

114TH CONGRESS
2D SESSION

H. R. 1150

AN ACT

To amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Frank R. Wolf International Religious Freedom Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings; Policy.
- Sec. 3. Definitions.

TITLE I—DEPARTMENT OF STATE ACTIVITIES

- Sec. 101. Office on International Religious Freedom; Ambassador at Large for International Religious Freedom.
- Sec. 102. Annual Report on International Religious Freedom.
- Sec. 103. Training for Foreign Service officers; report.
- Sec. 104. Prisoner lists and issue briefs on religious freedom concerns.

TITLE II—NATIONAL SECURITY COUNCIL

- Sec. 201. Special Adviser for International Religious Freedom.

TITLE III—PRESIDENTIAL ACTIONS

- Sec. 301. Non-state actor designations.
- Sec. 302. Presidential actions in response to particularly severe violations of religious freedom.
- Sec. 303. Report to Congress.
- Sec. 304. Presidential waiver.
- Sec. 305. Publication in the Federal Register.

TITLE IV—PROMOTION OF RELIGIOUS FREEDOM

- Sec. 401. Assistance for promoting religious freedom.

TITLE V—DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM

- Sec. 501. Designated Persons List for Particularly Severe Violations of Religious Freedom.

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Miscellaneous provisions.
- Sec. 602. Clerical amendments.

6 **SEC. 2. FINDINGS; POLICY.**

7 (a) FINDINGS.—Section 2(a) of the International Re-
8 ligious Freedom Act of 1998 (22 U.S.C. 6401(a)) is
9 amended—

(1) in paragraph (3), by inserting immediately prior to the penultimate sentence the following new sentence: “The freedom of thought, conscience, and religion is understood to protect theistic and non-theistic beliefs as well as the right not to profess or practice any religion.”; and

(2) in paragraph (6)—

(A) by inserting “and the specific targeting of non-theists, humanists, and atheists because of their beliefs” after “religious persecution”; and

(B) by inserting “and in regions where non-state actors exercise significant political power and influence” after “religious majorities”.

(b) POLICY.—Section 2(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(b)) is amended by adding at the end the following new paragraph:

“(6) Because the promotion of international religious freedom protects human rights, advances democracy abroad, and advances United States interests in stability, security, and development globally, the promotion of international religious freedom requires new and evolving policies, and diplomatic responses that are drawn from the expertise of the na-

1 tional security agencies, the diplomatic services, and
2 other governmental agencies and nongovernmental
3 organizations, and are coordinated across and car-
4 ried out by the entire range of Federal agencies.”.

5 **SEC. 3. DEFINITIONS.**

6 Section 3 of the International Religious Freedom Act
7 of 1998 (22 U.S.C. 6402) is amended—

8 (1) in paragraph (13)—

9 (A) in subparagraph (A)—

10 (i) by redesignating clauses (iv) and
11 (v) as clauses (v) and (vi), respectively;
12 and

13 (ii) by inserting after clause (iii) the
14 following:

15 “(iv) not professing a particular reli-
16 gion, or any religion;”; and

17 (B) in subparagraph (B)—

18 (i) by inserting “conscience, non-the-
19 istic views, or” before “religious belief or
20 practice”; and

21 (ii) by inserting after “forced religious
22 conversion” the following: “, forcibly com-
23 pelling non-believers or non-theists to re-
24 cant their beliefs or to convert”; and

1 (2) by adding at the end, the following new
2 paragraphs:

3 “(14) SPECIAL WATCH LIST.—The term ‘Spe-
4 cial Watch List’ means the Special Watch List as
5 contained in the Executive Summary to the Annual
6 Report and described in section 102(b)(1)(F)(iii).

7 “(15) NON-STATE ACTOR.—The term ‘non-state
8 actor’ means a nonsovereign entity that exercises
9 significant political power and is able to exert influ-
10 ence at a national or international level but does not
11 belong to or ally itself to any particular country and
12 often employs illegal violence in pursuit of its objec-
13 tives.

14 “(16) INSTITUTION OF HIGHER EDUCATION.—
15 The term ‘institution of higher education’ has the
16 meaning given that term in section 101 of the High-
17 er Education Act of 1965 (20 U.S.C. 1001)”.

