entities are OFAC-authorized SPs. If you work with an unauthorized individual or entity, you may be in violation of the Regulations if the unauthorized individual or entity provides services that require OFAC authorization.

An individual or entity not authorized by OFAC as an SP may refer a client to you in order for you to provide services to that client pursuant to the SP Program. You may pay a *de minimis* referral fee to the referring party. See the SP Screening Guidelines (Appendix III) for further details.

2. Transferring Funds in Which Cuba Has an Interest

Cuba has an interest in all funds that you receive from a client engaging in a Cuba-related transaction. Some examples of such transactions include, but are not limited to:

- Funds you receive in connection with a reservation for a seat on a flight to/from/within Cuba, including any funds you receive from, or forward to, another SP in connection with such a transaction;
- Funds that you send to the Cuban Interests Section or to the Government of Cuba through a third-country financial institution to pay for visas, passport validations, or passport renewals; or
- Any remittance that you will forward to Cuba.

If you elect to establish an account with a financial institution outside the United States for use in processing funds in which Cuba has an interest, you must identify that bank account as part of the application process. Nothing in your SP authorization allows you to carry funds in which Cuba has an interest on your person to Cuba or a third-country for purposes of conducting regulated transactions.

You may forward funds in which Cuba has an interest by transferring those funds to another SP (TSP to TSP, TSP to CSP, CSP to TSP, CSP to CSP, or RF to RF only) for further transfer to Cuba or via an authorized bank account in a third country as described above. The record-keeping and reporting requirements apply fully to your participation in any such transaction.

You are responsible for ensuring that the conduct of individuals and entities with whom you deal in Cuba is consistent with the requirements of the SP program regarding the payment of funds to the intended Cuban recipients. If you choose to contract with third-country persons who will carry out your customers' transactions, you have a duty to know the process used by the Cuban funds distributor to account for the funds and their timely dispersal. You must cease using any Cuban or third-country individual or entity if you have reason to believe it is acting in a manner inconsistent with the SP Program. See the SP Operational Guidelines (Appendix II).

E. Transactions in Cuba by Service Provider Employees

Nothing in the SP authorization allows any individual to engage in travel-related transactions to, from, or within Cuba for the benefit of an SP without a separate OFAC specific license.

OFAC may issue a specific license to allow your employees or representatives to engage in travel-related and other transactions in Cuba under the following two licensing areas:

1. Employee Travel License

OFAC may issue a specific license authorizing your named employees to engage in travel-related and other transactions in Cuba to conduct necessary SP business (*e.g.*, arranging for airline tickets, hotel accommodations, and ground transportation). Such licenses generally contain a frequency limitation and allow only one authorized traveler at a time. No individual may engage in Cuba travel-related transactions pursuant to such a license unless his or her name is listed on the license. Attendance at meetings with government officials other than those responsible for the conduct of necessary SP business or unlicensed personal transactions in Cuba are not authorized by any such license.

2. Safety and Security Travel License

OFAC may issue a specific license authorizing your named employees, officials, consultants, or agents to engage in travel-related and other transactions related to the safety and security of CSP-operated charter flights to and from Cuba. Only persons listed on the safety and security license may engage in such Cuba travel-related transactions. Safety and security transactions are limited to those strictly necessary under requirements of U.S. Government regulatory authorities such as the Federal Aviation Administration and include, but are not limited to: coordination of aircraft safety; enabling operational security; coordination of accident handling; emergency response activities; and training related to these four areas.

For both the employee travel authorization and the safety and security travel license, no authorized traveler may engage in unlicensed personal transactions when engaging in travel-related transactions under this license. Travel-related transactions in connection with activity unrelated to the essential business of the license must be generally or specifically licensed.

III. Failure to Comply with the Requirements of the Circular

OFAC may seek information regarding the SP, its regulated transactions, and its Cuba-related business conduct, by a variety of means, including, but not limited to:

- Fax or email correspondence to solicit or record information;
- Telephone discussions (OFAC's notes of such discussions will generally be added to an SP's file);
- Administrative subpoenas issued pursuant to 31 C.F.R. 501.602;
- On-site visits to SP offices; and
- SP audits (either performance or financial audit).

OFAC's administrative response to any apparent failure to comply with the SP program will primarily focus on the following factors:

- The conduct giving rise to the apparent failure to comply;
- The extent to which the SP regularly conducts employee training;

- Whether all persons exercising operational authority for Cuba-related business have been properly identified to OFAC;
- Whether the SP makes proper use of forms and procedures with regard to its Cuba-related business;
- The SP's record of compliance with OFAC regulations;
- The completeness and accuracy of reports previously submitted to OFAC; and
- Prior OFAC findings related to the SP, including whether the SP has been the subject of an OFAC enforcement action.

OFAC may direct an SP to undertake any of the following actions in any circumstance in which OFAC has reason to believe that the SP Program requirements have not been, or are not being, satisfied:

- Require the SP to revise the forms and procedures for its Cuba-related business;
- Require that any person involved in the SP's Cuba-related business undertake a background investigation; and/or
- Require that any person involved in an SP's Cuba-related business receive training concerning the requirements of the SP Program.

Attachments

- Appendix I SP Application Guidelines
- Appendix II SP Operational Guidelines
- Appendix III SP Screening Guidelines
- Appendix IV SP Recordkeeping and Reporting Guidelines
- Section 515.572(e)(2) and (3) of the Regulations

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CIRCULAR 2012 -- APPENDIX I

SERVICE PROVIDER APPLICATION GUIDELINES

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Service Provider Application Guidelines

I. General Requirements

These SP Application Guidelines form part of *Circular 2012* administered by the United States Department of the Treasury's Office of Foreign Assets Control ("OFAC"). *Circular 2012* describes the "SP Program" which permits certain otherwise prohibited transactions by Travel Service Providers ("TSPs"), Carrier Service Providers ("CSPs"), and Remittance Forwarders ("RFs") (collectively "Service Provider(s)," "SP(s)," or "you"), pursuant to the Cuban Assets Control Regulations, 31 CFR Part 515 (the "Regulations").

A. Complete and Accurate Data

You must file a complete application as described in these SP Application Guidelines for OFAC to consider your application to be a TSP, CSP, and/or RF. This Appendix details the application requirements for initial authorization or for renewal.

OFAC bases its licensing determination on the information and representations provided in your application, as well as other relevant information. The provision of false or misleading information, or the omission of material information, may result in the denial of your application or the revocation of any previously issued authorization. Additionally, providing false or misleading information may also result in criminal or civil penalties.

B. Background Investigations

Prior to granting authorization, OFAC may conduct a background investigation of each owner, significant shareholder, director, manager, and other key employee that will be directly involved in the applicant's Cuba-related business. In the initial application process, OFAC will review whether you have identified the appropriate person(s) for background investigations. Information developed during any background investigations may form the basis to deny an application.

If an owner, significant shareholder, director, or manager fails a background investigation, OFAC will inform you. You may elect to remove that person from his or her position of authority. OFAC will then consider the application based on the remaining person(s) identified. The details of any background investigations are generally not available for review.

C. Record of Your OFAC-Related Conduct

OFAC may consider your OFAC-related conduct, including, for example, past compliance with OFAC rules and regulations, as the basis to suspend or revoke an authorization for cause, deny a request for renewal, or take other appropriate administrative action. See Section III of *Circular 2012*.

D. Control and Responsibility

In applying to OFAC to become an SP, you agree to be responsible for any Cuba-related action or transaction undertaken on your behalf or for your benefit by your employees and/or agents. OFAC presumes that any Cuba-related action taken by your agent or employee constitutes an action for which you are responsible.

II. Requirements for Service Provider Initial Applications

To prepare a complete application, you must provide the following, answering each question completely:

If you seek to apply as a	Complete only sections
Travel Service Provider	A, B, C, and D
Carrier Service Provider	A, B, C, D, and E
Remittance Forwarder	A, B, C, D, and F

A. Corporate or Business Information (Nos. 1-8)

1. Identify the applicant by its legal name. Indicate whether the applicant is an incorporated entity.
2. Identify the applicant's principal place of business, telephone number, fax number at that location, email address for the applicant, taxpayer identification number, name of the official responsible for the applicant's services, and any branch office location.
3. Provide copies of the applicant's bylaws/articles of incorporation, partnership agreements, management agreements, or other documents pertaining to the organization, ownership, control, or management.
4. Provide copies of financial statements and/or annual reports, if any, which have been prepared in the last two years for the applicant's business.
5. List all bank accounts (including account name, number, and bank's address) maintained for use by the business entities covered by your license application.
6. State whether in the last five years you have been involved in the sale of travel, the operation of flights, or the transfer of funds to, from, or within any country other than the United States; describe that business ("Your Past International Business"); identify that business by name (including trade names); provide addresses (including branch offices); and provide copies of foreign contracts, agreements, licenses, or authorizations relating to Your Past International Business.
 - If you have no information responsive to this question, please state: "I have not been involved in the sale of travel, the operation of flights, or the transfer of funds to, from, or within any country other than the United States in the past five years."

