

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

H. R. 1150

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. RUBIO

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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

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

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings; policy; sense of Congress.
- 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.

1 SEC. 2. FINDINGS; POLICY; SENSE OF CONGRESS.

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

5 (1) in paragraph (3), by inserting “The free-
 6 dom of thought, conscience, and religion is under-
 7 stood to protect theistic and non-theistic beliefs and
 8 the right not to profess or practice any religion.” be-
 9 fore “Governments”;

1 (2) in paragraph (4), by adding at the end the
2 following: “A policy or practice of routinely denying
3 applications for visas for religious workers in a coun-
4 try can be indicative of a poor state of religious free-
5 dom in that country.”; and

6 (3) in paragraph (6)—

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

11 (B) by inserting “and in regions where
12 non-state actors exercise significant political
13 power and territorial control” before the period
14 at the end.

15 (b) POLICY.—Section 2(b) of the International Reli-
16 gious Freedom Act of 1998 (22 U.S.C. 6401(b)) is amend-
17 ed—

18 (1) by redesignating paragraphs (1) through
19 (5) as subparagraphs (A) through (E);

20 (2) by striking the matter preceding subpara-
21 graph (A), as redesignated, and inserting the fol-
22 lowing:

23 “(1) IN GENERAL.—The following shall be the
24 policy of the United States:”; and

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

1 “(2) EVOLVING POLICIES AND COORDINATED
2 DIPLOMATIC RESPONSES.—Because the promotion of
3 international religious freedom protects human
4 rights, advances democracy abroad, and advances
5 United States interests in stability, security, and de-
6 velopment globally, the promotion of international
7 religious freedom requires new and evolving policies
8 and diplomatic responses that—

9 “(A) are drawn from the expertise of the
10 national security agencies, the diplomatic serv-
11 ices, and other governmental agencies and non-
12 governmental organizations; and

13 “(B) are coordinated across and carried
14 out by the entire range of Federal agencies.”.

15 (c) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) a policy or practice by the government of
18 any foreign country of routinely denying visa appli-
19 cations for religious workers can be indicative of a
20 poor state of religious freedom in that country; and

21 (2) the United States Government should seek
22 to reverse any such policy by reviewing the entirety
23 of the bilateral relationship between such country
24 and the United States.

1 **SEC. 3. DEFINITIONS.**

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

4 (1) by redesignating paragraph (13) as para-
5 graph (16);

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

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

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

15 “(11) NON-STATE ACTOR.—The term ‘non-state
16 actor’ means a nonsovereign entity that—

17 “(A) exercises significant political power
18 and territorial control;

19 “(B) is outside the control of a sovereign
20 government; and

21 “(C) often employs violence in pursuit of
22 its objectives.”;

23 (4) by inserting after paragraph (14), as redес-
24 ignated, the following:

1 “(15) SPECIAL WATCH LIST.—The term ‘Spe-
2 cial Watch List’ means the Special Watch List de-
3 scribed in section 402(b)(1)(A)(iii).”; and

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

5 (A) in subparagraph (A)—

6 (i) by redesignating clauses (iv) and
7 (v) as clauses (v) and (vi), respectively;
8 and

9 (ii) by inserting after clause (iii) the
10 following:

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

13 (B) in subparagraph (B)—

14 (i) by inserting “conscience, non-the-
15 istic views, or” before “religious belief or
16 practice”; and

17 (ii) by inserting “forcibly compelling
18 non-believers or non-theists to recant their
19 beliefs or to convert,” after “forced reli-
20 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 redesign-
20 nated, 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 and inserting “adequate
15 staff for the Office, including full-time equivalent po-
16 sitions and any other temporary staff positions need-
17 ed to compile, edit, and manage the Annual Report
18 under the direct supervision of the Ambassador at
19 Large, and for the conduct of investigations by the
20 Office and for necessary travel to carry out this Act.
21 The Secretary of State should provide the Amba-
22 sador at Large with sufficient funding to carry out
23 the duties described in this section, including, as
24 necessary, representation funds. On the date on
25 which the President’s annual budget request is sub-

1 mitted to Congress, the Secretary shall submit an
2 annual report to the appropriate congressional com-
3 mittees that includes a report on staffing levels for
4 the International Religious Freedom Office.”.

