

**DEPARTMENT OF THE TREASURY
OFFICE OF FOREIGN ASSETS CONTROL**

Guidelines for License Applications

Specific Licenses for Cuba Travel Transactions related to Educational Exchanges not involving Academic Study pursuant to a Degree Program.

The Cuban Assets Control Regulations, 31 C.F.R. Part 515 (the "Regulations"), which are administered by the Office of Foreign Assets Control ("OFAC"), prohibit all persons subject to U.S. jurisdiction from dealing in property in which Cuba or a Cuban national has an interest. This prohibition includes all Cuba travel-related transactions unless such transactions are authorized in accordance with current licensing policy or unless such transactions are otherwise exempt.

Specific licenses may not be granted when the purpose of travel to Cuba is to engage in tourism or in prohibited business transactions. See § 515.560(g) of the Regulations. In order for a person to engage in travel-related transactions with Cuba, he or she must demonstrate eligibility under a licensable category set forth in § 515.560(a) of the Regulations.

Under §§ 515.560(a)(5) and 515.565(b)(2) of the Regulations, OFAC may make available on a case-by-case basis licenses authorizing Cuba travel-related transactions incident to educational exchanges, not involving academic study pursuant to a degree program, that take place under the auspices of an organization that sponsors and organizes such programs to promote people-to-people contact. Section 515.565(b)(2) implements in part current U.S. policy toward Cuba, which promotes two-way exchanges among academics, athletes, scientists, and others. These exchanges are intended to provide for educational opportunities not offered in the context of an accredited degree program while at the same time promote contact with segments of Cuban society not associated with the Cuban government.

Factors of Consideration

OFAC considers several specific factors in its review of applications submitted under this category, including the following:

1. Whether the proposed activities are under the auspices of an organization that sponsors and organizes its own international educational exchanges to promote people-to-people contacts. Licenses issued under this section are not transferable and do not authorize the licensee to organize programs in Cuba led by others.
2. Whether the predominant portion of the proposed activities will be with persons or entities that are not acting, directly or indirectly, for or on behalf of the Government of Cuba or its parastatal industries or enterprises.
3. Whether the predominant portion of the program and the ratio of Cuban nationals to U.S. participants along with the forum for people-to-people contact is reasonably suited to allow for direct and individual dialogue between the parties.
4. Whether the proposed activities with the Cuban people are educational in nature, such as participation along with the Cuban people in joint activities (e.g., seminars, workshops or similar joint activities).

Information to Include in your Application

In order for us to evaluate whether your application meets the above criteria, please provide the following information in letter format:

1. A description of the organization's previous experience or qualifications in planning and administering its own educational exchange programs in other countries with the purpose, at least in part, of promoting people-to-people dialogue. If available, provide sample itineraries from prior programs.
2. A full-time itinerary, broken down by half-day or smaller intervals, describing for each interval what the focus and nature of activities will be under the educational exchange program. Also, please include information concerning the ratio of Cuban nationals to U.S. participants in each event.

3. A description of the selected topic(s) for the educational exchange.

4. A summary of the academic credentials and relevant experience of all program guides or experts leading the educational exchange, by providing, for example, copies of resumes or curriculum vitae. Also, please indicate the nature of background material(s) and/or briefing(s) to be provided to the group by the leader before departure to Cuba.

5. A procedure for informing participants that full-time participation in the program is required and that failure to fully participate in the program can lead to the revocation of the organization's 515.565(b)(2) license and enforcement action against the participant.

Applications shall be mailed to:

Director
Office of Foreign Assets Control
U.S. Department of the Treasury
2nd Floor Annex
1500 Pennsylvania Avenue, N.W.
Washington, DC 20220

Should you have any further questions about the application process, please contact the Licensing Division at (202) 622-2480.