



17 July 2017

The Honorable Rex W. Tillerson
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Mr. Secretary:

I am contacting you on behalf of the IEEE-USA (Institute of Electrical and Electronics Engineers – USA) regarding Executive Order 13780 and the Supreme Court’s recent ruling on it. IEEE-USA urges the State Department to exempt visitors attending scientific or technical events, such as technical conferences, in the U.S. from the travel ban established by the EO.

On June 27th the Supreme Court removed preliminary injunctions against much of EO 13780, but in so doing the Court exempted certain individuals from the travel ban. Among these individuals are international students attending universities in the U.S. and lecturers with invitations to speak to an American audience. IEEE-USA believes that the logic of the Supreme Court’s decision argues for treating individuals who want to attend a scientific or technical event in the U.S. the same as international students and conference speakers, and so exempt them from the travel ban.

The Supreme Court allowed limited exemptions to the travel ban when applicants could demonstrate two things: 1.) that they had a bone fide relationship with an entity in the U.S. and 2.) that excluding the applicant would cause hardships for the applicant and for people or entities in the United States. Scientists, engineers and students attending a technical conference or other STEM-related event would, we believe, meet both criteria.

As to the first requirement, conference/technical event attendees have a bone fide relationship with both the conference itself and the organization hosting the event, which could be the IEEE (which hosts over 1,800 technical conferences annually), another technical society, a university, a company, or other institution. Host organizations must be an established legal entity to sign contracts and collect funds, and therefore have rights that could be violated by the travel ban, as defined by the Supreme Court. Technical event attendees inherently have a relationship with these organizations: to attend they must register for the conference, pay their fees, and make travel arrangements through them. The attendees also have a bone fide relationship with the event itself, which has its own legal rights.

The relationship is particularly strong when the attendee is a member of the host organization. Members have a relationship with associations they have chosen to join, clearly establishing the bone fide connection necessary to trigger the exemption.

As to the second requirement, excluding international attendees from any country from attending technical, educational and scientific meetings in the United States would create a significant hardship for the international visitors, the organizations wishing to host them, other attendees at those meetings, and the United States more broadly. Some of these hardships include:

- International conferences and meetings are an essential part of the professional life of most STEM professionals, who must attend conferences to stay current in their fields.
- STEM events permit the organic formation of professional relationships that are essential for a successful career in many fields. In some specialized fields, exclusion from specific conferences may virtually exclude an individual from an entire profession.
- STEM conferences rely on international attendees for both participation and fees. As most technical and scientific meetings generate little, if any, surplus revenue, reducing attendance in any way could be painful for conference organizers. Travel restrictions could put the viability of smaller conferences in doubt, and diminish larger conferences that suddenly have fewer attendees.
- Depriving other conference attendees of access to their colleagues in the affected countries will cost everyone insights, contacts and research opportunities. Excluding professionals from some countries will be devastating to those countries, but will also hurt professionals from every other country, including the United States.
- Restricting attendance at STEM conferences and events will harm the institutions and communities hosting those events. These events produce a notable financial windfall for the communities in which they are located - millions in new taxes and economic activity in some cases. Moreover, STEM conferences and events enhance the prestige of cities and universities; create new business contacts for local companies; and enhance the intellectual climate of the whole community.
- Travel restrictions may lead to some of these events moving outside of the U.S. Such a shift would cost the United States financially, but would also make it harder for Americans to attend the events, costing them and our country training and contacts – diminishing our international competitiveness in the process.

These harms are especially acute when the attendees are students or young professionals. In their cases, the benefits to attending scientific and technical events are more dramatic, lasting and essential. Individuals choosing or starting a career benefit enormously from exposure to professionals and colleagues from other countries. Limiting American students' access to international peers would create a real hardship as they begin their careers. Limiting non-American students' access to foreign peers and professionals could be devastating.

IEEE-USA believes that the exemptions to Executive Order 13780 should be extended to international visitors who are attending scientific and technical events in the United States. Such visitors have the requisite bone fide relationship with American entities, and excluding such individuals would create clear and direct hardships for the attendees, for their colleagues in the United States, for the event organizers, and for the communities in which these events are located. Exempting such attendees from the travel ban would be consistent with the recent Supreme Court ruling, and would be good public policy for America.

We look forward to working with you on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Karen S. Pedersen".

Karen S. Pedersen, P.E., F.N.S.P.E.
2017 President, IEEE-USA

cc: Dr. Vaughan Turekian, Office of Science and Technology Adviser to the Secretary
Mr. David T. Donahue, Assistant Secretary of State, Bureau of Consular Affairs