



United States Department of State

Assistant Secretary of State

Bureau of Western Hemisphere Affairs

Washington, D.C. 20520-6258

OCT 14 2004

Ms. Margaret Levi
President
American Political Science Association
1527 New Hampshire Avenue, N.W.
Suite 700
Washington, DC 20036-1208

Dear Ms. Levi:

This is in response to your October 4 letter to Secretary Powell regarding the denial of nonimmigrant visas to Cuban academics to attend an October 6-9 international conference in Las Vegas hosted by the Latin American Studies Association (LASA).

The Department reviews all visa applications individually and makes decisions on a case-by-case basis. However, our visa records and deliberations are confidential pursuant to section 222(f) of the Immigration and Nationality Act (INA) and we therefore cannot discuss the adjudication of individual visa applications. We can confirm that we denied visas to Cuban academics to attend the LASA conference under Section 212(f) of the INA, pursuant to Presidential Proclamation 5377 of October 4, 1985. Section 212(f) permits the President to suspend the entry of aliens whose entry "would be detrimental to the interests of the United States." Presidential Proclamation 5377 makes such a finding with respect to officers and employees of the Cuban government and the Communist Party of Cuba, and accordingly suspends their entry into the United States with very limited exceptions.

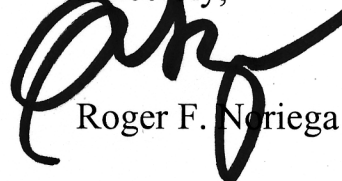
The Cuban government tightly controls all of the activities of academics employed by or associated with Cuban academic institutions, all of which are state run. Accordingly, we consider such academics to be Cuban government employees. Restricting entry of Cuban academics to the United States is also consistent with the overall tightening of our policy recommended by the Commission for Assistance to a Free Cuba and as directed by the President.

Our policy is not intended to restrict freedom of expression. On the contrary, we support it throughout the world and have repeatedly called on countries that do not, such as Cuba, to do so. The Castro regime restricts literary and academic freedom, and stresses revolutionary ideology and discipline over freedom of expression. The regime also restricts academic exchanges and freedom of expression through its restrictive issuance of passports and exit permits to only those academics on whom it can rely to promote its ideology, agenda of repression, and misrepresentations about Cuba and the United States. The reality is that the repressive regime in general only permits "trusted" academics to travel.

Moreover, the Cuban government restricts freedom of expression by locking up brave representatives of Cuban civil society unafraid to confront the regime. According to Amnesty International, 84 imprisoned Cubans are prisoners of conscience, including 68 of the 75 members of the peaceful opposition imprisoned in 2003, following summary sham trials. Among those 68 are independent economists, librarians, human rights advocates and independent journalists. The Cuban government also has retaliated against students who have sought to exercise their rights as citizens to support the peaceful democratic opposition to the regime. It has expelled students from the Jose Marti Pedagogic Institute and University of Camaguey, for example, for supporting the Varela Project, the petition campaign spearheaded by Oswaldo Paya to allow Cuban citizens to vote on economic and political reforms. Such petitions are permitted under the Cuban constitution. We will not conduct business as usual with a regime that so outrageously violates the human rights of the peaceful opposition. We trust that the American Political Science Association shares our concern with the regime's repression, the absence of academic freedom in Cuba, its tight control of academic institutions, and its relentless efforts to extinguish any semblance of independent thinking.

Please feel free to contact us if we can be of assistance in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Noriega', written in a cursive style.

Roger F. Noriega