

114TH CONGRESS
2D SESSION

S. 2878

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.

IN THE SENATE OF THE UNITED STATES

APRIL 28, 2016

Mr. RUBIO (for himself, Mr. CORNYN, and Mr. BLUNT) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

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

7 (2) in paragraph (6)—

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

12 (B) by inserting “and in regions where
13 non-state actors exercise significant political
14 power and influence” after “religious majori-
15 ties”.

16 (b) POLICY.—Section 2(b) of the International Reli-
17 gious Freedom Act of 1998 (22 U.S.C. 6401(b)) is amend-
18 ed by adding at the end the following:

19 “(6) Because the promotion of international re-
20 ligious freedom protects human rights, advances de-
21 mocracy abroad, and advances United States inter-
22 ests in stability, security, and development globally,
23 the promotion of international religious freedom re-
24 quires new and evolving policies, and diplomatic re-
25 sponses 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) by redesignating paragraph (13) as para-
9 graph (16);

10 (2) by redesignating paragraphs (10), (11), and
11 (12) as paragraphs (12), (13), and (14), respec-
12 tively;

13 (3) by inserting after paragraph (9) the fol-
14 lowing:

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

19 “(11) NON-STATE ACTOR.—The term ‘non-state
20 actor’ means a nonsovereign entity that exercises
21 significant political power and is able to exert influ-
22 ence at a national or international level but does not
23 belong to or ally itself to any particular country and
24 often employs illegal violence in pursuit of its objec-
25 tives.”;

1 (4) by inserting after paragraph (14), as redesi-
2 gnated, the following:

3 “(15) SPECIAL WATCH LIST.—The term ‘Spe-
4 cial Watch List’ means the Special Watch List con-
5 tained in the Executive Summary to the Annual Re-
6 port and described in section 102(b)(1)(F)(iii).”;
7 and

8 (5) in paragraph (16), as redesignated—

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 “, forcibly compelling
22 non-believers or non-theists to recant their
23 beliefs or to convert” after “forced reli-
24 gious conversion”.

1 **TITLE I—DEPARTMENT OF**
2 **STATE ACTIVITIES**

3 **SEC. 101. OFFICE ON INTERNATIONAL RELIGIOUS FREE-**
4 **DOM; AMBASSADOR AT LARGE FOR INTER-**
5 **NATIONAL RELIGIOUS FREEDOM.**

6 (a) IN GENERAL.—Section 101 of the International
7 Religious Freedom Act of 1998 (22 U.S.C. 6411) is
8 amended—

9 (1) in subsection (b), by inserting “, and shall
10 report directly to the Secretary of State” before the
11 period at the end;

12 (2) in subsection (c)—

13 (A) in paragraph (1)—

14 (i) by striking “responsibility” and in-
15 serting “responsibilities”;

16 (ii) by striking “shall be to advance”
17 and inserting the following: “shall be to—
18 “(A) advance”;

19 (iii) in subparagraph (A) (as so
20 added), by striking the period at the end
21 and inserting “; and”; and

22 (iv) by adding at the end the fol-
23 lowing:

1 “(B) integrate United States international
2 religious freedom policies and strategies into
3 the foreign policy efforts of the United States.”;

4 (B) in paragraph (2), by inserting “the
5 principal adviser to” before “the Secretary of
6 State”;

7 (C) in paragraph (3)—

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

10 (ii) in subparagraph (B), by striking
11 the period at the end and inserting “;
12 and”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(C) contacts with nongovernmental orga-
16 nizations that have an impact on the state of
17 religious freedom in their respective societies or
18 regions, or internationally.”;

19 (D) by redesignating paragraph (4) as
20 paragraph (5); and

21 (E) by inserting after paragraph (3) the
22 following:

23 “(4) COORDINATION RESPONSIBILITIES.—In
24 order to promote religious freedom as an interest of

1 United States foreign policy, the Ambassador at
2 Large—

3 “(A) shall coordinate international reli-
4 gious freedom policies across all programs,
5 projects, and activities of the United States;
6 and

7 “(B) should participate in any interagency
8 processes on issues in which the promotion of
9 international religious freedom policy can ad-
10 vance United States national security interests,
11 including in democracy promotion, stability, se-
12 curity, and development globally.”; and

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

1 comparable to those provided to other Ambassadors
2 at Large in the Department of State.”.

