

U.S.-Cuba Trade and Economic Council, Inc.

New York, New York

Telephone (917) 453-6726 • E-mail: council@cubatrade.org

Internet: <http://www.cubatrade.org> • Twitter: [@CubaCouncil](https://twitter.com/CubaCouncil)

Facebook: www.facebook.com/uscubatradeandeconomiccouncil

LinkedIn: www.linkedin.com/company/u-s--cuba-trade-and-economic-council-inc-

One Year Later.... What Did New York State Companies Get For Governor Cuomo's Estimated US\$200,000.00 One-Night Visit To Cuba?

One year ago today, The Honorable Andrew Cuomo (D), Governor of the State of New York, returned from a 20 April 2015 to 21 April 2015 visit to the Republic of Cuba.

He traveled with representatives of seven (7) New York-based companies and fifteen (15) members of his staff- seven (7) of whom had a focus upon relations with the media.

What the companies reported....

Cayuga Milk Ingredients, despite numerous efforts to follow-up directly with Republic of Cuba government-operated entities and to obtain assistance from Governor Cuomo, has received neither replies no orders for product. Important to note that food products and agricultural commodities have been eligible for export to the Republic of Cuba since 2000 under the Trade Sanctions Reform and Export Enhancement Act (TSREEA). During the period 2001 through 2015, the Republic of Cuba purchased approximately US\$5.2 billion in eligible products on a cash basis, as required by the TSREEA. The Republic of Cuba from 2004 to 2008 imported from the United States US\$81,149,466.00 in powered milk; none since that time. Although agricultural commodities have been the majority of products exported from the United States to the Republic of Cuba since 2001, a representative from the New York State Department of Agriculture and Markets was not included by Governor Cuomo in the delegation; other governors have included in their delegations a representative of their respective agricultural-focused departments/agencies. Wine and apples have been exported from New York to the Republic of Cuba.

Chobani Greek Yogurt reports no exports to the Republic of Cuba. Important to note that food products and agricultural commodities have been eligible for export to the Republic of Cuba since 2000 under the Trade Sanctions Reform and Export Enhancement Act (TSREEA). During the period 2001 through 2015, the Republic of Cuba purchased approximately US\$5.2 billion in eligible products on a cash basis, as required by the TSREEA.

Pfizer reports no exports to the Republic of Cuba. Important to note that medical equipment, medical instruments, medical supplies, medicines and pharmaceuticals have been eligible for export to the Republic of Cuba since 1992 under the Cuban Democracy Act (CDA).

Regeneron reports no exports to the Republic of Cuba. Important to note that medical equipment, medical instruments, medical supplies, medicines and pharmaceuticals have been eligible for export to the Republic of Cuba since 1992 under the Cuban Democracy Act (CDA).

Infor reported in 2015 having three information technology agreements to “*sell the company's health-care software to a company in Cuba. The Cuban company also will help sell Infor's software to Latin American countries and help train students at a local university.*” No further information has been provided.

MasterCard (like Visa) awaiting further legal clarifications and operational changes by the governments of the United States and the Republic of Cuba. Important to note that the use of credit cards was authorized by the Office of Foreign Assets Control (OFAC) of the United States Department of the Treasury prior to 20 April 2015.

JetBlue Airways has applied to the United States Department of Transportation (USDOT) for routings and is awaiting decision. Important to note that air carriers have been operating charter flights to the Republic

of Cuba for almost twenty years under provisions of licenses (general and specific) issued by the Office of Foreign Assets Control (OFAC) of the United States Department of the Treasury and Bureau of Industry and Security (BIS) of the United States Department of Commerce. JetBlue Airways has operated charter flights since 2011.

Roswell Park Cancer Institute, although a non-profit entity, has an agreement to research, test and potentially market a cancer vaccine. Roswell Park Cancer Institute had a longstanding relationship with Republic of Cuba government-operated entities, predating participation in the April 2015 visit.

There were many New York-based companies that wanted to participate, but were discouraged and were refused; the selection process was secretive and unnecessarily exclusionary.

