

IV. ACADEMIC ACTIVITIES - 31 CFR § 515.565

You may request a specific license authorizing certain educational activities in Cuba engaged in by (1) a U.S. undergraduate or graduate degree-granting institution (and its students and employees) or (2) an individual undergraduate or graduate student.

1. Application criteria for specific licenses for accredited U.S. undergraduate or graduate degree-granting academic institutions - 31 CFR § 515.565(a)

Pursuant to § 515.565(a), OFAC will issue a one-year specific license to an accredited U.S. undergraduate or graduate degree-granting academic institution authorizing the institution, its students enrolled in an undergraduate or graduate degree program at the licensed institution, and its full-time permanent employees to engage in travel-related transactions and such additional transactions that are incident to:

(a)(1) participation in a structured educational program as part of a course offered at the licensed institution, provided the program constitutes a full term of study and no shorter than 10 weeks in duration in Cuba;

(a)(2) noncommercial academic research in Cuba specifically related to Cuba for the purpose of obtaining a graduate degree;

(a)(3) participation 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 undergraduate or graduate degree at the licensed institution and provided that the course of study is no shorter than ten weeks in duration;

(a)(4) teaching at a Cuban academic institution by an individual regularly employed in a teaching capacity at the licensed institution, provided the teaching activities are related to an academic program at the Cuban institution and the duration of the teaching will be no shorter than 10 weeks; and

(a)(5) sponsorship, including the payment of a stipend or salary, of a Cuban scholar to teach or engage in other scholarly activity at the licensed institution; or

(a)(6) the organization of and preparation for activities described in (1)-(5) above by a full-time permanent employee of the licensed institution.

If your academic institution wishes to apply for such a license pursuant to § 515.565(a), it must provide the following information in a letter to OFAC:

1. Identify your organization. Provide the name and address of your academic institution seeking a specific license under this section, and include the name and phone number of the institutional contact responsible for the application and for ensuring compliance with the terms of the license once issued.
2. Identify the category of travel. State that a license is being requested pursuant to § 515.565(a) of the Regulations authorizing your institution, its students enrolled in an undergraduate or graduate degree program at the institution, and its full-time permanent employees to engage in transactions directly incident to one or more of the activities set forth in § 515.565(a)(1) through (a)(6).
3. Provide a certification of accreditation. Provide a statement certifying that your institution is accredited by an appropriate national or regional accrediting association.
4. Provide a certification of enrollment and academic credit. Certify that any students who use your institution's license will be enrolled in an undergraduate or graduate degree program at your institution and that the students' educational activities in Cuba will result in credit toward his or her undergraduate or graduate degree at your institution. Further certify that any employees who use your institution's license will be full-time permanent employees of your institution.
5. Provide a certification of duration of certain activities. For the following three categories of educational travel, certify that the educational activities in Cuba will be no less than ten weeks in duration: structured educational programs in Cuba offered as part of a course at the licensed institution; formal courses of study at a Cuban academic institution; and teaching at a Cuban academic institution.
6. Extensions & Renewals. When applying for an extension or renewal of a license, be sure to reference the license number in your application and include the following:
 - (a) an explanation why an extension or renewal is necessary;
 - (b) a detailed report setting forth a record of all activities undertaken pursuant to the original license or, if the original license was renewed, the most recent renewal; and

(c) a complete copy of the license and all license amendments and renewals.

7. Sign your letter. Applications may be submitted only under the signature of a dean or of the academic vice-president, provost, or president of an academic institution. The signature serves as a certification that the statements in the application are true and accurate.

Note: An academic institution's one-year specific license authorizes transactions incident to the educational activities set forth in § 515.565(a)(1)-(a)(6) of the Regulations by any student enrolled in an undergraduate or graduate degree program at the institution and any full-time permanent employee of the institution. Thus, an application for such a license need not include the names of prospective travelers.

A license granted to an academic institution pursuant to this section does not extend to students not enrolled in an undergraduate or graduate degree program at the institution even if they are enrolled in degree programs at other accredited academic institutions.

Travel-related transactions by full-time professionals who wish to conduct professional research or attend a meeting in Cuba are not authorized by a license granted to an academic institution. Full-time professionals who wish to engage in travel-related transactions with respect to such activities must qualify under the general license contained in § 515.564(a) or obtain a specific license under § 515.564(b). Graduate students who wish to attend a professional meeting must obtain a specific license under § 515.564(b). (See: Application Guidelines, III. PROFESSIONAL RESEARCH & MEETINGS - 31 CFR 515.564)

2. Application criteria for specific licenses for individual undergraduate or graduate students enrolled at an accredited U.S. academic institution - 31 CFR § 515.565(b)

Pursuant to § 515.565(b), OFAC will issue a specific license to an individual whose academic institution does not have a license under § 515.565(a) authorizing the individual to engage in travel-related transactions and such additional transactions that are incident to:

(a) noncommercial academic research in Cuba specifically related to Cuba for the purpose of obtaining a graduate degree; or

(b) participation 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 undergraduate or graduate degree at the licensed institution and provided that the course of study is no shorter than 10 weeks in duration;

If you wish to engage in one of these educational activities in Cuba and your academic institution does not have an OFAC license, you must provide the following information in a letter to OFAC:

1. Identify yourself. Furnish the name, address, and daytime phone number of each applicant seeking to engage in travel-related transactions under the license.

2. Identify the category of travel. State your request for a specific license under § 515.565(b) of the Regulations. Specify whether your educational activities in Cuba are: 1) noncommercial academic research in Cuba specifically related to Cuba and for purposes of obtaining a graduate degree at your U.S. academic institution; or 2) participation in a formal course of study at a Cuban academic institution that will be accepted for credit toward a degree at your U.S. academic institution.