7. Provide information concerning foreign contracts, agreements, licenses, and authorizations related to the provision of services covered by your license application. Identify your point of contact within the Cuban Government (your “Cuban Counterpart”).
 - If you have no information responsive to this question, please state: “I have no information concerning foreign contracts, agreements, licenses, and authorizations related to the provision of services covered by your license application.”
8. Provide complete information concerning state or federal licenses and/or registrations held in the last five years relevant to Your Past International Business and/or the provision of services covered by the license application, including information on denial, suspension, or cancellation of any such license or registration. Provide copies of each.

B. Personal Information (Nos. 9-17)

The following information must be provided for each owner, employee, and manager who is directly involved in decisions related to Cuba transactions (“Nominee”):

9. Complete name, including, if any, middle name and patronymic and matronymic name.
10. Place and date of birth.
11. Social Security Number.
12. Complete home address and telephone number.
13. Citizenship and, if not a U.S. citizen, type of resident status in the United States, if any, including the date on which resident status was granted and any identifying number issued by the U.S. Government.
14. If the Nominee has ever been convicted of a violation of federal, state, or local law, other than minor motor vehicle violations, describe all details and circumstances concerning the conviction.
 - If you have no information responsive to this question, please state: “I have never been convicted of a violation of federal, state, or local law, other than minor motor vehicle violations.”
15. Identify the percentage share of ownership interest in the SP, if any, held by the Nominee.
16. Explain the intended responsibility that Nominee will undertake and, where appropriate, identify the office where the Nominee will act as manager. (Example: “office manager at the Hialeah branch office location.”)
17. If the Nominee engaged in travel-related transactions involving Cuba in the past five years, provide the dates of travel, the category of travel, and give either the general license provision by which the travel was authorized or the specific license number that authorized the travel-related transactions.
 - If you have no information responsive to this question, please state: “I have not engaged in travel-related transactions involving Cuba in the past five years.”

C. Written Affirmation of Non-Discrimination

A statement of non-discrimination is required using this language:

I, [the applicant], hereby affirm and demonstrate through my actions that I do not participate in any discriminatory practices in general, including those 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 not desired, planned to be utilized, or actually utilized, such as hotel accommodations and meals, based on such characteristics as race, color, religion, sex, citizenship, place of birth, or national origin.

D. Certification

The following statement is required using this language:

I, [the applicant], in making application to receive authorization as a Service Provider, hereby affirm that I have read and understood and will comply with and implement the procedural and substantive rules described in the Circular, including the Appendices and any addendum.

E. CSP-Related Matters

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 the United States Departments of Transportation and Homeland Security 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).

Certify that you have sufficient data processing capacity to satisfy those needs inherent in the operation and oversight of the flights.

F. RF-Related Matters

State whether you seek to conduct RF-related transactions from your offices or through (an) agent(s) in the United States.

If you seek to work through (an) agent(s) in the United States, describe how the transactions conducted by your agent(s) are: (i) clearly identified for the client as your own and not the agent’s; and (ii) subject to your review, cancellation, and control for the purposes of the SP Program. You are responsible for the transactions conducted through your agent(s).

The RF applicant must identify its counterpart in Cuba (the “Cuban Counterpart”), as required in question 7 of the SP Application Guidelines. The RF must ensure that the value of the authorized remittances that the RF intends to transfer to Cuba be conveyed to the Cuban Counterpart for the ultimate benefit of the intended payee in Cuba. No portion of the value of authorized remittances may be transferred to any other party in Cuba, absent specific OFAC authorization allowing such transfers. The Cuban Counterpart may be paid a reasonable and customary service fee for delivery of the remittances to the recipient.

Document your working knowledge of the Treasury Department’s Financial Crimes Enforcement Network requirements for Money Service Businesses, and state requirements in each state in which the SP seeks to do business that relate to the licensure of international transfers of funds and OFAC rules related to the preparation of necessary reports and the handling of authorized remitters. Include evidence of training, classroom work, or work experience (with dates and references) in directly related areas.

Document that you have sufficient data processing capacity to satisfy those needs inherent in the operation and oversight of the provision of RF services.

III. Requirements for Service Provider License Renewal Applications

Should you desire to renew your specific license(s) as a Service Provider, you may request renewal in a timely fashion **NO SOONER THAN 90 days** prior to the expiration date of your license(s). Requests sent too far in advance may be returned to the sender.

To be complete, your renewal request must be in the form of a letter and include the following:

- Identify yourself and the type(s) of SP license(s) you hold (i.e., CSP, TSP, RF).
- Request renewal.
- Certify as appropriate that the information OFAC has on file for you in satisfaction of the SP Application Guidelines (Appendix I) is complete, accurate, and up-to-date.

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CIRCULAR 2012 – APPENDIX II
SERVICE PROVIDER
OPERATIONAL GUIDELINES

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Service Provider Operational Guidelines

I. Introduction

These SP Operational Guidelines form part of *Circular 2012* administered by the United States Department of the Treasury's Office of Foreign Assets Control ("OFAC"). *Circular 2012* describes the "SP Program" which permits certain otherwise prohibited transactions by Travel Service Providers ("TSPs"), Carrier Service Providers ("CSPs"), and Remittance Forwarders ("RFs") (collectively "Service Providers," "SP(s)," or "you"), pursuant to the Cuban Assets Control Regulations, 31 CFR Part 515 (the "Regulations").

II. Travel Service Provider Operations

A. Reservations on Direct Charter Flights

A TSP may, at the request of an authorized traveler, make a reservation for and issue a voucher on a direct CSP-operated charter flight between the United States and Cuba. In such a case, you must provide the following information about each traveler on an ongoing basis to the CSP prior to the CSP accepting the 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 the appropriate travel authorization (identify the applicable general or specific license, and, if specific license, you must provide the license number).

B. Flights Through Third Countries

A TSP is authorized to assist a licensed traveler with purchasing a ticket for a flight between a third country and Cuba operated by Cuban or a third-country carrier, including accepting payment for, and issuing, such a ticket.

C. Required Documentation

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

D. Legalization of Documents

You may assist a client and make any necessary payment to Cuba in connection with the legalization of any of the following types of Cuban documents: Passport issuance or renewal; Birth Certificates; Marriage Certificates; Wills; Powers of Attorney; Adoption-related documents; and any documents related to the custody or guardianship of minor children.

You may assist a client and make any necessary payment to Cuba for the extension of a Cuban visitor's Cuban visa in order for that person to remain in the United States.

III. Carrier Service Provider Operations

A. Arranging Flights

A CSP may only accept a reservation or sell a seat once the CSP has received from a TSP the original of a fully completed and executed Operator-Participant Contract (or a photocopy or fax copy of the Operator-Participant Contract if the CSP is satisfied that the original will be received prior to flight departure time). The CSP does not need to keep any other record prior to making a reservation, provided that 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.

The CSP must provide detailed information to OFAC by electronic mail no later than 72 hours after the departure of each flight. This report must contain (1) all the information provided by the TSP specific to each authorized traveler (including 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 whether general or specific license was applicable, and if specific license, give license number)); (2) U.S. departure and return dates for the aircraft; and (3) the name of the TSP(s) who arranged for the travel. CSPs must timely file the data electronically. For further details and procedures, contact the OFAC-Miami office at (786) 845-2828.

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 must manage your 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 must inform the airline contracted to operate the flight of the special procedures required for charter flights to Cuba.

1. DHS-Approved Airports

The United States Department of Homeland Security ("DHS") has approved airports in the United States for direct charter flights involving Cuba. These airports are listed on the CBP Web site www.cbp.gov and in a new paragraph found at 19 C.F.R. section 122.153 (c). A direct flight between Cuba and the United States must operate on a non-stop basis between Cuba and an airport on this list. Flight times can be arranged as resources permit by contacting the relevant port during United States Customs and Border Protection ("CBP") normal business hours as shown at the port website www.cbp.gov/xp/cgov/toolbox/contacts/ports/.

2. Notice of Flight Operations

When arranging a departure or return, whether during operating hours or outside of the CBP port of entry's normal business hours, the CSP must receive clearance in advance both from the

OFAC-Miami Office and the affected port of entry. If the CSP is contacting CBP outside of the normal service port's hours of operation to arrange for an emergency or unscheduled flight, please contact the designated CBP point of contact for the relevant port as provided by the CBP Port Website.

The CSP must provide OFAC with a copy of the CSP's schedule of flights as submitted to DOT (the "charter prospectus"). CSPs are reminded that CBP requires Advance Passenger Information System (APIS) manifest submissions for all commercial and private aircraft arriving in and departing from the United States. For more information about APIS and other CBP requirements, please visit CBP's website at www.cbp.gov.

B. Department of Commerce Requirements

The United States Department of Commerce Bureau of Industry and Security ("BIS") is responsible for regulating exports and reexports to Cuba of items subject to the Export Administration Regulations (15 CFR 730, *et seq.*) (the "EAR"), including aircraft on temporary sojourn. The Regulations authorize by general license all transactions ordinarily incident to exportations to Cuba that have been licensed or otherwise authorized by BIS. For more information about the export or reexport of items to Cuba, contact BIS at (202) 482-4252. CSPs must be aware, in particular, of the following BIS authorizations that typically apply to charter flight operations.

1. Exportation of Aircraft

BIS authorization is required for all civilian aircraft departing the United States for Cuba. Authorization comes in the form of an individual validated license or, if eligible, License Exception Aircraft and Vessels (AVS) (15 CFR § 740.15(a)). CSPs must review License Exception AVS to determine eligibility. In addition, an aircraft may travel from the United States to Cuba only if it departs from an airport authorized by CBP.

