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September 20, 2013

The Honorable Barack H. Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington D.C. 20500

Dear President Obama,

I write to express my outrage over media reports that Sudanese President and internationally indicted war criminal Omar al-Bashir has requested a visa from the United States to attend the United Nations General Assembly. I am aware that your own Administration has spoken out against this request, but that under law, the United States is obligated to provide visas to heads of state traveling to our country to attend meetings at the United Nations, no matter how odious those officials are. Within this legal requirement as the host nation of the United Nations, **I urge you in the strongest possible terms to exercise every measure available to you to inhibit Sudan's ability to come to the United States, and should he arrive on our shores, to proscribe his movements to the absolute minimum and work closely with U.N. officials and other governments to enforce the principles of "non-essential contact" with persons subject to international arrest warrants for the worst crimes against humanity, including genocide. And should the legal possibility present itself, I ask you to take President Bashir into custody and deliver him to the International Criminal Court for prosecution.**

Among measures you might consider:

- Work with other governments and encourage countries along the flight route of President Bashir to refuse landing rights, refueling rights or access to their airspace;
- Direct the U.S. Department of Justice to file a criminal case against President Bashir under the Genocide Accountability Act of 2007 (USC 1091) for the crime of genocide, should he land on U.S. soil;
- Limit visas only to the barest minimum contingent accompanying President Bashir and reject requests for a larger Sudanese entourage and/or security contingent – including rejecting visas for any other Sudanese official under international indictment for war crimes, crimes against humanity or genocide;

- Restrict to the maximum degree possible the constraints on travel and mobility by President Bashir and his delegation for attendance only at the U.N. General Assembly;
- Work with U.N. officials and other governments to refuse private meetings with Bashir, including the ability to address the U.N. General Assembly, and to coordinate a walk-out of the U.N. General Assembly in protest of his attendance;
- And should President Bashir stray in even the least way from the restrictions placed upon him and his delegation while attending the United Nations, place him under custody of U.S. authorities and turn him over to the International Criminal Court for prosecution.

I stand ready to work with you on this serious matter and affront to the international community and the suffering people of Sudan.

Sincerely,



James P. McGovern  
Member of Congress

cc: John Kerry, Secretary of State, U.S. Department of State  
Samantha Power, U.S. Ambassador to the United Nations  
Susan Rice, National Security Advisor