One publicly-held New York-based company (market capitalization exceeded US\$2 billion; operating in more than 150 countries) requested to participate in the April 2015 delegation to the Republic of Cuba, but was excluded by ESDC staff. Since returning from the Republic of Cuba, ESDC staff advised the company to retain a paid consultant.

The Governor used a 150-passenger Airbus A-320 aircraft operated by New York-based JetBlue Airways Corporation for a group (including eighteen journalists) comprising approximately sixty (60) passengers. JetBlue Airways Corporation has not reported if the aircraft was chartered by a third-party and if any discount (or contribution) was provided.

Since the visit....

In March 2016, a representative of the New York-based Empire State Development Corporation (ESDC), which coordinated the visit, reported on 17 March 2016 that the entity was engaged in active follow-up outreach to New York-based companies and that New York-based companies were aware of the active outreach. However, the ESDC does not have any information about this active outreach on its Internet site and refused to provide information as to the process for obtaining information and guidance and the means used by ESDC to market its outreach.

In March 2016, when an individual attempted to speak with Mr. Howard Zemsky, President and Chief Executive Officer of the ESDC, after his remarks about the Republic of Cuba to a conference audience in New York City, five members of his staff surrounded him, escorted him from the premises, and prevented any communication. Mr. Zemsky made no effort to engage.

The Governor has required requests for information be made under provisions of the New York State Freedom of Information Law (FOIL); and has repeatedly delayed providing information- in some instances for almost one year. Some information has yet to be provided.

The planning....

Governor Cuomo directed more resources (human and financial) towards preparation of the April 2015 visit than any of the fourteen governors who visited the Republic of Cuba since 1999, resulting in the highest expenditure of taxpayer funds for one night in the city of Havana, Republic of Cuba.

The process was the least transparent of any of the fourteen governors who visited the Republic of Cuba since 1999.

There remains clever semantics that the Governor and Mr. Zemsky continue to include in their narratives: That Governor Cuomo was the first governor to visit the Republic of Cuba since the 17 December 2014 announcement by The Honorable Barack Obama, President of the United States. The statement is correct, but is not complete.

The Honorable Jay Nixon (D), Governor of the State of Missouri, was scheduled to visit the Republic of Cuba in March 2015, but due to a death of State Auditor Tom Schweich, his wife, Georganne, traveled in his place with a group of ninety-five (95) where not all were Missouri-based. Mrs. Nixon's expenses were paid for by a non-profit organization; no taxpayer funds were reported used for the visit. Had there not

been a death, Governor Cuomo would have been the second governor to visit the Republic of Cuba since the 17 December 2014 announcement by President Obama. Governor Cuomo was the first in 2015 to travel to the Republic of Cuba using state taxpayer funds and with a state-specific delegation.

The Governor released limited information relating to the visit to the Republic of Cuba. Upon return from the Republic of Cuba, Mr. Howard Zemsky of the ESDC was asked about the cost of the visit; he replied to a journalist that he did not know. A Freedom of Information Law (FOIL) request was required to obtain information- including the names of the Executive Branch Staff.

The costs

On 17 June 2015, the estimated expenditures for the visit by Governor Cuomo to the Republic of Cuba was more than US\$116,000.00. Since that time, additional information has become available through FOIL requests, although there are FOIL requests that remain outstanding. The estimated expenditures are now nearing US\$200,000.00.

The taxpayers of New York State funded a US\$9,572.00 “Advance Trip (31 March 2015 to 3 April 2015)” to the Republic of Cuba by three (3) representatives of the Governor- US\$4,260.00 for Air Travel; US\$1,980.00 for Lodging & Conference; US\$1,200.00 for Additional Meals & Incidentals; US\$954.00 for Ground Transportation; and US\$1,178.00 for Telephone & Internet in Cuba.

The taxpayers of New York State funded US\$73,441.00 for seventeen (17), including Governor Cuomo (who stayed one night at the residence of the Chief of the United States Interests Section) and Executive Branch Staff. US\$35,055.00 for Air Travel; US\$17,781.00 for Lodging & Conference Rooms (meals, ground transportation, translation services, and logistical support expenses); US\$7,634.00 for Additional Meals & Incidentals; US\$4,784.00 for Ground Transportation; US\$2,162.00 for Telephone & Internet in Cuba; and US\$6,025.00 For Office Supplies & NYS Promotional Items (reportedly these did not include bobbleheads).