2. Exportation of Accompanied Baggage

License Exception Baggage (BAG) (15 CFR § 740.14) authorizes individuals leaving the United States temporarily (i.e., traveling) to take, as personal baggage, certain classes of personally-owned commodities for personal use of the individuals leaving the United States or members of their immediate families traveling with them. Travelers must bring back items exported under the exception unless they consume the items or are otherwise authorized to dispose of them under another provision of the EAR. CSPs must familiarize themselves with BIS's rules and not carry prohibited items as baggage.

3. Exportation of Gift Parcels

License Exception Gift Parcels and Humanitarian Donations (GFT) (15 CFR § 740.12(a)) authorizes exports and reexports of certain donated items in gift parcels to eligible recipients in Cuba. However, a party exporting multiple gift parcels in a single shipment to Cuba (i.e., gift parcel consolidator) must obtain an individual validated license from BIS, even if all the

individual items in the consolidated gift parcel would be eligible for the license exception. CSPs operating aircraft on temporary sojourn to Cuba pursuant to License Exception AVS or an individual validated license from BIS may carry gift parcels aboard charter flights after verifying that the exporter has obtained proper authorization from BIS. They may also transport gift parcels via separate cargo flights to Cuba.

C. Importation of Cuban Merchandise

CSPs must be aware that U.S. citizens and permanent resident aliens returning to the United States may not import Cuban-origin goods, with the exception of informational materials as defined in the Regulations, or goods imported pursuant to an OFAC specific license. Other individuals (foreign persons) entering the United States may import as accompanied baggage Cuban-origin goods other than alcohol or tobacco provided that the goods are not in commercial quantities or intended for resale.

D. Air Ambulance Service

This Circular does not apply to a person seeking to operate as a CSP solely for the purpose of air ambulance emergency evacuations. Such persons should contact the OFAC-Miami office at (786) 845-2828 for further information.

IV. Remittance Forwarder Operations

A. Authorized Transfers of Funds

The Regulations prohibit the unauthorized transfer of funds to Cuba or to a blocked national of Cuba. An RF may transfer funds to Cuba or to a national of Cuba under OFAC authorization consistent with the authorization of any general license in the Regulations or specific license issued by OFAC.

B. Remittance Forwarder Authorized Services

1. Forwarding Remittances

An RF may receive monies in which Cuba has an interest in the United States from the RF's own retail operations. The RF may engage in such transactions directly only with a client who is authorized by general license or possesses a specific license to remit funds to Cuba or a blocked Cuban national. Prior to receiving such a remittance, the RF must ensure that the client is authorized to remit funds and the proposed remittance satisfies any applicable dollar value and frequency limitations in the Regulations or the remitter's specific license. *See* the SP Screening Guidelines (Appendix III).

2. Transferring Authorized Funds between RFs

In addition to receiving remittances from the RF's own clients, the RF may receive or transfer monies in the United States in which Cuba has an interest from or to another RF. In engaging in

such transactions, the RF must ensure that all persons in the United States involved in the transfer of the remittance are authorized RFs and maintain records identifying the transferring and receiving RF and the amounts transferred.

3. International Transfer of Funds

An RF may conduct international transfers of authorized funds in which Cuba or a Cuban national has an interest provided the following terms and conditions are satisfied:

- You must transfer those funds to an identified account in a third-country bank;
- You must ensure that any remittance is delivered to the intended recipient in Cuba in a timely fashion;
- You must ensure that any remittance is delivered to the intended recipient in Cuba with no fee charged to the Cuban recipient; and
- You must ensure that the transfer is done consistent with the method of transfer described to OFAC in your RF application.

C. Types of Remittance Forwarders

1. Remittance Forwarders

An RF, as described in section 515.572(a)(3) of the Regulations, may forward authorized remittances to Cuba or a Cuban national on behalf of authorized remitters. An RF may choose further to request authorization to operate as a National Remittance Forwarder, as described below.

Depository Institutions, as defined by 31 C.F.R. § 515.533, are generally licensed to act as RFs and are not subject to this Circular.

2. National Remittance Forwarders

An RF that has the resources and interest in providing services from multiple agents in multiple locations may qualify as a “National Remittance Forwarder” (“NRF”). An entity qualifying as a NRF may operate from any location in the United States.

An NRF must have actual control over and direct responsibility for the regulated transactions and conduct of any forwarding agent acting on its behalf or for its benefit, including the power to cancel any unauthorized transaction. Further, the NRF must have appropriate recordkeeping and reporting procedures, including central storage of the comprehensive records kept for all transactions/conduct by all NRF agents. When OFAC authorizes an NRF, this covers not just the NRF’s own employees, but also all agents acting on its behalf. Those entities that have qualified to date as NRFs have demonstrated a strong structure of central control inherent in the businesses that they were already operating.

For the benefit of the public, an NRF agent must clearly identify itself when engaging in Cuba-related transactions.

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**CIRCULAR 2012 – APPENDIX III
SERVICE PROVIDER
SCREENING GUIDELINES**

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Service Provider Screening Guidelines

I. Service Providers Must Screen Their Clients

These SP Screening Guidelines form part of *Circular 2012* administered by the United States Department of the Treasury's Office of Foreign Assets Control ("OFAC"). *Circular 2012* describes the "SP Program" which permits certain otherwise prohibited transactions by Travel Service Providers ("TSPs"), Carrier Service Providers ("CSPs"), and Remittance Forwarders ("RFs") (collectively "Service Providers," "SP(s)," or "you"), pursuant to the Cuban Assets Control Regulations, 31 CFR Part 515 (the "Regulations").

A. TSP Screening Methods

1. In General

You are responsible for determining whether any potential client's travel to Cuba is authorized by the Regulations. You must determine that the proposed traveler reasonably satisfies all requirements of the applicable general or specific OFAC license before offering any regulated services to that person(s). Should any potential client indicate that they plan to engage in activities inconsistent with their purported travel authorization -- such as touristic travel -- you must refuse services to that person. Feel free to contact OFAC for guidance. Should you hold any reasonable doubt as to the client's eligibility for the requested services as a result of your screening of the client, you may not provide services until your potential client provides sufficient explanation. Feel free to contact OFAC for guidance.

All TSPs must be aware that OFAC publishes its *Comprehensive Guidelines for License Applications to Engage in Travel-related Transactions involving Cuba* (the "*Comprehensive Guidelines for License Applications*") on its website: www.treasury.gov/resource-center/sanctions/Programs/Documents/cuba_tr_app.pdf. *The Comprehensive Guidelines for License Applications* contain helpful information about the various categories for which travel to Cuba may be authorized, the travel categories for which general licenses are available, and the guidelines for applying for a specific license. All of your employees working with clients must be acquainted with the *Comprehensive Guidelines for License Applications*, as they are very useful for screening potential clients.

You must refuse services to any potential client where there is an indication of tampering or fraudulent activity with respect to any correspondence or license provided in connection with Cuba-related transactions.

2. Claims of Authorization Under a General License

You must ensure that a client wishing to travel under any general license can demonstrate that he or she qualifies. You must ask for documentary corroboration such as, in relevant situations, a signed letter on letterhead stationery from the client's organization identifying the client and confirming that the client is traveling on official business for the organization.

When a client's travel may be self-appointed (*e.g.*, when a college professor proposes to engage in professional research), the client must present supporting documentation confirming his or her eligibility for the applicable OFAC license.

For each individual seeking to engage in travel-related transactions pursuant to a general license, you must have each individual confirm his or her eligibility by signing an affidavit. A copy of a suggested affidavit format is furnished in the SP Recordkeeping and Reporting Guidelines (Appendix IV).

3. Claims of Authorization Under a Specific License

OFAC issues specific licenses on a case-by-case basis to individuals or institutions to authorize travel-related transactions involving Cuba.

For specific licenses naming individuals, you must ensure, before processing any Cuba travel-related transaction(s), that you have a copy of the OFAC license and that the license specifically names the client as an authorized traveler.

For specific licenses naming institutions or organizations, the traveler must furnish a letter from the institution named in the OFAC license linking that person to the authorization held by that institution.

Please refer to the SP Recordkeeping and Reporting Guidelines (Appendix IV) for the types of records you must keep in connection with your screening activities.

4. Authorized Expenditures

The authorized expenditure limits for travel within Cuba for all authorized categories of travel to Cuba must not exceed the current United States Department of State (the "U.S. State Department") "per diem rate" for Havana (regardless of location in Cuba), unless otherwise authorized by OFAC. In addition to the per diem, authorized travelers may engage in additional transactions directly incident to their category of travel. For example, a group from a university that has been granted an OFAC specific license to hold a workshop in Cuba may need to rent a conference room or other space for this purpose. The cost of such rental is appropriate to the purpose of travel and is an authorized additional transaction that can be paid separate from the travelers' per diem expenses.

The current "maximum per diem rate" for Havana as of the publication date of this Circular is \$166. For future updates to this rate, travelers may check the U.S. State Department's Office of Allowances web site, <http://aoprals.state.gov>. TSPs must inform their clients that deposits for hotel rooms and similar pre-payments already transferred to Cuba must be deducted from the traveler's per diem.