18 **TITLE I—DEPARTMENT OF** 19 **STATE ACTIVITIES**

20 **SEC. 101. OFFICE ON INTERNATIONAL RELIGIOUS FREE-** 21 **DOM; AMBASSADOR AT LARGE FOR INTER-** 22 **NATIONAL RELIGIOUS FREEDOM.**

23 (a) IN GENERAL.—Section 101 of the International
24 Religious Freedom Act of 1998 (22 U.S.C. 6411) is
25 amended—

1 (1) in subsection (b), by adding at the end be-
2 fore the period the following: “, and shall report di-
3 rectly to the Secretary of State”;

4 (2) in subsection (c)—

5 (A) in paragraph (1)—

6 (i) by striking “responsibility” and in-
7 serting “responsibilities”;

8 (ii) by striking “shall be to advance”
9 and inserting the following: “shall be to—
10 “(A) advance”;

11 (iii) in subparagraph (A) (as so
12 added), by striking the period at the end
13 and inserting “; and”; and

14 (iv) by adding at the end the following
15 new subparagraph:

16 “(B) integrate United States international
17 religious freedom policies and strategies into
18 the foreign policy efforts of the United States.”;

19 (B) in paragraph (2), by inserting “the
20 principal adviser to” before “the Secretary of
21 State”;

22 (C) in paragraph (3)—

23 (i) in subparagraph (A), by striking
24 “and” at the end;

1 (ii) in subparagraph (B), by striking
2 the period at the end and inserting “;
3 and”; and

4 (iii) by adding at the end the fol-
5 lowing new subparagraph:

6 “(C) contacts with nongovernmental orga-
7 nizations that have an impact on the state of
8 religious freedom in their respective societies or
9 regions, or internationally.”;

10 (D) by redesignating paragraph (4) as
11 paragraph (5); and

12 (E) by inserting after paragraph (3) the
13 following new paragraph:

14 “(4) COORDINATION RESPONSIBILITIES.—In
15 order to promote religious freedom as an interest of
16 United States foreign policy, the Ambassador at
17 Large—

18 “(A) shall coordinate international reli-
19 gious freedom policies across all programs,
20 projects, and activities of the United States;
21 and

22 “(B) should participate in any interagency
23 processes on issues in which the promotion of
24 international religious freedom policy can ad-
25 vance United States national security interests,

1 including in democracy promotion, stability, se-
2 curity, and development globally.”; and

3 (3) in subsection (d), by striking “staff for the
4 Office” and all that follows through the period at
5 the end and inserting “individuals to fill at least 25
6 full-time equivalent staff positions, and any other
7 temporary staff positions as needed to compile, edit,
8 and manage the Annual Report under the direct su-
9 pervision of the Ambassador at Large, and for the
10 conduct of investigations by the Office and for nec-
11 essary travel to carry out the provisions of this Act.
12 The Secretary of State should also provide to the
13 Ambassador at Large funds that are sufficient to
14 carry out the duties described in this section, includ-
15 ing as necessary representation funds, in amounts
16 comparable to those provided to other Ambassadors
17 at Large in the Department of State.”.

18 (b) SENSE OF CONGRESS.—Because international re-
19 ligious freedom is a vital foreign policy interest and one
20 that needs coordination across many regional bureaus and
21 among Special Envoys and Special Representatives with
22 overlapping mandates, the Secretary of State should con-
23 sider elevating the office of International Religious Free-
24 dom and the position of the Ambassador at Large for
25 International Religious Freedom to the Office of the Sec-

1 retary, similar to other Ambassador at Large positions
 2 that now report directly to the Secretary. Providing the
 3 Office of International Religious Freedom with additional
 4 resources and status will demonstrate both the strategic
 5 importance of international religious freedom policy within
 6 the State Department bureaucracy and show persecuted
 7 religious groups globally that the United States gives pri-
 8 ority to the protection and promotion of international reli-
 9 gious freedom as mandated by the International Religious
 10 Freedom Act of 1998.

11 **SEC. 102. ANNUAL REPORT ON INTERNATIONAL RELIGIOUS**
 12 **FREEDOM.**

13 (a) IN GENERAL.—Section 102(b)(1) of the Inter-
 14 national Religious Freedom Act of 1998 (22 U.S.C.
 15 6412(b)(1)) is amended—

16 (1) in the matter preceding subparagraph (A),
 17 by striking “September 1” and inserting “May 1”;

18 (2) in subparagraph (A)—

19 (A) by redesignating clause (iv) as clause
 20 (vii); and

21 (B) by inserting after clause (iii) the fol-
 22 lowing new clauses:

23 “(iv) particularly severe violations of
 24 religious freedom in that country in the
 25 case of a foreign country with respect to

1 which a government does not exist or the
2 government does not control its territory;

3 “(v) an identification of prisoners in
4 that country pursuant to section 108;

5 “(vi) any action taken by the govern-
6 ment of that country to censor religious
7 content, communications, or worship activi-
8 ties online, including descriptions of the
9 targeted religious group, the content, com-
10 munication, or activities censored, and the
11 means used.”;

12 (3) in subparagraph (B), in the matter pre-
13 ceding clause (i)—

14 (A) by inserting “persecution of lawyers,
15 politicians, or other human rights advocates
16 seeking to defend the rights of members of reli-
17 gious groups or highlight religious freedom vio-
18 lations, prohibitions on ritual animal slaughter
19 or male infant circumcision,” after “entire reli-
20 gions,”; and

