

105TH CONGRESS
2^D SESSION

H. R. 2431

AN ACT

To establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes.

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To establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, 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.**

2 This Act may be cited as the “Freedom From Reli-
3 gious Persecution Act of 1998”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—The Congress makes the following
6 findings:

7 (1) Governments have a primary responsibility
8 to promote, encourage, and protect respect for the
9 fundamental and internationally recognized right to
10 freedom of religion.

11 (2)(A) Since its inception, the United States
12 Government has rested upon certain founding prin-
13 ciples. One of those principles is that all people have
14 the inalienable right to worship freely, which de-
15 mands that religion be protected from unnecessary
16 government intervention. The Founding Fathers of
17 the United States incorporated that principle in the
18 Declaration of Independence, which states that man-
19 kind has the inalienable right to “life, liberty, and
20 the pursuit of happiness”, and in the United States
21 Constitution, the first amendment to which states
22 that “Congress shall make no law respecting an es-
23 tablishment of religion, or prohibiting the free exer-
24 cise thereof”. Therefore, in accordance with this be-
25 lief in the inalienable right of freedom of religion for
26 all people, as expressed by the Declaration of Inde-

1 pendence, and the belief that religion should be pro-
2 tected from government interference, as expressed
3 by the United States Constitution, the Congress op-
4 poses international religious persecution and believes
5 that the policies of the United States Government
6 and its relations with foreign governments should be
7 consistent with the commitment to this principle.

8 (B) Numerous international agreements and
9 covenants also identify mankind's inherent right to
10 freedom of religion. These include the following:

11 (i) Article 18 of the Universal Declaration
12 of Human Rights states that "Everyone has the
13 right to freedom of thought, conscience and re-
14 ligion; this right includes freedom to change his
15 religion or belief, and freedom, either alone or
16 in community with others and in public or pri-
17 vate, to manifest his religion or belief in teach-
18 ing, practice, worship and observance".

19 (ii) Article 18 of the Covenant on Civil and
20 Political Rights declares that "Everyone shall
21 have the right to freedom of thought, con-
22 science, and religion * * *" and further delin-
23 eates the privileges under this right.

24 (iii) The Declaration on the Elimination of
25 All Forms of Intolerance and of Discrimination

1 Based on Religion and Belief, adopted by the
2 United Nations General Assembly on November
3 25, 1981, declares that “religion or belief, for
4 anyone who professes either, is one of the fun-
5 damental elements in his conception of life * *
6 *” and that “freedom of religion and belief
7 should also contribute to the attainment of the
8 goals of world peace, social justice and friend-
9 ship among peoples and to the elimination of
10 ideologies or practices of colonialism and racial
11 discrimination”.

12 (iv) The Concluding Document of the
13 Third Follow-Up Meeting of the Organization
14 for Security and Cooperation in Europe com-
15 mits states to “ensure in their laws and regula-
16 tions and in their application the full and effec-
17 tive exercise of the freedom of thought, con-
18 science, religion or belief”.

19 (3) Persecution of religious believers, particu-
20 larly Roman Catholic and evangelical Protestant
21 Christians, in Communist countries persists and in
22 some cases is increasing.

23 (4) In many countries and regions thereof, gov-
24 ernments dominated by extremist movements per-
25 secute non-Muslims and religious converts from

1 Islam using means such as “blasphemy” and “apos-
2 tasy” laws, and such movements seek to corrupt a
3 historically tolerant Islamic faith and culture
4 through the persecution of Baha’is, Christians, and
5 other religious minorities.

6 (5) The extremist Government of Sudan is wag-
7 ing a self-described religious war against Christians,
8 other non-Muslims, and moderate Muslims by using
9 torture, starvation, enslavement, and murder.

10 (6) In Tibet, where Tibetan Buddhism is inex-
11 tricably linked to the Tibetan identity, the Govern-
12 ment of the People’s Republic of China has intensi-
13 fied its control over the Tibetan people by interfer-
14 ing in the selection of the Panchen Lama, propa-
15 gandizing against the religious authority of the
16 Dalai Lama, restricting religious study and tradi-
17 tional religious practices, and increasing the persecu-
18 tion of monks and nuns.

19 (7) In Xinjiang Autonomous Region of China,
20 formerly the independent republic of East Turkistan,
21 where the Muslim religion is inextricably linked to
22 the dominant Uyghur culture, the Government of
23 the People’s Republic of China has intensified its
24 control over the Uyghur people by systematically re-
25 pressing religious authority, restricting religious

1 study and traditional practices, destroying mosques,
2 and increasing the persecution of religious clergy
3 and practitioners.

