

Code of Federal Regulations

Title 31. Money and Finance: Treasury

Subtitle B. Regulations Relating to Money and Finance

Chapter V. Office of Foreign Assets Control, Department of the Treasury

Part 515. Cuban Assets Control Regulations (Refs & Annos)

Subpart E. Licenses, Authorizations, and Statements of Licensing Policy

31 C.F.R. § 515.570

§ 515.570 Remittances.

Effective: October 17, 2016

Currentness

(a) Family remittances authorized. Persons subject to the jurisdiction of the United States who are 18 years of age or older are authorized to make remittances to nationals of Cuba who are close relatives, as defined in § 515.339 of this part, of the remitter, provided that:

- (1) The remittances are not made from a blocked source. Certain remittances from blocked accounts are authorized pursuant to paragraph (f) of this section;
- (2) The recipient is not a prohibited official of the Government of Cuba, as defined in § 515.337 of this part, or a prohibited member of the Cuban Communist Party, as defined in § 515.338 of this part; and
- (3) The remittances are not made for emigration-related purposes. Remittances for emigration-related purposes are addressed by paragraph (e) of this section.

(b) Donative remittances to Cuban nationals authorized. Persons subject to the jurisdiction of the United States are authorized to make donative remittances to Cuban nationals, provided that:

- (1) The remittances are not made from a blocked source;
- (2) The recipient is not a prohibited official of the Government of Cuba, as defined in § 515.337, or a prohibited member of the Cuban Communist Party, as defined in § 515.338;
- (3) The remittances are not made for emigration-related purposes. Remittances for emigration-related purposes are addressed by paragraph (e) of this section; and
- (4) The remitter, if an individual, is 18 years of age or older.

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(c) Remittances to religious organizations in Cuba authorized. Persons subject to the jurisdiction of the United States are authorized to make remittances to religious organizations in Cuba in support of religious activities, provided that the remittances are not made from a blocked source and that the remitter, if an individual, is 18 years of age or older.

(d) Remittances to students in Cuba pursuant to an educational license authorized. Persons subject to the jurisdiction of the United States who are 18 years of age or older are authorized to make remittances to close relatives, as defined in § 515.339 of this part, who are students in Cuba pursuant to the general license authorizing certain educational activities in § 515.565(a) or a specific license issued pursuant to § 515.565(d), provided that the remittances are not made from a blocked source and are for the purpose of funding transactions authorized by the general licenses in § 515.565(a) or the specific license issued pursuant to § 515.565(d) under which the student is traveling.

(e) Two one-time \$1,000 emigration-related remittances authorized. Persons subject to the jurisdiction of the United States are authorized to remit the following amounts:

(1) Up to \$1,000 per payee on a one-time basis to Cuban nationals for the purpose of covering the payees' preliminary expenses associated with emigrating from Cuba to the United States. These remittances may be sent before the payees have received valid visas issued by the State Department or other approved U.S. immigration documents, but may not be carried by a licensed traveler to Cuba until the payees have received valid visas issued by the State Department or other approved U.S. immigration documents. See § 515.560(c)(4) of this part for the rules regarding the carrying of authorized remittances to Cuba. These remittances may not be made from a blocked source unless authorized pursuant to paragraph (f) of this section.

(2) Up to an additional \$1,000 per payee on a one-time basis to Cuban nationals for the purpose of enabling the payees to emigrate from Cuba to the United States, including for the purchase of airline tickets and payment of exit or third-country visa fees or other travel-related fees. These remittances may be sent only once the payees have received valid visas issued by the State Department or other approved U.S. immigration documents. A remitter must be able to provide the visa recipients' full names, dates of birth, visa numbers, and visa dates of issuance. See § 515.560(c)(4) of this part for the rules regarding the carrying of authorized remittances to Cuba. These remittances may not be made from a blocked source unless authorized pursuant to paragraph (f) of this section.

(f) Certain remittances from blocked sources authorized. Provided the recipient is not a prohibited official of the Government of Cuba, as defined in § 515.337 of this part, or a prohibited member of the Cuban Communist Party, as defined in § 515.338 of this part, certain remittances from blocked sources are authorized as follows:

(1) Funds deposited in a blocked account in a banking institution, as defined in § 515.314, in the United States held in the name of, or in which the beneficial interest is held by, a national of Cuba as a result of a valid testamentary disposition, intestate succession or payment from a life insurance policy or annuity contract triggered by the death of the policy or contract holder may be remitted to that national of Cuba, provided that the remittances are not made for emigration-related purposes. Remittances for emigration-related purposes are addressed by paragraph (e) of this section.

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(2) Up to \$300 in any consecutive three-month period may be remitted from any blocked account in a banking institution in the United States to a Cuban national in a third country who is an individual in whose name, or for whose beneficial interest, the account is held.

(g) Remittances to certain individuals and independent non-governmental organizations in Cuba. Remittances by persons subject to U.S. jurisdiction to individuals and independent non-governmental entities in Cuba, including pro-democracy groups and civil society groups, and to members of such groups or organizations, are authorized for the following purposes, provided that the remittances are not made from a blocked source:

(1) To support humanitarian projects in or related to Cuba that are designed to directly benefit the Cuban people, as set forth in § 515.575(b);

(2) To support the Cuban people through activities of recognized human rights organizations, independent organizations designed to promote a rapid, peaceful transition to democracy, and activities of individuals and non-governmental organizations that promote independent activity intended to strengthen civil society in Cuba; and

(3) To support the development of private businesses, including small farms.

(h) Unblocking of certain previously blocked remittances authorized. Banking institutions, as defined in § 515.314, are authorized to engage in all transactions necessary to unblock and return remittances if they would have qualified as authorized had they been sent under current paragraph (b) of this section, provided that persons subject to U.S. jurisdiction unblocking remittances originally blocked on or after August 25, 1997 pursuant to this section must submit a report to the Department of the Treasury, Office of Foreign Assets Control, Attn: Sanctions Compliance & Evaluation Division, 1500 Pennsylvania Avenue NW., Annex, Washington, DC 20220 within 10 business days from the date such remittances are released. Such reports shall include the following:

(1) Where available, a copy of the original blocking report filed with OFAC pursuant to § 501.603(b)(1) of this chapter.

(2) The date the unblocked remittance was released;

(3) The amount of funds unblocked;

(4) The name of the party to whom the remittance was released; and

(5) A reference to this section as the legal authority under which the remittance was unblocked and returned.

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(i) Remittances to third-country nationals for certain travel. Persons subject to the jurisdiction of the United States are authorized to make remittances to third-country nationals for travel by third-country nationals to, from, or within Cuba, provided that such travel would be authorized by a general license issued pursuant to this part if the traveler were a person subject to U.S. jurisdiction.

(j) Specific licenses. Specific licenses may be issued on a case-by-case basis authorizing the following:

(1) Remittances by persons subject to U.S. jurisdiction to a person in Cuba, directly or indirectly, for transactions to facilitate non-immigrant travel by an individual in Cuba to the United States under circumstances where humanitarian need is demonstrated, including illness or other medical emergency.

(2) Remittances from a blocked account to a Cuban national in excess of the amount specified in paragraph (f)(2) of this section.

Note 1 to § 515.570: This section does not authorize investment with respect to Cuba.

Note 2 to § 515.570: For the rules relating to the carrying of remittances to Cuba, see § 515.560(c)(4). See § 515.572 for an authorization related to the collection, forwarding, or receipt of certain remittances to or from Cuba.

Credits

[[64 FR 25818](#), May 13, 1999; [68 FR 14147](#), March 24, 2003; [69 FR 33773](#), June 16, 2004; [74 FR 46006](#), Sept. 8, 2009; [76 FR 5076](#), Jan. 28, 2011; [80 FR 2298](#), Jan. 16, 2015; [80 FR 56923](#), Sept. 21, 2015; [81 FR 71377](#), Oct. 17, 2016]

SOURCE: [28 FR 6974](#), July 9, 1963; [28 FR 7427](#), July 20, 1963; [28 FR 7941](#), Aug. 3, 1963; [50 FR 27437](#), July 3, 1985; [50 FR 33719](#), Aug. 21, 1985; [58 FR 34710](#), June 29, 1993; [58 FR 45060](#), Aug. 26, 1993; [58 FR 47644](#), Sept. 10, 1993; [59 FR 31142](#), June 17, 1994; [61 FR 37386](#), July 18, 1996; [61 FR 43461](#), Aug. 23, 1996; [61 FR 54938](#), Oct. 23, 1996; [62 FR 45106](#), Aug. 25, 1997; [63 FR 10331](#), March 3, 1998; [63 FR 27349](#), May 18, 1998; [66 FR 36687](#), July 12, 2001; [74 FR 46003](#), Sept. 8, 2009; [75 FR 10997](#), March 10, 2010; [75 FR 10999](#), March 10, 2010; [76 FR 5074](#), Jan. 28, 2011; [80 FR 34054](#), June 15, 2015; [81 FR 13991](#), March 16, 2016, unless otherwise noted.

AUTHORITY: [22 U.S.C. 2370\(a\)](#), [6001–6010](#), [7201–7211](#); [31 U.S.C. 321\(b\)](#); [50 U.S.C. 4301–4341](#); [Pub.L. 101–410](#), [104 Stat. 890](#) ([28 U.S.C. 2461](#) note); [Pub.L. 104–114](#), [110 Stat. 785](#) ([22 U.S.C. 6021–6091](#)); [Pub.L. 105–277](#), [112 Stat. 2681](#); [Pub.L. 111–8](#), [123 Stat. 524](#); [Pub.L. 111–117](#), [123 Stat. 3034](#); [E.O. 9193](#), [7 FR 5205](#), [3 CFR, 1938–1943 Comp.](#), p. 1174; [E.O. 9989](#), [13 FR 4891](#), [3 CFR, 1943–1948 Comp.](#), p. 748; [Proc. 3447](#), [27 FR 1085](#), [3 CFR, 1959–1963 Comp.](#), p. 157; [E.O. 12854](#), [58 FR 36587](#), [3 CFR, 1993 Comp.](#), p. 614.

Current through December 28, 2017; [82 FR 61498](#).