



## **Guidelines For University of South Florida Personnel Traveling to Cuba**

Revised November 2, 2022

Under Florida law, USF cannot pay or reimburse travel expenses for activities related to or involving travel to any country designated by the United States Department of State as a state sponsor of terrorism [see §§ [1011.90\(6\)](#), [112.061\(3\)\(e\)](#), Fla. Stat.].

The U.S. Department of State designated Cuba as a state sponsor of terrorism on 12 January 2021 (see <https://www.state.gov/state-sponsors-of-terrorism/>).

**Therefore, USF cannot pay or reimburse any travel expenses for travel to Cuba.**

However, USF employees may choose to personally pay travel expenses for travel to Cuba related to one or more of the authorized activities listed in 31 C.F.R. § [515.560\(a\)](#), including professional research and professional meetings in Cuba (see § [515.564](#)).

If an outside entity funds such travel, whether directly or by payment to a USF employee, then the USF employee must disclose this in [eDisclose](#) as an outside “financial interest” if they are engaged in the design, conduct, or reporting of any research at USF (see § [1012.977](#), Fla. Stat.).

Alternatively, some federally funded investigators may need to disclose such funding as a “significant financial interest” as part of [USF’s Conflict of Interest Program](#) depending on the source and amount of such funding.

Any USF employee who receives such funding who is not engaged in the design, conduct, or reporting of any research at USF should still disclose such funding in [eDisclose](#) if they reasonably conclude such funding may create a conflict of interest or conflict of commitment. For additional information regarding these disclosure requirements, please refer to [USF Policy 0-027](#), Florida Code of Ethics for Public Officers and Employees; Compliance and Disclosure and [USF Policy 0-309](#), Individual Conflicts of Interest in USF Research Projects and USF Financial Conflicts of Interest (FCOI).

### **Licensing**

You do not need a specific license to travel to Cuba, but you must fall within one of the authorized categories of travel.<sup>1</sup> The category “Professional research and professional meetings in Cuba” authorizes, among other things, professional research in Cuba relating to a traveler’s profession, professional background, or area of expertise and attending professional meetings or conferences directly relating to traveler’s profession, professional background, or area of expertise.

<sup>1</sup> The twelve categories are as follows: (1) family visits; (2) official business of the U.S. government, foreign governments, and certain intergovernmental organizations; (3) journalistic activity; (4) professional research and professional meetings; (5) educational activities; (6) religious activities; (7) public performances, clinics, workshops, athletic and other competitions, and exhibitions; (8) support for the Cuban people; (9) humanitarian projects; (10) activities of private foundations or research or educational institutes; (11) exportation, importation, or transmission of information or information materials; and (12) certain authorized export transactions.

Permissible for USF Personnel		Regulation/Guidance
<b>General</b>		
1.	USF personnel may travel to Cuba for professional research and professional meetings. Subject to conditions, travel-related transactions set forth in <a href="#">§ 515.560(c)</a> and such additional transactions as are directly incident to professional research or professional meetings are authorized. Direct financial transactions involving an entity listed on the “ <a href="#">Cuba Restricted List</a> ” and the “ <a href="#">Cuba Prohibited Accommodations List</a> ” are prohibited.	31 C.F.R. § 515.564; <a href="#">Cuba FAQ #701</a> § 515.209 § 515.210
<b>Related to Professional Meetings</b>		
2.	USF personnel may attend a professional meeting or conference, provided the purpose of the meeting or conference directly relates to the traveler’s profession, professional background, or area of expertise.	31 C.F.R. § 515.564; <a href="#">Cuba FAQ #701</a>
Prohibited for USF Personnel		Regulation/Guidance
<b>Tourism in Cuba</b>		
3.	USF personnel may not travel to Cuba to engage in tourist activities. Travel for the purpose of engaging in tourist activities remains prohibited.	Trade Sanctions Reform and Export Enhancement Act of 200 (TSRA).