3 (b) SENSE OF CONGRESS.—Because international re-
4 ligious freedom is a vital foreign policy interest and one
5 that needs coordination across many regional bureaus and
6 among Special Envoys and Special Representatives with
7 overlapping mandates, the Secretary of State should con-
8 sider elevating the office of International Religious Free-
9 dom and the position of the Ambassador at Large for
10 International Religious Freedom to the Office of the Sec-
11 retary, similar to other Ambassador at Large positions
12 that now report directly to the Secretary. Providing the
13 Office of International Religious Freedom with additional
14 resources and status will demonstrate both the strategic
15 importance of international religious freedom policy within
16 the State Department bureaucracy and show persecuted
17 religious groups globally that the U.S. gives priority to the
18 protection and promotion of international religious free-
19 dom as mandated by the International Religious Freedom
20 Act of 1998.

21 **SEC. 102. ANNUAL REPORT ON INTERNATIONAL RELIGIOUS**
22 **FREEDOM.**

23 (a) IN GENERAL.—Section 102(b)(1) of the Inter-
24 national Religious Freedom Act of 1998 (22 U.S.C.
25 6412(b)(1)) is amended—

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

3 (2) in subparagraph (A)—

4 (A) by redesignating clause (iv) as clause
5 (vii); and

6 (B) by inserting after clause (iii) the fol-
7 lowing new clauses:

8 “(iv) particularly severe violations of
9 religious freedom in that country in the
10 case of a foreign country with respect to
11 which a government does not exist or the
12 government does not control its territory;

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

15 “(vi) any action taken by the govern-
16 ment of that country to censor religious
17 content, communications, or worship activi-
18 ties online, including descriptions of the
19 targeted religious group, the content, com-
20 munication, or activities censored, and the
21 means used; and”;

22 (3) in subparagraph (B), in the matter pre-
23 ceding clause (i)—

24 (A) by inserting “persecution of lawyers,
25 politicians, or other human rights advocates

1 seeking to defend the rights of members of reli-
2 gious groups or highlight religious freedom vio-
3 lations, prohibitions on ritual animal slaughter
4 or male infant circumcision,” after “entire reli-
5 gions,”; and

6 (B) by inserting “policies that ban or re-
7 strict the public manifestation of religious belief
8 and the peaceful involvement of religious groups
9 or their members in the political life of each
10 such foreign country,” after “such groups,”;

11 (4) in subparagraph (C)—

12 (A) by striking “A description” and insert-
13 ing “A comprehensive description”;

14 (B) by striking “policies in support” and
15 inserting “diplomatic and political coordination
16 efforts, and other policies in support”; and

17 (C) by adding at the end before the period
18 the following: “, and a comprehensive and coun-
19 try-specific analysis of the impact of actions by
20 the United States on the status of religious
21 freedom in each such country”; and

22 (5) in subparagraph (F)—

23 (A) in clause (i)—

1 (i) by striking “section 402(b)(1)”
2 and inserting “section 402(b)(1)(B)(i)”;
3 and

4 (ii) by adding at the end the fol-
5 lowing: “Any country in which a non-state
6 actor designated as an entity of particular
7 concern for religious freedom under section
8 301 of the Frank R. Wolf International
9 Religious Freedom Act is located shall be
10 included in this section of the report.”; and
11 (B) by adding at the end the following:

12 “(iii) SPECIAL WATCH LIST.—A list,
13 to be known as the ‘Special Watch List’,
14 which shall identify each country that en-
15 engages in or tolerates severe violations of re-
16 ligious freedom during the previous year
17 but which the President determines does
18 not meet, at the time of the publication of
19 the Annual Report, all of the criteria de-
20 scribed in section 3(11) for designation
21 under section 402(b)(1).”.

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

24 (1) the original intent of the International Reli-
25 gious Freedom Act of 1998 (22 U.S.C. 6401 et seq.)

1 was to require annual reports from both the Depart-
2 ment of State and the Commission on International
3 Religious Freedom to be delivered each year, during
4 the same calendar year, and with at least 5 months
5 separating these reports, in order to provide updated
6 information for policymakers, Members of Congress,
7 and nongovernmental organizations; and

8 (2) given that the annual Country Reports on
9 Human Rights Practices no longer contain updated
10 information on religious freedom conditions globally,
11 it is important that the Department of State and the
12 Commission work together to fulfill the original in-
13 tent of the International Religious Freedom Act of
14 1998.

