

Advisory on Embargoed Countries

A. State of Florida Restrictions On Funding Travel Costs Relating to Countries Designated By The U.S. Government As “State Sponsors Of Terrorism” (Currently, Cuba, Iran, Sudan and Syria)

A federal appeals court recently upheld a Florida statute that prohibits state universities and agencies from using any funds “made available” to them—from any source (state, federal, private or other)—for travel or travel-related costs to certain countries identified by the U.S. Department of State as “state sponsors of terrorism.” The countries, which change as U.S. foreign policy changes, are currently Cuba, Iran, Sudan and Syria (“embargoed countries”).

The Florida statute’s prohibition against state university funding of travel to embargoed countries applies even when federal law does not impose a similar prohibition and would allow the travel. The court held that the state prohibition also applies even when the federal government is willing to fund the travel.

Due to the Florida statute’s prohibition:

- Airfare and other transportation costs, hotels, meals, visa fees, and other direct costs of travel to or in embargoed countries may not be paid by any funds in or passing through UF accounts, including the UF Foundation.
- Any federal or other award to UF that specifically allocates funds to travel to or in an embargoed country, may not be used for that purpose. Please contact the Director of the Division of Sponsored Research to discuss and arrange for any possible alternative use of these funds. We must ensure satisfaction of all requirements of the award and may need to adjust the award.
- Travel to embargoed countries using funds that do not move through UF accounts (personal funds or funding provided directly to an individual by a federal or private source, without ever being deposited in any UF or UF Foundation account) is permitted, but may not always be advisable:
 - It should be assumed that UF and the State of Florida are not permitted to pay for, defend, or insure anyone for accidents, acts of negligence, or liabilities while in embargoed countries (i.e., assume that neither UF, nor FL Risk Management will be able to fund lawyers or otherwise fund the defense or liability);
 - UF will not be permitted to pay for medical services or other rescue in such countries (but individuals may continue to personally purchase medical and emergency evacuation coverage from MEDEX for a very low cost);
- Research and education about embargoed countries, and funding of associated non-travel costs, are permitted. For that reason, and because faculty members and other employees are funded to conduct these activities regardless of location, compensation and benefits for such intellectual endeavors, wherever they occur, should not be regarded as travel related costs.

- No member of the UF community may be required or coerced to assume the personal cost of travel to embargoed countries. Deans, department heads, and faculty advisors should work with any student whose degree-related work requires travel to an embargoed country to identify any possible alternative that is academically sound. Due to the Florida statute, if an academically sound alternative is not available, the student may have to choose either: starting a new project even if it will delay attainment of a degree, or traveling to an embargoed country at personal cost. But every effort should be made to find an alternative. The Office of the Dean of the Graduate School is available to assist graduate students.

B. Guidance on Federal Restrictions Relating to Embargoed Countries

Federal law restricts other activities (some travel related and others not) involving embargoed countries. Note the following:

- Currently, federal law requires a federal license for entry into Cuba. A federal license is not currently required for mere entry into other embargoed countries.
- *Even where no license for entry is required, federal law still restricts activities undertaken within all embargoed countries, as well as the equipment (including computers, PDAs, smart phones and cell phones) that may be taken into or shipped to these countries.* Federal licenses may be required as a prerequisite to certain activities and may establish limitations. It is important to know the details of the restrictions that apply to each country, which vary by country and as U.S. foreign policy changes.
- Federal law also restricts certain collaborations, consulting, research (even surveys), and visits with or within embargoed countries or involving their citizens.
- There may be federal limitations imposed on certain activities of or payments to UF students or employees who are citizens of an embargoed country. However, UF welcomes all members of its diverse and international campus community. The International Center can provide assistance to satisfy any federal requirements for citizens of embargoed countries.

C. Any member of the UF community who is planning or doing work involving an embargoed country or its citizens, whether or not involving travel, must review this Advisory and contact Dean David Sammons to learn more about and ensure that all federal and state prerequisites are met. (The General Counsel's Office and Division of Sponsored Research are also available to assist.)