

ENFORCEMENT INFORMATION FOR JANUARY 12, 2017

Information concerning the civil penalties process can be found in the Office of Foreign Assets Control (OFAC) regulations governing each sanctions program; the Reporting, Procedures, and Penalties Regulations, 31 C.F.R. Part 501; and the Economic Sanctions Enforcement Guidelines, 31 C.F.R. Part 501, app. A. These references, as well as recent final civil penalties and enforcement information, can be found on OFAC's website at www.treasury.gov/ofac/enforcement.

INDIVIDUALS – 31 CFR 501.805(d)(1)(ii)

An Individual and the Alliance for Responsible Cuba Policy Foundation Settle Potential Civil Liability for Alleged Violations of the Cuban Assets Control Regulations: An individual acting in his personal capacity (the “Individual”), as well as the Alliance for Responsible Cuba Policy Foundation (the “Alliance”), on whose behalf the Individual also acted, have agreed to a settlement whereby the Alliance has agreed to pay \$10,000 to settle potential civil liability for alleged violations of the Cuban Assets Control Regulations, 31 C.F.R. Part 515 (CACR). OFAC alleged that the Individual violated § 515.201 of the CACR by engaging in unauthorized travel-related transactions during business travel to Cuba from on or about August 23, 2010 to on or about August 27, 2010, and separately from on or about September 8, 2011 to on or about September 11, 2011; and that the Individual violated § 515.201 of the CACR by providing unauthorized travel services related to the two aforementioned trips to a total of 20 persons (collectively referred to hereafter as the “Alleged Violations”).

OFAC concluded that the Alleged Violations were frequently undertaken while the Individual held himself out as an officer of the Alliance.

OFAC determined that the Alleged Violations were not voluntarily self-disclosed to OFAC. The statutory maximum civil monetary penalty amount for the Alleged Violations was \$1,430,000, and the base penalty amount for the Alleged Violations was \$80,000.

The settlement amount reflects OFAC's consideration of the following facts and circumstances, pursuant to the General Factors under OFAC's Economic Sanctions Enforcement Guidelines, 31 C.F.R. Part 501, app. A. OFAC considered the following to be aggravating factors: (1) the Individual appears to have willfully engaged in the Alleged Violations involving Cuba with knowledge that such transactions likely constituted violations of the CACR, as evidenced by having been issued a cautionary letter from OFAC prior to the aforementioned trips for similar travel-related transactions to Cuba that appeared to have violated the CACR; and (2) the Individual appears to have knowingly facilitated unauthorized business travel to Cuba by other persons that appears to have violated the CACR.

OFAC considered the following to be mitigating factors: (1) the Alleged Violations appear to have resulted in minimal harm to the current objectives of the U.S. sanctions program regarding Cuba; (2) the investigation involved an individual, acting in his personal capacity, and the Alliance, which is a small nonprofit entity; and (3) based on the financial condition of the Individual and/or the Alliance, mitigation is warranted.

For more information regarding OFAC regulations, please go to: www.treasury.gov/ofac.