

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-

What has the government of Cuba agreed to or done from 17 December 2014 to 20 January 2017:

- Re-establish diplomatic relations
- Re-open its embassy in Washington, DC
- Authorize the re-opening of the United States Embassy in Havana
- Hosted an official (state) visit by President Barack Obama
- Hosted visits by eight (8) members of the Obama Administration Cabinet: The Honorable John Kerry, United States Secretary of State; The Honorable Penny Pritzker, United States Secretary of Commerce; The Honorable Thomas Vilsack, United States Secretary of Agriculture; The Honorable Anthony Foxx, United States Department of Transportation; The Honorable Sylvia Mathews Burwell, United States Department of Health & Human Services; The Honorable Michael Froman, United States Trade Representative
- Hosted a visit by The Honorable R. Gil Kerlikowske, Commissioner, U.S. Customs and Border Protection
- Hosted a visit by The Honorable Thomas Wheeler, Chairman of the Federal Communications Commission
- More than one-hundred-ten (110) representatives of the government of Cuba have visited the United States
- More than two hundred (200) representatives of the United States government have visited Cuba
- Hosted for formal meetings more than one hundred fifty (150) senior-level representatives of United States companies (more than 3,000 have visited and held individual meetings, non-official meetings, or no meetings)
- Continue uneven food product/agricultural commodity purchases authorized by the Trade Sanctions Reform and Export Enhancement Act (TSREEA) of 2000
- Increase healthcare product purchases authorized by the Cuban Democracy Act (CDA) of 1992.
- Authorize a direct correspondent banking agreement by Banco Internacional de Comercio S.A. (BICSA) with Florida-based Stonegate Bank
- Authorize Stonegate Bank, Banco Popular de Puerto Rico, and Florida-based Natbank to issue a MasterCard-branded credit cards and debit cards for use in Cuba (10,800 current locations including at Four Points Sheraton Havana); with expansion in 2016 for use at ATM locations in Cuba
- Announced (but not implemented) a removal of the 10% surcharge for converting United States currency to CUC
- Authorize hospitality companies to contract with assets owned by the Revolutionary Armed Forces of the Republic of Cuba
- Authorize Starwood Hotels & Resorts Worldwide (a subsidiary of Marriott International) to manage three properties in Cuba (Gran Caribe-owned Hotel Inglaterra; Habaguanex-owned Hotel Santa Isabel; Gaviota-owned Hotel Quinta Avenida- rebranded as Four Points By Sheraton Havana in June 2016)
- Authorize Marriott International to discuss management of properties in Cuba
- Authorize California-based Google to install and operate a no-cost high-speed Internet-based product display and interactive location(s) and servers to assist with Google products.
- Authorize booking.com (owned by New York-based The Priceline Group) to provide hotel reservations services at properties in Cuba
- Authorize California-based Airbnb, Inc. to offer reservations at 10,000+ residences
- Authorize California-based Cisco Systems to establish a no-cost Networking Academy in Havana

