

August 4, 2004

Chief of Records  
ATTN: Request for Comments  
Office of Foreign Assets Control  
Department of the Treasury  
1500 Pennsylvania Avenue, N.W.  
Washington, D.C. 20220

RE: Office of Foreign Assets Control, Treasury: FR Doc. 04-13630

To Whom It May Concern:

I am writing to express my strong opposition to the recently announced rules amending Cuban Assets Control Regulations at 31 CFR Part 515.565, governing Educational Activities in Cuba. 2005 was expected to see the 5th biennial Cuba Study Trip sponsored by the Department of Anthropology at Wayne State University, and co-sponsored by the Department of Interdisciplinary Studies, under OFAC licensing for educational institutions.

Our program has always been in full compliance with both the letter and the spirit of the OFAC regulations, as its close review by your licensing personnel repeatedly confirmed before renewing the licenses. Yet this fine program, like so many others, cannot continue under the new regulations. Thus I protest, specifically, first, the 10-week requirement for the following reasons:

1. It discriminates against students whose economic situation and personal responsibilities preclude their absence from home for such a lengthy period of time as well as their ability to afford the substantially higher monetary costs. At Wayne State University, a highly regarded urban university, large numbers of our students fall into this category. They must be employed in order to afford their schooling. They may have families to support, whether as parents or children. These same families could not sustain an absence of 10 or more weeks. Virtually all students who have participated in previous study trips have required substantial time to simply earn and save the money for a two-week trip. Under no circumstances would ten weeks be manageable.
2. The Cuba Study trip is but one component of a student's program in Anthropology, or Interdisciplinary Studies – or for any of the many programs throughout the university whose students benefit from study in Cuba. A full semester is 12-16 credits, while typically 6-8 credits would be appropriate for this sort of component. Neither the time nor expense required by a semester of study can be devoted to only one subject or culture area by the typical student.

3. Like many programs, the Wayne State Cuba Study Trip, does in fact last an entire term – in fact more. The students attend on-campus sessions over the 5-months preceding the trip so they will be prepared upon arrival for all the subject matter they will encounter in the trip's lecture and field study components. Before approving the course EACH YEAR, the university strictly requires that it conforms to standards for class and contact hours as well as required reading and work produced. While the two weeks of travel study comprise the majority of the course's hours, it is still the culmination of a semester-long program.

Regarding other 515.565 provisions:

1. In accordance with standard practice among institutions of higher learning throughout the world, Wayne State University welcomes students from other institutions, and similarly, its students can study elsewhere, commonly because all necessary courses cannot possibly be offered by every institution. Consequently, we have welcomed students from other colleges and universities whose offerings were not able to include study in Cuba. Similarly, students from this institution have availed themselves of travel study programs elsewhere not provided here. The requirement that only an institution's own students can participate in its study programs is outlandish, short-sighted, and contrary to the standard operation of college and university programs throughout the country that readily accept credits earned at other institutions, especially when they are unable to provide a similar educational experience, or determine that another school's unique program is more appropriate for specific students.

2. Allowing travel for individual research only for graduate students, as stated not only in the current but also past regulations, does not recognize the large number of institutions, including Wayne State, that encourage, even require, a research component for the granting of undergraduate degrees. No purpose is served in restricting research to graduate students, if the substance of the undergraduate's research can be shown to have merit.

3. The provision that a short-term program might be allowed if it "directly promotes U.S. foreign policy goals" is in opposition to everything that "freedom" means in the United States of America – including the basic concepts of freedom of speech and freedom of thought which are significant components of "academic freedom." The United States protests against oppressive countries which control what ideas their students should and should not learn – and even call it brain-washing. Yet in this case, the curriculum of university courses is to be controlled by – and used on behalf of – U.S. foreign policy? Washington would protest such measures adopted by other countries. We protest such a measure coming out of Washington.

Finally, I wish to address the fallacies contained in the Commission report, at least in regard to Wayne State's Cuba Study program. We find the comments insulting to the integrity of our program and the effort made over the years to develop the comprehensive program we have.

1. Neither students from other institutions nor our own "generate revenues for other programs," as contended in the Commission report. We are fortunate each year just to "break even" and meet expenses, as the university requires. The cost to students is held to the absolute minimum possible,

and there surely is no advantage that a non-enrolled (external) student brings other than adding diversity to the group.

2. Our program has no “unscheduled time periods” other than evenings and one Sunday, due to its intensive nature and strict requirements of the university. There surely is no time for touristic activities – the “free” evenings are most often spent organizing notes and catching up on reading – or sleep – to prepare for another full day, while the ONE free weekend day allows students time for the required “interview” component of our program. [See schedule, attached.]

3. Relatedly, our program does NOT merely have what the report calls “limited interaction” with the Cuban people but does have “a genuinely free exchange of ideas between Cubans and American students.” As indicated in #2, we REQUIRE our students to interact with Cubans. And they do – Cuban students, working people, professionals, and more. They spend time in homes, visiting facilities in their areas of research, and getting to know Cubans one-on-one – with countless opportunities to also tell about the American way of life and value system – with no one “watching” over them and their conversations.

Wayne State University requires “genuine academic study” of all its foreign travel study programs. Approval of each such course must come from the department chair, the dean of the college, the dean of graduate studies AND the provost. To suggest, as does the Commission report, that a program like ours is merely a “tour” of Cuba offends us, along with those from all the fine institutions that have sponsored study in Cuba. We, and the great majority of other institutions, do NOT give academic credit for “touristic activities,” and we ask that the regulations regarding educational travel in Cuba recognize and reflect that. If, in fact, there are any abuses, OFAC can well address them individually – as has been done in the past – in the granting and oversight of licenses.

The laws and regulations of the United States should enhance, not remove, educational opportunities for its students. There is no justification for singling out Cuba from among the world’s nearly 200 countries by limiting the means for study in and about Cuba to a select few. Consequently I am hereby adding my voice to all those asking that these amendments, especially the 10-week requirement and forbidding participation by external students, be rescinded.

Yours truly,

Guérin C. Montilus, Dr. Phil.  
Director, International Overseas Study Programs  
Professor, Department of Anthropology  
(OFAC License No. CT-909-a)

Attachment: 2003 Course Schedule,  
Wayne State University Cuba Study Trip