

records, to look at which books you're reading.

In short, what we've done over the past decade is embrace national secrecy over national security. And the NDA bill took the Patriot Act to a whole new radical level. What the advocates of this bill don't seem to realize is that the American public is already paying a price in the name of keeping our Nation safe.

In September the Center for Investigative Reporting and NPR conducted a joint investigation into private security at the Mall of America in Minneapolis. They found that the mall security personnel stopped an average of 1,200 people a year. Nearly two-thirds of those people belong to racial and ethnic minorities. Personal information from the suspicious activity reports from the mall were sent to the FBI. So they've got an FBI file. Some of these people were reported for looking at the security guard in a "suspicious" way.

An Army veteran was questioned for nearly 2 hours about a video he made inside the mall. One man left his cell phone on a table in the food court, and an FBI agent showed up at his family's home asking if they knew anyone who might want to hurt the United States.

These intrusions create a chilling effect that causes law-abiding Americans to think twice about exercising their basic constitutional rights to speech and assembly.

James Madison, as you heard, wrote the Constitution and the Bill of Rights, and he once said, "The means of defense against foreign danger historically have become instruments of tyranny at home."

That could not ring truer than yesterday. This is a sad day for our liberty and freedom when we give to the President—we may like the President, we may think he's a great man—but to give that office the power to hold Americans without trial in military custody indefinitely is eroding our right to a free trial and an ability to confront our accuser. Those things that are in that Bill of Rights are being taken away from all of us.

Now, we think it won't happen to me. Be careful. That's what people thought in a lot of other places in the world. And suddenly, as Martin Niemöller said in the German prison camps, "And then they came for me, and there was no one to stand up."

SUDAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Mr. Speaker, I was pleased this morning that The Washington Post did a story on a shameful development here in Washington; namely, that Bart Fisher, a Washington lawyer, was granted a license by the Office of Foreign Assets Control, OFAC, at Treasury, to represent the genocidal government of Sudan. I sub-

mit a copy of the Post article for the record.

The Sudanese people have long been brutalized, marginalized, and terrorized by their own government. Yet, unbelievably, it seems the same regime has been afforded the privilege of legal representation in Washington by the Obama administration.

According to a news report earlier this week in Africa Intelligence, Mr. Fisher was hired with the express purpose of trying to "lift American sanctions against it." In documentation posted on the Department of Justice Web site, it appears that Mr. Fisher was granted a license by the Office of Foreign Assets Control at Treasury to provide this representation, and that he plans to engage in political activities, among them "representations, including petitions to U.S. government agencies regarding sanctions."

I'm appalled that this has been permitted and someone or Mr. Fisher's political contributions were a factor. The administration should reverse this approval.

Martin Luther King famously said, "In the end, we will remember not the words of our enemies, but the silence of our friends." The Obama administration should remember the words "the silence of our friends."

What must the people of Sudan be thinking at this particular juncture when the administration struggles to find its voice on their behalf, while at the same time seemingly empowering the voice of their oppressors?

Sudanese President Omar al-Bashir's crimes are well known and documented. This is the same man that is accused by the International Criminal Court of five counts of crimes against humanity, including murder, rape, torture, extermination, and two counts of war crimes.

I've been to Sudan five times, including in July of 2004, when Senator Sam Brownback and I were the first congressional delegation to go to Darfur. We spoke with women who had been raped just days earlier. The Arab Janjaweed militias, armed by Khartoum, the government of Khartoum of Sudan, told these women that they wanted to make "lighter-skinned babies."

In addition to horrific human rights abuses and crimes committed by Bashir and his National Congress Party, Sudan remains on the State Department's list of State sponsors of terrorism. It is well known that the same people currently in control in Khartoum gave safe haven to Osama bin Laden in the early 1990s. Moreover, Khartoum was a revolving door for Hamas and other designated terrorist groups.

But Bashir's crimes are not merely a thing of the past. At the recent Tom Lantos Human Rights Commission hearing on the crisis in Southern Kordofan and Blue Nile states in Sudan, a former Member of Congress and President of United to End Geno-

cide, Tom Andrews, spoke about his experiences while visiting the region.

He said there were reports of "Sudanese armed forces and their allied militias going door to door targeting people based upon their religion and based upon the color of their skin." And yet the Obama administration gives them the right to have somebody in this town represent them.