- Authorize Cuba government-operated Banco Popular de Ahorro to establish lines of credit up to US\$400.00 for licensed independent businesses; but continue to prohibit the entities to import products directly, requiring purchases through government-operated companies
- Creating a uniform commercial code and mortgage regulations
- Authorize roaming agreements between Cuba government-operated ETECSA and New York-based Verizon Wireless, Kansas-based Sprint, Texas-based AT&T, Washington-based T-Mobile
- Increase Wi-Fi areas (parks and urban) for wireless Internet access
- Discuss, but ultimately reject after one year a proposal by Alabama-based Cleber LLC tractor warehouse/assembly facility in Mariel Special Development Zone. OFAC authorized. 1st year investment US\$1.8 million (which has been obtained according to the company); total investment US\$5 million
- Purchased through Republic of Cuba government-operated Tecnotex (affiliated with the Revolutionary Armed Forces of the Republic of Cuba) advanced planting and harvesting equipment valued at US\$108,184,00 from Foley, Alabama-based GulfWise LLC, affiliated with Foley, Alabama-based The Woerner Companies (2015 revenues exceeded US\$40 million) for use by Republic of Cuba government-operated Indio Hatuey Research Station, a Matanzas, Republic of Cuba-based agricultural research institution
- Resumption of direct long-distance telephone service through an agreement between ETECSA and New Jersey-based IDT Corporation
- Negotiate the re-establishment of regularly-scheduled commercial airline service (Civil Aviation Agreement- CAA); Arrangement (US) & Memorandum of Understanding (Cuba) signed in December 2015; Arrangement signed February 2016
- Agree to a (limited) resumption of United States Postal Service operations
- Permit a substantial increase in visitors from United States (regularly-scheduled commercial flights, charter flights, pleasure craft, general aviation aircraft, cruise lines, and third-country transit) and revenues from those visitors. United States visitors to Cuba (authorized, unauthorized, non-family), have the highest net profit margin per person of any visitor to the country
- Continue to increase hotel room rates in the city of Havana
- Authorize Miami, Florida-based Carnival Cruise Line in 2016 and three others in 2017 to operate itineraries
- Authorized export of coffee and charcoal to the United States
- During the 766-day period 17 December 2014 through 20 January 2017, the United States and government of the Republic of Cuba executed twenty-two (22) bilateral documents. There are four (4) binding documents and one (1) treaty requiring ratification. The categories of the documents include agreement, arrangement, memorandum of understanding, pilot plan, joint statement, and treaty. The subjects are: Federal Air Marshals Arrangement; Pilot Plan for Direct Transportation of Mail; Civil Aviation Arrangement; Health MOU; Cancer Research MOU; Agriculture MOU; Environmental Protection Joint Statement; Marine Protected Areas MOU; Hydrography MOU; Counternarcotics (CN); DHS-MININT; INTERPOL; Wildlife Conservation and Terrestrial Protected Areas; Meteorology; Seismology; Oil Spill Preparedness and Response Agreement; Law Enforcement MOU; Migration Joint Statement; Search and Rescue; Maritime Boundaries; Sister Parks; USDA/APHIS.
- The Ministry of Science, Technology, and Environment (CITMA) of the Republic of Cuba signed a Memorandum of Understanding (MOU) with the National Oceanic and Atmospheric Administration (NOAA) and the National Park Service (NPS). *“The MOU aims to facilitate joint efforts concerning science, stewardship, and management related to Marine Protected Areas (MPAs). The MOU also includes a sister MPA program to foster conservation and understanding of natural marine resources in both countries, sharing technical and scientific data, and promoting education and outreach initiatives.”*
- Signed a joint statement with the United States Department of State on environmental cooperation including coastal and marine protection, the protection of biodiversity including endangered and threatened species, climate change, disaster risk reduction, and marine pollution
- National Office of Hydrography and Geodesy (ONHG) signed a MOU with NOAA to improve maritime navigation safety and related areas of mutual interest to protect lives and property at sea
- Changed policy to permit individuals of Cuban descent to travel to the Republic of Cuba by authorized cruise ship

- The Ministry of Public Health of the Republic of Cuba signed a MOU with the United States Department of Health and Human Services
- Signed Counternarcotics Arrangement with U.S. Drug Enforcement Agency (DEA), US Coast Guard (USCG) and Customs Enforcement-Homeland Security Investigations (ICE/HIS)
- Negotiating agreements formalizing cooperation on law enforcement, conservation, seismology, meteorology, search and rescue, human trafficking and oil spill response protocols.
- Agreed to discussions about the 5,913 claims certified with the Foreign Claims Settlement Commission (FCSC) within the United States Department of Justice

What has the government of Cuba not (yet) agreed to or done since 17 December 2014:

