

## § 515.574

## 31 CFR Ch. V (7–1–23 Edition)

(5) Entities engaging in humanitarian projects set forth in § 515.575(b) (Humanitarian projects); and

(6) Private foundations or research or educational institutes engaging in transactions authorized by § 515.576.

(e) *News bureaus.* (1) All transactions in Cuba related to the gathering and dissemination of news to the general public are authorized.

(2) Specific licenses may be issued authorizing transactions necessary for the establishment and operation of news bureaus in the United States by Cuban organizations whose primary purpose is the gathering and dissemination of news to the general public.

(f) *Certain direct financial transactions restricted.* (1) Nothing in paragraph (c)(3) of this section, with the exception of transactions related to exports or reexports of agricultural commodities, medicines or medical supplies, items associated with the provision of telecommunications and internet services for the Cuban people, or items associated with air and sea operations that support permissible travel, cargo, or trade, authorizes a direct financial transaction prohibited by § 515.209. Nothing in paragraph (c)(5) of this section, with the exception of transactions concerning air and sea operations that support permissible travel, cargo, or trade, authorizes a direct financial transaction prohibited by § 515.209.

(2) Nothing in paragraph (d)(2), (3), or (6) of this section authorizes a direct financial transaction prohibited by § 515.209.

NOTE TO § 515.573: The export or reexport to Cuba of items subject to the Export Administration Regulations (15 CFR parts 730 through 774) may require separate authorization from the Department of Commerce.

[80 FR 56924, Sept. 21, 2015, as amended at 81 FR 13993, Mar. 16, 2016; 82 FR 52003, Nov. 9, 2017]

### § 515.574 Support for the Cuban People.

(a) *General license.* The travel-related transactions set forth in § 515.560(c) and other transactions that are intended to provide support for the Cuban people are authorized, provided that:

(1) The activities are of:

(i) Recognized human rights organizations;

(ii) Independent organizations designed to promote a rapid, peaceful transition to democracy; or

(iii) Individuals and non-governmental organizations that promote independent activity intended to strengthen civil society in Cuba; and

(2) Each traveler engages in a full-time schedule of activities that:

(i) Enhance contact with the Cuban people, support civil society in Cuba, or promote the Cuban people's independence from Cuban authorities; and

(ii) Result in meaningful interaction with individuals in Cuba.

(3) The traveler's schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule.

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

NOTE 2 TO PARAGRAPH (a): Staying in a room at a rented accommodation in a private Cuban residence (*casa particular*), eating at privately-owned Cuban restaurants (*paladares*), and shopping at privately-owned stores run by self-employed Cubans (*cuentapropista*) are examples of activities that qualify for this general license. However, in order to meet the requirement for a full-time schedule, a traveler must engage in additional authorized Support for the Cuban People activities.

(b) An entire group does not qualify for the general license in paragraph (a) of this section merely because some members of the group qualify individually.

(c) *Certain direct financial transactions restricted.* Nothing in paragraph (a)(1)(iii) of this section authorizes a direct financial transaction prohibited by § 515.209, with the exception of transactions on behalf of a non-governmental organization.

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

(CPA List) to the extent prohibited by §515.210.

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

*Example 1 to §515.574:* An individual plans to travel to Cuba, stay in a room at a rented accommodation in a private Cuban residence (*casa particular*), eat at privately-owned Cuban restaurants (*paladares*), and shop at privately-owned stores run by self-employed Cubans (*cuentapropista*) during his or her four-day trip. While at the *casa particular*, the individual will have breakfast each morning with the Cuban host and engage with the Cuban host to learn about Cuban culture. The traveler will not lodge, or pay for lodging, at any property on the CPA List to the extent prohibited by §515.210. In addition, the traveler will complete his or her full-time schedule by supporting Cuban entrepreneurs launching their privately-owned businesses. The traveler's activities promote independent activity intended to strengthen civil society in Cuba. Because the individual's qualifying activities are not limited to staying in a room at a rented accommodation in a private Cuban residence (*casa particular*), eating at privately-owned Cuban restaurants (*paladares*), and shopping at privately owned stores run by self-employed Cubans (*cuentapropista*) and the traveler maintains a full-time schedule that enhances contact with the Cuban people, supports civil society in Cuba, and promotes the Cuban people's independence from Cuban authorities, and that results in meaningful interaction between the traveler and Cuban individuals, the individual's travel qualifies for the general license.

*Example 2 to §515.574:* A group of friends plans to travel and maintain a full-time schedule throughout their trip by volunteering with a recognized non-governmental organization to build a school for underserved Cuban children with the local community. In their free time, the travelers plan to rent bicycles to explore the streets of Havana and visit an art museum. The travelers will not lodge, or pay for lodging, at any property on the CPA List to the extent prohibited by §515.210. The travelers' trip would qualify for the general license because the volunteer activities promote independent activity intended to strengthen civil society in Cuba and constitute a full-time schedule that enhances contact with the Cuban people and supports civil society in Cuba, and results in meaningful interaction between the travelers and individuals in Cuba.

*Example 3 to §515.574:* An individual plans to travel to Cuba, rent a bicycle to explore the neighborhoods and beaches, and engage in brief exchanges with local beach vendors. The individual intends to stay at a hotel that does not appear on the Cuba Restricted List (see §515.209), and will not lodge, or pay for lodging, at any property on the CPA List to the extent prohibited by §515.210. The traveler's trip does not qualify for this general license because none of these activities promote independent activity intended to strengthen civil society in Cuba.

[80 FR 2299, Jan. 16, 2015, as amended at 82 FR 52003, Nov. 9, 2017; 85 FR 60072, Sept. 24, 2020]

#### §515.575 Humanitarian projects.

(a) *General license.* Transactions, including the travel-related transactions set forth in §515.560(c), that are related to the humanitarian projects in or related to Cuba that are designed to directly benefit the Cuban people as set forth in paragraph (b) are authorized, provided that the traveler's schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule.

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

NOTE 2 TO PARAGRAPH (a): See §515.590(b) for an authorization for the provision of grants, scholarships, or awards related to humanitarian projects in or related to Cuba that are designed to directly benefit the Cuban people as set forth in paragraph (b).

(b) *Authorized humanitarian projects.* The following projects are authorized by paragraph (a) of this section: Medical and health-related projects; construction projects intended to benefit legitimately independent civil society groups; disaster preparedness, relief, and response; historical preservation; environmental projects; projects involving formal or non-formal educational training, within Cuba or off-island, on the following topics: Entrepreneurship and business, civil education, journalism, advocacy and organizing, adult literacy, or vocational skills; community-based grassroots projects; projects suitable to the development of small-scale private enterprise; projects that are related to agricultural and