21 (B) by inserting “policies that ban or re-
22 strict the public manifestation of religious belief
23 and the peaceful involvement of religious groups
24 or their members in the political life of each
25 such foreign country,” after “such groups,”;

1 (4) in subparagraph (C)—

2 (A) by striking “A description” and insert-
3 ing “A comprehensive description”;

4 (B) by striking “policies in support” and
5 inserting “diplomatic and political coordination
6 efforts, and other policies in support”; and

7 (C) by adding at the end before the period
8 the following: “, and a comprehensive and coun-
9 try-specific analysis of the impact of actions by
10 the United States on the status of religious
11 freedom in each such country”; and

12 (5) in subparagraph (F)—

13 (A) in clause (i)—

14 (i) by striking “section 402(b)(1)”
15 and inserting “section 402(b)(1)(B)(i)”;
16 and

17 (ii) by adding at the end the fol-
18 lowing: “Any country in which a non-state
19 actor designated as an entity of particular
20 concern for religious freedom under section
21 301 of the Frank R. Wolf International
22 Religious Freedom Act is located shall be
23 included in this section of the report.”; and

24 (B) by adding at the end the following new
25 clause:

1 “(iii) SPECIAL WATCH LIST.—A list,
2 to be known as the ‘Special Watch List’,
3 which shall identify each country that en-
4 gages in or tolerates severe violations of re-
5 ligious freedom during the previous year
6 but which the President determines does
7 not meet, at the time of the publication of
8 the Annual Report, all of the criteria de-
9 scribed in section 3(11) for designation
10 under section 402(b)(1).”.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that—

13 (1) the original intent of the International Reli-
14 gious Freedom Act of 1998 (22 U.S.C. 6401 et seq.)
15 was to require annual reports from both the Depart-
16 ment of State and the Commission on International
17 Religious Freedom to be delivered each year, during
18 the same calendar year, and with at least 5 months
19 separating these reports, in order to provide updated
20 information for policy-makers, Members of Congress,
21 and nongovernmental organizations; and

22 (2) given that the annual Country Reports on
23 Human Rights Practices no longer contain updated
24 information on religious freedom conditions globally,
25 it is important that the Department of State and the

1 Commission work together to fulfill the original in-
2 tent of the International Religious Freedom Act of
3 1998.

4 **SEC. 103. TRAINING FOR FOREIGN SERVICE OFFICERS; RE-**
5 **PORT.**

6 (a) AMENDMENT TO FOREIGN SERVICE ACT OF
7 1980.—Section 708 of the Foreign Service Act of 1980
8 (22 U.S.C. 4028) is amended—

9 (1) by redesignating subsections (b) and (c) as
10 subsections (d) and (e), respectively;

11 (2) in subsection (d), as redesignated, by strik-
12 ing “The Secretary of State” and inserting “REFU-
13 GEES.—The Secretary of State”;

14 (3) in subsection (e), as redesignated, by strik-
15 ing “The Secretary of State” and inserting “CHILD
16 SOLDIERS.—The Secretary of State”;

17 (4) by striking subsection (a) and inserting the
18 following:

19 “(a) DEVELOPMENT OF CURRICULUM.—

20 “(1) IN GENERAL.—The Secretary of State
21 shall develop a curriculum for training United States
22 Foreign Service officers in the scope and strategic
23 value of international religious freedom, how viola-
24 tions of international religious freedom harm funda-
25 mental United States interests, how the advance-

1 ment of international religious freedom can advance
2 such interests, how United States international reli-
3 gious freedom policy should be carried out in prac-
4 tice by United States diplomats and other Foreign
5 Service officers, and the relevance and relationship
6 of international religious freedom to United States
7 defense, diplomacy, development, and public affairs
8 efforts. The Secretary of State shall ensure the
9 availability of sufficient resources to develop and im-
10 plement such curriculum.

11 “(2) ROLE OF OTHER OFFICIALS.—The Sec-
12 retary of State shall carry out paragraph (1)—

13 “(A) with the assistance of the Ambas-
14 sador at Large for International Religious
15 Freedom appointed under section 101(b) of the
16 International Religious Freedom Act of 1998;

17 “(B) in coordination with the Director of
18 the George P. Shultz National Foreign Affairs
19 Training Center and other Federal officials as
20 appropriate; and

21 “(C) in consultation with the United
22 States Commission on International Religious
23 Freedom established in section 201(a) of the
24 International Religious Freedom Act of 1998
25 and other relevant stakeholders.

