

February 16, 2010

Hon. Hillary Rodham Clinton
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Secretary Clinton:

We write to thank you for signing the orders effectively ending the exclusion of Professor Adam Habib of the University of Johannesburg and Professor Tariq Ramadan of Oxford University. The orders represent an important step toward restoring a robust exchange of ideas across international borders. We are hopeful that the State Department will now expeditiously grant both scholars' pending visa applications so that they can attend the U.S. conferences, public events, and meetings to which they have been invited.

As you know, however, the last administration's practice of ideological exclusion was not limited to Professors Habib and Ramadan. Between 2001 and 2008, dozens of prominent intellectuals were prevented from assuming teaching posts at U.S. universities, fulfilling speaking engagements with U.S. audiences, and attending U.S. academic conferences. While the government plainly has an interest in excluding foreign nationals who present a threat to national security, no legitimate interest is served by the exclusion of foreign nationals on ideological grounds. To the contrary, ideological exclusion impoverishes academic and political debate inside the United States, suggests to the world that our country is more interested in silencing than engaging its face to face.

408 U.S. 753 (1972); 573 F.3d
115 (2nd Cir. 2009). Ideological exclusion is accordingly a practice that our government should retire once and for all. As you recognized in your recent remarks concerning Internet freedom, the United States can and should work to advance rather than subvert the freedoms of expression, information, and inquiry.

Against this background, we are writing now to urge you to issue agency wide guidance making clear that: (1) all applicants for admission to the United States will be evaluated on the basis of their actions, not their political beliefs and associations; and (2) with respect to foreign scholars, writers, artists, and activists who are deemed inadmissible under the Immigration and Nationality Act, the State Department will exercise its discretion to waive inadmissibility except where articulable national security interests unrelated to the applicant's political beliefs or associations make waiver inappropriate. We also request that you immediately reconsider and review the following ideological exclusion cases:

- Dora María Téllez. Prof. Téllez was a leading figure in Nicaragua's revolution against the brutal Somoza regime and has served in her country as a government minister, political activist, and professor. She has also been a vocal critic of U.S. foreign policy. In 2004 she was appointed Robert F. Kennedy visiting professor in Latin American Studies at Harvard's Divinity School and Rockefeller Center for Latin American Studies. When Prof.

We urge you to end all