B. CSP Screening Methods

1. Taking Reservations

You may only accept a reservation once you have received a fully completed and executed Department of Transportation Operator-Participant Contract (the “Operator-Participant Contract”) (or a photocopy or fax copy of the Operator-Participant Contract if you are satisfied that the original will be received prior to flight departure time) from a licensed TSP. You do not need to keep any other record prior to making a reservation, provided the CSP records the identity of the referring TSP and has no reason to believe that the traveler is not authorized under the Regulations.

2. Passengers Eligible for Direct Flights from the United States to Cuba

Passengers who are eligible for direct flights from the United States to Cuba include:

- Individuals who are traveling to Cuba to engage in activities 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 other travel authorization issued by the U.S. 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).

Third-country nationals seeking to depart from the United States for Cuba are subject to U.S. jurisdiction at the time of departure and must qualify as authorized travelers and otherwise abide by the restrictions on engaging in travel-related transactions as well as the rules on the carriage of currency to Cuba and other applicable departure requirements.

3. Passengers Eligible for Direct Flights from Cuba to the United States

Passengers who are eligible for direct flights from Cuba to the United States include:

- Individuals who are returning to the United States from Cuba after having engaged in activities in Cuba that qualified under a general license or for which a specific license was issued;
- Cuban citizens entering the United States on a valid visa or other travel authorization issued by the U.S. 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).

You may allow eligible travelers to travel from Cuba on direct flights without having traveled to Cuba on direct flights at the outset of their trip.

C. RF Screening Methods

1. Generally Licensed Remittances

The Regulations provide general licenses authorizing certain remittances to nationals of Cuba subject to restrictions on the recipients, dollar amount, and frequency. Remittances sent by persons subject to U.S. jurisdiction to close relatives in Cuba have no dollar or frequency limitations, although there are restrictions on recipients. In no case can a recipient be a prohibited official of the Cuban Government or a member of the Cuban Communist Party.

These general licenses and their restrictions are set forth in the Regulations and listed on the Cuba Remittance Affidavit (OMB 1505-0167) (the “Affidavit”). A copy of the Affidavit is an attachment to the SP Recordkeeping and Reporting Guidelines (Appendix IV). You must have the client complete the Affidavit. Be sure that the client signs and dates the Affidavit. Only then may you process the remittance. You must give the customer a copy of the completed Affidavit for his or her records. The Service Provider must also keep a copy of each Affidavit for its records.

2. Specifically Licensed Remittances

OFAC may issue a specific license authorizing the transfer of remittances not covered by any general license. Before processing a client’s request to transfer funds to Cuba pursuant to a specific license, you must obtain a copy of the specific license that has been issued by OFAC and confirm that the license authorizes the client to send the proposed remittance.

II. Service Providers Must Screen Other Service Providers

A. Documentation of Other Service Providers’ Authorization(s)

If you wish to have an individual or entity subject to U.S. jurisdiction assist in the licensed services you provide, or if another individual or entity subject to U.S. jurisdiction seeks to engage in a regulated transaction with you, you must first confirm that the individual or entity is an authorized SP by checking the “List of Authorized Travel, Carrier, and Remittance Forwarding Service Providers (“Authorized SP List”),” which is publicly available on OFAC’s website: www.treasury.gov/resource-center/sanctions/Programs/Documents/cuba_tsp.pdf. No SP may receive monies that constitute property in which Cuba has an interest from any person other than its clients or an SP. If you have any questions concerning the authorization of another individual or entity, feel free to contact OFAC for guidance.

B. Location-Specific Authorization No Longer Required for Branches

OFAC identifies only the main office location for each authorized SP on its Authorized SP List.

SPs may also operate branch offices at other locations within the United States and its territories without those branches being listed on the Authorized SP List, subject to the SP Recordkeeping and Reporting Guidelines (Appendix IV).

The SP must be clearly identified at each branch with signage in the name under which the SP has received its SP authorization from OFAC.

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**CIRCULAR 2012 — APPENDIX IV
SERVICE PROVIDER
RECORDKEEPING AND REPORTING GUIDELINES**

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Service Provider Recordkeeping and Reporting Guidelines

I. Service Providers Must Keep Records and Report

A. Introduction

These SP Recordkeeping and Reporting Guidelines form part of *Circular 2012* administered by the United States Department of the Treasury's Office of Foreign Assets Control ("OFAC"). *Circular 2012* describes the "SP Program" which permits certain otherwise prohibited transactions by Travel Service Providers ("TSPs"), Carrier Service Providers ("CSPs"), and Remittance Forwarders ("RFs") (collectively "Service Providers," "SP(s)," or "you"), pursuant to the Cuban Assets Control Regulations, 31 CFR Part 515 (the "Regulations").

B. Recordkeeping Requirements

1. Obligations for all Service Providers

It is important for an SP to run its business and maintain records in a way that allows OFAC to assess its compliance with the requirements of the SP Program and consistent with the Regulations. The SP must have a clear record of transactions, the relevant parties, and the relevant authorization for its Cuba-related transactions.

Your records must be detailed enough to allow verification that each transaction complies with the relevant SP Program requirements and the Regulations. The SP's records must, for example, demonstrate the link between its receipt of funds from a customer and the transfer of the funds either to Cuba or to another person. The SP must begin this recordkeeping immediately upon receipt of authorization from OFAC, and you must keep records of regulated transactions and conduct concerning Cuba for five years from the date of each transaction.

The SP must keep a full and accurate record of the following on a client-by-client basis:

- The details of the manner in which the client qualified to engage in travel-related or remittance transactions. The SP's records must include relevant supporting documents, a description of those transactions, and any other information on which the SP relied to determine that the transactions were authorized.
- The details of each financial transaction in which the SP engages with that client (for example, receipt of payment for services).
- The details of each financial transaction in which the SP engages for the benefit of that client (for example, payments made to a Cuban entity for a visa or to a non-Cuban person either within the United States or in a third country with the intent that some portion of that payment go to Cuba for a voucher). The SP's records must detail the link between a transfer the SP makes and the client(s) to whom the transfer relates.

Your records must detail all funds that you handle in your regulated services, including, but not limited to, the following:

- Funds you *receive* from:
 1. Clients for regulated services that you provide;
 2. Other SPs in payment for your regulated services; and
 3. Other SPs to forward either to another SP or to a Cuban governmental entity.

- Funds you *transfer* to:
 1. A Cuban governmental entity (transferred only through a third-country account);
 2. Another SP in payment for its services; and
 3. Another SP to forward either to another SP to pay for services or to go to a Cuban governmental entity.

2. Obligations for Remittance Forwarders

The RF must ensure that the client completes, signs, and dates a copy of the Cuban Remittance Affidavit (OMB 1505-0167), an attachment to the SP Recordkeeping and Reporting Guidelines (Appendix IV). The client must be given a copy for the client's records. The RF must inform the client that the client must keep a record of the transaction for five years.

3. Obligations for Travel Service Providers

The TSP must maintain a record of the personal information for each traveler which the TSP furnishes to the CSP at the time of making a reservation (i.e., 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 (identifying the applicable general or specific license)).

C. Reporting Requirements

1. Annual Service Provider Reports

All SPs must furnish annual reports covering the SP's activity, or lack thereof, during the preceding calendar year. Unless otherwise noted in its authorization, reports must be filed no later than January 20 of each year. Reports must be mailed to the attention of the SP Program at the OFAC office in Washington, DC³ unless specified otherwise in your SP authorization. Additionally, all SPs must provide OFAC access to its SP-related records for examination upon request.

Your annual report must reflect any transaction that involves assisting a client with a regulated Cuba transaction, even when the SP transfers a portion of funds received from that client to another SP. For example, where a TSP assists a client with the purchase of a voucher for travel

³ Office of Foreign Assets Control; US Department of the Treasury; 1500 Pennsylvania Ave., NW; Washington DC 20220.

and transfers the price of the voucher to another TSP, the first TSP must report the transaction with the client as well as report the transfer of the funds to the second TSP.

Your annual report must include a certification that the information you have on file with us is current, complete, and accurate. Consistent with this requirement, OFAC includes on its suggested annual report formats a section where you must list any/all locations where you conducted any regulated service or transaction at any time during the year. This list need not specify on a transaction-by-transaction basis where you conducted each regulated transaction.

If an SP decides to cease providing all regulated services and relinquish any OFAC authorization(s), the SP is required to make an annual report to OFAC concerning regulated activity (or lack thereof) for the portion of the final calendar year in which the SP held authorization. For example, an SP that terminates its SP business at the end of January of any given year is required to provide a complete report for all activities conducted through the last day of January of that year by January 20th of the following year. This report may be made at the discretion of the person terminating its SP business at any time prior to its due date.

2. Ongoing Requirements for TSPs and CSPs

A TSP must provide the required passenger information (*see* section I (A)(3) above) to CSPs in a timely manner.

A CSP must timely provide the required passenger information (*see* the SP Operational Guidelines (Appendix II)) to OFAC and the U.S. Department of Homeland Security's United States Customs and Border Protection.