1 “(b) TRAINING PROGRAM.—Not later than the date
2 that is 1 year after the date of the enactment of the Frank
3 R. Wolf International Religious Freedom Act, the Director
4 of the George P. Shultz National Foreign Affairs Training
5 Center shall begin mandatory training on religious free-
6 dom for all Foreign Service officers, including all entry
7 level officers, all officers prior to departure for posting
8 outside the United States, and all outgoing deputy chiefs
9 of mission and ambassadors. Such training shall, at min-
10 imum, be a separate, independent, and required segment
11 of each of the following:

12 “(1) The A-100 course attended by all Foreign
13 Service officers.

14 “(2) The courses required of every Foreign
15 Service officer prior to a posting outside the United
16 States, with segments tailored to the particular reli-
17 gious demography, religious freedom conditions, and
18 United States strategies for advancing religious free-
19 dom, in each receiving country.

20 “(3) The courses required of all outgoing dep-
21 uty chiefs of mission and ambassadors.

22 “(c) INFORMATION SHARING.—The curriculum and
23 training materials developed pursuant to subsections (a)
24 and (b) should be made available to all other Federal
25 agencies.”.

1 (b) REPORT.—Not later than 180 days after the date
2 of the enactment of this Act, the Secretary of State, with
3 the assistance of the Ambassador at Large for Inter-
4 national Religious Freedom, and the Director of the
5 George P. Shultz National Foreign Affairs Training Cen-
6 ter, shall submit to the Committee on Foreign Affairs of
7 the House of Representatives and the Committee on For-
8 eign Relations of the Senate a report containing a com-
9 prehensive plan for undertaking training for Foreign Serv-
10 ice officers as required under section 708 of the Foreign
11 Services Act of 1980, as amended by subsection (a) of this
12 section.

13 **SEC. 104. PRISONER LISTS AND ISSUE BRIEFS ON RELI-**
14 **GIOUS FREEDOM CONCERNS.**

15 Section 108 of the International Religious Freedom
16 Act of 1998 (22 U.S.C. 6417) is amended—

17 (1) in subsection (b), by striking “faith” and
18 inserting “activities, religious freedom advocacy, or
19 efforts to protect and advance the universally recog-
20 nized right to the freedom of religion,”;

21 (2) in subsection (c), by striking “, as appro-
22 priate, provide” and insert “make available”; and

23 (3) by adding at the end the following new sub-
24 section:

1 “(d) VICTIMS LIST MAINTAINED BY THE UNITED
2 STATES COMMISSION ON INTERNATIONAL RELIGIOUS
3 FREEDOM.—

4 “(1) IN GENERAL.—The Commission shall
5 make publicly available online and in official publica-
6 tions lists of persons it determines are imprisoned,
7 detained, disappeared, placed under house arrest,
8 tortured, or subject to forced renunciations of faith
9 for their religious activity or religious freedom advo-
10 cacy by the government of a foreign country that the
11 Commission recommends for designation as a coun-
12 try of particular concern for religious freedom under
13 section 402(b)(1) or by a non-state actor that the
14 Commission recommends for designation as an enti-
15 ty of particular concern for religious freedom under
16 section 301 of the Frank R. Wolf International Reli-
17 gious Freedom Act and include as much publicly
18 available information as possible on the conditions
19 and circumstances of such persons.

20 “(2) DISCRETION.—In compiling such lists, the
21 Commission shall exercise all appropriate discretion,
22 including consideration of the safety and security of,
23 and benefit to, the persons who may be included on
24 the lists and the families of such persons.”.

1 **TITLE II—NATIONAL SECURITY**
2 **COUNCIL**

3 **SEC. 201. SPECIAL ADVISER FOR INTERNATIONAL RELI-**
4 **GIOUS FREEDOM.**

5 Section 101 of the National Security Act of 1947 (50
6 U.S.C. 3021) is amended by striking subsection (k) and
7 inserting the following:

8 “(k) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that there should be within the staff of the National
10 Security Council a Special Adviser to the President on
11 International Religious Freedom, whose position should be
12 comparable to that of a director within the Executive Of-
13 fice of the President, with the primary responsibility to
14 serve as a resource for executive branch officials on inter-
15 national religious freedom, compiling and maintaining in-
16 formation on the facts and circumstances of violations of
17 religious freedom (as defined in section 3 of the Inter-
18 national Religious Freedom Act of 1998), and making rel-
19 evant policy recommendations to advance United States
20 international religious freedom policy. The Special Advisor
21 should also assist the Ambassador at Large to coordinate
22 international religious freedom policies and strategies
23 throughout the executive branch and within any inter-
24 agency policy committees where the Ambassador at Large
25 participates.”.

1 **TITLE III—PRESIDENTIAL**
2 **ACTIONS**

3 **SEC. 301. NON-STATE ACTOR DESIGNATIONS.**

4 (a) IN GENERAL.—The President shall, concurrent
5 with the annual foreign country review required by section
6 402(b)(1) of the International Religious Freedom Act of
7 1998 (22 U.S.C. 6442(b)(1))—

8 (1) review and identify any non-state actors op-
9 erating in any such reviewed country or surrounding
10 region that have engaged in particularly severe viola-
11 tions of religious freedom; and

12 (2) designate, in a manner consistent with such
13 Act, each such non-state actor as an entity of par-
14 ticular concern for religious freedom.