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A recent delegation from the U.S. Commission on International Religious Freedom visited Sudan and met with refugees in Yida camp. They returned with similar reports. All of the pastors with whom they spoke said they fled southern Kordofan after learning that the Sudanese military was undertaking house searches for Christians and SPLM-North supporters.

We stand just blocks from a museum that cries out, "Never again." Meanwhile, it appears that this administration is complicit in allowing a genocidal government to have an advocate in Washington.

The people who have the authority and the power to stop this from happening are President Obama, Secretary of State Clinton, Secretary of the Treasury Geithner, Adam Szubin, who is the head of the office of OFAC, and David Cohen, the Under Secretary for Terrorism and Financial Intelligence at Treasury.

History will be the judge if they fail to act.

[From the Washington Post, Dec. 15, 2011]

SUDAN HIRES WASHINGTON LAWYER

(By Dan Eggen)

The Obama administration has allowed the Republic of Sudan to hire its first U.S. lawyer in years, prompting strong objections from human rights groups and some members of Congress.

Bart S. Fisher, a veteran international trade lawyer, is being paid \$20,000 a month by Sudan to help the strife-torn African nation in its attempts to have U.S. economic sanctions lifted and be removed from the State Department's list of terrorism-sponsoring governments, according to federal registration documents.

The hiring has angered U.S. human rights activists and some lawmakers because of the Sudanese regime's history of alleged genocide and other atrocities against its citizens during a decades-long civil war. Fighting has flared again this year along the border with newly independent South Sudan, displacing an estimated 400,000 people and prompting new accusations of indiscriminate bombing and illegal killings by the Khartoum government.

Rep. Frank R. Wolf (R-Va.), a longtime critic of the Sudanese regime, attacked Fisher in the House and during a news conference this week for agreeing to work for "a genocidal government" that "has blood on its hands." He also said he suspected the administration may have issued a license to Fisher because of the lawyer's past campaign contributions to President Obama, Secretary of State Hillary Rodham Clinton and other Democrats.

"I don't know how Mr. Fisher sleeps at night," Wolf said on the House floor Tuesday, adding later: "If he has received one penny from the government of Sudan, he should return it immediately."

An alliance of activists, Act for Sudan, plans to picket Fisher's Washington offices on Friday. "Our government should not be seeing this as the time to reward the government of Sudan," said Act for Sudan spokesman Eric Cohen.

Fisher said in an interview Wednesday that the objections are misplaced and based on the erroneous idea that he is working as a lobbyist. Under the terms of the license issued by the Treasury Department, which enforces sanctions against Sudan, Fisher may only represent the Khartoum government in legal matters and is forbidden from lobbying or engaging in public relations, records show.

"I am not a lobbyist," Fisher said. "I am a lawyer, and the Embassy of the Republic of Sudan is my client."

The State Department has designated Sudan a state sponsor of terrorism since 1993, when the United States imposed sanctions on the country for harboring terrorists such as Osama bin Laden. The restrictions remained amid persistent allegations of genocide and other crimes during a 20-year civil war. A fragile peace agreement in 2005 led to the formation this year of the new nation of South Sudan.

The Khartoum regime has long sought ways to persuade the U.S. government to lift its restrictions, including the hiring of a Washington lobbyist in 2005, who was later prosecuted for working on behalf of the country in violation of sanctions.

The Washington Post reported in 2009 that the regime had worked through the nation of Qatar to enlist the help of former Reagan administration official Robert "Bud" McFarlane, who is now an adviser to Newt Gingrich's presidential campaign.

Documents filed with the Justice Department under the Foreign Agents Registration Act show that Fisher was hired Nov. 1 to "counsel and assist the Republic of the Sudan in satisfying appropriate U.S. conditions to reduce and eliminate the Sudanese Sanctions Regulations and related U.S. laws." A license allowing the deal was issued by Treasury on Nov. 16, records show.

The fee is \$20,000 per month, paid quarterly. Fisher's wife also received a gift of a purse and two candlestick holders from the republic on Nov. 2, disclosure records show.

A Treasury official, speaking on background, said that the agreement adheres to sanction guidelines because legal representation, but not lobbying or public relations, is allowed.

"Recognizing the importance of due process and opportunity for redress, our regulations ensure that even the worst actors have the opportunity to challenge the blocking of their property before U.S. government agencies and courts," the official said in a statement.

Fisher said Sudan's government needs legal representation to continue implementing the 2005 peace accord, which includes complex negotiations over transportation and other infrastructure issues with South Sudan.