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

7 (1) periodic severe understaffing in the past has
8 hindered the vital work of the International Reli-
9 gious Freedom Office; and

10 (2) maintaining an adequate staffing level at
11 the Office, such as was in place during fiscal year
12 2016, is necessary for the Office to carry on its vital
13 work.

14 **SEC. 102. ANNUAL REPORT ON INTERNATIONAL RELIGIOUS**
15 **FREEDOM.**

16 (a) IN GENERAL.—Section 102(b)(1) of the Inter-
17 national Religious Freedom Act of 1998 (22 U.S.C.
18 6412(b)(1)) is amended—

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

21 (2) in subparagraph (A)—

22 (A) in clause (iii), by striking “; and” and
23 inserting “as well as the routine denial of visa
24 applications for religious workers;”;

1 (B) by redesignating clause (iv) as clause
2 (vii); and

3 (C) by inserting after clause (iii) the fol-
4 lowing:

5 “(iv) particularly severe violations of
6 religious freedom in that country if such
7 country does not have a functioning gov-
8 ernment or the government of such coun-
9 try does not control its territory;

10 “(v) the identification of prisoners, to
11 the extent possible, in that country pursu-
12 ant to section 108(d);

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

20 (3) in subparagraph (B), in the matter pre-
21 ceding clause (i)—

22 (A) by inserting “persecution of lawyers,
23 politicians, or other human rights advocates
24 seeking to defend the rights of members of reli-
25 gious groups or highlight religious freedom vio-

1 lations, prohibitions on ritual animal slaughter
2 or male infant circumcision,” after “entire reli-
3 gions,”; and

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

9 (4) in subparagraph (C), by striking “A de-
10 scription of United States actions and” and insert-
11 ing “A detailed description of United States actions,
12 diplomatic and political coordination efforts, and
13 other”; and

14 (5) in subparagraph (F)(i)—

15 (A) by striking “section 402(b)(1)” and in-
16 serting “section 402(b)(1)(A)(ii)”;

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

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

1 (1) the original intent of the International Reli-
2 gious Freedom Act of 1998 (22 U.S.C. 6401 et seq.)
3 was to require annual reports from both the Depart-
4 ment of State and the Commission on International
5 Religious Freedom to be delivered each year, during
6 the same calendar year, and with at least 5 months
7 separating these reports, in order to provide updated
8 information for policymakers, Members of Congress,
9 and nongovernmental organizations; and

10 (2) given that the annual Country Reports on
11 Human Rights Practices no longer contain updated
12 information on religious freedom conditions globally,
13 it is important that the Department of State coordi-
14 nate with the Commission to fulfill the original in-
15 tent of the International Religious Freedom Act of
16 1998.

17 **SEC. 103. TRAINING FOR FOREIGN SERVICE OFFICERS; RE-**
18 **PORT.**

19 (a) AMENDMENT TO FOREIGN SERVICE ACT OF
20 1980.—Section 708 of the Foreign Service Act of 1980
21 (22 U.S.C. 4028) is amended—

22 (1) by redesignating subsections (b) and (c) as
23 subsections (e) and (f), respectively;

24 (2) in subsection (a), by striking “The Sec-
25 retary of State” and inserting “HUMAN RIGHTS,

1 RELIGIOUS FREEDOM, AND HUMAN TRAFFICKING
2 TRAINING.—The Secretary of State”;

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

5 “(a) ADDITIONAL TRAINING.—Not later than the one
6 year after the date of the enactment of the Frank R. Wolf
7 International Religious Freedom Act, the Director of the
8 George P. Shultz National Foreign Affairs Training Cen-
9 ter shall begin mandatory training on religious freedom
10 for all Foreign Service officers, including all entry level
11 officers, all officers prior to departure for posting outside
12 the United States, and all outgoing deputy chiefs of mis-
13 sion and ambassadors. Such training shall be a separate,
14 independent, and required segment of each of—

15 “(1) the A-100 course attended by all Foreign
16 Service officers;

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

23 “(3) the courses required of all outgoing deputy
24 chiefs of mission and ambassadors.

