

July 8, 2004

R. Richard Newcomb Esq., Director  
Office of Foreign Assets Control  
United States Department of Treasury  
1500 Pennsylvania Avenue, N.W. (Annex)  
Washington, D.C. 20220

Re: Office of Foreign Assets Control, Treasury; FR.Doc 04-1360

Dear Mr. Newcomb:

On behalf of the Institute for Study Abroad, Butler University we wish to protest the amendment and Interim Final Rule made in 31 C.F.R. §515.565 paragraph (a) which would now require students who study in Cuba under a U.S. institution's license to be enrolled in a degree program at that licensed institution. As a result, students may no longer study under the license of an educational institution other than their own – even if their own institutions will accept the other licensed institution's program for degree credit. The proposed change seeks to eliminate one of the major ways that university study abroad has been organized and administered for the last 50 years. The new restriction fails to recognize the role of the non-profit service provider on which many U.S. universities rely to administer programs for their students.

Most universities and colleges in the United States have now made study abroad an important addition, if not a requirement, to their educational menu of academic offerings. It is the rare university that does not have some type of study abroad program for their students in an area of interest of a particular department or faculty member. But it is impossible for most universities to cover the entire globe. It is also not easy for any one institution to have sufficient enrollments to run such programs or consistently find qualified and available faculty members who can direct them. This is even more true when the area of interest is very specialized.

Academic institutions in the United States, with few exceptions, are not equipped to manage the large administrative and liability issues that come into play when sending a group of young people to study outside of the country. There are certain universities, colleges and study abroad organizations that have taken it upon themselves to become as knowledgeable and experienced as possible in the manner in which they operate programs overseas. The provider institutions are a good example of this. The issues facing today's institutions, particularly those related to risk, negligence and security are complex. It is hard for an academic institution to be able to provide the necessary infrastructure overseas to protect the welfare of these students with a small student enrollment base. As a result, many universities and colleges turn to those institutions who offer programs in locations and universities that are known for their academic quality.

The Institute for Study Abroad, Butler University, as one of the organizations that accepts students from other universities and colleges in an extensive and prestigious academic network of institutions, is able to provide the kind of oversight, academic quality control and administrative guarantees to students, their parents and their home institutions that makes for a successful experience for all. Universities from Harvard to Berkeley award full credit to their students who study abroad through our organization because they have confidence in the final product. By being able to provide the kind of staffing and oversight, including careful screening of applicants that we have done in the semester-length program we have sponsored at the University of Havana since August 2000 we have avoided incidents that could have had far-reaching repercussions.

This is the role of study abroad institutions and organizations that are entrusted with other institutions' students. They provide a very valuable service to the universities and colleges which choose to permit their students to earn credit at academic institutions overseas. Ours is an increasingly complex and challenging profession. Although not always obvious, our existence serves an important purpose. I urge you would give this full consideration as you move to finalize your position on the issue of academic programs in Cuba.

Sincerely yours,

David M. Gray  
Director  
Institute for Study Abroad  
Butler University  
Indianapolis  
Indiana