II. Useful Formats

- Suggested format for Travel Affidavit
- Suggested format for Additional Travel Affidavit
- Suggested format for Annual Report (Travel Service Provider)
- Suggested format for Annual Report (Carrier Service Provider)
- Suggested format for Annual Report (Remittance Forwarder)
- Cuban Remittance Affidavit (OMB 1505-0167)

TRAVEL SERVICE PROVIDER AFFIDAVIT

Page 1

Página 1

I understand that under current United States travel restrictions with respect to Cuba, travel related transactions are prohibited except for the following categories and that by signing my name in **page 2** of this affidavit, I am declaring that I fall under the category I have checked below:

- Official government travelers --U.S. and foreign government officials including representatives of international organizations of which the United States is a member, who are traveling on official business.
- Persons regularly employed as journalists by a news-reporting organization and persons regularly employed as supporting broadcast or technical personnel who travel to Cuba to engage in journalistic activities.
- Persons traveling to visit family
- Persons traveling in connection with sales of agricultural products, medical products or telecommunications. (See additional affidavit)
- Persons participating in a structured educational program in Cuba as part of a course offered for credit by an accredited U.S. graduate and undergraduate degree-granting academic institution.
- Non-commercial academic research in Cuba specifically related to Cuba and for the purpose of obtaining a graduate degree.
- Persons participating in a formal course of study at a Cuban academic institution, provided the formal course of study in Cuba will be accepted for credit toward the student's graduate or undergraduate degree.
- Persons teaching at a Cuban academic institution who are regularly employed in a teaching capacity at the sponsoring U.S. academic institution, provided the teaching activities are related to an academic program at the Cuban institution and provided that the duration of the teaching will be shorter than 10 weeks.
- Full-time professionals whose travel transactions are directly related to attendance at professional meetings or conferences in Cuba organized by an international professional organization (not headquartered in U.S.) that regularly sponsors meetings or conferences in other countries. The purpose of the meeting or conference does not promote tourism or other commercial activity involving Cuba or the production of bio-technological products.
- Religious organization located in the United States including members and staff of such organization traveling to participate in a full-time program of religious activities.
- Persons who have received a specific license from OFAC **prior** to traveling. My specific OFAC License number is :

Yo entiendo que bajo las actuales restricciones de viaje de los Estados Unidos referente a Cuba, cualquier transacción de viaje esta prohibida excepto por las siguientes categorías y que al firmar la **página 2** de esta planilla estoy declarando que viajo bajo una de estas categorías:

- Oficiales del gobierno estadounidense y extranjeros incluyendo representantes de organizaciones internacionales de las cuales Estados Unidos es también un miembro, quienes viajan por asuntos oficiales.
- Personas regularmente empleadas como periodistas por agencias noticiosas y como personal de apoyo técnico para radiodifusoras quienes viajan para participar en actividades periodísticas.
- Personas quienes viajan para visitar familiares
- Personas que viajan con respecto a ventas de productos agrícolas, médicos o telecomunicaciones. (Véase la declaración adicional)
- Las personas quienes participan en un programa educativo en Cuba como parte de un curso con crédito universitario ofrecido por una institución académica reconocida en los Estados Unidos que confiere títulos de pregrado y postgrado.
- Investigaciones no comerciales en Cuba específicamente relacionadas con Cuba y con el propósito de obtener un título de postgrado.
- Personas quienes participan en un curso formal de estudio en una institución educativa Cubana, siempre y cuando el curso formal de estudio sea aceptado como crédito universitario para el título de pregrado o posgrado del estudiante.
- Personas que van a impartir clases en una institución académica Cubana y quienes trabajan como profesores en la institución académica Estadounidense patrocinadora, siempre y cuando la enseñanza sea relacionada con un programa académico en la institución Cubana, y que la duración de la enseñanza sea menos de 10 semanas.
- Profesionales quienes trabajan tiempo completo y cuyas transacciones de viaje están directamente relacionadas con la participación en reuniones o conferencias profesionales en Cuba organizadas por una organización profesional e internacional (cuya sede no se encuentra en Estados Unidos) y la cual regularmente patrocina reuniones y conferencias en otros países. El propósito de la reunión o conferencia no promueve el turismo o alguna otra actividad comercial que concierne a Cuba o la producción de productos biotecnológicos.
- Organización religiosa localizada en los Estados Unidos, incluyendo miembros y empleados de tal organización quienes viajan para participar en un programa religioso de tiempo completo.
- Personas que han recibido una licencia específica de OFAC **antes** de viajar. El número de mi Licencia específica es:

I certify that the information presented is true and correct
Afirmo que la información presentada aquí es verídica y correcta

Applicant's Name [Print] _____ Date of Birth _____
(Nombre del solicitante [letra de imprenta]) (Fecha de Nacimiento)

Phone Number () _____ Address _____
(Número telefónico) (Dirección)

Applicant's Signature _____ Date _____
(Firma del solicitante) (Fecha)

Witnessed by licensed TSP or CSP
(Firma del TSP o CSP autorizado)

Service Provider's Name [Print] _____
(Nombre del Proveedor de Servicio [letra de imprenta])

Employee's Name [Print] _____
*(Nombre del **Empleado** [letra de imprenta])*

Employee's Signature _____ Date _____
(Firma del empleado) (Fecha)

ADDITIONAL AFFIDAVIT

I understand that under current United States travel restrictions with respect to Cuba, travel related transactions are prohibited unless authorized and that by signing my name at the bottom of this affidavit, I am declaring that I fall under the category I have checked below:

Yo entiendo que bajo las actuales restricciones de viaje de los Estados Unidos referente a Cuba, cualquier transacción de viaje esta prohibida a menos que sea autorizada y al firmar esta planilla estoy declarando que viajo bajo una de estas categorías:

1. SALES OF AGRICULTURAL PRODUCTS

I am regularly employed or duly appointed by a producer or distributor of agricultural commodities. My travel is incident to commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of agricultural commodities that appear consistent with the export or re-export licensing policy of the Department of Commerce.

1. VENTA DE PRODUCTOS AGRICOLAS

Soy empleado o agente de una compañía productora o distribuidora de productos agrícolas. Mi viaje se relaciona con negociaciones, comercialización, entrega y servicio de productos de agricultura o mercancía agrícola consistente con la política de exportación del Departamento de Comercio.

2. SALES OF MEDICAL PRODUCTS

I am regularly employed or duly appointed by a producer or distributor of medicine, or medical devices. My travel is incident to commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of medicine, or medical devices that appear consistent with the export or re-export licensing policy of the Department of Commerce.

2. VENTA DE PRODUCTOS MEDICOS

Soy empleado o agente de una compañía productora o distribuidora de medicamentos o aparatos médicos. Mi viaje se relaciona con negociaciones, comercialización, entrega y servicio de medicamentos o productos médicos consistente con la política de exportación del Departamento de Comercio.

3. TELECOMMUNICATIONS SERVICES

I am regularly employed or duly appointed by a telecommunications services provider. My travel is for:

3. SERVICIOS DE TELECOMUNICACIONES

Soy empleado o agente de un proveedor de servicios de telecomunicaciones. Mi viaje se relaciona con:

the commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of telecommunications-related items that have been authorized for commercial export or re-export to Cuba by Commerce; or

las negociaciones, comercialización, entrega y servicio de artículos relacionados con telecomunicaciones los cuales han sido autorizados para su exportación a Cuba por el Departamento de Comercio; o

for participation in professional meetings for the commercial marketing of, sales negotiation for, or performance under contracts to provide telecommunications services or the establishment of facilities to provide telecommunication services.

participar en reuniones profesionales relacionadas con la comercialización, venta o cumplimiento de contratos para proveer servicios de telecomunicaciones o el establecimiento de instalaciones para proveer estos servicios.

I certify that the information presented is true and correct

Afirmo que la información presentada aquí es verídica y correcta

Applicant's Name [Print] _____
(Nombre del solicitante [letra de imprenta])

Date of Birth _____
(Fecha de Nacimiento)

Phone Number (Número Telefónico) () _____

Address: (Dirección) _____

Applicant's Signature *(Firma del solicitante)* _____ Date *(Fecha)* _____

Witnessed by licensed TSP or CSP *(Firma del TSP o CSP autorizado)*

Service Provider's Name [Print] *(Nombre del Proveedor de Servicio [letra de imprenta])*

Employee's Name [Print] *(Nombre del Empleado [letra de imprenta])*

_____ Employee's Signature *(Firma del empleado)* _____

TRAVEL SERVICE PROVIDERS REPORT
REPORTE DE PROVEEDORES DE SERVICIOS DE VIAJE

Reporting Period: from JANUARY 1, 2012 to DECEMBER 31, 2012

Período del reporte: de ENERO 1, 2012 a DICIEMBRE 31, 2012

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 Servicio)

SP Code
Código

(Authorization #)
(Número de la Autorización)

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. Individuals who traveled to Cuba to visit close relatives who are nationals of Cuba

Personas que viajaron para visitar familiares cercanos quienes son de nacionalidad cubana _____

- iii. Official Government travelers and members of intergovernmental organizations

Oficiales del gobierno y miembros de organizaciones intergubernamentales _____

- iv. Professional research and professional meetings in Cuba:

Investigación profesional y conferencias profesionales en Cuba: _____

- v. Persons who traveled in connection with sales of agricultural or medical products, or telecommunications.

Personas quienes viajaron con respecto a ventas de productos agrícolas, médicos o telecomunicaciones _____

- vi. Persons who participated in a structured educational program in Cuba.