4 (8) In countries around the world, Christians,
5 Jews, Muslims, Hindus, and other religious believers
6 continue to be persecuted on account of their reli-
7 gious beliefs, practices, and affiliations.

8 (9) The 104th Congress recognized the facts set
9 forth in this section and stated clearly the sense of
10 the Senate and the House of Representatives regard-
11 ing these matters in approving—

12 (A) House Resolution 515, expressing the
13 sense of the House of Representatives with re-
14 spect to the persecution of Christians world-
15 wide;

16 (B) S. Con. Res. 71, expressing the sense
17 of the Senate with respect to the persecution of
18 Christians worldwide;

19 (C) H. Con. Res. 102, concerning the
20 emancipation of the Iranian Baha'i community;
21 and

22 (D) section 1303 of H.R. 1561, the For-
23 eign Relations Authorization Act, Fiscal Years
24 1996 and 1997.

1 (10) The Department of State, in a report to
2 Congress filed pursuant to House Report 104–863,
3 accompanying the Omnibus Consolidated Appropria-
4 tions Act, 1997 (Public Law 104–208) set forth
5 strong evidence that widespread and ongoing reli-
6 gious persecution is occurring in a number of coun-
7 tries around the world.

8 (11)(A)(i) In recent years there have been suc-
9 cessive terrorist attempts to desecrate and destroy
10 the premises of the Ecumenical Patriarchate in the
11 Fanar area of Istanbul (Constantinople), Turkey.

12 (ii) Attempts against the Ecumenical Patriarch-
13 ate have intensified, including the following:

14 (I) On September 30, 1996, a hand gre-
15 nade was thrown into the headquarters of the
16 Eastern Orthodox Patriarchate and exploded,
17 causing damage to the physical structure of the
18 grounds, most notably the Agios Georgios
19 Church.

20 (II) On May 28, 1994, three powerful
21 bombs were discovered in the living quarters of
22 the Patriarch, and were subsequently defused
23 only minutes before they were set to detonate.

24 (III) In July and August 1993, the Chris-
25 tian Orthodox cemetery in Yenikoy, near

1 Istanbul, was attacked by vandals and dese-
2 crated.

3 (iii) His All Holiness Patriarch Bartholomew
4 and those associated with the Ecumenical Patriarch-
5 ate are Turkish citizens and thus must be protected
6 under Turkish law against blatant and unprovoked
7 attacks toward ethnic minorities.

8 (iv) The Turkish Government arbitrarily closed
9 the Halki Patriarchal School of Theology in 1971.

10 (v) The Ecumenical Patriarchate is the spir-
11 itual center for more than 250,000,000 Orthodox
12 Christians worldwide, including approximately
13 5,000,000 in the United States.

14 (vi) It is in the best interest of the United
15 States to prevent further incidents regarding the Ec-
16 umenical Patriarchate and in the overall goals of the
17 United States to establish peaceful relations with
18 and among the many important nations of the world
19 that have substantial Orthodox Christian popu-
20 lations.

21 (B) It is the sense of the Congress that—

22 (i) the United States should use its influ-
23 ence with the Turkish Government and as a
24 permanent member of the United Nations Secu-

1 rity Council to suggest that the Turkish Gov-
2 ernment—

3 (I) ensure proper protection for the
4 Patriarchate and all of the Orthodox faith-
5 ful residing in Turkey;

6 (II) provide for the proper protection
7 and safety of the Ecumenical Patriarch
8 and Patriarchate personnel;

9 (III) establish conditions that would
10 prevent the recurrence of past terrorist ac-
11 tivities and vandalism and other personal
12 threats against the Patriarch;

13 (IV) establish conditions to ensure
14 that the Patriarchate is free to carry out
15 its religious mission; and

16 (V) do everything possible to find and
17 punish the perpetrators of any provocative
18 and terrorist acts against the Patriarchate;
19 and

20 (ii) the Secretary of State should report to
21 the Congress on an annual basis on the status
22 and progress of the concerns expressed in
23 clause (i).

1 (b) PURPOSE.—It is the purpose of this Act to reduce
2 and eliminate the widespread and ongoing religious perse-
3 cution taking place throughout the world today.

