



Staff Memorandum

EXECUTIVE COMMITTEE Agenda Item #19

REQUESTED ACTION: Authorization for the International Section to plan one or more trips to Cuba.

Attached is a memorandum from past president A. Thomas Levin, in his capacity as Vice Chair – Special Projects of the International Section, requesting that the Executive Committee authorize the Section to plan one or more trips to Cuba under a People to People General License, with participation limited to NYSBA members who are admitted to practice in New York.

As set forth in the memorandum, the Executive Committee considered a proposal for Cuba travel at its January 2012 meeting, at which time the Executive Committee authorized the section to present a proposed application for a specific license and itinerary to the Executive Committee. Due to intervening events, the application was not prepared and the Office of Foreign Assets Control (OFAC), which processes such applications, stopped processing applications for specific licenses. Instead of applying for a specific license, the Section proposes to apply for a general license. A general license is a category of travel open to anyone meeting specific qualifications and traveling for specific limited purposes.

The memorandum outlines previous trips to Cuba authorized by NYSBA, as well as subsequent investigations conducted by OFAC after trips in 2005 and 2007. Although no action was taken by OFAC against NYSBA or any other bar association, further trips did not take place.

The Section now believes there are new opportunities for Cuba travel, and is proposing that NYSBA sponsor a People to People trip under a general license, focusing on legal issues to the maximum extent possible. Included in the materials is a proposed itinerary. The Section also recommends that any such trip be limited to NYSBA members admitted to practice in New York.

The proposal will be presented at the April 5 meeting by Mr. Levin.