Personas quienes participaron en un programa educativo en Cuba. _____

- vii. Individuals who traveled for noncommercial research in Cuba

Personas que viajaron por investigaciones no comerciales en Cuba _____

- viii. Individuals who traveled to participate in a formal course of study at a Cuban academic institution

Personas quienes viajaron para participar en un curso formal de estudio en una institución académica Cubana _____

- ix. Individuals who traveled to teach at a Cuban academic institution

Personas quienes viajaron para impartir clases en una institución académica cubana _____

x. Individuals who traveled to attend professional meetings or conferences in Cuba _____
Personas quienes viajaron a Cuba para asistir a reuniones o conferencias profesionales

xi. Individuals who traveled to participate in a full-time program of religious activities _____
Personas quienes viajaron para participar en un programa de actividades religiosas de tiempo completo

b. **Under an OFAC Specific License:** _____
Bajo una Licencia Especifica de OFAC:

i. Individuals who traveled to visit family members in Cuba _____
Personas que viajaron para visitar familiares en Cuba

ii. Individuals who traveled under an Educational License _____
Personas quienes viajaron bajo una Licencia Educativa

iii. Individuals who traveled under all other Specific Licenses _____
Personas quienes viajaron bajo toda otra Licencia Especifica

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 another person(s) where Cuba or (a) Cuban National(s) is (are) the beneficiary(ies) in part or in whole of the amount transferred in connection with the travel service provided is: \$ _____
La cantidad neta en dólares transferida a otra(s) persona(s) en la que Cuba o individuo(s) de nacionalidad cubana, es(son) beneficiario(s) en parte o en una totalidad de la cantidad transferida en relación con el servicio de viaje proveído es:

4. The purpose(s) for which the **total net dollar amount** in #3 above was transferred is (are) as follows:
El propósito por el cual la cantidad neta total en dólares del #3 fue transferida 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

SP Code
Código

Total dollar amount received from this service provider:
Cantidad total 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):

\$ _____

Use additional pages as needed.
Use páginas adicionales si es necesario.

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. Amounts **transferred to** other service providers:
Cantidades transferidas a otros proveedores de servicios:

Name of Service Provider
Nombre del Proveedor de Servicios

SP Code
Código

Total dollar amount sent to this service provider:
Cantidad total 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 receptor:

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)

Use additional pages as needed.
Use páginas adicionales si es necesario.

In preparing to file this annual report, I have reviewed the information I submitted to OFAC to satisfy what is described as part II A and B of Appendix I of Circular 2012 (“My Information”).

Al preparar este reporte anual, he revisado la información que envié a OFAC para satisfacer los requisitos de lo que se describe como la parte IIA y B del Apéndice I del Circular 2012 (“Mi Información”)

This review covered:

Esta revisión contiene:

- My Information as submitted as part of the application process, and
Mi Información tal como la envié como parte del proceso de mi solicitud y
- Any update or correction of My Information at a later time.
Cualquier corrección ó cambio a Mi Información hechas posteriormente.

I certify that My Information, as it is on file with OFAC, is current, complete, and accurate.
Afirmo que Mi Información como aparece in los archivos de OFAC está al corriente, completa y exacta.

Name of Official Responsible for Licensed Services (**Clearly printed**)
Nombre del Oficial Responsable por los Servicios autorizados (Escrita claramente)

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

Date
Fecha

CARRIER SERVICE PROVIDERS REPORT
REPORTE DE PROVEEDORES DE SERVICIOS DE TRANSPORTE

Reporting Period: from JANUARY 1, 2012 to DECEMBER 31, 2012
Período del reporte: de ENERO 1, 2012 a DICIEMBRE 31, 2012

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) (<i>el Proveedor de Servicio</i>)	SP Code <i>Código</i>	(Authorization #) (<i>Número de la Autorización</i>)
1. The total number of customers which the Service Provider transported to, from, or within Cuba is: <i>El número total de clientes a quienes el Proveedor de Servicio transportó a, desde, o en Cuba es:</i>		_____
2. The number of customers in #1 above whose Cuba-related travel was within each of the following categories: <i>El número de clientes del #1 cuyos viajes a Cuba fueron bajo las siguientes categorías</i>		
a. Under an OFAC General License: <i>Bajo una Licencia General de OFAC:</i>		
i. Journalistic activities in Cuba: <i>Actividades periodísticas en Cuba:</i>		_____
ii. Individuals who traveled to Cuba to visit close relatives who are nationals of Cuba <i>Personas que viajaron para visitar familiares cercanos quienes son de nacionalidad cubana</i>		_____
iii. Official Government travelers and members of intergovernmental organizations <i>Oficiales del gobierno y miembros de organizaciones intergubernamentales</i>		_____
iv. Professional research and professional meetings in Cuba: <i>Investigación profesional y conferencias profesionales en Cuba:</i>		_____
v. Persons who traveled in connection with sales of agricultural or medical products, or telecommunications. <i>Personas quienes viajaron con respecto a ventas de productos agrícolas, médicos o telecomunicaciones</i>		_____
vi. Persons who participated in a structured educational program in Cuba. <i>Personas quienes participaron en un programa educativo en Cuba.</i>		_____
vii. Individuals who traveled for noncommercial research in Cuba <i>Personas que viajaron por investigaciones no comerciales en Cuba</i>		_____
viii. Individuals who traveled to participate in a formal course of study at a Cuban academic institution <i>Personas quienes viajaron para participar en un curso formal de estudio en una institución académica Cubana</i>		_____
ix. Individuals who traveled to teach at a Cuban academic institution <i>Personas quienes viajaron para impartir clases en una institución académica cubana</i>		_____

x. Individuals who traveled to attend professional meetings or conferences in Cuba _____
Personas quienes viajaron a Cuba para asistir a reuniones o conferencias profesionales

xi. Individuals who traveled to participate in a full-time program of religious activities _____
Personas quienes viajaron para participar en un programa de actividades religiosas de tiempo completo

b. **Under an OFAC Specific License:** _____
Bajo una Licencia Especifica de OFAC:

ii. Individuals who traveled to visit non-Cuban national family members in Cuba _____
Personas que viajaron para visitar familiares en Cuba quienes no son de nacionalidad cubana

ii. Individuals who traveled under an Educational License _____
Personas quienes viajaron bajo una Licencia Educativa

iii. Individuals who traveled under all other Specific Licenses _____
Personas quienes viajaron bajo toda otra Licencia Especifica

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 another person(s) where Cuba or (a) Cuban National(s) is (are) the beneficiary(ies) in part or in whole of the amount transferred in connection with the travel service provided is: \$ _____
La cantidad neta en dólares transferida a otra(s) persona(s) en la que Cuba o individuo(s) de nacionalidad cubana, es(son) beneficiario(s) en parte o en una totalidad de la cantidad transferida en relación con el servicio de viaje proveído es:

4. The purpose(s) for which the total **net dollar amount** in #3 above was transferred is (are) as follows:
El propósito por el cual la cantidad neta total en dólares del #3 fue transferida 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

SP Code
Código

Total dollar amount received from this service provider: \$ _____
Cantidad total 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):

Use additional pages as needed.
Use páginas adicionales si es necesario.

3. 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:

c. Amounts **transferred to** other service providers:
*Cantidades **transferidas a** otros proveedores de servicios:*

Name of Service Provider
Nombre del Proveedor de Servicios

SP Code
Código

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

Use additional pages as needed.
Use páginas adicionales si es necesario.

d. Bank Transfers to Cuba or Cuban National including the Cuban Interest Section:
Transferencias bancarias a Cuba o a individuos de nacionalidad cubana incluyendo la Sección de Intereses Cubanos:

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)

Use additional pages as needed.
Use páginas adicionales si es necesario.

In preparing to file this annual report, I have reviewed the information I submitted to OFAC to satisfy what is described as part II A and B of Appendix I of Circular 2012 (“My Information”).

Al preparar este reporte anual, he revisado la información que envié a OFAC para satisfacer los requisitos de lo que se describe como la parte II A y B del Apéndice I del Circular 2012 (“Mi Información”)

This review covered:

Esta revisión contiene:

- My Information as submitted as part of the application process, and
Mi Información tal como la envié como parte del proceso de mi solicitud y
- Any update or correction of My Information at a later time.
Cualquier corrección ó cambio a Mi Información hechas posteriormente.

I certify that My Information, as it is on file with OFAC, is current, complete, and accurate.

Afirmo que Mi Información como aparece in los archivos de OFAC está al corriente, completa y exacta.