4 **SEC. 3. DEFINITIONS.**

5 As used in this Act:

6 (1) DIRECTOR.—The term “Director” means
7 the Director of the Office of Religious Persecution
8 Monitoring established under section 5.

9 (2) LEGISLATIVE DAY.—The term “legislative
10 day” means a day on which both Houses of Con-
11 gress are in session.

12 (3) PERSECUTED COMMUNITY.—The term “per-
13 secuted community” means any religious group or
14 denomination whose members have been found to be
15 subject to category 1 or category 2 persecution in
16 the latest annual report submitted under section
17 6(a) or in any interim report submitted thereafter
18 under section 6(c) before the next annual report.

19 (4) PERSECUTION FACILITATING PRODUCTS.—
20 The term “persecution facilitating products” means
21 those crime control, detection, torture, and electro-
22 shock instruments and equipment (as determined
23 under section 6(n) of the Export Administration Act
24 of 1979) that are directly and substantially used or

1 intended for use in carrying out acts of persecution
2 described in paragraphs (5) and (6).

3 (5) CATEGORY 1 PERSECUTION.—The term
4 “category 1 persecution” means widespread and on-
5 going persecution of persons on account of their reli-
6 gious beliefs or practices, or membership in or affili-
7 ation with a religion or religious group or denomina-
8 tion, whether officially recognized or otherwise, when
9 such persecution—

10 (A) includes abduction, enslavement, kill-
11 ing, imprisonment, forced mass relocation, rape,
12 crucifixion or other forms of torture, or the sys-
13 tematic imposition of fines or penalties which
14 have the purpose and effect of destroying the
15 economic existence of persons on whom they are
16 imposed; and

17 (B) is conducted with the involvement or
18 support of government officials or agents, or
19 pursuant to official government policy.

20 (6) CATEGORY 2 PERSECUTION.—The term
21 “category 2 persecution” means widespread and on-
22 going persecution of persons on account of their reli-
23 gious beliefs or practices, or membership in or affili-
24 ation with a religion or religious group or denomina-

1 tion, whether officially recognized or otherwise, when
2 such persecution—

3 (A) includes abduction, enslavement, kill-
4 ing, imprisonment, forced mass relocation, rape,
5 crucifixion or other forms of torture, or the sys-
6 tematic imposition of fines or penalties which
7 have the purpose and effect of destroying the
8 economic existence of persons on whom they are
9 imposed; and

10 (B) is not conducted with the involvement
11 or support of government officials or agents, or
12 pursuant to official government policy, but
13 which the government fails to undertake serious
14 and sustained efforts to eliminate, being able to
15 do so.

16 (7) RESPONSIBLE ENTITIES.—The term “re-
17 sponsible entities” means the specific government
18 units, as narrowly defined as practicable, which di-
19 rectly carry out the acts of persecution described in
20 paragraphs (5) and (6).

21 (8) SANCTIONED COUNTRY.—The term “sanc-
22 tioned country” means a country on which sanctions
23 have been imposed under section 7.

24 (9) UNITED STATES ASSISTANCE.—The term
25 “United States assistance” means—

1 (A) any assistance under the Foreign As-
2 sistance Act of 1961 (including programs under
3 title IV of chapter 2 of part I of that Act, relat-
4 ing to the Overseas Private Investment Cor-
5 poration), other than—

6 (i) assistance under chapter 8 of part
7 I of that Act;

8 (ii) any other narcotics-related assist-
9 ance under part I of that Act or under
10 chapter 4 or 5 of part II of that Act, but
11 any such assistance provided under this
12 clause shall be subject to the prior notifica-
13 tion procedures applicable to
14 reprogrammings pursuant to section 634A
15 of that Act;

16 (iii) disaster relief assistance, includ-
17 ing any assistance under chapter 9 of part
18 I of that Act;

19 (iv) antiterrorism assistance under
20 chapter 8 of part II of that Act;

21 (v) assistance which involves the pro-
22 vision of food (including monetization of
23 food) or medicine;

24 (vi) assistance for refugees; and

1 (vii) humanitarian and other develop-
2 ment assistance in support of programs of
3 nongovernmental organizations under
4 chapters 1 and 10 of that Act;

5 (B) sales, or financing on any terms, under
6 the Arms Export Control Act, other than sales
7 or financing provided for narcotics-related pur-
8 poses following notification in accordance with
9 the prior notification procedures applicable to
10 reprogrammings pursuant to section 634A of
11 the Foreign Assistance Act of 1961; and

12 (C) financing under the Export-Import
13 Bank Act of 1945.