15 **SEC. 103. TRAINING FOR FOREIGN SERVICE OFFICERS; RE-**
16 **PORT.**

17 (a) AMENDMENT TO FOREIGN SERVICE ACT OF
18 1980.—Section 708 of the Foreign Service Act of 1980
19 (22 U.S.C. 4028) is amended—

20 (1) by redesignating subsections (b) and (c) as
21 subsections (d) and (e), respectively;

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

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

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

6 “(a) DEVELOPMENT OF CURRICULUM.—

7 “(1) IN GENERAL.—The Secretary of State
8 shall develop a curriculum for training United States
9 Foreign Service officers in the scope and strategic
10 value of international religious freedom, how viola-
11 tions of international religious freedom harm funda-
12 mental United States interests, how the advance-
13 ment of international religious freedom can advance
14 such interests, how United States international reli-
15 gious freedom policy should be carried out in prac-
16 tice by United States diplomats and other Foreign
17 Service officers, and the relevance and relationship
18 of international religious freedom to United States
19 defense, diplomacy, development, and public affairs
20 efforts. The Secretary of State shall ensure the
21 availability of sufficient resources to develop and im-
22 plement such curriculum.

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

1 “(A) with the assistance of the Amba-
2 sador at Large for International Religious
3 Freedom appointed under section 101(b) of the
4 International Religious Freedom Act of 1998;

5 “(B) in coordination with the Director of
6 the George P. Shultz National Foreign Affairs
7 Training Center and other Federal officials as
8 appropriate; and

9 “(C) in consultation with the United
10 States Commission on International Religious
11 Freedom established in section 201(a) of the
12 International Religious Freedom Act of 1998
13 and other relevant stakeholders.

14 “(b) TRAINING PROGRAM.—Not later than the 1 year
15 after the date of the enactment of the Frank R. Wolf
16 International Religious Freedom Act, the Director of the
17 George P. Shultz National Foreign Affairs Training Cen-
18 ter shall begin mandatory training on religious freedom
19 for all Foreign Service officers, including all entry level
20 officers, all officers prior to departure for posting outside
21 the United States, and all outgoing deputy chiefs of mis-
22 sion and ambassadors. Such training shall, at minimum,
23 be a separate, independent, and required segment of each
24 of the following:

1 “(1) The A–100 course attended by all Foreign
2 Service officers.

3 “(2) The courses required of every Foreign
4 Service officer prior to a posting outside the United
5 States, with segments tailored to the particular reli-
6 gious demography, religious freedom conditions, and
7 United States strategies for advancing religious free-
8 dom, in each receiving country.

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

11 “(c) INFORMATION SHARING.—The curriculum and
12 training materials developed pursuant to subsections (a)
13 and (b) should be made available to all other Federal
14 agencies.”.

15 (b) REPORT.—Not later than 180 days after the date
16 of the enactment of this Act, the Secretary of State, with
17 the assistance of the Ambassador at Large for Inter-
18 national Religious Freedom, and the Director of the
19 George P. Shultz National Foreign Affairs Training Cen-
20 ter, shall submit to the Committee on Foreign Affairs of
21 the House of Representatives and the Committee on For-
22 eign Relations of the Senate a report containing a com-
23 prehensive plan for undertaking training for Foreign Serv-
24 ice officers as required under section 708 of the Foreign
25 Services Act of 1980, as amended by subsection (a).

1 **SEC. 104. PRISONER LISTS AND ISSUE BRIEFS ON RELI-**
2 **GIUS FREEDOM CONCERNS.**

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

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

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

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

12 “(d) VICTIMS LIST MAINTAINED BY THE UNITED
13 STATES COMMISSION ON INTERNATIONAL RELIGIOUS
14 FREEDOM.—

15 “(1) IN GENERAL.—The Commission shall
16 make publicly available online and in official publica-
17 tions lists of persons it determines are imprisoned,
18 detained, disappeared, placed under house arrest,
19 tortured, or subject to forced renunciations of faith
20 for their religious activity or religious freedom advo-
21 cacy by the government of a foreign country that the
22 Commission recommends for designation as a coun-
23 try of particular concern for religious freedom under
24 section 402(b)(1) or by a non-state actor that the
25 Commission recommends for designation as an enti-
26 ty of particular concern for religious freedom under

1 section 301 of the Frank R. Wolf International Reli-
2 gious Freedom Act and include as much publicly
3 available information as possible on the conditions
4 and circumstances of such persons.