Two representatives of the New York State-taxpayer-funded State University of New York (SUNY) participated at an estimated cost of US\$8,988.00.

Some members (and staff) of the New York State Senate who accompanied Governor Cuomo to the Republic of Cuba have not disclosed the source(s) of funds used to make payment for the visit.

The number of representatives from the New York State Police to visit the Republic of Cuba in advance of and during the visit by Governor Cuomo has not been disclosed; reportedly five (5) at an estimated total cost of US\$22,470.00.

The number of visits by representatives of New York State to Washington, DC, for meetings relating to the visit to the Republic of Cuba has not been disclosed.

The amount of hours directed by representatives of Governor Cuomo towards the planning and execution and follow-up for the visit the Republic of Cuba has not been disclosed; estimates are up to 250 hours at an estimate of US\$40.87 per hour, for US\$10,217.50.00.

Should he have waited...

Governor Cuomo would likely have gained greater value for New York-based companies had he awaited the removal of the Republic of Cuba from the Sanctions List (May 2015) and re-establishment of formal diplomatic relations (July 2015) and the United States Embassy was formally re-opened (August 2015). Upon completion of these events, the government of the Republic of Cuba would have fewer sector-specific impediments to implement agreements with New York-based companies (entities); and the governor would have been a more forceful advocate on behalf of a larger delegation of New York State-based companies (entities) brought together through a more inclusive and expressive process.

Participants	Andrew Cuomo (D- New York) April 2015	Asa Hutchinson (R- Arkansas) September 2015	Greg Abbott (R- Texas) November 2015	Terry McAuliffe (R- Virginia) January 2016
State GSP Ranking	3	34	2	12
Duration (Nights)	1	2	2	3
Aircraft Used For Visit	Airbus-320 Charter	Miami Charter	Boeing 737	Beechcraft King Air 350/Miami Charter
Personal	1	1	2 (wife)	2 (wife)
Executive Staff	16	2	13	2
State Agency Staff	2	4	2	6
Legislature Elected Officials	3	0	0	0
Legislature Elected Officials Staff	2	0	0	0
Educational Institution Staff	2	2	0	3
Airport Authority	1	0	2	0
Port Authority	0	0	5 (four ports)	1
Paid Organizing Consultant	1 (US\$25,000.00)	No	1 (US\$5,000.00)	1 (Not Yet Disclosed)
Private Sector	13 (seven companies)	24 (thirteen companies)	3 (two companies)	seven companies
Media	18	DND	1 (newspaper pool)	2
Healthcare (non-profit)	4 (two organizations)	1	0	0
Cost	US\$200,000.00 (est)	US\$30,000.00 (est)	US\$55,000.00 (est)	US\$60,000.00 (est)
Export Agreements Confirmed	0	0	0	0

Private and Public Sector Entities Accompanying Governors To The Republic Of Cuba			
Andrew Cuomo (D- New York)	Asa Hutchinson (R- Arkansas)	Greg Abbott (R- Texas)	Terry McAuliffe (D- Virginia)
Cayuga Milk Ingredients Chobani Empire State Development Corporation Infor JetBlue MasterCard Worldwide NY Genome Center Pfizer Plattsburgh International Airport Regeneron Roswell Park Cancer Institute State University of New York (SUNY)	Arkansas Department of Agriculture Arkansas Economic Development Commission Arkansas Farm Bureau Arkansas World Trade Center ATA International Bio-Tech Pharmacal, Inc. CJRW ETW Enterprises, Inc. Hanna's Candle Company Hunt Ventures In Good Spirits (McDonald's franchisee) Keith Smith Company Mannco Fertilizer New Road Ventures Riceland Foods, Inc. Safe Foods Corporation Simmons Foods The Winrock Group University of Arkansas System University of Arkansas System Division of Agriculture West Fraser Winrock Farms Winrock International	AWSCI LLC Houston Airport System Port of Beaumont Port of Corpus Christi Port of Houston Texas Economic Development Corporation, Inc. Vaughn Farms, Inc.	Department of Agriculture and Consumer Services Department of Agriculture and Forestry Department of Health and Human Services Department of Technology Forever Oceans Mountain Lumber Company Onduline North America, Inc. Perdue Agribusiness Smithfield Foods T. Parker Host Virginia Commonwealth University Virginia Economic Development Partnership Virginia Museum of Fine Arts Virginia Natural Beef Virginia Port Authority
State Entities- 4	State Entities- 3	State Entities- 4	State Entities- 6
Non-Profit Entities- 2	Non-Profit Entities- 2	Non-Profit Entities-	Non-Profit Entities- 2
Companies- 7	Companies- 17	Companies- 2	Companies- 7