1 “(b) DEVELOPMENT OF CURRICULUM.—In devel-
2 oping curriculum for the training under subsection (b)(2),
3 the Ambassador at Large for International Religious
4 Freedom, on behalf of the Secretary of State and in con-
5 sultation with the United States Commission on Inter-
6 national Religious Freedom established under section
7 201(a) of the International Religious Freedom Act of
8 1998, shall develop a curriculum for training United
9 States Foreign Service officers in the scope and strategic
10 value of international religious freedom, how violations of
11 international religious freedom harm fundamental United
12 States interests, how the advancement of international re-
13 ligious freedom can advance such interests, how United
14 States international religious freedom policy should be car-
15 ried out in practice by United States diplomats and other
16 Foreign Service officers, and the relevance and relation-
17 ship of international religious freedom to United States
18 defense, diplomacy, development, and public affairs ef-
19 forts. The Secretary of State shall ensure the availability
20 of sufficient resources to develop and implement such cur-
21 riculum.

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

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

4 (5) in subsection (f), as redesignated, by strik-
5 ing “The Secretary of State” and inserting “CHILD
6 SOLDIERS.—The Secretary of State”.

7 (b) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, the Secretary of State, with
9 the assistance of the Ambassador at Large for Inter-
10 national Religious Freedom, and the Director of the For-
11 eign Service Institute, located at the George P. Shultz Na-
12 tional Foreign Affairs Training Center, shall submit a re-
13 port to the Committee on Foreign Affairs of the House
14 of Representatives and the Committee on Foreign Rela-
15 tions of the Senate that contains a comprehensive plan
16 for undertaking training for Foreign Service officers
17 under section 708 of the Foreign Services Act of 1980,
18 as amended by subsection (a).

19 **SEC. 104. PRISONER LISTS AND ISSUE BRIEFS ON RELI-**
20 **GIUS FREEDOM CONCERNS.**

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

23 (1) in subsection (b), by striking “faith,” and
24 inserting “activities, religious freedom advocacy, or

1 efforts to protect and advance the universally recog-
2 nized right to the freedom of religion,”;

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

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

6 “(d) VICTIMS LIST MAINTAINED BY THE UNITED
7 STATES COMMISSION ON INTERNATIONAL RELIGIOUS
8 FREEDOM.—

9 “(1) IN GENERAL.—The Commission shall
10 make publicly available, to the extent possible, online
11 and in official publications, lists of persons it deter-
12 mines are imprisoned or detained, have disappeared,
13 been placed under house arrest, been tortured, or
14 subjected to forced renunciations of faith for their
15 religious activity or religious freedom advocacy by
16 the government of a foreign country that the Com-
17 mission recommends for designation as a country of
18 particular concern for religious freedom under sec-
19 tion 402(b)(1)(A)(ii) or by a non-state actor that the
20 Commission recommends for designation as an enti-
21 ty of particular concern for religious freedom under
22 section 301 of the Frank R. Wolf International Reli-
23 gious Freedom Act and include as much publicly
24 available information as possible on the conditions
25 and circumstances of such persons.

1 “(2) DISCRETION.—In compiling lists under
 2 paragraph (1), the Commission shall exercise all ap-
 3 propriate discretion, including consideration of the
 4 safety and security of, and benefit to, the persons
 5 who may be included on the lists and the families of
 6 such persons.”.

7 **TITLE II—NATIONAL SECURITY** 8 **COUNCIL**

9 **SEC. 201. SPECIAL ADVISER FOR INTERNATIONAL RELI-** 10 **GIOUS FREEDOM.**

11 The position described in section 101(k) of the Na-
 12 tional Security Act of 1947 (50 U.S.C. 2031(k) should
 13 assist the Ambassador at Large for International Reli-
 14 gious Freedom to coordinate international religious free-
 15 dom policies and strategies throughout the executive
 16 branch and within any interagency policy committee of
 17 which the Ambassador at Large is a member.