15 (b) REPORT.—Whenever the President designates a
16 non-state actor under subsection (a) as an entity of par-
17 ticular concern for religious freedom, the President shall,
18 as soon as practicable after the designation is made, sub-
19 mit to the appropriate congressional committees a report
20 detailing the reasons for such designation.

21 (c) ACTIONS.—The President should take specific ac-
22 tions to address severe violations of religious freedom of
23 non-state actors that are designated under subsection (a),
24 including taking actions commensurate to those actions

1 described in section 405 of the International Religious
2 Freedom Act of 1998 (22 U.S.C. 6445).

3 (d) DEPARTMENT OF STATE ANNUAL REPORT.—The
4 Secretary of State should include information detailing the
5 reasons the President designated a non-state actor as an
6 entity of particular concern for religious freedom under
7 subsection (a) in the Annual Report required in section
8 102(b)(1) of the International Religious Freedom Act of
9 1998 (22 U.S.C. 6442(b)(1)).

10 (e) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the Secretary of State should work with Con-
12 gress to create new political, financial, and diplomatic
13 tools to address severe violations of religious freedom by
14 non-state actors and to update the actions the President
15 can take in section 405 of the International Religious
16 Freedom Act of 1998.

17 (f) DETERMINATIONS OF RESPONSIBLE PARTIES.—
18 In order to appropriately target Presidential actions under
19 the International Religious Freedom Act of 1998 in re-
20 sponse, the President shall with respect to each non-state
21 actor designated as an entity of particular concern for reli-
22 gious freedom under subsection (a), seek to determine the
23 specific officials or members thereof that are responsible
24 for the particularly severe violations of religious freedom
25 engaged in or tolerated by that entity.

1 (g) DEFINITIONS.—In this section, the terms “appro-
 2 priate congressional committees”, “non-state actor”, and
 3 “particularly severe violations of religious freedom” have
 4 the meanings given such terms in section 3 of the Inter-
 5 national Religious Freedom Act of 1998 (22 U.S.C.
 6 6402), as amended by section 3 of this Act.

7 **SEC. 302. PRESIDENTIAL ACTIONS IN RESPONSE TO PAR-**
 8 **TICULARLY SEVERE VIOLATIONS OF RELI-**
 9 **GIOUS FREEDOM.**

10 Section 402 of the International Religious Freedom
 11 Act of 1998 (22 U.S.C. 6442) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) by amending subparagraph (A) to
 15 read as follows:

16 “(A) IN GENERAL.—Not later than 90
 17 days after the date on which each Annual Re-
 18 port is submitted under section 102(b), the
 19 President shall—

20 “(i) review the status of religious free-
 21 dom in each foreign country to determine
 22 whether the government of that country
 23 has engaged in or tolerated particularly se-
 24 vere violations of religious freedom in each

1 such country during the preceding 12
2 months or longer; and

3 “(ii) designate each country the gov-
4 ernment of which has engaged in or toler-
5 ated violations described in clause (i) as a
6 country of particular concern for religious
7 freedom.”; and

8 (ii) in subparagraph (C), by striking
9 “September 1 of the respective year” and
10 inserting “the date on which each Annual
11 Report is submitted under section 102(b)”;
12 (B) by amending paragraph (3) to read as

13 follows:

14 “(3) CONGRESSIONAL NOTIFICATION.—

15 “(A) IN GENERAL.—Whenever the Presi-
16 dent designates a country as a country of par-
17 ticular concern for religious freedom under
18 paragraph (1)(A), the President shall, not later
19 than 90 days after the designation is made,
20 transmit to the appropriate congressional com-
21 mittees—

22 “(i) the designation of the country,
23 signed by the President;

1 “(ii) the identification, if any, of re-
2 sponsible parties determined under para-
3 graph (2); and

4 “(iii) a description of the actions
5 taken under subsection (c), the purposes of
6 the actions taken, and the effectiveness of
7 the actions taken.

8 “(B) REMOVAL OF DESIGNATION.—A
9 country that is designated as a country of par-
10 ticular concern for religious freedom under
11 paragraph (1)(A) shall retain such designation
12 until the President determines and reports to
13 the appropriate congressional committees that
14 the country should no longer be so des-
15 ignated.”; and

16 (C) by adding at the end, the following
17 new paragraph:

18 “(4) TREATMENT OF COUNTRIES ON SPECIAL
19 WATCH LIST.—

20 “(A) IN GENERAL.—The President shall
21 designate as a country of particular concern for
22 religious freedom under paragraph (1)(A) any
23 country that appears on the Special Watch List
24 in more than two consecutive Annual Reports.