3. Describe the research or course. Provide a detailed description of the proposed research or formal course of study in Cuba. Set forth the proposed dates and duration of the trip. Participation in a formal course of study at a Cuban academic institution can be no shorter than ten weeks in duration.

4. Provide a letter from your academic institution. An appropriate representative of your academic institution (e.g., your professor or other official advisor) must provide a written statement certifying that: 1) the U.S. academic institution is accredited by an appropriate national or regional accrediting association; 2) you are enrolled in an accredited degree program at that institution; 3) you will receive academic credit toward that degree for your educational activities in Cuba; and 4) your study or research in Cuba is taking place with the knowledge and approval of the relevant dean or the academic vice-president, provost, or president of the institution.

6. Extensions & Renewals. When applying for an extension or a renewal of a license, be sure to reference the license number in your application and include the following:

(a) an explanation why an extension or renewal is necessary;

(b) a detailed report setting forth a record of all activities undertaken pursuant to the original license or, if the original license was renewed, the most recent renewal; and

(c) a complete copy of the license and all license amendments and renewals.

7. Sign your letter. Your signature is your certification that the statements in your application are true and accurate.

Examples:

Licensable

Example 1: An undergraduate student wishes to enroll in undergraduate courses at a university in Cuba for an 11-week semester to study advanced Spanish and Cuban literature for credit toward his degree program at his accredited U.S. academic institution.

Example 2: A graduate student enrolled at an accredited U.S. academic institution and working toward her doctoral dissertation on the Cuban economy seeks to travel to Cuba for four weeks to engage in research for her dissertation.

Not licensable

Example 1: A doctor wishes to study a medical procedure at a clinic in Cuba for credit toward a continuing education requirement. The educational activity licenses do not authorize activities undertaken to fulfill continuing educational requirements to maintain one's professional credentials.

Example 2: A U.S. student enrolled in a degree program at a foreign university wishes to travel to Cuba with his or her class to participate in a course offered by the foreign university. Licenses issued under this section do not extend to U.S. students enrolled in courses at a foreign college or university.

Mailing Address: Applications for specific licenses under this category should be submitted to:

**Licensing Division
Office of Foreign Assets Control
U.S. Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220
Tel. 202/622-2480**

Internet website at www.treas.gov/ofac (Sanctions Programs & Country Summaries - Cuba, Guidelines and Information)

Text of Regulatory Provision for § 515.565:

§ 515.565 Educational activities.

(a) *Specific institutional licenses.* Specific licenses for up to one year in duration may be issued to an accredited U.S. undergraduate or graduate degree-granting academic institution authorizing the institution, its students enrolled in an undergraduate or graduate degree program at the institution, and its full-time permanent employees to engage, under the auspices of the institution, in the travel-related transactions set forth in § 515.560(c) and such additional transactions that are directly incident to:

(1) Participation in a structured educational program in Cuba as part of a course offered at the licensed institution, provided the program includes a full term, and in no instance includes fewer than 10 weeks, of study in Cuba. An individual planning to engage in such transactions must carry a letter from the licensed institution stating that the individual is a student currently enrolled in an undergraduate or graduate degree program at the institution or is a full-time permanent employee of the institution, stating that the Cuba-related travel is part of a structured educational program of the institution that will be no shorter than 10 weeks in duration, and citing the number of the institution's license;

(2) Noncommercial academic research in Cuba specifically related to Cuba and for the purpose of obtaining a graduate degree. A student planning to engage in such transactions must carry a letter from the licensed institution stating that the individual is a student currently enrolled in a graduate degree program at the institution, stating that the research in Cuba will be accepted for credit toward that degree, and citing the number of the institution's license;

(3) Participation 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 undergraduate or graduate degree at the licensed U.S. institution and provided the course of study is no shorter than 10 weeks in duration. An individual planning to engage in such transactions must carry a letter from the licensed U.S. institution stating that the individual is a student currently enrolled in an undergraduate or graduate degree program at the U.S. institution, stating that the study in Cuba will be accepted for credit toward that degree and will be no shorter than 10 weeks in duration, and citing the number of the U.S. institution's license;

(4) Teaching at a Cuban academic institution by an individual regularly employed in a teaching capacity at the licensed 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 no shorter than 10 weeks. An individual planning to engage in such transactions must carry a written letter from the licensed U.S. institution stating that the individual is a full-time permanent employee regularly employed in a teaching capacity at the U.S. institution and citing the number of the U.S. institution's license;

(5) Sponsorship, including the payment of a stipend or salary, of a Cuban scholar to teach or engage in other scholarly activity at the licensed institution (in addition to those transactions authorized by the general license contained in § 515.571). Such earnings may be remitted to Cuba as provided in § 515.570 or carried on the person of the Cuban scholar returning to Cuba as provided in § 515.560(d)(3); or

(6) The organization of and preparation for activities described in paragraphs (a)(1) through (a)(5) of this section by a full-time permanent employee of the licensed institution. An individual engaging in such transactions must carry a written letter from the licensed institution stating that the individual is a full-time permanent employee of that institution and citing the number of the institution's license.

Note to paragraph (a): See §§ 501.601 and 501.602 of this chapter for applicable recordkeeping and reporting requirements. Exportation of equipment and other items, including the transfer of technology or software to foreign persons (“deemed exportation”), may require separate authorization from the Department of Commerce.

(b) *Other specific licenses.* Specific licenses may be issued to individuals on a case-by-case basis authorizing the travel-related transactions set forth in § 515.560(c) and other transactions directly incident to the educational activities described in paragraphs (a)(2) and (a)(3) of this section but not engaged in pursuant to a specific license issued to an institution pursuant to paragraph (a) of this section.

(c) Transactions related to activities that are primarily tourist-oriented, including self-directed educational activities that are intended only for personal enrichment, are not authorized by this section.