14 (10) UNITED STATES PERSON.—The term
15 “United States person” means—

16 (A) any United States citizen or alien law-
17 fully admitted for permanent residence into the
18 United States; and

19 (B) any corporation, partnership, or other
20 entity organized under the laws of the United
21 States or of any State, the District of Colum-
22 bia, or any territory or possession of the United
23 States.

1 **SEC. 4. APPLICATION AND SCOPE.**

2 The responsibility of the Secretary of State under
3 section 5(g) to determine whether category 1 or category
4 2 persecution exists, and to identify persons and commu-
5 nities that are subject to such persecution, extends to—

6 (1) all foreign countries in which alleged viola-
7 tions of religious freedom have been set forth in the
8 latest annual report of the Department of State on
9 human rights under sections 116(d) and 502(b) of
10 the Foreign Assistance Act of 1961 (22 U.S.C.
11 2151n(d) and 2304(b)); and

12 (2) such other foreign countries in which, either
13 as a result of referral by an independent human
14 rights group or nongovernmental organization in ac-
15 cordance with section 5(e)(2) or otherwise, the Di-
16 rector has reason to believe category 1 or category
17 2 persecution may exist.

18 **SEC. 5. OFFICE OF RELIGIOUS PERSECUTION MONITORING.**

19 (a) ESTABLISHMENT.—There shall be established in
20 the Department of State the Office of Religious Persecu-
21 tion Monitoring (hereafter in this Act referred to as the
22 “Office”).

23 (b) APPOINTMENT.—The head of the Office shall be
24 a Director who shall be appointed by the President, by
25 and with the advice and consent of the Senate. The Direc-
26 tor shall receive compensation at a rate of pay not to ex-

1 exceed the rate of pay in effect for level IV of the Executive
2 Schedule under section 5315 of title 5, United States
3 Code.

4 (c) REMOVAL.—The Director shall serve at the pleas-
5 ure of the President.

6 (d) BARRED FROM OTHER FEDERAL POSITIONS.—
7 No person shall serve as Director while serving in any
8 other position in the Federal Government.

9 (e) RESPONSIBILITIES OF DIRECTOR.—The Director
10 shall do the following:

11 (1) Consider information regarding the facts
12 and circumstances of violations of religious freedom
13 presented in the annual reports of the Department
14 of State on human rights under sections 116(d) and
15 502B(b) of the Foreign Assistance Act of 1961 (22
16 U.S.C. 2151n(d) and 2304(b)).

17 (2) Make findings of fact on violations of reli-
18 gious freedom based on information—

19 (A) considered under paragraph (1); or

20 (B) presented by independent human
21 rights groups, nongovernmental organizations,
22 or other interested parties, at any stage of the
23 process provided in this Act.

24 When appropriate, the Director may hold public
25 hearings subject to notice at which such groups, or-

1 organizations, or other interested parties can present
2 testimony and evidence of acts of persecution occur-
3 ring in countries being examined by the Office.

4 (3) On the basis of information and findings of
5 fact described in paragraphs (1) and (2), make rec-
6 ommendations to the Secretary of State for consid-
7 eration by the Secretary in making determinations
8 of countries in which there is category 1 or category
9 2 persecution under subsection (g), identify the re-
10 sponsible entities within such countries, prepare and
11 submit the annual report described in section 6, and
12 transmit a copy of the report to the Commission on
13 International Religious Persecution established
14 under section 14.

15 (4) Maintain the lists of persecution facilitating
16 products, and the responsible entities within coun-
17 tries determined to be engaged in persecution de-
18 scribed in paragraph (3), revising the lists in accord-
19 ance with section 6(c) as additional information be-
20 comes available. These lists shall be published in the
21 Federal Register.

22 (5) In consultation with the Secretary of State,
23 make policy recommendations to the President re-
24 garding the policies of the United States Govern-

1 ment toward governments which are determined to
2 be engaged in religious persecution.

3 (6) Report directly to the President and the
4 Secretary of State, and coordinate with the appro-
5 priate officials of the Department of State, the De-
6 partment of Justice, the Department of Commerce,
7 and the Department of the Treasury, to ensure that
8 the provisions of this Act are fully and effectively
9 implemented.

