

Pascal and Lebow in Law360 on Tighter Cuba Travel Rules

November 30, 2017 Larry Pascal, Edward Lebow

PRACTICES Cuba, International

Law360 quoted Haynes Boone Partner [Larry Pascal](#) and Counsel [Ed Lebow](#) in a report on President Donald Trump's new trade and travel restrictions for Cuba.

Law360 [reported](#) that the enhanced restrictions that took effect Nov. 9 signal that the Trump administration is more strictly enforcing existing regulations related to the U.S.'s 55-year-old embargo against Cuba, notably blacklisting 180 companies and entities tied to Cuban military or intelligence outfits that Americans will no longer be able to do business with going forward. ...

The U.S. State Department's so-called Cuba restricted list identifies a number of hotels, rum producers, beverage manufacturers, fashion companies, real estate firms, marinas and stores in Old Havana.

"The key takeaway is that the administration really does not want to see Americans enriching the Communist government of Cuba and elements of society affiliated with the government and wants to put a real slowdown on the growth of U.S. travel to Cuba," Lebow, international trade counsel with Haynes Boone, told *Law360*. "But it wants at least to mitigate somewhat the impact on the new Cuban entrepreneurial sector and the Cuban people."

"I see an attempt here to have it both ways to cut back [on American spending in Cuba] but limit the hurt to the average Cuban citizen," Lebow said.

Trump is taking a more hard-line approach to a goal that the Obama administration touted as one of its reasons for opening up U.S.-Cuba relations, experts say.

"In some ways, [this] slicing and dicing of helping the Cuban people, but not wanting to support the Cuban government, was a line the Obama administration was trying to enunciate and articulate," said Pascal, chair of the Americas practice group and co-chair of the international practice group for Haynes Boone. "In my view, [this] is a little bit of a continuation of a similar theme but a restricted one."

But even the focus on building up private enterprise might have some unintended consequences.

...

The list of restricted businesses includes more than 80 hotels, many of which are in resort and tourist-heavy areas like Varadero and Old Havana and include prominent properties such as the luxury Gran Hotel Manzana Kempinski or properties run by European hotel giants such as Spanish hotel chains Melia Hotels International SA and Iberostar Hotels and Resorts.

Experts say it'll be up to individual travelers, travel agents and online travel booking sites such as Expedia to stay on top of the new restrictions.

“I think the travel agency community will be closely reviewing these rules to ensure compliance,” Pascal said. “There’s too much exposure and too much negative publicity that goes with noncompliance with embargo rules whether for Cuba or elsewhere.”

Excerpted from *Law360*. To read the full article, click [here](#). (Subscription required)