Name of Official Responsible for Licensed Services (**Clearly printed**)

Nombre del Oficial Responsable por los Servicios autorizados (Escrita claramente)

Signature of Official Responsible for Licensed Services

Firma del Oficial Responsable por los Servicios autorizados

Date

Fecha

FORWARDERS OF REMITTANCES REPORT
REPORTE DE PROVEEDORES DE SERVICIOS DE REMESAS

Reporting Period: from JANUARY 1, 2012 to DECEMBER 31, 2012

Período del reporte: de ENERO 1, 2012 a DICIEMBRE 31, 2012

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 Servicio)

SP Code
Código

(Authorization #)
(Número de la Autorización)

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 del Proveedor de Servicios es: _____

The **total number** of:

El número total de:

- a. Households in Cuba that received family remittances through the Service Provider: _____

Hogares en Cuba que recibieron remesas familiar o individual por medio del Proveedor de Servicio:

- b. Individuals in Cuba who received emigration-related remittances through the Service Provider: _____

Individuos en Cuba que recibieron remesas de emigración por medio del Proveedor de Servicio:

- c. Individuals and organizations in Cuba that received specifically licensed remittances through the Service Provider: _____

Individuos y organizaciones en Cuba que recibieron remesas bajo Licencia Específica por medio de el Proveedor de Servicio:

- d. Individuals and organizations in Cuba that received Generally Licensed remittances _____

Individuos y organizaciones en Cuba que recibieron remesas bajo la Licencia General:

:

3. The **gross receipts** from the Service Provider's customers who sent remittances to Cuba is: _____

El recibo bruto del 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 **total net dollar amount** transferred to another person(s) where Cuba or (a) Cuban National(s) is (are) the beneficiary(ies) in part or in whole of the amount transferred in connection with the remittance forwarding service provided is:

La cantidad neta en dólares transferida a otra(s) persona(s) en la que Cuba o individuo(s) de nacionalidad cubana, es(son) beneficiario(s) en parte o en una totalidad de la cantidad transferida en relación con el servicio de remesas proveído 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(are) 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. Family remittances: _____
Remesas familiares:

c. Specifically licensed remittances: _____
Remesas bajo Licencia Específica:

d. Generally licensed remittances: _____
Remesas bajo Licencia General

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

SP Code
Código

Dollar amounts **received from** this service provider:
Cantidad en dólares recibida de este proveedor:

\$ _____

Use additional pages as needed.
Use páginas adicionales si es necesario.

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

a. Amounts **transferred** to other service providers:
*Cantidades **transferidas** a otros proveedores de servicios:*

Name of Service Provider
Nombre del Proveedor de Servicios

SP Code
Código

Dollar amounts **transferred** to this service provider:
*Cantidad en dólares **transferidas** a este proveedor:*

\$ _____

Use additional pages as needed.
Use páginas adicionales si es necesario.

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:

c. **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 Servicio 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)

In preparing to file this annual report, I have reviewed the information I submitted to OFAC to satisfy what is described as part II A and B of Appendix I of Circular 2012 (“My Information”).

Al preparar este reporte anual, he revisado la información que envié a OFAC para satisfacer los requisitos de lo que se describe como la parte II A y B del Apéndice I del Circular 2012 (“Mi Información”)

This review covered:

Esta revisión contiene:

- **My Information as submitted as part of the application process, and**
Mi Información tal como la envié como parte del proceso de mi solicitud y
- **Any update or correction of My Information at a later time.**
Cualquier corrección ó cambio a Mi Información hechas posteriormente.

I certify that My Information, as it is on file with OFAC, is current, complete, and accurate.

Afirmo que Mi Información como aparece in los archivos de OFAC está al corriente, completa y exacta.

Name of Official Responsible for Licensed Services (Clearly printed)

Nombre del Oficial Responsable por los Servicios autorizados (Escrita claramente)

Signature of Official Responsible for Licensed Services

Firma del Oficial Responsable por los Servicios autorizados

Date

Fecha



CUBAN REMITTANCE AFFIDAVIT / DECLARACION JURADA DE LA REMESA CUBANA

The following remittances are authorized pursuant to 31 CFR § 515.570 / *Las remesas siguientes se autorizan conforme a 31 CFR § 515.570:*

A. Unlimited Family and Family Inherited Remittances: Unlimited remittances may be sent to a close relative* who is a national of Cuba by a remitter who is 18 years of age or older. Additionally, funds deposited in a blocked account in a banking institution in the United States may be remitted to a Cuban national in whose name, or for whose beneficial interest, the account is held provided all of the funds in the account were inherited from a close relative* of the Cuban national payee as a result of a valid testamentary disposition, intestate succession, or payment from a life insurance policy or annuity contract triggered by the death of the policy or contract holder. These remittances may not be made for emigration-related purposes, and they may not be made to a prohibited official of the Government of Cuba or a prohibited member of the Cuban Communist Party.**

A. Remesas Familiares sin Límites y Remesas Familiares Heredadas: *Las remesas pueden ser enviadas a un pariente cercano* que sea un nacional de Cuba por un remitente que tenga 18 años de edad o más. Adicionalmente, los fondos depositados en una cuenta bloqueada en una institución bancaria en los Estados Unidos ("EE.UU.") pueden ser remitidos a un nacional de Cuba, en cuyo nombre o para cuyo interés beneficiario se mantiene la cuenta, con la condición que todos los fondos depositados en la cuenta fueron heredados de un pariente cercano* del nacional de Cuba beneficiario como resultado de la disposición testamentaria, la sucesión intestada, o el pago de una póliza de seguro de vida o contrato de anualidad accionado por la muerte del asegurado o del contratante. Estas remesas no pueden ser hechas para fines relacionados con emigración, y no pueden ser hechas a un oficial prohibido del Gobierno de Cuba o a un oficial prohibido del Partido Comunista de Cuba.***

B. Periodic \$500 Remittances: Up to \$500 in any consecutive three-month period may be remitted to any one Cuban national provided that the remittances are not made from a blocked source and that the remitter, if an individual, is 18 years of age or older. These remittances may not be made for emigration-related purposes, and they may not be made to a prohibited official of the Government of Cuba or a prohibited member of the Cuban Communist Party.**

B. Remesas Periódicas hasta US\$500: *Hasta US\$500 pueden ser remitidos en cualquier período consecutivo de tres meses a un nacional de Cuba a condición de que las remesas no provengan de una fuente bloqueada y que el remitente tenga 18 años de edad o más. Estas remesas no pueden ser enviadas para fines relacionados con emigración, y no pueden ser enviadas a un oficial prohibido del Gobierno de Cuba o a un oficial prohibido del Partido Comunista de Cuba.***

C. Unlimited Remittances to Religious Organizations: Unlimited remittances may be sent to religious organizations in Cuba in support of religious activities, provided that the remittances are not made from a blocked source and that the remitter, if an individual, is 18 years of age or older.

C. Remesas sin Límites a las Organizaciones Religiosas: *Remesas sin límites pueden ser enviadas a las organizaciones religiosas en Cuba en apoyo a las actividades religiosas, a condición de que las remesas no provengan de una fuente bloqueada y que el remitente tenga 18 años de edad o más.*

D. Remittances to Students in Cuba Pursuant to an Educational License: Remittances may be sent to a close relative* who is a student in Cuba pursuant to an educational license by a remitter who is 18 years of age or older provided that the remittances are not made from a blocked source and are for the purpose of funding transactions authorized by the educational license under which the student is traveling.

D. Remesas a Estudiantes en Cuba Conforme a una Licencia Educacional: *Remesas pueden ser enviadas a un pariente cercano* quien es un estudiante en Cuba conforme a una licencia educacional por un remitente que tenga 18 años de edad o más a condición de que las remesas no provengan de una fuente bloqueada y que sean para el propósito de financiar transacciones autorizadas por la licencia educacional por la cual el estudiante está de viaje.*

E. Limited Emigration Remittances: Up to \$2,000 per payee may be remitted to enable the payee to emigrate from Cuba to the United States. One remittance of no more than \$1,000 may be sent before the payee has received a valid visa from the U.S. State Department for the purpose of covering the payee's preliminary emigration expenses. Once the payee has received a valid visa from the U.S. State Department, up to an additional \$1,000 may be remitted for the purpose of enabling the payee to emigrate from Cuba to the United States, including for the purchase of airline tickets and payment of exit or third-country visa fees or other travel-related fees. Funds deposited in a blocked account in a banking institution in the United States may be remitted consistent with these criteria only if the payee is the Cuban national in whose name, or for whose beneficial interest, the account is held and the account is the result of a valid testamentary disposition, intestate succession, or payment from a life insurance policy or annuity contract triggered by the death of the policy or contract holder.

E. Remesas Limitadas de Emigración: *Hasta US\$2,000 por beneficiario pueden ser remitidos para ayudar al beneficiario a emigrar de Cuba a los EE.UU. Solo una remesa de no más de US\$1,000 puede ser enviada antes que el beneficiario haya recibido una visa válida del Departamento de Estado de los EE.UU. con el propósito de cubrir los gastos preliminares de emigración del beneficiario. Después de que el beneficiario haya recibido una visa válida del Departamento de Estado de los EE.UU., US\$1,000 adicionales pueden ser enviados con el fin de permitir al beneficiario a emigrar de Cuba a los EE.UU., incluyendo fondos para la compra de boletos de avión y para el pago de tarifas de salida u otros honorarios de visa a un tercer país u otras tarifas relacionadas al viaje. Fondos depositados en una cuenta bloqueada en una institución bancaria en los EE.UU. pueden ser remitidos consistente con estos requerimientos solo si el beneficiario es un nacional de Cuba, en cuyo nombre o para cuyo interés beneficiario se mantiene la cuenta como resultado de la disposición testamentaria, la sucesión intestada, o el pago de una póliza de seguro de vida o contrato de anualidad accionado por la muerte del asegurado o del contratante.*

F. Periodic Remittances from Blocked Accounts: Up to \$300 in any consecutive three-month period may be remitted from any blocked account in a banking institution in the United States to a Cuban national in a third country who is an individual in whose name, or for whose beneficial interest, the account is held. These remittances may not be made for emigration-related purposes, and they may not be made to a prohibited official of the Government of Cuba or a prohibited member of the Cuban Communist Party.**

F. Remesas Periódicas de Cuentas Bloqueadas: *Hasta US\$300 pueden ser remitidos en cualquier período consecutivo de tres meses de cualquier cuenta bloqueada en cualquier institución bancaria en los EE.UU. a un nacional de Cuba en un tercer país quien es un individuo en cuyo nombre, o para cuyo interés beneficiario, la cuenta se mantiene. Estas remesas no pueden ser hechas para fines relacionados con emigración, y no pueden ser hechas a un oficial prohibido del Gobierno de Cuba o a un oficial prohibido del Partido Comunista de Cuba.***

* The term "close relative" is defined in 31 CFR § 515.339 to mean any individual related to you by blood, marriage, or adoption who is no more than three generations removed from you or from a common ancestor with you.