10 (7) In consultation with the Secretary of State,
11 make policy recommendations to the President that
12 would make a priority of promoting and developing
13 legal protections and cultural respect for religious
14 freedom, including by—

15 (A) ensuring that funds made available for
16 development assistance are used, among other
17 things, to encourage and promote increased ad-
18 herence to the right to free religious belief and
19 practice;

20 (B) ensuring that United States inter-
21 national broadcasting is designed to promote re-
22 spect for human rights, including freedom of re-
23 ligion, among other broadcasting goals; and

24 (C) ensuring that United States cultural
25 and educational exchanges promote, among

1 other goals, respect for and guarantees of reli-
2 gious freedom abroad, including through inter-
3 changes and visits between the United States
4 and other countries of religious leaders, schol-
5 ars, and religious and legal experts in the field
6 of religious freedom.

7 (8) Assist the Secretary of State in establishing
8 a program of granting awards to members of the
9 Foreign Service who have provided distinguished,
10 meritorious service in the promotion of internation-
11 ally recognized human rights, including the right to
12 religious freedom.

13 (f) ADMINISTRATIVE MATTERS.—

14 (1) PERSONNEL.—The Director may appoint
15 such personnel as may be necessary to carry out the
16 functions of the Office.

17 (2) SERVICES OF OTHER AGENCIES.—The Di-
18 rector may use the personnel, services, and facilities
19 of any other department or agency, on a reimburs-
20 able basis, in carrying out the functions of the Of-
21 fice.

22 (g) RESPONSIBILITIES OF THE SECRETARY OF
23 STATE.—The Secretary of State, in time for inclusion in
24 the annual report described in subsections (a) and (b) of
25 section 6, shall determine with respect to each country de-

1 scribed in section 4 whether there is category 1 or category
2 2 persecution, and shall include in each such determina-
3 tion the communities against which such persecution is di-
4 rected. Any determination in any interim report described
5 in subsection (c) of section 6 that there is category 1 or
6 category 2 persecution in a country shall be made by the
7 Secretary of State.

8 **SEC. 6. REPORTS TO CONGRESS.**

9 (a) ANNUAL REPORTS.—Not later than April 30 of
10 each year, the Director shall submit to the Committees
11 on Foreign Relations, the Judiciary, Appropriations, and
12 Banking, Housing, and Urban Affairs of the Senate and
13 to the Committees on International Relations, the Judici-
14 ary, Appropriations, and Banking and Financial Services
15 of the House of Representatives a report described in sub-
16 section (b).

17 (b) CONTENTS OF ANNUAL REPORT.—The annual
18 report of the Director shall include the following:

19 (1) DETERMINATION OF RELIGIOUS PERSECU-
20 TION.—A copy of the determinations of the Sec-
21 retary of State pursuant to subsection (g) of section
22 5.

23 (2) IDENTIFICATION OF PERSECUTION FACILI-
24 TATING PRODUCTS.—With respect to each country
25 in which the Secretary of State has determined that

1 there is either category 1 or category 2 persecution,
2 the Director, in consultation with the Secretary of
3 Commerce, shall identify and list the items on the
4 list established under section 6(n) of the Export Ad-
5 ministration Act of 1979 that are directly and sub-
6 stantially used or intended for use in carrying out
7 acts of religious persecution in such country.

8 (3) IDENTIFICATION OF RESPONSIBLE ENTI-
9 TIES.—With respect to each country in which the
10 Secretary of State has determined that there is cat-
11 egory 1 persecution, the Director shall identify and
12 list the responsible entities within that country that
13 are engaged in such persecution. Such entities shall
14 be defined as narrowly as possible.

15 (4) OTHER REPORTS.—The Director shall in-
16 clude the reports submitted to the Director by the
17 Attorney General under section 9 and by the Sec-
18 retary of State under section 10.

19 (c) INTERIM REPORTS.—The Director may submit
20 interim reports to the Congress containing such matters
21 as the Director considers necessary, including revisions to
22 the lists issued under paragraphs (2) and (3) of subsection
23 (b). The Director shall submit an interim report in the
24 case of a determination by the Secretary of State under
25 section 5(g), other than in an annual report of the Direc-

1 tor, that category 1 or category 2 persecution exists, or
2 in the case of a determination by the Secretary of State
3 under section 11(a) that neither category 1 or category
4 2 persecution exists.

5 (d) PERSECUTION IN REGIONS OF A COUNTRY.—In
6 determining whether category 1 or category 2 persecution
7 exists in a country, the Secretary of State shall include
8 such persecution that is limited to one or more regions
9 within the country, and shall indicate such regions in the
10 reports described in this section.

