

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

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USAID Administrator Samantha Power Risking Lawsuit For Failing To Disclose Data About PPE Deliveries In 2022 To Cuba.

FOIA Filed In October 2022 And USAID Continues To Refuse To Provide Information

What Is USAID Hiding?

- **17 July 2023:** *“Thank you for your continued patience. Additional search time is needed to complete your request. I will provide you with an update on or before July 31, 2023.”*
- **16 June 2023:** *“Greetings, Thank you for your continued patience. Additional search time is needed to complete your request. I will provide you with an update on or before June 30, 2023.”*
- **24 May 2023:** *“Greetings, We are still working on your FOIA request and should have a response for you by June 14, 2023.”*

“This acknowledges receipt of your **October 14, 2022**, Freedom of Information Act (FOIA) request to the United States Agency for International Development (USAID). Specifically, you requested **all information about the following delivery in August 2022/September 2022/October 2022 from USAID of PPE to Cuba: 1) How was the donation delivered- air, vessel? 2) What is the brand/manufacturer of the PPE? 3) Was the delivery directly to a Republic of Cuba government-operated entity or through first the U.S. Embassy in Havana? 4) What was the U.S. Dollar value of the delivered 43 sets of PPE? 5) What is the U.S. Dollar value of the 57 sets of PPE to be delivered? 6) Did USAID use its government funding for the purchase(s)? (Date Range for Record Search: From 08/01/2022 To 10/14/2022)**. You also requested expedited processing and a fee waiver.

Expedited Processing

The FOIA provides that expedited processing is warranted if the request involves circumstances in which the lack of expedited processing could (1) reasonably be expected to pose an imminent threat to the life or physical safety of an individual, or (2) an urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information. You indicated you requested expedited processing "because the public has an urgent and compelling need for information about the **all information about the following delivery in August 2022/September 2022/October 2022 from USAID of PPE to Cuba: 1) How was the donation delivered- air, vessel? 2) What is the brand/manufacturer of the PPE? 3) Was the delivery directly to a Republic of Cuba government-operated entity or through first the U.S. Embassy in Havana? 4) What was the U.S. Dollar value of the delivered 43 sets of PPE? 5) What is the U.S. Dollar value of the 57 sets of PPE to be delivered? 6) Did USAID use its government funding for the purchase(s)? (Date Range for Record Search: From 08/01/2022 To 10/14/2022)**. After review of your justification, your request for expedited processing is denied. Your rationale does not articulate an imminent threat to the life or physical safety of an individual, nor is it an urgency to inform the public. Below is information on how to submit an appeal for this expedited processing denial.

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Fee Waiver

The FOIA provides that fees should be waived or reduced if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government and is not primarily in the commercial interest of the requester. As a member of the media, the only applicable fee is duplication. Duplication is \$0.10 per page, but the first 100 pages are free. After review of the fee waiver criteria, your fee waiver request is moot. Since the only applicable fee is duplication, and USAID routinely furnishes responsive records to FOIA requesters in electronic format, it's most likely there will be no duplication fees to assess.

Appeal rights

You have a right to appeal the denial of expedited processing. Your appeal must be received by USAID no later than 90 days from the date of this communication. To protect its workforce from COVID-19, USAID is implementing maximum telework. Our FOIA professionals are therefore working from home and do not have access to postal mail and fax machine. Please send your appeal to foia@usaid.gov, and address it to the Deputy Director of the Bureau for Management, Office of Management Services. In addition, please include your tracking number in your email.

Extending the FOIA's Time Limits due to Unusual Circumstances

The FOIA provides that an agency may extend its time limits when “unusual circumstances” occur in the processing of a request. See 5 U.S.C. § 552(a)(6)(B)(i) (2016). Those “unusual circumstances” are set forth in the statute, 5 U.S.C § 552(a)(6)(B)(iii), and are described as: 1) The need to search for records from field facilities or other locations separate from the office processing the request; 2) The need to search, collect and examine voluminous records; and 3) The need for consultation with another agency.

Based upon the records you have requested, we have determined that one or more unusual circumstances will occur during the processing of your request. Accordingly, your response time-limit has been extended beyond the 20 days required by statute; therefore, 10 additional processing days have been added to your request. To mitigate this action, you may limit the scope of the request so that it can be processed more quickly or to arrange an alternative time to respond.”

[LINK: In Controversial Decision, Biden-Harris Administration Directs \(Indirectly\) US\\$2 Million In U.S. Taxpayer Funds To Cuba For Hurricane Ian Support. Some Members Of Congress Irate. October 18, 2022](#)

**United States Department of State
Washington DC
18 October 2022**

**U.S. Support for Hurricane Ian Recovery Efforts in Cuba
Ned Price, Department Spokesperson**

“Following the devastating impact of Hurricane Ian, the United States is providing to the Cuban people critical humanitarian aid to trusted international partners working directly with Cubans whose communities were devastated by the storm. The United States, through the U.S. Agency for International Development, will provide \$2 million in funding for emergency relief to those in need in Cuba. The United States will work with trusted, independent organizations operating in the country who have a long presence in hurricane-affected communities. We are currently

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reviewing applications from organizations such as the International Federation of Red Cross and Red Crescent Societies (IFRC) to provide this assistance. We stand with the Cuban people as they work to recover from this disaster. The United States will continue to monitor and assess humanitarian needs in coordination with our trusted partners and the international community, and we will continue to seek ways to provide meaningful support to the Cuban people, consistent with U.S. laws and regulations.”

Bruno Rodriguez, Minister of Foreign Affairs of the Republic of Cuba, using Twitter: *"We appreciate humanitarian assistance offer made by the US. This material contribution that is worth 2 million USD, channelled through the International Federation of Red Cross, will add up to our recovery efforts in support of the victims of the ravages caused by #HurricaneIan."*

**United States Department of State
Washington DC
19 October 2022**

Question Posed: *"Prior to today's announcement that USAID was spending US\$2 million in taxpayer funds for indirect assistance to Cuba, when was the last time that taxpayer funds were directed, directly or indirectly, by the United States government to Cuba?"*

**United States Department of State
Washington DC
21 October 2022**

"Thanks for the question and your patience. The following is offered on background and should be attributable to a State Department spokesperson:

"Each year since 1996, USAID and the Department of State have funded democracy programs that support human rights, fundamental freedoms, and democratic values in Cuba.

In September 2022, USAID provided personal protective equipment in response to diminished fire-fighting capacity following the large-scale oil fire at the Matanzas Oil Terminal.

In 2008, USAID provided \$1.6 million to non-governmental organization (NGO) partners for emergency relief supplies in response to the impact of Hurricane Gustav.

USAID also funded emergency relief commodities through a disaster response cable for damages caused by hurricanes in 2004-2006. USAID provided \$50,000 for Hurricane Charley in 2004, \$100,000 for Hurricane Dennis in 2005, and \$100,000 for Hurricane Wilma in 2006.

Since early 2021, we have prioritized review of license applications to export privately sourced or donated goods to the Cuban people, focusing specifically on U.S. agricultural and medical exports to Cuba.”