5 “(2) DISCRETION.—In compiling such lists, the
6 Commission shall exercise all appropriate discretion,
7 including consideration of the safety and security of,
8 and benefit to, the persons who may be included on
9 the lists and the families of such persons.”.

10 **TITLE II—NATIONAL SECURITY** 11 **COUNCIL**

12 **SEC. 201. SPECIAL ADVISER FOR INTERNATIONAL RELI-** 13 **GIOUS FREEDOM.**

14 Section 101(k) of the National Security Act of 1947
15 (50 U.S.C. 3021) is amended to read as follows:

16 “(k) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that there should be within the staff of the National
18 Security Council a Special Adviser to the President on
19 International Religious Freedom, whose position should be
20 comparable to that of a director within the Executive Of-
21 fice of the President, with the primary responsibility to
22 serve as a resource for executive branch officials on inter-
23 national religious freedom, compiling and maintaining in-
24 formation on the facts and circumstances of violations of
25 religious freedom (as defined in section 3 of the Inter-

1 national Religious Freedom Act of 1998), and making rel-
2 evant policy recommendations to advance United States
3 international religious freedom policy. The Special Advisor
4 should also assist the Ambassador at Large to coordinate
5 international religious freedom policies and strategies
6 throughout the executive branch and within any inter-
7 agency policy committees where the Ambassador at Large
8 participates.”.

9 **TITLE III—PRESIDENTIAL**
10 **ACTIONS**

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

12 (a) **IN GENERAL.**—The President shall, concurrent
13 with the annual foreign country review required under sec-
14 tion 402(b)(1) of the International Religious Freedom Act
15 of 1998 (22 U.S.C. 6442(b)(1))—

16 (1) review and identify any non-state actors op-
17 erating in any such reviewed country or surrounding
18 region that have engaged in particularly severe viola-
19 tions of religious freedom; and

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

23 (b) **REPORT.**—Whenever the President designates a
24 non-state actor under subsection (a) as an entity of par-
25 ticular concern for religious freedom, the President shall,

1 as soon as practicable after the designation is made, sub-
2 mit to the appropriate congressional committees a report
3 detailing the reasons for such designation.

4 (c) ACTIONS.—The President should take specific ac-
5 tions to address severe violations of religious freedom of
6 non-state actors that are designated under subsection (a),
7 including taking actions commensurate to those actions
8 described in section 405 of the International Religious
9 Freedom Act of 1998 (22 U.S.C. 6445).

10 (d) DEPARTMENT OF STATE ANNUAL REPORT.—The
11 Secretary of State should include information detailing the
12 reasons the President designated a non-state actor as an
13 entity of particular concern for religious freedom under
14 subsection (a) in the Annual Report required in section
15 102(b)(1) of the International Religious Freedom Act of
16 1998 (22 U.S.C. 6442(b)(1)).

17 (e) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the Secretary of State should work with Con-
19 gress to create new political, financial, and diplomatic
20 tools to address severe violations of religious freedom by
21 non-state actors and to update the actions the President
22 can take in section 405 of the International Religious
23 Freedom Act of 1998.

24 (f) DETERMINATIONS OF RESPONSIBLE PARTIES.—
25 In order to appropriately target Presidential actions under

1 the International Religious Freedom Act of 1998 in re-
 2 sponse, the President shall with respect to each non-state
 3 actor designated as an entity of particular concern for reli-
 4 gious freedom under subsection (a), seek to determine the
 5 specific officials or members thereof that are responsible
 6 for the particularly severe violations of religious freedom
 7 engaged in or tolerated by that entity.

8 (g) DEFINITIONS.—In this section, the terms “appro-
 9 priate congressional committees”, “non-state actor”, and
 10 “particularly severe violations of religious freedom” have
 11 the meanings given such terms in section 3 of the Inter-
 12 national Religious Freedom Act of 1998 (22 U.S.C.
 13 6402), as amended by section 3 of this Act.