11 **SEC. 7. SANCTIONS.**

12 (a) PROHIBITION ON EXPORTS RELATING TO RELI-
13 GIOUS PERSECUTION.—

14 (1) ACTIONS BY RESPONSIBLE DEPARTMENTS
15 AND AGENCIES.—With respect to any country in
16 which—

17 (A) the Secretary of State finds the occur-
18 rence of category 1 persecution, the Director
19 shall so notify the relevant United States de-
20 partments and agencies, and such departments
21 and agencies shall—

22 (i) prohibit all exports to the respon-
23 sible entities identified in the lists issued
24 under subsections (b)(3) and (c) of section
25 6; and

1 (ii) prohibit the export to such coun-
2 try of the persecution facilitating products
3 identified in the lists issued under sub-
4 sections (b)(2) and (c) of section 6; or

5 (B) the Secretary of State finds the occur-
6 rence of category 2 persecution, the Director
7 shall so notify the relevant United States de-
8 partments and agencies, and such departments
9 and agencies shall prohibit the export to such
10 country of the persecution facilitating products
11 identified in the lists issued under subsections
12 (b)(2) and (c) of section 6.

13 (2) PROHIBITIONS ON U.S. PERSONS.—(A) With
14 respect to any country in which the Secretary of
15 State finds the occurrence of category 1 persecution,
16 no United States person may—

17 (i) export any item to the responsible enti-
18 ties identified in the lists issued under sub-
19 sections (b)(3) and (c) of section 6; and

20 (ii) export to that country any persecution
21 facilitating products identified in the lists
22 issued under subsections (b)(2) and (c) of sec-
23 tion 6.

24 (B) With respect to any country in which the
25 Secretary of State finds the occurrence of category

1 2 persecution, no United States person may export
2 to that country any persecution facilitating products
3 identified in the lists issued under subsections (b)(2)
4 and (c) of section 6.

5 (3) PENALTIES.—Any person who knowingly
6 violates the provisions of paragraph (2) shall be sub-
7 ject to the penalties set forth in subsections (a) and
8 (b)(1) of section 16 of the Trading With the Enemy
9 Act (50 U.S.C. App. 16 (a) and (b)(1)) for viola-
10 tions under that Act.

11 (4) EFFECTIVE DATE OF PROHIBITIONS.—The
12 prohibitions on exports under paragraphs (1) and
13 (2) shall take effect with respect to a country 90
14 days after the date on which—

15 (A) the country is identified in a report of
16 the Director under section 6 as a country in
17 which category 1 or category 2 persecution ex-
18 ists;

19 (B) responsible entities are identified in
20 that country in a list issued under subsection
21 (b)(3) or (c) of section 6; or

22 (C) persecution facilitating products are
23 identified in a list issued under subsection
24 (b)(2) or (c) of section 6,

25 as the case may be.

1 (b) UNITED STATES ASSISTANCE.—

2 (1) CATEGORY 1 PERSECUTION.—No United
3 States assistance may be provided to the government
4 of any country which the Secretary of State deter-
5 mines is engaged in category 1 persecution, effective
6 90 days after the date on which the Director sub-
7 mits the report in which the determination is in-
8 cluded.

9 (2) CATEGORY 2 PERSECUTION.—No United
10 States assistance may be provided to the government
11 of any country in which the Secretary of State deter-
12 mines that there is category 2 persecution, effective
13 1 year after the date on which the Director submits
14 the report in which the determination is included, if
15 the Secretary of State, in the next annual report of
16 the Director under section 6, determines that the
17 country is engaged in category 1 persecution or that
18 category 2 persecution exists in that country.

19 (c) MULTILATERAL ASSISTANCE.—

20 (1) CATEGORY 1 PERSECUTION.—With respect
21 to any country which the Secretary of State deter-
22 mines is engaged in category 1 persecution, the
23 President shall instruct the United States Executive
24 Director of each multilateral development bank and
25 of the International Monetary Fund to vote against,

1 and use his or her best efforts to deny, any loan or
2 other utilization of the funds of their respective in-
3 stitutions to that country (other than for humani-
4 tarian assistance, or for development assistance
5 which directly addresses basic human needs, is not
6 administered by the government of the sanctioned
7 country, and confers no benefit on the government
8 of that country), effective 90 days after the Director
9 submits the report in which the determination is in-
10 cluded.

