

## OFAC Further Amends Cuban Assets Control Regulations to Implement President Trump's Cuba Policy

### ATTORNEYS

- Antonio Escudero-Viera
- Arturo J. García-Solá
- Isis Carballo-Irigoyen
- Samuel T. Céspedes Jr.
- Jorge J. García-Díaz
- Francisco J. Pavía
- Dora M. Peñagaricano
- Helen A. Salichs

### PRACTICE AREAS

- Cuba

### McV Cuba Practice Team Alert

September 17, 2019

To implement further President Trump's June 2017 *National Security Presidential Memorandum on Strengthening the Policy of the United States Toward Cuba*, the Department of Treasury's Office of Foreign Assets Control (OFAC), in consultation with the Department of State, amended the Cuban Assets Control Regulations on September 9, 2019. These amendments will not take effect until October 9, 2019.

The changes amend the regulations related to remittances and remove the authorization for U.S. banks to process "U-turn" transactions - which allowed banking institutions subject to U.S. jurisdiction to process funds transfers originating and terminating outside the United States.

Major elements of these amendments include the following:

#### ■ **Remittances**

- Family remittances are now restricted so that one remitter may only send up to \$1,000 per quarter to one Cuban national. The recipient cannot be a prohibited official of the Government of Cuba, a prohibited member of the Cuban Communist Party or a close family member of these individuals.
- The authorization for donative remittances has been eliminated.
- To encourage the growth of the Cuban private sector, the amendments will authorize unlimited remittances to certain self-employed individuals such as owners of small private businesses ("*cuentapropistas*"), including restaurants ("*paladares*"), taxis, and bed-and-breakfasts ("*casas particulares*").

#### ■ **"U-turn" Transactions Eliminated**

- The amendments eliminate the authorization for banks subject to the jurisdiction of the United States to process "U-turn" transactions and allow the banks to reject these transactions.

## OFAC Further Amends Cuban Assets Control Regulations to Implement President Trump's Cuba Policy

---

The content of this McV Alert has been prepared for information purposes only. It is not intended as, and does not constitute, either legal advice or solicitation of any prospective client. An attorney-client relationship with McConnell Valdés LLC cannot be formed by reading or responding to this McV Alert. Such a relationship may be formed only by express agreement with McConnell Valdés LLC.