"Is it controversial? Yes. But is it improper to have counsel under the Sixth Amendment of the U.S. Constitution? I don't think so," Fisher said. "Why would they not have a right to counsel like anyone else?"

A "NO" VOTE ON NDAA: LET'S PROTECT AMERICA BY SHOWING OUR COMPASSION AND HONOR

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Madam Speaker, now that the war in Iraq is drawing to a close, this is the perfect moment to reset our national security strategy, to change our underlying approach to protecting America.

Unfortunately, on the very day that the President visited Fort Bragg to affirm our full military withdrawal from Iraq, this body approved—without my vote—the National Defense Authorization Act, which will continue to dedicate billions upon billions of taxpayer dollars to warfare and weaponry.

While it's true that the bill represents some modest attempt at cuts, authorizing less than current law spending and less than the President requested, we're still talking about \$662 billion in defense programs. \$662 billion is a lot of money. It is particularly a lot of money at a time when the House majority won't part with a thin dime to create jobs and is committed to scaling back unemployment benefits.

The NDAA includes funding for the continued prosecution of the war on Afghanistan—a disastrous policy that proves to be a bigger failure with each passing day. We continue to spend enormous amounts of the American people's money on a war the American people don't support, and in so doing, more young Americans are either killed or maimed.

And to what end? For what benefit? For a policy that has emboldened the insurgents, inflamed anti-Americanism, and done little to bring peace, security, and stability to Afghanistan.

The authorization of military spending flies through the Congress while the domestic investments we need to put our people back to work are dead on arrival on the other side of the aisle. The authorization of war spending—exorbitant, excessive amounts of war spending—is rubber-stamped by this body when we could be spending pennies on the dollar to protect America more effectively with diplomacy, development, and other SMART Security tools.

To make matters even worse, the National Defense Authorization Act includes unacceptable provisions relating to the handling of detainees. It grants the President—any President—and the military broad powers to throw a U.S. citizen in jail indefinitely for suspected terrorist ties: without a swift civilian trial, without full rights of due process, without the proper presumption of innocence.

I emphatically reject the idea, Madam Speaker, that defending the Nation requires an assault on civil liberties and the rule of law. Madam Speaker, it makes no sense to say we are defending freedom by undermining freedom, to say we're going to defeat authoritarian forces by adopting authoritarian tactics of our very own.

Just the opposite, in fact. We protect American interests and values by showing our Nation's compassion and honor—the better angels of our nature and not our darkest instincts.

United States security depends on winning hearts and minds around the world, but we'll never do it with military occupations and repressive detention policies. We'll do it by bringing our troops home and by immediately adopting the principles of a smarter security policy.

ISRAEL, TOGETHER WE STAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. A few months ago, Prime Minister of Israel Benjamin Netanyahu addressed a joint session of Congress in this very Chamber.

He was welcomed by Members with a standing ovation. Several times during his speech, Congress responded with applause. When a person in the gallery attempted to disrupt his speech, the entire House stood and applauded to show support for the Prime Minister over the disruption.

The Prime Minister noted that people can speak out in a democracy that supports free speech. We all know what happens when citizens challenge their governments in Syria, Iran, Libya, and other repressive countries. The Prime Minister clearly laid out his concerns for the Middle East, support for a two-state solution and a clear and unequivocal message against Iran's nuclear weapons development.

And following his speech, the joint session of Congress gave the Prime Minister a closing standing ovation.

Recently, New York Times columnist Thomas Friedman commented on Congress' response to the Prime Minister.

He said: "I sure hope that Israel's Prime Minister, Benjamin Netanyahu, understands that the standing ovation he got in Congress this year was not for his politics. That ovation was bought and paid for by the Israel lobby."

Now, Madam Speaker, I don't know if Mr. Friedman was in the Chamber at the time, and I do not know if he interviewed Members of Congress following the Prime Minister's speech. I certainly know he did not speak with me nor many of my colleagues before he came to this wrong conclusion. So for the record, I wanted to make it clear why I and others stood when the Prime Minister of Israel addressed the joint session of Congress.

I rose for the Prime Minister because he is a leader of state. We always show respect for such leaders—but in this case, there were greater reasons for our action.

I also rose because Prime Minister Netanyahu is the leader of a nation I respect, of a people I admire, and of a culture that I cherish.

I stood up in support of a nation that protects religious freedom for all religions even when they are surrounded by other nations that will not permit Christian churches nor synagogues to be built and are surrounded by those