11 (2) CATEGORY 2 PERSECUTION.—With respect
12 to any country in which the Secretary of State deter-
13 mines there is category 2 persecution, the President
14 shall instruct the United States Executive Director
15 of each multilateral development bank and of the
16 International Monetary Fund to vote against, and
17 use his or her best efforts to deny, any loan or other
18 utilization of the funds of their respective institu-
19 tions to that country (other than for humanitarian
20 assistance, or for development assistance which di-
21 rectly addresses basic human needs, is not adminis-
22 tered by the government of the sanctioned country,
23 and confers no benefit on the government of that
24 country), effective 1 year after the date on which the
25 Director submits the report in which the determina-

1 tion is included, if the Secretary of State, in the
2 next annual report of the Director under section 6,
3 determines that the country is engaged in category
4 1 persecution or that category 2 persecution exists
5 in that country.

6 (3) REPORTS TO CONGRESS.—If a country de-
7 scribed in paragraph (1) or (2) is granted a loan or
8 other utilization of funds notwithstanding the objec-
9 tion of the United States under this subsection, the
10 Secretary of the Treasury shall report to the Con-
11 gress on the efforts made to deny loans or other uti-
12 lization of funds to that country, and shall include
13 in the report specific and explicit recommendations
14 designed to ensure that such loans or other utiliza-
15 tion of funds are denied to that country in the fu-
16 ture.

17 (4) DEFINITION.—As used in this subsection,
18 the term “multilateral development bank” means
19 any of the multilateral development banks as defined
20 in section 1701(c)(4) of the International Financial
21 Institutions Act (22 U.S.C. 262r(c)(4)).

22 (d) RELATIONSHIP TO OTHER PROVISIONS.—The ef-
23 fective dates of the sanctions provided in this section are
24 subject to sections 8 and 11.

1 (e) DULY AUTHORIZED INTELLIGENCE ACTIVI-
2 TIES.—The prohibitions and restrictions of this section
3 shall not apply to the conduct of duly authorized intel-
4 ligence activities of the United States Government.

5 (f) EFFECT ON EXISTING CONTRACTS.—The imposi-
6 tion of sanctions under this section shall not affect any
7 contract that is entered into by the Overseas Private In-
8 vestment Corporation, the Trade and Development Agen-
9 cy, or the Export Import Bank of the United States before
10 the sanctions are imposed, is in force on the date on which
11 the sanctions are imposed, and is enforceable in a court
12 of law on such date.

13 (g) EFFECT OF WAIVERS.—Any sanction under this
14 section shall not take effect during the period after the
15 President has notified the Congress of a waiver of that
16 sanction under section 8 and before the waiver has taken
17 effect under that section.

18 **SEC. 8. WAIVER OF SANCTIONS.**

19 (a) WAIVER AUTHORITY.—Subject to subsection (b),
20 the President may waive the imposition of any sanction
21 against a country under section 7 for periods of not more
22 than 12 months each, if the President, for each waiver—

23 (1) determines—

24 (A) that the national security interests of
25 the United States justify such a waiver; or

1 (B) that such a waiver will substantially
2 promote the purposes of this Act as set forth in
3 section 2; and

4 (2) provides to the Committees on Foreign Re-
5 lations, Finance, the Judiciary, and Appropriations
6 of the Senate and to the Committees on Inter-
7 national Relations, the Judiciary, and Appropria-
8 tions of the House of Representatives a written noti-
9 fication of the President's intention to waive any
10 such sanction.

11 The notification shall contain an explanation of the rea-
12 sons why the President considers the waiver to be nec-
13 essary, the type and amount of goods, services, or assist-
14 ance to be provided pursuant to the waiver, and the period
15 of time during which such a waiver will be effective. When
16 the President considers it appropriate, the explanation
17 under the preceding sentence, or any part of the expla-
18 nation, may be submitted in classified form.

19 (b) ADDITIONAL INFORMATION.—In the case of a
20 waiver under subsection (a)(1)(B), the notification shall
21 contain a detailed statement of the facts particular to the
22 country subject to the waiver which justifies the Presi-
23 dent's determination, and of the alternative measures the
24 President intends to implement in order to achieve the ob-
25 jectives of this Act.

1 (c) TAKING EFFECT OF WAIVER.—

2 (1) IN GENERAL.—Subject to paragraph (2), a
3 waiver under subsection (a) shall take effect 45 days
4 after its submission to the Congress, or on the day
5 after the 15th legislative day after such submission,
6 whichever is later.