“(B) EXERCISE OF WAIVER AUTHORITY.—

The President may waive the application of subparagraph (A) with respect to a country for up to 2 years if the President certifies to the appropriate committees of Congress that—

“(i) the country has entered into an agreement with the United States to carry out specific and credible actions to improve religious freedom conditions and end religious freedom violations;

“(ii) the country has entered into an agreement with the United Nations, the European Union, or other ally of the United States, to carry out specific and credible actions to improve religious freedom conditions and end religious freedom violations; or

“(iii) the waiver is in the national security interests of the United States.

“(C) EFFECT ON DESIGNATION AS COUNTRY OF PARTICULAR CONCERN.—The presence or absence of a country from the Special Watch List in any given year shall not preclude the designation of such country as a country of par-

1 ticular concern for religious freedom under
2 paragraph (1)(A) in any such year.”; and
3 (2) in subsection (c)(5), in the second sentence,
4 by inserting “and include a description of the impact
5 of the designation of such sanction or sanctions that
6 exist in each country” after “determines satisfy the
7 requirements of this subsection”.

8 **SEC. 303. REPORT TO CONGRESS.**

9 Section 404(a)(4)(A) of the International Religious
10 Freedom Act of 1998 (22 U.S.C. 6444(a)(4)(A)) is
11 amended—

12 (1) in clause (iii), by striking the period at the
13 end and inserting “; and”; and

14 (2) by adding at the end the following new
15 clause:

16 “(iv) the impact on the advancement
17 of United States interests in democracy,
18 human rights, and security, and a descrip-
19 tion of policy tools being applied in the
20 country, including programs that target
21 democratic stability, economic growth, and
22 counter-terrorism.”.

23 **SEC. 304. PRESIDENTIAL WAIVER.**

24 Section 407 of the International Religious Freedom
25 Act of 1998 (22 U.S.C. 6447) is amended—

1 (1) in subsection (a)—

2 (A) by striking “subsection (b)” and in-
3 serting “subsection (c)”; and

4 (B) by inserting “, for a single 180-day pe-
5 riod,” after “may waive”;

6 (2) by striking “that—” and all that follows
7 and inserting “that the exercise of such waiver au-
8 thority would further the purposes of this Act.”;

9 (3) by redesignating subsection (b) as sub-
10 section (c);

11 (4) by inserting after subsection (a) the fol-
12 lowing:

13 “(b) ADDITIONAL AUTHORITY.—Subject to sub-
14 section (c), the President may waive, for any additional
15 period of time after the 180-day period described in sub-
16 section (a), the application of any of the actions described
17 in paragraphs (9) through (15) of section 405(a) (or a
18 commensurate action in substitution thereto) with respect
19 to a country, if the President determines and so reports
20 to the appropriate congressional committees that—

21 “(1) the respective foreign government has
22 ceased the violations giving rise to the Presidential
23 action; or

24 “(2) the exercise of such authority is important
25 to the national interests of the United States.”.

1 (5) in subsection (c), by inserting “or (b)” after
2 “subsection (a)”; and

3 (6) by adding at the end the following new sub-
4 section:

5 “(d) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 “(1) ongoing and persistent waivers of the ap-
8 plication of any of the actions described in para-
9 graphs (9) through (15) of section 405(a) (or com-
10 mensurate action in substitution thereto) with re-
11 spect to a country do not fulfill the purposes of this
12 Act; and

13 “(2) because the promotion of religious freedom
14 is a compelling interest of United States foreign pol-
15 icy, the President, the Secretary of State, and other
16 Executive branch officials, in consultation with Con-
17 gress, should seek to find ways to address existing
18 violations, on a case-by-case basis, through the ac-
19 tions specified in section 405 or other commensurate
20 action in substitution thereto.”.

21 **SEC. 305. PUBLICATION IN THE FEDERAL REGISTER.**

22 Section 408(a)(1) of the International Religious
23 Freedom Act of 1998 (22 U.S.C. 6448(a)(1)) is amended
24 by adding at the end the following: “Any designation of
25 a non-state actor as an entity of particular concern for

1 religious freedom under section 301 of the Frank R. Wolf
2 International Religious Freedom Act, together with, when
3 applicable and to the extent practicable, the identities of
4 individuals determined to be responsible for the violations
5 under subsection (e) of such section.”.