Cuba Travel Check List	
1.	<u>Travel Certification (Exhibit A)</u> . We recommend that each time you travel, prior to departure, each USF person who travels should prepare a written statement for USF’s Legal Compliance file stating that the traveler is authorized to travel under this category. This is not a requirement, but it is a best practice. We have prepared a form for your use (see Exhibit A).
2.	<u>Letter of General License</u> . We recommend that each traveler to Cuba carry a letter of general license, issued by the ECO on USF letterhead. This is not a requirement, but it is a best practice.
3.	<u>Schedule</u> . While in Cuba, USF personnel must maintain a full-time schedule of activities each day that relates to professional research or professional meetings. The traveler’s schedule of activities does not include free time or recreation in excess of that consistent with a full-time schedule of professional research. We recommend that you prepare a written schedule to keep with your other records. It is important to note that the schedule of meetings may change on the ground; it is not necessary to keep the exact schedule as prepared prior to the trip. But any changes to the schedule should be noted in writing and should be kept on file.
4.	<u>Money matters</u> . Subject to conditions, travel-related transactions set forth in <a href="#">§ 515.560(c)</a> and such additional transactions as are directly incident to professional research or professional meetings are authorized. Direct financial transactions involving an entity listed on the “ <a href="#">Cuba Restricted List</a> ” and the “ <a href="#">Cuba Prohibited Accommodations List</a> ” are prohibited.
5.	<u>What You Can Bring Back</u> . U.S. persons traveling to Cuba are authorized to import into the United States as accompanied baggage Cuban merchandise for personal use only (excluding Cuban-origin alcohol and/or tobacco products) <a href="#">§ 515.560(c)</a> . <b>However, import of samples, technology, and items for commercial or research use require a specific license. Consult with Export Controls on licensing requirements.</b>
6.	<u>Records</u> . Keep records related to the travel for five years.
7.	<u>Visas</u> . Visit the Cuban Embassy website for details about visas. <a href="https://cu.usembassy.gov/">https://cu.usembassy.gov/</a>

<b>Cuba Travel Check List</b>	
<b>DO NOT DO</b>	
1.	Do not engage in tourist travel to any extent that would be inconsistent with a full-time schedule of professional meetings.
2.	Do not sign any agreements. Agreements include, but are not limited to, contracts, letters of understanding, and other documents regarding legal assurances, commitments, and obligations engaging the University of South Florida.
3.	Do not pay, offer, or promise any money or anything of value to an official of the Cuban government, or to any employee or officer of any Cuban government-controlled company. Under the U.S. Foreign Corrupt Practices Act (FCPA), it is unlawful to offer, pay, or promise to pay anything of value in exchange for a professional or business advantage.
4.	Do not use VPN or RDG while in Cuba. Access to MyUSF is prohibited as is any web based interface requiring NetID log in.
5.	USF equipment taken to Cuba typically requires a Commerce-BIS license. Some personally owned equipment or items may be taken to Cuba by the traveler as long as they do not contain controlled information. Only Consumer Communications Devices (computers, phones, digital cameras) as defined in § <a href="#">740.19</a> are allowed. Consumer refers to items generally available to the public by being sold, without restriction, from stock at retail selling points. It is recommended to bring only sanitized devices (no sensitive or personal data).
6.	Direct financial transactions involving an entity listed on the " <a href="#">Cuba Restricted List</a> " and the " <a href="#">Cuba Prohibited Accommodations List</a> " are prohibited.

**EXHIBIT A**

**TRAVEL CERTIFICATION: TRAVEL TO CUBA**

I understand that travel to Cuba and travel-related transactions must occur within the scope of the self-authorizing general license of travel to Cuba or under a specific license granted on a case-by-case basis. By signing my name below, I declare that I am traveling within the category of travel authorized for “Professional Research and Professional Meetings In Cuba” as defined in 31 C.F.R. § 515.564.

I am a professional associated with the University of South Florida whose travel transactions are directly related to my profession, professional background, or area of expertise. My travel is deemed Business Travel and I have obtained the necessary approved electronic Travel Authorization from my College or Unit. The research or meetings I am participating in, relating to my full-time professional area, will comprise a full work schedule in Cuba and I will not engage in recreational travel, tourist travel, or travel in pursuit of a hobby.

I understand that direct financial transactions involving an entity listed on the Cuba Restricted List or the Cuba Prohibited Accommodations List are strictly prohibited by the U.S. Department of State. As an agent of USF, I am responsible for complying with this provision. I understand USF cannot pay for or reimburse travel expenses for travel to Cuba.

Dates of travel \_\_\_\_\_

I certify the above information is true and correct.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_