New York State Employees:

Executive Branch Staff

Governor Andrew Cuomo
Howard Zemsky- President & CEO of ESD
Aaron Kaplowitz- Director of Global NY at ESD
John Howard- Director of Operations
Gareth Rhodes- Deputy Press Secretary
Melissa DeRosa- Director of Communications
Rick Cotton- Special Counselor for Interagency Initiatives
Joe Percoco- Executive Deputy Secretary
Rich Azzopardi- Senior Deputy Communications Director
Frank Sobrino- Deputy Director of Communications for New York City
Alexander Cochran- Special Counsel to the Governor for Federal Affairs
Daniel Barry- Photographer/Videographer
Mayra Linares- Special Assistant for Community Affairs
Antonio Rodriguez- Economic Development Program Specialist
Steve Cannon- Director of Special Events
New York State Police- (reportedly five)

Speaker of the New York State Assembly Carl E. Heastie
New York State Senator Jeff Klein
New York State Senator Andrea Stewart-Cousins
Jevonni Brooks (Chief of Staff to Mr. Heastie)
Michael Whyland (Communications Director for Mr. Heastie)

Nancy Zimpher (Chancellor- SUNY)
Jose Buscaglia-Salgado, Program Director for Caribbean, Latin American, and Latino Studies at SUNY at Buffalo

Non-New York State Employees:

Air Travel:

Robin Hayes- CEO, JetBlue
James G. Hnat- EVP General Counsel & Governmental Affairs, JetBlue
Garry Douglas- Pres/CEO, Plattsburgh-North Country Chamber of Commerce, (Plattsburgh International Airport)

Biotechnology / Health / Pharmaceutical:

Dr. Leonard Schleifer- CEO, Regeneron
Dr. Freda C. Lewis-Hall- Chief Medical Officer & EVP, Pfizer
Sam Gonzalez- Director of Operations, Pfizer

Dr. Candace Johnson- CEO, Roswell Park Cancer Institute
Dr. Kelvin Lee MD- Chair, Department of Immunology, Roswell Park Cancer Institute
Dr. Robert Darnell- CEO, NY Genome Center
Carol Ashe- Chief Business Officer, NY Genome Center

Financial Services:

Walt Macnee- Vice Chairman, MasterCard Worldwide
Jeff Wilson- President, GeoCentral Division, Latin American and Caribbean, MasterCard
Ryan Erenhouse- Communications Vice President, MasterCard Worldwide

Agriculture:

Hamdi Ulukaya- CEO, Chobani
Marsha Welcher- Executive Assistant to the CEO, Chobani
Kevin Ellis, CEO- Cayuga Milk Ingredients

Information Technology:

Charles Phillips- CEO, Infor
Steve Fanning- VP Healthcare Industry Strategy, Infor

Media:

David Alter, WABC
Juan M. Benitez, Noticias
Glenn Blain, NY Daily News
Dan Bowens, Fox 5 NYC
Susanne Craig, NY Times
Zachary Fink, NY1
Alan Gomez, USA Today
Freeman Klopott, Bloomberg
Marcia Kramer, WCBS

Jon Lentz, City and State
Joseph Mauceri, PIX
Luis Alejandro Medina, Telemundo
Erica Orden, Wall Street Journal
Yancey Roy, Newsday
Melissa Russo, NBC 4 NYC
Jorge Viera, Univision
James Vielkind, Capital NY
Joseph Torres, WABC