* El término "pariente cercano" se define en 31 CFR § 515.339 y se refiere a cualquier individuo relacionado a través de línea sanguínea, matrimonio o adopción y no más de tres generaciones retiradas de usted o de un antepasado que tenga en común.

** The term "prohibited official of the Government of Cuba" is defined in 31 CFR § 515.337 to mean Ministers and Vice-ministers, members of the Council of State and the Council of Ministers; members and employees of the National Assembly of People's Power; members of any provincial assembly; local sector chiefs of the Committees for the Defense of the Revolution; Director Generals and sub-Director Generals and higher of all Cuban ministries and state agencies; employees of the Ministry of the Interior (MININT); employees of the Ministry of Defense (MINFAR); secretaries and first secretaries of the Confederation of Labor of Cuba (CTC) and its component unions; chief editors, editors, and deputy editors of Cuban state-run media organizations and programs, including newspapers, television, and radio; and members and employees of the Supreme Court (Tribuno Supremo Nacional). The term "prohibited member of the Cuban Communist Party" is defined in 31 CFR § 515.338 to mean members of the Politburo, the Central Committee, Department Heads of the Central Committee, employees of the Central Committee, and secretaries and first secretaries of the provincial Party central committees.

** El término "oficial prohibido del Gobierno Cubano" se define en 31 CFR § 515.337 y significa Ministros y Vice-ministros, miembros del Consejo de Estado y del Consejo de Ministros; miembros y empleados de la Asamblea Nacional del Poder Popular; miembros de cualquier asamblea provincial; jefes de sectores locales de los Comités de Defensa de la Revolución; Directores Generales y Sub-directores Generales de todos los ministerios cubanos y las agencias del estado; empleados del Ministerio del Interior (MININT); empleados del Ministerio de las Fuerzas Armadas Revolucionarias (MINFAR); secretarios y secretarios primeros de la Central de Trabajadores de Cuba (CTC) y sus sindicatos componentes; editores principales, editores y sub-editores de medios de comunicación y programas estatales de Cuba incluyendo los periódicos, la televisión y el radio; y miembros y empleados del Tribuno Supremo Nacional. El término "oficial prohibido del Partido Comunista Cubano" se define en 31 CFR § 515.338 y significa miembros del Buró Político, el Comité Central, jefes de departamentos del Comité Central, empleados del Comité Central, y secretarios y secretarios primeros de los comités provinciales del Partido.



CUBAN REMITTANCE AFFIDAVIT / DECLARACION JURADA DE LA REMESA CUBANA

REMESA CUBANA, DECLARACION JURADA: This affidavit is to be completed by the remitter, pursuant to the Cuban Assets Control Regulations, 31 CFR Part 515, under the Trading with the Enemy Act, 50 U.S.C. App. 1-44. It is to be submitted to the remittance ice provider and kept on file for five years, subject to audit by the U.S. Department of the Treasury.

Este 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. Dicho documento debe ser presentado a la agencia remitente y mantenerse en los archivos por cinco años y esta sujeta a auditoria por el Departamento del Tesoro de los EE.UU.

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

YO, _____ (Nombre del remitente en letra de molde), DECLARO Y AFIRMO QUE, A MI CONOCIMIENTO, LO SIGUIENTE ES CIERTO Y CORRECTO:

A. UNLIMITED FAMILY AND FAMILY INHERITED REMITTANCES / REMESAS SIN LIMITES FAMILIARES Y REMESAS FAMILIARES HEREDADAS

Name of Recipient / Nombre del Beneficiario: _____

Relation to Remitter or Decedent / Parentesco con el Beneficiario o Difunto: _____

B. PERIODIC \$500 REMITTANCES / REMESAS PERIODICAS de US\$500

Name of Recipient / Nombre del Beneficiario: _____

C. UNLIMITED REMITTANCES TO RELIGIOUS ORGANIZATIONS / REMESAS SIN LIMITES A LAS ORGANIZACIONES RELIGIOSAS

Name of Recipient / Nombre del Beneficiario: _____

D. REMITTANCES TO STUDENTS IN CUBA PURSUANT TO AN EDUCATIONAL LICENSE / REMESAS A ESTUDIANTES EN CUBA CONFORME A UNA LICENCIA EDUCACIONAL

Name of Recipient / Nombre del Beneficiario: _____

E. LIMITED EMIGRATION REMITTANCES / REMESAS LIMITADAS DE EMIGRACION

Name of Payee / Nombre del Beneficiario: _____

Payee's Date of Birth / Fecha de Nacimiento del Beneficiario: _____

If I am sending more than \$1,000, OR if I have already sent a pre-visa emigration remittance to this payee, the payee has received an immigration visa from the U.S. State Department as follows / Si estoy enviando más de US\$1,000, O si he enviado una remesa de emigración pre-visa a este beneficiario, el beneficiario ha recibido la siguiente visa de inmigración del Departamento de Estado de los EE.UU.

Number of Payee's Visa / Número de Visa del Beneficiario: _____

Date of Payee's Visa / Fecha de Visa del Beneficiario: _____

F. PERIODIC REMITTANCES FROM BLOCKED ACCOUNTS / REMESAS PERIODICAS DE CUENTAS BLOQUEADAS

Name of Recipient / Nombre del Beneficiario: _____

SIGNATURE OF REMITTER / FIRMA DEL REMITENTE: _____

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 la 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: _____ (Print name / Nombre en letra de molde)

Signature and Date / Firma y Fecha: _____

Name of Remitting Agency / Nombre de la Agencia Remitente: _____



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

This is a portion of section 572 of
the Cuban Assets Control Regulations,
31 C.F.R. Part 515:

(e) Procedures governing the grant of provisional authority, denial, suspension, or revocation of authority to engage in service transactions —

(1) Grant of provisional authority. Following submission of a complete application as described in paragraph (c) of this section, the submission of any additional relevant information, and a preliminary evaluation by the Office of Foreign Assets Control (“OFAC”), the applicant will be notified in writing that provisional authority has been granted to provide the services contemplated in the application. This provisional authority to provide services will remain in effect pending a final decision to grant or deny the license.

(2) Denial of license —

(i) Notice of denial. If OFAC’s Director determines that the application for a license to engage in service transactions related to travel to Cuba, carrier service transactions related to travel to Cuba, or transactions related to remittance forwarding should be denied for any reason, notice of denial shall be given to the applicant. The notice of denial shall state the reasons for the denial.

(ii) Grounds for denial. The causes sufficient to justify denial of an application for a license may include, but need not be limited to:

(A) Any cause which would justify suspension or revocation of the authority of a service provider pursuant to paragraph (e)(3) of this section;

(B) Failure to file a full and complete application;

(C) Any willful misstatement of pertinent facts in the application;

(D) Evidence indicating that the applicant participates in discriminatory practices of the Cuban Government against certain residents and citizens of the United States as described in paragraph (b) of this section; or

(E) A reputation imputing to the applicant criminal, dishonest, or unethical conduct, or a record of such conduct.

(3) Suspension or revocation of a license or provisional authorization. A license or provisional authorization issued pursuant to this section may be suspended for a specific period of time, or revoked, for the following reasons:

(i) The service provider has willfully made or caused to be made in any application for any license, request for a ruling or opinion, or report be filed with OFAC, any statement that was, at the time and in light of the circumstances under which it was made, false or misleading with respect to any material fact, or has omitted to state in any application, request for ruling or opinion, or report any material fact that was required;

(ii) The service provider has failed to file timely reports or comply with the recordkeeping requirements of his license or provisional authorization.

(iii) The service provider has been convicted, at any time after filing an application for a license under this section, of any felony or misdemeanor that:

(A) Involved the importation, exportation, or transfer of property in violation of any law or regulation administered by the OFAC;

(B) Arose directly out of the conduct of the business covered by the license; or

(C) Involved larceny, extortion, forgery, counterfeiting, fraudulent concealment, embezzlement, fraudulent conversion, misappropriation of funds, or a violation of the Customs laws, export or import control laws, or banking laws.

(iv) The service provider has violated any provision of law enforced by OFAC or the rules or regulations issued under any such provision;

(v) The service provider has counseled, commanded, induced, procured, or knowingly aided or abetted the violation by any other person of any provision of any law or regulation referred to above;

(vi) The service provider has, in the course of the business covered by the license, with felonious intent, in any manner willfully and knowingly deceived, defrauded, misled, threatened, or coerced any client or prospective client; or

(vii) The service provider has committed any other act or omission that demonstrates unfitness to conduct the business covered by the license.