

Steps to obtain a permit from the Department of Commerce to travel to Cuba in the Pensacola to Cuba Rally/Race

1. Contacts:

- a. Dept of Commerce, Mark Salinas: mark.Salinas@bis.doc.gov
- b. Sen Bill Nelson's office: Matt_Williams@billnelson.senate.gov
Salinas can keep an eye on your application; Matt Williams in Senator Nelsons office can keep the processors more motivated.
- c. We are advised that an immediate return trip to clear into the US is not required by the Dept of Commerce (BIS). If you plan accordingly, remember to modify the application and attached letter!

Bob,

Condition A. in your approved license states that the vessel must sail directly to Cuba. Therefore, if you are going to a third country after the sojourn to Cuba, that would not normally require a license, there is nothing prohibiting you on the BIS-side, from doing so.

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2. Steps:

- a. Obtain a Commercial Identification Number necessary to make application for the permit.
 - i. Go to <https://www.bis.doc.gov/>
 - ii. Under the Licensing tab, hit "Simplified Network Application Process Redesign (SNAP-R), and then "CIN request"
 - iii. At the bottom of that page, go to Obtaining a CIN, and hit "registration form." If no company, put your name and address. Keep a copy of your CIN registration form, the entries will be duplicated on your SNAP-R application. The CIN should be issued within days.
- b. Apply for an export permit to take your boat to Cuba (be sure and get a close hair cut first to minimize hair loss from forceful extraction).
 - i. Go to <https://www.bis.doc.gov/>; and under the Licensing tab, hit "Simplified Network Application Process Redesign (SNAP-R), and then hit "Getting Started with SNAP-R". Read it!
 - ii. Then go back, and log in to SNAP-R. Keep your log in ID, pass word, and CIN ID handy.
 - iii. Good luck with the form:
 1. You will create an application reference number – three caps and four numbers
 2. Items 2 – 5 are self explanatory
 3. Items 6 – 13 I left blank

4. Item 14, your CIN number; and, ID; and, your current US address.
5. Items 15 – 17 I left blank
6. The consignee (18) and end user (19) should be the same name – you, the applicant.
7. The address for the consignee (18) and end user (19) is the Marina Hemingway, Calle248y, 5A Avendia, Santa Fe, La Habana, Cuba. You are the ultimate consignee and end user.
8. The specific end use (21):
 - a. Vessel is required equipment for a sailboat race, an athletic event. Vessel will comply with all temporary sojourn requirements, with no change in vessel status. Transactions and travel for the athletic event are authorized by 31CFR5.5.567. The race to Havana, Pensacola a la Habana, starts October 31, 2015; and, a second race, in Cuba, starts November 6, 2015.
9. Under Export Item List (22) Use 8A992 – which is supposedly the correct export code, and include all the sailboat information – year, model, manufacturer of boat, HIN, USCG doc no. The unit price and the total price should be zero, since you are on temporary sojourn (nothing is changing in ownership status or control).
10. Under documents, include an explanatory letter, see attached.

Be sure that it is clear you include a detailed description of what you are doing, by what authority (sailboat race, and athletic event, authorized by 31CFR515.567). The letter does this, but repeat wherever possible!

Good luck; plan on 30 to 45 days; let me know what happens!

Applicant ID XXX

XXX

XXX

XXX

XXX

SNAP-R application information
Bureau of Industry and Security
Department of Commerce

To whom it may concern:

This SNAP-R application is submitted to allow travel by sailboat (export, reexport) to Cuba pursuant to 31CFR515.567 allowing participation in an athletic event – a sailboat race from Pensacola to the Hemingway International Yacht Club; and, while in Cuba to participate in a second race organized by the Hemingway International Yacht Club. .

The race will commence at the Pensacola Yacht Club, from there proceed east of the Dry Tortugas, from there to a point offshore Havana Bay, and from there to the Marina Hemingway, sailing adjacent to the Havana waterfront (the malecon) to allow people the opportunity to watch the last leg of the race. While there, a second race will be organized by the Hemingway International Yacht Club proceeding up and down the length of the malecon, again to provide an opportunity for the public to observe. The race will commence with a staggered start Saturday, October 31, 2015; and it is anticipated vessels will arrive in Cuba the following Wednesday and Thursday. The staggered start will facilitate the boats finishing closer together. The second race, the Castle race, will be run Friday, November 6, 2015; and the trophy ceremony will be held that Friday evening. We will depart Cuba that weekend.