18 **TITLE III—PRESIDENTIAL** 19 **ACTIONS**

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

21 (a) IN GENERAL.—The President, concurrent with
 22 the annual foreign country review required under section
 23 402(b)(1)(A) of the International Religious Freedom Act
 24 of 1998 (22 U.S.C. 6442(b)(1)(A)), shall—

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

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

8 (b) REPORT.—Whenever the President designates a
9 non-state actor under subsection (a) as an entity of par-
10 ticular concern for religious freedom, the President, as
11 soon as practicable after the designation is made, shall
12 submit a report to the appropriate congressional commit-
13 tees that describes the reasons for such designation.

14 (c) ACTIONS.—The President should take specific ac-
15 tions, when practicable, to address severe violations of reli-
16 gious freedom of non-state actors that are designated
17 under subsection (a)(2).

18 (d) DEPARTMENT OF STATE ANNUAL REPORT.—The
19 Secretary of State should include information detailing the
20 reasons the President designated a non-state actor as an
21 entity of particular concern for religious freedom under
22 subsection (a) in the Annual Report required under sec-
23 tion 102(b)(1) of the International Religious Freedom Act
24 of 1998 (22 U.S.C. 6412(b)(1)).

1 (e) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) the Secretary of State should work with
4 Congress and the U.S. Commission on International
5 Religious Freedom—

6 (A) to create new political, financial, and
7 diplomatic tools to address severe violations of
8 religious freedom by non-state actors; and

9 (B) to update the actions the President
10 can take under section 405 of the International
11 Religious Freedom Act of 1998 (22 U.S.C.
12 6445);

13 (2) governments must ultimately be held ac-
14 countable for the abuses that occur in their terri-
15 tories; and

16 (3) any actions the President takes after desig-
17 nating a non-state actor as an entity of particular
18 concern should also involve high-level diplomacy with
19 the government of the country in which the non-
20 state actor is operating.

21 (f) DETERMINATIONS OF RESPONSIBLE PARTIES.—

22 In order to appropriately target Presidential actions under
23 the International Religious Freedom Act of 1998 (22
24 U.S.C. 6401 et seq.), the President, with respect to each
25 non-state actor designated as an entity of particular con-

1 cern for religious freedom under subsection (a), shall seek
2 to determine the specific officials or members that are re-
3 sponsible for the particularly severe violations of religious
4 freedom engaged in or tolerated by such non-state actor.

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

11 **SEC. 302. PRESIDENTIAL ACTIONS IN RESPONSE TO PAR-**
12 **TICULARLY SEVERE VIOLATIONS OF RELI-**
13 **GIOUS FREEDOM.**

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

16 (1) in subsection (b)—

17 (A) in paragraph (1)—

18 (i) by amending subparagraph (A) to
19 read as follows:

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

24 “(i) review the status of religious free-
25 dom in each foreign country to determine

1 whether the government of that country
2 has engaged in or tolerated particularly se-
3 vere violations of religious freedom in each
4 such country during the preceding 12
5 months or longer;

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

11 “(iii) designate each country that en-
12 gaged in or tolerated severe violations of
13 religious freedom during the previous year,
14 but does not meet, in the opinion of the
15 President at the time of publication of the
16 Annual Report, all of the criteria described
17 in section 3(15) for designation under
18 clause (ii) as being placed on a ‘Special
19 Watch List.’”; and

20 (ii) in subparagraph (C), by striking
21 “prior to September 1 of the respective
22 year” and inserting “before the date on
23 which each Annual Report is submitted
24 under section 102(b)”;

1 (B) by amending paragraph (3) to read as
2 follows:

3 “(3) CONGRESSIONAL NOTIFICATION.—

4 “(A) IN GENERAL.—Whenever the Presi-
5 dent designates a country as a country of par-
6 ticular concern for religious freedom under
7 paragraph (1)(A)(ii), the President, not later
8 than 90 days after such designation, shall sub-
9 mit to the appropriate congressional commit-
10 tees—

11 “(i) the designation of the country,
12 signed by the President;

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

16 “(iii) a description of the actions
17 taken under subsection (c), the purposes of
18 the actions taken, and the effectiveness of
19 the actions taken.

20 “(B) REMOVAL OF DESIGNATION.—A
21 country that is designated as a country of par-
22 ticular concern for religious freedom under
23 paragraph (1)(A)(ii) shall retain such designa-
24 tion until the President determines and reports
25 to the appropriate congressional committees

1 that the country should no longer be so des-
2 ignated.”; and

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

4 “(4) EFFECT ON DESIGNATION AS COUNTRY OF
5 PARTICULAR CONCERN.—The presence or absence of
6 a country from the Special Watch List in any given
7 year shall not preclude the designation of such coun-
8 try as a country of particular concern for religious
9 freedom under paragraph (1)(A)(ii) in any such
10 year.”; and

11 (2) in subsection (c)(5), by striking “the Presi-
12 dent must designate the specific sanction or sanc-
13 tions which he determines satisfy the requirements
14 of this subsection.” and inserting “the President
15 shall designate the specific sanction or sanctions
16 that the President determines satisfy the require-
17 ments under this subsection and include a descrip-
18 tion of the impact of such sanction or sanctions on
19 each country.”.

20 **SEC. 303. REPORT TO CONGRESS.**

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

24 (1) in clause (ii), by striking “and” at the end;

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

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

4 “(iv) the impact on the advancement
5 of United States interests in democracy,
6 human rights, and security, and a descrip-
7 tion of policy tools being applied in the
8 country, including programs that target
9 democratic stability, economic growth, and
10 counterterrorism.”.

11 **SEC. 304. PRESIDENTIAL WAIVER.**

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

14 (1) in subsection (a)—

15 (A) by striking “subsection (b)” and in-
16 serting “subsection (c)”;

17 (B) by inserting “, for a single, 180-day
18 period,” after “may waive”;

19 (C) by striking paragraph (1); and

20 (D) by redesignating paragraphs (2) and
21 (3) as paragraphs (1) and (2), respectively;

22 (2) by redesignating subsection (b) as sub-
23 section (c);

24 (3) by inserting after subsection (a) the fol-
25 lowing:

1 “(b) ADDITIONAL AUTHORITY.—Subject to sub-
2 section (c), the President may waive, for any additional
3 specified period of time after the 180-day period described
4 in subsection (a), the application of any of the actions de-
5 scribed in paragraphs (9) through (15) of section 405(a)
6 (or a commensurate substitute action) with respect to a
7 country, if the President determines and reports to the
8 appropriate congressional committees that—

9 “(1) the respective foreign government has
10 ceased the violations giving rise to the Presidential
11 action; or

12 “(2) the important national interest of the
13 United States requires the exercise of such waiver
14 authority.”;

15 (4) in subsection (c), as redesignated, by insert-
16 ing “or (b)” after “subsection (a)”; and

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

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

20 “(1) ongoing and persistent waivers of the ap-
21 plication of any of the actions described in para-
22 graphs (9) through (15) of section 405(a) (or com-
23 mensurate substitute action) with respect to a coun-
24 try do not fulfill the purposes of this Act; and

1 “(2) because the promotion of religious freedom
2 is a compelling interest of United States foreign pol-
3 icy, the President, the Secretary of State, and other
4 executive branch officials, in consultation with Con-
5 gress, should seek to find ways to address existing
6 violations, on a case-by-case basis, through the ac-
7 tions described in section 405 or other commensu-
8 rate substitute action.”.

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

10 Section 408(a)(1) of the International Religious
11 Freedom Act of 1998 (22 U.S.C. 6448(a)(1)) is amended
12 by adding at the end the following: “Any designation of
13 a non-state actor as an entity of particular concern for
14 religious freedom under section 301 of the Frank R. Wolf
15 International Religious Freedom Act and, if applicable
16 and to the extent practicable, the identities of individuals
17 determined to be responsible for violations described in
18 subsection (f) of such section.”.

19 **TITLE IV—PROMOTION OF**
20 **RELIGIOUS FREEDOM**

21 **SEC. 401. ASSISTANCE FOR PROMOTING RELIGIOUS FREE-**
22 **DOM.**

23 (a) AVAILABILITY OF ASSISTANCE.—It is the sense
24 of Congress that for each fiscal year that begins on or

1 after the date of the enactment of this Act, the Secretary
2 of State should make available, from amounts available—

3 (1) sufficient funds for the vigorous promotion
4 of international religious freedom and for projects to
5 advance United States interests in the protection
6 and advancement of international religious freedom,
7 in particular, through grants to groups that—

8 (A) are capable of developing legal protec-
9 tions or promoting cultural and societal under-
10 standing of international norms of religious
11 freedom;

12 (B) seek to address and mitigate reli-
13 giously motivated and sectarian violence and
14 combat violent extremism; or

15 (C) seek to strengthen investigations, re-
16 porting, and monitoring of religious freedom
17 violations, including genocide perpetrated
18 against religious minorities; and

19 (2) sufficient funds for the establishment of an
20 effective Religious Freedom Defense Fund, to be ad-
21 ministered by the Ambassador at Large for Inter-
22 national Religious Freedom, to provide grants for—

23 (A) victims of religious freedom abuses and
24 their families to cover legal and other expenses

1 that may arise from detention, imprisonment,
2 torture, fines, and other restrictions; and

3 (B) projects to help create and support
4 training of a new generation of defenders of re-
5 ligious freedom, including legal and political ad-
6 vocates, and civil society projects which seek to
7 create advocacy networks, strengthen legal rep-
8 resentation, train and educate new religious
9 freedom defenders, and build the capacity of re-
10 ligious communities and rights defenders to
11 protect against religious freedom violations,
12 mitigate societal or sectarian violence, or mini-
13 mize legal or other restrictions of the right to
14 freedom of religion.

15 (b) PREFERENCE.—It is the sense of Congress that,
16 in providing grants under subsection (a), the Ambassador
17 at Large for International Religious Freedom should, as
18 appropriate, give preference to projects targeting religious
19 freedom violations in countries—

20 (1) designated as countries of particular con-
21 cern for religious freedom under section 402(b)(1) of
22 the International Religious Freedom Act of 1998
23 (22 U.S.C. 6442(b)(1)); or

24 (2) included on the Special Watch List de-
25 scribed in section 402(b)(1)(A)(iii) of the Inter-

1 national Religious Freedom Act of 1998, as added
2 by section 302(1)(A)(i) of this Act.

3 (c) ADMINISTRATION AND CONSULTATIONS.—

4 (1) ADMINISTRATION.—Amounts made avail-
5 able under subsection (a) shall be administered by
6 the Ambassador at Large for International Religious
7 Freedom.

8 (2) CONSULTATIONS.—In developing priorities
9 and policies for providing grants authorized under
10 subsection (a), including programming and policy ,
11 the Ambassador at Large for International Religious
12 Freedom should consult with other Federal agencies,
13 including the United States Commission on Inter-
14 national Religious Freedom and, as appropriate,
15 nongovernmental organizations.

16 **TITLE V—DESIGNATED PERSONS**
17 **LIST FOR PARTICULARLY SE-**
18 **VERE VIOLATIONS OF RELI-**
19 **GIUS FREEDOM**

20 **SEC. 501. DESIGNATED PERSONS LIST FOR PARTICULARLY**
21 **SEVERE VIOLATIONS OF RELIGIOUS FREE-**
22 **DOM.**

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

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

2 and

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

4 **“SEC. 605. DESIGNATED PERSONS LIST FOR PARTICULARLY**
5 **SEVERE VIOLATIONS OF RELIGIOUS FREE-**
6 **DOM.**

7 “(a) LIST.—

8 “(1) IN GENERAL.—The Secretary of State, in
9 coordination with the Ambassador at Large and in
10 consultation with relevant government and non-
11 government experts, shall establish and maintain a
12 list of foreign individuals to whom a consular post
13 has denied a visa on the grounds of particularly se-
14 vere violations of religious freedom under section
15 212(a)(2)(G) of the Immigration and Nationality
16 Act (8 U.S.C. 1182(a)(2)(G)), or who are subject to
17 financial sanctions or other measures for particularly
18 severe violations of freedom religion.

19 “(2) REFERENCE.—The list required under
20 paragraph (1) shall be known as the ‘Designated
21 Persons List for Particularly Severe Violations of
22 Religious Freedom’.

23 “(b) REPORT.—

24 “(1) IN GENERAL.—The Secretary of State
25 shall submit a report to the appropriate congres-

1 sional committees that contains the list required
2 under subsection (a), including, with respect to each
3 foreign individual on the list—

4 “(A) the name of the individual and a de-
5 scription of the particularly severe violation of
6 religious freedom committed by the individual;

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

9 “(C) a description of the actions taken
10 pursuant to this Act or any other Act or Execu-
11 tive order in response to such violation.

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

15 “(A) the initial report required under para-
16 graph (1) not later than 180 days after the
17 date of the enactment of the Frank R. Wolf
18 International Religious Freedom Act; and

19 “(B) updates to the report every 180 days
20 thereafter and as new information becomes
21 available.

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

1 “(4) DEFINITION.—In this subsection, the term
2 ‘appropriate congressional committees’ means—
3 “(A) the Committee on Foreign Relations
4 of the Senate;
5 “(B) the Committee on Banking, Housing,
6 and Urban Affairs of the Senate;
7 “(C) the Committee on Foreign Affairs of
8 the House of Representatives; and
9 “(D) the Committee on Financial Services
10 of the House of Representatives.”.

11 **TITLE VI—MISCELLANEOUS** 12 **PROVISIONS**

13 **SEC. 601. MISCELLANEOUS PROVISIONS.**

14 Title VII of the International Religious Freedom Act
15 of 1998 (22 U.S.C. 6481 et seq.) is amended by adding
16 at the end the following:

17 **“SEC. 702. VOLUNTARY CODES OF CONDUCT FOR UNITED** 18 **STATES INSTITUTIONS OF HIGHER EDU-** 19 **CATION OUTSIDE THE UNITED STATES.**

20 “(a) FINDING.—Congress recognizes the enduring
21 importance of United States institutions of higher edu-
22 cation worldwide—
23 “(1) for their potential for shaping positive
24 leadership and new educational models in host coun-
25 tries; and

1 “(2) for their emphasis on teaching universally
2 recognized rights of free inquiry and academic free-
3 dom.

4 “(b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that United States institutions of higher education
6 operating campuses outside the United States or estab-
7 lishing any educational entities with foreign governments,
8 particularly with or in countries the governments of which
9 engage in or tolerate severe violations of religious freedom
10 as identified in the Annual Report, should seek to adopt
11 a voluntary code of conduct for operating in such countries
12 that should—

13 “(1) uphold the right of freedom of religion of
14 their employees and students, including the right to
15 manifest that religion peacefully as protected in
16 international law;

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

21 “(3) make every effort in all negotiations, con-
22 tracts, or memoranda of understanding engaged in
23 or constructed with a foreign government to protect
24 academic freedom and the rights enshrined in the
25 United Nations Declaration of Human Rights.

1 **“SEC. 703. SENSE OF CONGRESS REGARDING NATIONAL SE-**
2 **CURITY STRATEGY TO PROMOTE RELIGIOUS**
3 **FREEDOM THROUGH UNITED STATES FOR-**
4 **EIGN POLICY.**

5 “It is the sense of Congress that the annual national
6 security strategy report of the President required under
7 section 108 of the National Security Act of 1947 (50
8 U.S.C. 3043)—

9 “(1) should promote international religious free-
10 dom as a foreign policy and national security pri-
11 ority; and

12 “(2) should articulate that promotion of the
13 right to freedom of religion is a strategy that—

14 “(A) protects other, related human rights,
15 and advances democracy outside the United
16 States; and

17 “(B) makes clear its importance to United
18 States foreign policy goals of stability, security,
19 development, and diplomacy;

20 “(3) should be a guide for the strategies and
21 activities of relevant Federal agencies; and

22 “(4) should inform the Department of Defense
23 quadrennial defense review under section 118 of title
24 10, United States Code, and the Department of
25 State Quadrennial Diplomacy and Development Re-
26 view.”.

1 **SEC. 602. CLERICAL AMENDMENTS.**

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

4 (1) by striking the item relating to section 605
5 and inserting the following:

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

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

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

8 and

9 (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.”.