6 **TITLE IV—PROMOTION OF** 7 **RELIGIOUS FREEDOM**

8 **SEC. 401. ASSISTANCE FOR PROMOTING RELIGIOUS FREE-** 9 **DOM.**

10 (a) AVAILABILITY OF ASSISTANCE.—It is the sense
11 of Congress that for each fiscal year that begins on or
12 after the date of the enactment of this Act, the Depart-
13 ment of State should make available—

14 (1) an amount equal to not less than 10 percent
15 of the amounts available in that fiscal year for the
16 Human Rights and Democracy Fund for the pro-
17 motion of international religious freedom and for
18 projects to advance United States interests in the
19 protection and advancement of international reli-
20 gious freedom, in particular, through grants to—

21 (A) groups that are able to develop legal
22 protections or promote cultural and societal un-
23 derstanding of international norms of religious
24 freedom;

1 (B) groups that seek to address and miti-
2 gate religiously motivated and sectarian violence
3 and combat violent extremism; and

4 (C) groups that seek to strengthen inves-
5 tigations, reporting, and monitoring of religious
6 freedom violations; and

7 (2) an amount equal to not less than 2 percent
8 of amounts available in that fiscal year for the
9 Human Rights and Democracy Fund to be made
10 available for the establishment of a Religious Free-
11 dom Defense Fund, administered by the Ambassador
12 at Large for International Religious Freedom, to
13 provide grants for—

14 (A) victims of religious freedom abuses and
15 their families to cover legal and other expenses
16 that may arise from detention, imprisonment,
17 torture, fines, and other restrictions; and

18 (B) projects to help create and support
19 training of a new generation of defenders of re-
20 ligious freedom, including legal and political ad-
21 vocates, and civil society projects which seek to
22 create advocacy networks, strengthen legal rep-
23 resentation, train and educate new religious
24 freedom defenders, and build the capacity of re-
25 ligious communities and rights defenders to

1 protect against religious freedom violations,
2 mitigate societal or sectarian violence, or mini-
3 mize legal or other restrictions of the right to
4 freedom of religion.

5 (b) PREFERENCE.—It is the sense of Congress that,
6 in providing grants under subsection (a), the Ambassador
7 at Large for International Religious Freedom should, as
8 appropriate, give preference to projects targeting religious
9 freedom violations in countries designated as countries of
10 particular concern for religious freedom under section
11 402(b)(1) of the International Religious Freedom Act of
12 1998 (22 U.S.C. 6442(b)(1)) and countries included on
13 the Special Watch List described in section
14 102(b)(1)(F)(iii) of the International Religious Freedom
15 Act of 1998 (22 U.S.C. 6412(b)(1)(F)(iii)).

16 (c) ADMINISTRATION AND CONSULTATIONS.—

17 (1) ADMINISTRATION.—Amounts made avail-
18 able in accordance with subsection (a) shall be ad-
19 ministered by the Ambassador at Large for Inter-
20 national Religious Freedom.

21 (2) CONSULTATIONS.—In developing priorities
22 and policies for providing grants in accordance with
23 subsection (a), including priorities and policies for
24 identification of potential grantees, the Ambassador
25 at Large for International Religious Freedom shall

1 consult with other Federal agencies, including the
 2 United States Commission on International Reli-
 3 gious Freedom and, as appropriate, nongovern-
 4 mental organizations.

5 **TITLE V—DESIGNATED PERSONS**
 6 **LIST FOR PARTICULARLY SE-**
 7 **VERE VIOLATIONS OF RELI-**
 8 **GIOUS FREEDOM**

9 **SEC. 501. DESIGNATED PERSONS LIST FOR PARTICULARLY**
 10 **SEVERE VIOLATIONS OF RELIGIOUS FREE-**
 11 **DOM.**

12 Title VI of the International Religious Freedom Act
 13 of 1998 (22 U.S.C. 6471 et seq.) is amended—

14 (1) by redesignating section 605 as section 606;
 15 and

16 (2) by inserting after section 604 the following
 17 new section:

18 **“SEC. 605. DESIGNATED PERSONS LIST FOR PARTICULARLY**
 19 **SEVERE VIOLATIONS OF RELIGIOUS FREE-**
 20 **DOM.**

21 “(a) LIST.—

22 “(1) IN GENERAL.—The Secretary of State, in
 23 coordination with the Ambassador at Large and in
 24 consultation with relevant government and non-gov-
 25 ernment experts, shall establish and maintain a list

1 of foreign individuals who are sanctioned, through
2 visa denials, financial sanctions, or other measures,
3 because they are responsible for ordering, control-
4 ling, or otherwise directing particularly severe viola-
5 tions of freedom religion.

6 “(2) REFERENCE.—The list required under
7 paragraph (1) shall be known as the ‘Designated
8 Persons List for Particularly Severe Violations of
9 Religious Freedom’.