- Authorize ferry services
- Authorize United States companies to export products directly to the 200+ categories of licensed independent businesses
- Authorize any United States non-hospitality/travel-related company to have an operational presence (including hiring Cuban nationals, obtaining office space, establish bank accounts)
- Authorize Florida-based Florida Produce of Hillsborough County to establish in Havana a distribution center for food products and agricultural commodities
- Reject in October 2016, after one year of discussion, a proposal by Alabama-based Cleber LLC to establish a tractor warehouse/assembly facility in Mariel Special Development Zone. OFAC authorized the project. 1st year investment US\$1.8 million (which has been obtained according to the company); total investment US\$5 million
- Authorize United States companies to engage in loan/lease programs to licensed independent businesses
- Purchase communications/telecommunications equipment, although there are security, pricing and sourcing reasons not to purchase the equipment or permit the provision of such services
- Increase overall purchases of agricultural commodities and food products
- Respond in a timely manner to inquiries from United States companies
- Negotiate settlement of the 5,913 claims certified with the USFCSC

What has the government of the United States agreed to or done from 17 December 2014 to 20 January 2017:

- Re-establish diplomatic relations
- Re-open its embassy in Havana
- Authorize the re-opening of the Cuban Embassy in Washington
- Removed Cuba from the List of State Sponsors of Terrorism (“Sanctions List”)
- Visit to Cuba by President Barack Obama
- Dispatched eight (8) members of the Cabinet to Cuba: The Honorable John Kerry, United States Secretary of State; The Honorable Penny Pritzker, United States Secretary of Commerce; The Honorable Thomas Vilsack, United States Secretary of Agriculture; The Honorable Anthony Foxx, United States Department of Transportation; The Honorable Sylvia Mathews Burwell, United States Department of Health & Human Services The Honorable Michael Froman, United States Trade Representative
- Dispatched The Honorable R. Gil Kerlikowske, Commissioner, U.S. Customs and Border Protection to Cuba
- Dispatched The Honorable Thomas Wheeler, Chairman of the Federal Communications Commission to Cuba
- Dispatched Maria Contreras-Sweet, Administrator of the Small Business Administration, in the Official Delegation visiting Cuba with President Obama and for second visit
- More than two hundred (200) representatives of the United States government to visit Cuba
- Permitted more than one-hundred-ten (110) representatives of the government of Cuba to visit the United States
- Remove or lessen most licensing requirements for authorized travel to Cuba
- Negotiate a Civil Aviation Agreement (CAA)-equivalent (“Arrangement”) and remove most impediments relating to commercial flight operations

