



Analysis of new Cuba travel regulations

June 19, 2017

On Friday, June 16th President Trump announced proposed changes to the regulations related to legal US travel to Cuba. Ultimately, new regulations related to Cuba travel will need to be written and published by the Office of Foreign Asset Control (OFAC), a division of the US Treasury. After the announcement, OFAC immediately published an FAQ which is intended to guide US citizens as they seek to travel legally to Cuba in the future. The FAQ can be [downloaded](#) from the Cuba Handling website's News page.

Cuba Handling founder Eric Norber was in Havana, Cuba on June 16th during the announcement of the proposed new regulations, and after a careful review of the OFAC FAQ, we offer the following analysis.

- The primary objective of the proposed new regulations is to limit or eliminate *direct* financial transactions between US travelers to Cuba and entities owned or controlled by the Cuban military (which has many subsidiaries). That said, the proposed new regulations allow any preexisting agreements, contracts, and travel plans to remain intact – even after the publication of the new regulations, and even if the new regulations would have otherwise prohibited them.
- The category of *individual* people-to-people licensed travel will be eliminated. The category of *group* people-to-people licensed travel will still be authorized. This means that individuals wishing to travel to Cuba may no longer organize their own itineraries and content in Cuba. Instead, anyone wishing to travel legally to Cuba must seek the assistance of a sponsoring organization, such as Cuba Handling, that sponsors educational exchanges that promote people-to-people contact. Further, an agent of the sponsoring organization must accompany each group to ensure each traveler's activities in Cuba are compliant with the license purpose. For most US citizens seeking to travel to Cuba, this will have several areas of impact, some more notable than others:
 - Commercial air travel requirements will remain essentially unchanged
 - Private air travel requirements will remain essentially unchanged
 - Itineraries and content in Cuba must be organized by an authorized agency, and cannot be arranged by the individuals seeking to travel
 - Itineraries and content in Cuba must be of a nature that is compliant with the purpose of travel – they must contain content that is intended to enhance contact with the Cuban people, support civil society in Cuba, *or* promote the Cuban people's independence from Cuban authorities, *and* that will result in meaningful interaction between the traveler and individuals in Cuba
 - Purely tourist activity will not be permissible (ie: While simply going to the beach may not be permissible, an activity where truly meaningful interaction with the Cuban people is permissible)



- There may be restrictions on *direct* transactions with companies and organizations owned or controlled by the Cuban military. This may mean US sponsoring agencies that organize legal travel will not be able to make direct bookings with certain hotels

Q&A related to the proposed new regulations

- Can I fly on a private plane to Cuba?
 - Yes – as long as your complete itinerary in Cuba has been organized by an US based organization that sponsors legal group travel.
- How do we comply with the requirement that we are accompanied by an agent of the organization that is sponsoring our trip?
 - Cuba Handling has a full staff, in Cuba, that can meet this requirement. Our staff can also double as tour guides, etc.
- Can I organize and book my own itinerary as an individual traveling to Cuba?
 - No, under the proposed new regulations, you must work with an organization that sponsors authorized travel to Cuba.
- What are the main differences now, after the new regulations were announced?
 - Your itinerary must be planned and organized by an authorized agency such as Cuba Handling. You must be accompanied by an agent of that agency while you are in Cuba (our guides can meet this requirement). You can still plan and fly your own plane just like before. So in short, the main difference is how you organize your itinerary.