The time spent in Cuba will be minimal, and allow minimal time to prepare the vessel between the two races, and prior to departure. Time is critical for the planning of the race, and the submission of individual applications by the participant sailboats.

It is anticipated that the fleet may consist of as many as thirty sailboats. If approved, this license application may be used as a format to submit SNAP-R applications by other vessels participating in the race.

My participant vessel is the sailboat XXX, a XXX, USCG doc no. XXX HIN XXX. I anticipate a total crew of XXX people, including myself. It is a personally owned recreational vessel, and I will comply with all criteria for a temporary sojourn. While in Cuba I will comply with all requirements of the Department of Treasury's general license allowing travel and travel related transactions to Cuba for athletic competition.

Participation in the race will provide opportunity for the Cuban citizens to observe private US flagged recreational vessels racing, will facilitate people to people, athlete to athlete, and sailor to sailor interaction, and improve the Cuban public's perception of the United States, and is in the United States foreign policy interests.

I hope for a quick approval.

Sincerely,

U.S. Travel Restrictions to Cuba



The United States Coast Guard enacted new regulations involving entry into Cuban territorial waters on 2 July 2004. The regulations are titled "Unauthorized Entry into Cuban Territorial Waters" and are located at 33 C.F.R. § 107.200 et seq.

The regulations state that any U.S. vessel or vessel assimilated as one without nationality less than 100 meters (328 feet) in length must have a Coast Guard permit to depart from the 12-mile territorial sea and thereafter enter Cuban territorial waters regardless of intervening entry into, passage through, or departure from any other territorial waters. The regulations are enforceable against the vessel, its owner, agent, master, officers, persons in charge and members of the crew.

Applicants for a Coast Guard permit must fax completed applications to the Seventh Coast Guard District at (305) 415-6809 for approval. Applicants may direct questions to the Seventh Coast Guard District at (305) 415-6800.

Your faxed application for a permit:

- Must include a Bureau of Industry and Security (BIS) export license from the U.S. Department of Commerce (DOC). See <http://www.bis.doc.gov/> for further information. Fax a copy with your application.
- Must include a license from the U.S. Department of Treasury, Office of Foreign Asset Control (OFAC). See <http://www.treas.gov/offices/eotffc/ofac/> for further information. An applicant seeking to enter Cuban territorial waters pursuant to a general OFAC license must explain in detail why the applicant qualifies for the particular general license. An applicant seeking to enter Cuban territorial waters pursuant to a specific OFAC license must fax a copy of the license with the application for a Coast guard permit. If the specific OFAC license was issued to an institution, the application must fax a copy of the specific license and/or a letter indicating the specific license number and bearing the signature of an authorized representative of the licensee.
- Must include all required information on the permit.
- Must include the names of the vessel's owner, master, officers, operator, persons-in-charge, or crewmembers if applicable.

If the Coast Guard approves your application, the permit and accompanying OFAC and Commerce documents must be on board your vessel at all times during your voyage.

Failure to comply with the Coast Guard, Commerce, Treasury, or other Federal government regulations regarding travel to Cuba will subject violators to federal criminal prosecution, as well as possible administrative proceedings by the Department of Commerce and Department of Treasury. Penalties for violations of these Federal statutes and regulations can result in fines, imprisonment, vessel seizure and forfeiture, and denial of future export privileges.

If you do not have all of the appropriate permits and licenses required by the Department of Commerce and the Department of Treasury, and you make a voyage into Cuban territorial waters, you are subjecting yourself to any and all of these sanctions. You are hereby advised that, in compliance with direction from the President, the U.S. Coast Guard will be stringently monitoring maritime traffic to and from Cuba in order to ensure that vessels subject to U.S. jurisdiction have complied with all applicable licensing requirements, laws, and regulations, and will take aggressive enforcement actions if those conditions are not met.

The USCG application can be downloaded, or prepared at:

<http://www.uscg.mil/hq/cg5/cg531/CubaTravel.asp>