14 **SEC. 302. PRESIDENTIAL ACTIONS IN RESPONSE TO PAR-**
 15 **TICULARLY SEVERE VIOLATIONS OF RELI-**
 16 **GIOUS FREEDOM.**

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

19 (1) in subsection (b)—

20 (A) in paragraph (1)—

21 (i) by amending subparagraph (A) to
 22 read as follows:

23 “(A) IN GENERAL.—Not later than 90
 24 days after the date on which each Annual Re-

1 port is submitted under section 102(b), the
2 President shall—

3 “(i) review the status of religious free-
4 dom in each foreign country to determine
5 whether the government of that country
6 has engaged in or tolerated particularly se-
7 vere violations of religious freedom in each
8 such country during the preceding 12
9 months or longer;

10 “(ii) designate each country the gov-
11 ernment of which has engaged in or toler-
12 ated violations described in clause (i) as a
13 country of particular concern for religious
14 freedom.”; and

15 (ii) in subparagraph (C), by striking
16 “September 1 of the respective year” and
17 inserting “the date on which each Annual
18 Report is submitted under section 102(b)”;

19 (B) by amending paragraph (3) to read as
20 follows:

21 “(3) CONGRESSIONAL NOTIFICATION.—

22 “(A) IN GENERAL.—Whenever the Presi-
23 dent designates a country as a country of par-
24 ticular concern for religious freedom under
25 paragraph (1)(A), the President shall, not later

1 than 90 days after the designation is made,
2 transmit to the appropriate congressional com-
3 mittees—

4 “(i) the designation of the country,
5 signed by the President;

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

9 “(iii) a description of the actions
10 taken under subsection (c), the purposes of
11 the actions taken, and the effectiveness of
12 the actions taken.

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

21 (C) by adding at the end the following:

22 “(4) TREATMENT OF COUNTRIES ON SPECIAL
23 WATCH LIST.—

24 “(A) IN GENERAL.—The President shall
25 designate as a country of particular concern for

1 religious freedom under paragraph (1)(A) any
2 country that appears on the Special Watch List
3 in more than 2 consecutive Annual Reports.

4 “(B) EXERCISE OF WAIVER AUTHORITY.—

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

9 “(i) the country has entered into an
10 agreement with the United States to carry
11 out specific and credible actions to improve
12 religious freedom conditions and end reli-
13 gious freedom violations;

14 “(ii) the country has entered into an
15 agreement with the United Nations, the
16 European Union, or other ally of the
17 United States, to carry out specific and
18 credible actions to improve religious free-
19 dom conditions and end religious freedom
20 violations; or

21 “(iii) the waiver is in the national se-
22 curity interests of the United States.

23 “(C) EFFECT ON DESIGNATION AS COUN-

24 TRY OF PARTICULAR CONCERN.—The presence
25 or absence of a country from the Special Watch

1 List in any given year shall not preclude the
2 designation of such country as a country of par-
3 ticular concern for religious freedom under
4 paragraph (1)(A) in any such year.”; and

5 (2) in subsection (c)(5), in the second sentence,
6 by inserting “and include a description of the impact
7 of the designation of such sanction or sanctions that
8 exist in each country” after “determines satisfy the
9 requirements of this subsection”.

10 **SEC. 303. REPORT TO CONGRESS.**

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

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

16 (2) by adding at the end the following:

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

1 **SEC. 304. PRESIDENTIAL WAIVER.**

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

4 (1) in subsection (a)—

5 (A) by striking “subsection (b)” and in-
6 serting “subsection (e)”; and

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

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

12 (3) by redesignating subsection (b) as sub-
13 section (c);

14 (4) by inserting after subsection (a) the fol-
15 lowing:

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

24 “(1) the respective foreign government has
25 ceased the violations giving rise to the Presidential
26 action; or

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

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

5 (6) by adding at the end the following:

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

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

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

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

23 Section 408(a)(1) of the International Religious
24 Freedom Act of 1998 (22 U.S.C. 6448(a)(1)) is amended
25 by adding at the end the following: “Any designation of

1 a non-state actor as an entity of particular concern for
2 religious freedom under section 301 of the Frank R. Wolf
3 International Religious Freedom Act, together with, when
4 applicable and to the extent practicable, the identities of
5 individuals determined to be responsible for the violations
6 under subsection (e) of such section.”.

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

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

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

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

22 (A) groups that are able to develop legal
23 protections or promote cultural and societal un-
24 derstanding of international norms of religious
25 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, including genocide per-
7 petrated against religious minorities; and

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

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

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

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

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

17 (c) ADMINISTRATION AND CONSULTATIONS.—

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

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

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

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

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

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

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

16 and

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

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-
 25 government experts, shall establish and maintain a

1 list of foreign individuals who are sanctioned,
2 through visa denials, financial sanctions, or other
3 measures, because they are responsible for ordering,
4 controlling, or otherwise directing particularly severe
5 violations 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.

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:

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.”.