- Agree to a (limited) resumption of United States Postal Service operations
- Remove some restrictions upon U.S. financial institutions
- Re-authorize United States financial institutions to have accounts with financial institutions in Cuba
- Re-authorize credit card and debit card usage. There remain compliance issues for United States financial institutions; New York-based MasterCard has removed its “*block*” on credit cards issued by United States financial institutions using its brand). 10,800+ points of sale in Cuba
- Authorize hospitality companies to manage properties in Cuba
- Authorized Republic of Cuba government-operated Tecnotex (affiliated with the Revolutionary Armed Forces of the Republic of Cuba) to purchase advanced planting and harvesting equipment valued at approximately US\$125,000.00 from Alabama-based Woerner Companies for use by Republic of Cuba government-operated Indio Hatuey, a Matanzas-based agricultural research institution
- Authorize a proposal by Alabama-based Cleber LLC to create a tractor warehouse/assembly facility in Mariel Special Development Zone. 1st year investment US\$1.8 million (which has been obtained according to the company); total investment US\$5 million
- Authorize Stamford, Connecticut-based Starwood Hotels & Resorts Worldwide (a subsidiary of Marriott International) to manage three properties (rebranding one to a Four Points by Sheraton) in Cuba (Gran Caribe-owned Hotel Inglaterra; Habaguanex-owned Hotel Santa Isabel; Gaviota-owned Hotel Quinta Avenida)
- Authorized Internet and telecommunications companies to install equipment in Cuba
- Authorize Bethesda, Maryland-based Marriott International to manage properties in Cuba
- Authorized booking.com (owned by New York-based The Priceline Group) to provide hotel reservations services at nine properties
- Authorize California-based Airbnb, Inc. to offer reservations for 10,000+ residences
- Authorize California-based Google to install and operate a no-cost high-speed Internet-based product display and interactive location(s) and donate servers
- Authorize California-based Cisco Systems to establish a no-cost Networking Academy in Havana
- Authorized Florida-based Premier Automotive Export to export electric vehicles and chargers to Cuba
- Expanded the list of products that may be exported to Cuba and authorize payment terms for product exports to Cuba not subject to prohibitions by the CDA or TSREEA
- Removed limits on remittances to Cuba
- Authorized individuals and businesses to have bank accounts in Cuba
- Authorized the export to Cuba of 100% U.S.-origin products from third countries
- Authorized companies to establish offices in Cuba
- Authorize payments to Republic of Cuba nationals who work in the United States
- Changed the definition of the “cash in advance” provision of TSREEA from “cash before shipment” to cash before transfer of title and control”
- Authorize micro-financing projects
- During the 766-day period 17 December 2014 through 20 January 2017, the United States and government of the Republic of Cuba executed twenty-two (22) bilateral documents. There are four (4) binding documents and one (1) treaty requiring ratification. The categories of the documents include agreement, arrangement, memorandum of understanding, pilot plan, joint statement, and treaty. The subjects are: Federal Air Marshals Arrangement; Pilot Plan for Direct Transportation of Mail; Civil Aviation Arrangement; Health MOU; Cancer Research MOU; Agriculture MOU; Environmental Protection Joint Statement; Marine Protected Areas MOU; Hydrography MOU; Counternarcotics (CN); DHS-MININT; INTERPOL; Wildlife Conservation and Terrestrial Protected Areas; Meteorology; Seismology; Oil Spill Preparedness and Response Agreement; Law Enforcement MOU; Migration Joint Statement; Search and Rescue; Maritime Boundaries; Sister Parks; USDA/APHIS.
- Authorized financing (bank and third-party) and payment terms for selected authorized exports
- Expand the list of eligible products authorized for importation to the United States to include textiles and coffee
- Issued a license to Switzerland-based Nestle Nespresso (United States subsidiary) to import coffee sourced from Cuba to the United States through Europe
- Issued a license for charcoal to be directly imported from Cuba to the United States

- Removed Cuba from the Exclusion List maintained by the International Bureau of the Federal Communications Commission
- Discuss settlement of the 5,913 claims certified with the FCSC
- Removed restrictions upon Cuba for the use of United States Dollars for international transactions
- US Coast Guard removed conditions of entry on vessels arriving from Cuba
- Revised the 180-day exclusion rule for vessels visiting Cuba and then visiting the United States
- In selected instances, use an expansive, rather than constrictive interpretation of the TSREEA, title IX, Public Law 106-387 [22 U.S.C. 7207(a)(1)] (TSRA)
- Authorize the importation of healthcare products from Cuba that are in compliance with the Food and Drug Administration (FDA)
- Negotiating agreements formalizing cooperation on law enforcement, conservation, seismology, meteorology, search and rescue, human trafficking and oil spill response protocols.
- Issue a general license from the OFAC for all vessels pursuant to the 180-day provision of the CDA

What has the government of the United States not (yet) agreed to or done since 17 December 2014:

- Authorize, under a general license from the Office of Foreign Assets Control (OFAC) of the United States Department of the Treasury, Republic of Cuba government-operated financial institutions to have correspondent bank accounts at United States-based financial institutions
- In all instances, use an expansive, rather than constrictive interpretation of the TSREEA, title IX, Public Law 106-387 [22 U.S.C. 7207(a)(1)] (TSRA)
- Authorize all commercial activity under a general license from the OFAC and Bureau of Industry and Security (BIS) of the United States Department of Commerce, including Direct Foreign Investment (DFI)
- Authorize all transactions with Republic of Cuba government-operated companies
- Authorize all imports under general license
- Authorize all exports under general license
- File motions to dismiss civil judgements against the Republic of Cuba
- Specific progress for the settlement of the certified claims