10 “(b) REPORT.—

11 “(1) IN GENERAL.—The Secretary of State
12 shall submit to the appropriate congressional com-
13 mittees a report that contains the list required under
14 subsection (a), including, with respect to each for-
15 eign individual on the list—

16 “(A) the name of the individual and a de-
17 scription of the particularly severe violation of
18 religious freedom committed by the individual;

19 “(B) the name of the country or other lo-
20 cation in which such violation took place; and

21 “(C) a description of the actions taken
22 pursuant to this Act or any other Act or Execu-
23 tive order in response to such violation; and

1 “(2) SUBMISSION AND UPDATES.—The Sec-
2 retary of State shall submit to the appropriate con-
3 gressional committees—

4 “(A) the initial report required under para-
5 graph (1) not later than 180 days after the
6 date of the enactment of this section; and

7 “(B) updates to the report every 180 days
8 thereafter and as new information becomes
9 available.

10 “(3) FORM.—The report required under para-
11 graph (1) should be submitted in unclassified form
12 but may contain a classified annex.

13 “(4) DEFINITION.—In this subsection, the term
14 ‘appropriate congressional committees’ means—

15 “(A) the Committee on Foreign Affairs
16 and the Committee on Financial Services of the
17 House of Representatives; and

18 “(B) the Committee on Foreign Relations
19 and the Committee on Banking, Housing, and
20 Urban Affairs of the Senate.”.

1 **TITLE VI—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 601. MISCELLANEOUS PROVISIONS.**

4 Title VII of the International Religious Freedom Act
5 of 1998 (22 U.S.C. 6481 et seq.) is amended by adding
6 at the end the following new sections:

7 **“SEC. 702. VOLUNTARY CODES OF CONDUCT FOR UNITED**
8 **STATES INSTITUTIONS OF HIGHER EDU-**
9 **CATION OUTSIDE THE UNITED STATES.**

10 “(a) FINDING.—Congress recognizes the enduring
11 importance of United States institutions of higher edu-
12 cation worldwide both for their potential for shaping posi-
13 tive leadership and new educational models in host coun-
14 tries and for their emphasis on teaching universally recog-
15 nized rights of free inquiry and academic freedom.

16 “(b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that United States institutions of higher education
18 operating campuses outside the United States or estab-
19 lishing any educational entities with foreign governments,
20 particularly with or in countries the governments of which
21 engage in or tolerate severe violations of religious freedom
22 as identified in the Annual Report, should seek to adopt
23 a voluntary code of conduct for operating in such countries
24 that should—

1 “(1) uphold the right of freedom of religion of
2 their employees and students, including the right to
3 manifest that religion peacefully as protected in
4 international law;

5 “(2) ensure that the religious views and peace-
6 ful practice of religion in no way affect, or be al-
7 lowed to affect, the status of a worker’s or faculty
8 member’s employment or a student’s enrollment; and

9 “(3) make every effort in all negotiations, con-
10 tracts, or memoranda of understanding engaged in
11 or constructed with a foreign government to protect
12 academic freedom and the rights enshrined in the
13 United Nations Declaration of Human Rights.

14 **“SEC. 703. SENSE OF CONGRESS REGARDING NATIONAL SE-**
15 **CURITY STRATEGY TO PROMOTE RELIGIOUS**
16 **FREEDOM THROUGH UNITED STATES FOR-**
17 **EIGN POLICY.**

18 “It is the sense of Congress that—

19 “(1) the annual national security strategy re-
20 port of the President required by section 108 of the
21 National Security Act of 1947 (50 U.S.C. 3043)
22 should promote international religious freedom as a
23 foreign policy and national security priority and
24 should articulate that promotion of the right to free-
25 dom of religion is a strategy that protects other, re-

1 lated human rights, and advances democracy outside
 2 the United States, and make clear its importance to
 3 United States foreign policy goals of stability, secu-
 4 rity, development, and diplomacy; and

5 “(2) the national security strategy report
 6 should be a guide for the strategies and activities of
 7 relevant Federal agencies and inform the Depart-
 8 ment of Defense quadrennial defense review under
 9 section 118 of title 10, United States Code, and the
 10 Department of State Quadrennial Diplomacy and
 11 Development Review.”.

12 **SEC. 602. CLERICAL AMENDMENTS.**

13 The table of contents of the International Religious
 14 Freedom Act of 1998 (22 U.S.C. 6401 note) is amended—

15 (1) by striking the item relating to section 605
 16 and inserting the following:

“Sec. 606. Studies on the effect of expedited removal provisions on asylum
 claims.”;

17 (2) by inserting after the item relating to sec-
 18 tion 604 the following:

“Sec. 605. Designated Persons List for Particularly Severe Violations of Reli-
 gious Freedom.”;

19 and

20 (3) by adding at the end the following:

“Sec. 702. Voluntary codes of conduct for United States institutions of higher
 education operating outside the United States.

“Sec. 703. Sense of Congress regarding national security strategy to promote religious freedom through United States foreign policy.”.

Passed the House of Representatives May 16, 2016.

Attest:

Clerk.

114TH CONGRESS
2^D SESSION

H. R. 1150

AN ACT

To amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes.