

tended to anticipate, prevent, and respond to attacks against individuals and groups on the basis of their religion, including programs designed to help ensure that such groups can persevere as distinct communities; to promote accountability for the perpetrators of such attacks; to ensure equal rights and legal protections for individuals and groups regardless of belief; to improve the safety and security of houses of worship and public spaces for all faiths; and to protect and preserve the cultural heritages of religious communities.

(b) Executive departments and agencies (agencies) that fund foreign assistance programs shall ensure that faith-based and religious entities, including eligible entities in foreign countries, are not discriminated against on the basis of religious identity or religious belief when competing for Federal funding, to the extent permitted by law.

SEC. 4. Integrating International Religious Freedom into United States Diplomacy. (a) The Secretary shall direct Chiefs of Mission in countries of particular concern, countries on the Special Watch List, countries in which there are entities of particular concern, and any other countries that have engaged in or tolerated violations of religious freedom as noted in the Annual Report on International Religious Freedom required by section 102(b) of the International Religious Freedom Act of 1998 (Public Law 105-292) [22 U.S.C. 6412(b)], as amended (the “Act”), to develop comprehensive action plans to inform and support the efforts of the United States to advance international religious freedom and to encourage the host governments to make progress in eliminating violations of religious freedom.

(b) In meetings with their counterparts in foreign governments, the heads of agencies shall, when appropriate and in coordination with the Secretary, raise concerns about international religious freedom and cases that involve individuals imprisoned because of their religion.

(c) The Secretary shall advocate for United States international religious freedom policy in both bilateral and multilateral fora, when appropriate, and shall direct the Administrator of USAID to do the same.

SEC. 5. Training for Federal Officials. (a) The Secretary shall require all Department of State civil service employees in the Foreign Affairs Series to undertake training modeled on the international religious freedom training described in section 708(a) of the Foreign Service Act of 1980 (Public Law 96-465) [22 U.S.C. 4028(a)], as amended by section 103(a)(1) of the Frank R. Wolf International Religious Freedom Act (Public Law 114-281).

(b) Within 90 days of the date of this order, the heads of all agencies that assign personnel to positions overseas shall submit plans to the President, through the Assistant to the President for National Security Affairs, detailing how their agencies will incorporate the type of training described in subsection (a) of this section into the training required before the start of overseas assignments for all personnel who are to be stationed abroad, or who will deploy and remain abroad, in one location for 30 days or more.

(c) All Federal employees subject to these requirements shall be required to complete international religious freedom training not less frequently than once every 3 years.

SEC. 6. Economic Tools. (a) The Secretary and the Secretary of the Treasury shall, in consultation with the Assistant to the President for National Security Affairs, and through the process described in National Security Presidential Memorandum-4 of April 4, 2017 (Organization of the National Security Council, the Homeland Security Council, and Subcommittees) [50 U.S.C. 3021 note], develop recommendations to prioritize the appropriate use of economic tools to advance international religious freedom in countries of particular concern, countries on the Special Watch List, countries in which there are entities of particular concern, and any other countries that have engaged in or tolerated violations of religious freedom as noted in the report required by section 102(b) of the Act. These economic

tools may include, as appropriate and to the extent permitted by law, increasing religious freedom programming, realigning foreign assistance to better reflect country circumstances, or restricting the issuance of visas under section 604(a) of the Act [probably means 8 U.S.C. 1182(a)(2)(G), as added by section 604(a) of Pub. L. 105-292].

(b) The Secretary of the Treasury, in consultation with the Secretary of State, may consider imposing sanctions under Executive Order 13818 of December 20, 2017 (Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption) [50 U.S.C. 1701 note], which, among other things, implements the Global Magnitsky Human Rights Accountability Act (Public Law 114-328 [div. A, title XII, subtitle F]) [22 U.S.C. 2656 note].

SEC. 7. Definitions. For purposes of this order:

(a) “Country of particular concern” is defined as provided in section 402(b)(1)(A) of the Act [22 U.S.C. 6442(b)(1)(A)];

(b) “Entity of particular concern” is defined as provided in section 301 of the Frank R. Wolf International Religious Freedom Act (Public Law 114-281) [22 U.S.C. 6442a];

(c) “Special Watch List” is defined as provided in sections 3(15) [22 U.S.C. 6402(15)] and 402(b)(1)(A)(iii) of the Act [22 U.S.C. 6442(b)(1)(A)(iii)]; and

(d) “Violations of religious freedom” is defined as provided in section 3(16) of the Act [22 U.S.C. 6402(16)].

SEC. 8. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

§ 6402. Definitions

In this chapter:

(1) Ambassador at Large

The term “Ambassador at Large” means the Ambassador at Large for International Religious Freedom appointed under section 6411(b) of this title.

(2) Annual Report

The term “Annual Report” means the Annual Report on International Religious Freedom described in section 6412(b) of this title.

(3) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives; and

(B) in the case of any determination made with respect to the taking of President¹ action under paragraphs (9) through (15) of section 6445(a) of this title, the term includes the committees described in subparagraph (A) and, where appropriate, the Committee on Banking and Financial Services of the

¹ So in original. Probably should be “Presidential”.

House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(4) Commensurate action

The term “commensurate action” means action taken by the President under section 6445(b) of this title.

(5) Commission

The term “Commission” means the United States Commission on International Religious Freedom established in section 6431(a) of this title.

(6) Country Reports on Human Rights Practices

The term “Country Reports on Human Rights Practices” means the annual reports required to be submitted by the Department of State to Congress under sections 2151n(d) and 2304(b) of this title.

(7) Executive Summary

The term “Executive Summary” means the Executive Summary to the Annual Report, as described in section 6412(b)(1)(F) of this title.

(8) Government or foreign government

The term “government” or “foreign government” includes any agency or instrumentality of the government.

(9) Human Rights Reports

The term “Human Rights Reports” means all reports submitted by the Department of State to Congress under sections 2151n and 2304 of this title.

(10) Institution of higher education

The term “institution of higher education” has the meaning given that term in section 1001 of title 20.

(11) Non-state actor

The term “non-state actor” means a nonsovereign entity that—

(A) exercises significant political power and territorial control;

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

(C) often employs violence in pursuit of its objectives.

(12) Office

The term “Office” means the Office on International Religious Freedom established in section 6411(a) of this title.

(13) Particularly severe violations of religious freedom

The term “particularly severe violations of religious freedom” means systematic, ongoing, egregious violations of religious freedom, including violations such as—

(A) torture or cruel, inhuman, or degrading treatment or punishment;

(B) prolonged detention without charges;

(C) causing the disappearance of persons by the abduction or clandestine detention of those persons; or

(D) other flagrant denial of the right to life, liberty, or the security of persons.

(14) Special Adviser

The term “Special Adviser” means the Special Adviser to the President on International

Religious Freedom described in section 3021(i) of title 50.²

(15) Special Watch List

The term “Special Watch List” means the Special Watch List described in section 6442(b)(1)(A)(iii) of this title.

(16) Violations of religious freedom

The term “violations of religious freedom” means violations of the internationally recognized right to freedom of religion and religious belief and practice, as set forth in the international instruments referred to in section 6401(a)(2) of this title and as described in section 6401(a)(3) of this title, including violations such as—

(A) arbitrary prohibitions on, restrictions of, or punishment for—

(i) assembling for peaceful religious activities such as worship, preaching, and prayer, including arbitrary registration requirements;

(ii) speaking freely about one’s religious beliefs;

(iii) changing one’s religious beliefs and affiliation;

(iv) not professing a particular religion, or any religion;

(v) possession and distribution of religious literature, including Bibles; or

(vi) raising one’s children in the religious teachings and practices of one’s choice; or

(B) any of the following acts if committed on account of an individual’s conscience, non-theistic views, or religious belief or practice: detention, interrogation, imposition of an onerous financial penalty, forced labor, forced mass resettlement, imprisonment, forced religious conversion, forcibly compelling non-believers or non-theists to recant their beliefs or to convert, beating, torture, mutilation, rape, enslavement, murder, and execution.

(Pub. L. 105–292, § 3, Oct. 27, 1998, 112 Stat. 2790; Pub. L. 114–281, § 3, Dec. 16, 2016, 130 Stat. 1427.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 105–292, Oct. 27, 1998, 112 Stat. 2787, known as the International Religious Freedom Act of 1998, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6401 of this title and Tables.

Section 3021(i) of title 50, referred to in par. (14), was redesignated section 3021(k) by Pub. L. 110–53, title XVIII, § 1841(g)(1), Aug. 3, 2007, 121 Stat. 500.

AMENDMENTS

2016—Pars. (10) to (14). Pub. L. 114–281, § 3(2), (3), added pars. (10) and (11) and redesignated former pars. (10) to (12) as (12) to (14), respectively. Former par. (13) redesignated (16).

Par. (15). Pub. L. 114–281, § 3(4), added par. (15).

Par. (16). Pub. L. 114–281, § 3(1), redesignated par. (13) as (16).

Par. (16)(A)(iv) to (vi). Pub. L. 114–281, § 3(5)(A), added cl. (iv) and redesignated former cls. (iv) and (v) as (v) and (vi), respectively.

² See References in Text note below.

Par. (16)(B). Pub. L. 114-281, §3(5)(B), inserted “conscience, non-theistic views, or” after “an individual’s” and “forcibly compelling non-believers or non-theists to recant their beliefs or to convert,” after “forced religious conversion.”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

SUBCHAPTER I—DEPARTMENT OF STATE ACTIVITIES

§ 6411. Office on International Religious Freedom; Ambassador at Large for International Religious Freedom

(a) Establishment of Office

There is established within the Department of State an Office on International Religious Freedom that shall be headed by the Ambassador at Large for International Religious Freedom appointed under subsection (b).

(b) Appointment

The Ambassador at Large shall be appointed by the President, by and with the advice and consent of the Senate, and shall report directly to the Secretary of State.

(c) Duties

The Ambassador at Large shall have the following responsibilities:

(1) In general

The primary responsibilities of the Ambassador at Large shall be to—

(A) advance the right to freedom of religion abroad, to denounce the violation of that right, and to recommend appropriate responses by the United States Government when this right is violated; and

(B) integrate United States international religious freedom policies and strategies into the foreign policy efforts of the United States.

(2) Advisory role

The Ambassador at Large shall be a principal adviser to the President and the principal adviser to the Secretary of State regarding matters affecting religious freedom abroad and, with advice from the Commission on International Religious Freedom, shall make recommendations regarding—

(A) the policies of the United States Government toward governments that violate freedom of religion or that fail to ensure the individual’s right to religious belief and practice; and

(B) policies to advance the right to religious freedom abroad.

(3) Diplomatic representation

Subject to the direction of the President and the Secretary of State, the Ambassador at

Large is authorized to represent the United States in matters and cases relevant to religious freedom abroad in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization on Security and Cooperation in Europe, and other international organizations of which the United States is a member;

(B) multilateral conferences and meetings relevant to religious freedom abroad; and

(C) contacts with nongovernmental organizations that have an impact on the state of religious freedom in their respective societies or regions, or internationally.

(4) Coordination responsibilities

In order to promote religious freedom as an interest of United States foreign policy, the Ambassador at Large—

(A) shall coordinate international religious freedom policies across all programs, projects, and activities of the United States; and

(B) should participate in any interagency processes on issues in which the promotion of international religious freedom policy can advance United States national security interests, including in democracy promotion, stability, security, and development globally.

(5) Reporting responsibilities

The Ambassador at Large shall have the reporting responsibilities described in section 6412 of this title.

(d) Funding

The Secretary of State shall provide the Ambassador at Large with such funds as may be necessary for the hiring of appropriate staff for the Office, including full-time equivalent positions and other temporary staff positions needed to compile, edit, and manage the Annual Report under the direct supervision of the Ambassador at Large, and for the conduct of investigations by the Office and for necessary travel to carry out this chapter. The Secretary of State should provide the Ambassador at Large with sufficient funding to carry out the duties described in this section, including, as necessary, representation funds. On the date on which the President’s annual budget request is submitted to Congress, the Secretary shall submit an annual report to the appropriate congressional committees that includes a report on staffing levels for the International Religious Freedom Office.

(Pub. L. 105-292, title I, §101, Oct. 27, 1998, 112 Stat. 2791; Pub. L. 114-281, title I, §101(a), Dec. 16, 2016, 130 Stat. 1428.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (d), was in the original “this Act”, meaning Pub. L. 105-292, Oct. 27, 1998, 112 Stat. 2787, known as the International Religious Freedom Act of 1998, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6401 of this title and Tables.