7 (2) IN EMERGENCY CONDITIONS.—The Presi-
8 dent may waive the imposition of sanctions against
9 a country under subsection (b) or (c) of section 7 to
10 take effect immediately if the President, in the writ-
11 ten notification of intention to waive the sanctions,
12 certifies that emergency conditions exist that make
13 an immediate waiver necessary.

14 (d) SENSE OF THE CONGRESS.—It is the sense of
15 the Congress that in order to achieve the objectives of this
16 Act, the waiver authority provided in this section should
17 be used only in extraordinary circumstances.

18 **SEC. 9. MODIFICATION OF IMMIGRATION POLICY.**

19 (a) INADMISSIBILITY OF CERTAIN PARTICIPANTS IN
20 RELIGIOUS PERSECUTION.—

21 (1) IN GENERAL.—Section 212(a)(3) of the Im-
22 migration and Nationality Act (8 U.S.C. 1182(a)(3))
23 is amended by adding at the end the following:

24 “(F) PARTICIPANTS IN RELIGIOUS PERSE-
25 CUTION.—Any alien who carried out or directed

1 the carrying out of category 1 persecution (as
2 defined in section 3 of the Freedom from Reli-
3 gious Persecution Act of 1998) or category 2
4 persecution (as so defined) is inadmissible.”.

5 (2) APPLICABILITY.—The amendment made by
6 paragraph (1) shall apply to persecution occurring
7 before, on, or after the date of the enactment of this
8 Act.

9 (b) REFUGEES.—

10 (1) GUIDELINES FOR ADDRESSING BIAS AF-
11 FECTING REFUGEES.—Not later than 180 days after
12 the date of the enactment of this Act, the Attorney
13 General and the Secretary of State shall jointly pro-
14 mulgate and implement guidelines for identifying
15 and addressing improper biases, affecting the treat-
16 ment of persons who may be eligible for admission
17 into the United States as a refugee based upon a
18 claim of persecution or a well-founded fear of perse-
19 cution on account of religion, on the part of—

20 (A) immigration officers adjudicating ap-
21 plications for admission as a refugee submitted
22 by such persons and interpreters assisting im-
23 migration officers in adjudicating such applica-
24 tions; and

1 (B) individuals and entities assisting in the
2 identification of such persons and the prepara-
3 tion of such applications.

4 (2) ADMISSION PRIORITY.—For purposes of
5 section 207(a)(3) of the Immigration and National-
6 ity Act, an individual who is a member of a per-
7 secuted community, and is determined by the Attor-
8 ney General to be a refugee within the meaning of
9 section 101(a)(42)(A) of the Immigration and Na-
10 tionality Act, shall be considered a refugee of special
11 humanitarian concern to the United States. In car-
12 rying out such section 207(a)(3), applicants for refu-
13 gee status who are members of a persecuted commu-
14 nity shall be given priority status equal to that given
15 to applicants who are members of other specific
16 groups of special concern to the United States. This
17 paragraph shall be construed only to require that
18 members of a persecuted community be accorded
19 equal consideration in determining admissions under
20 section 207(a) of such Act, and shall not be con-
21 strued to require that any particular individual or
22 group be admitted under that section.

23 (3) NO EFFECT ON OTHERS' RIGHTS.—Nothing
24 in this section, or any amendment made by this sec-
25 tion, shall be construed to deny any applicant for

1 asylum or refugee status (including any applicant
2 who is not a member of a persecuted community but
3 whose claim is based on race, religion, nationality,
4 membership in a particular social group, or political
5 opinion) any right, privilege, protection, or eligibility
6 otherwise provided by law.

7 (4) NO DISPLACEMENT OF OTHER REFUGEE-
8 GEES.—Refugees admitted to the United States as
9 a result of the procedures set forth in this section
10 shall not displace other refugees in need of resettlement
11 who would otherwise have been admitted in accordance
12 with existing law and procedures.

13 (5) PERIOD FOR PUBLIC COMMENT AND REVIEW.—Section 207(d) of the Immigration and Nationality Act is amended by adding at the end the
14 following:
15 following:
16 following:

17 “(4)(A) Notwithstanding any other provision of law,
18 prior to each annual determination regarding refugee admissions
19 under this subsection, there shall be a period of
20 public review and comment, particularly by appropriate
21 nongovernmental organizations, churches, and other religious
22 communities and organizations, and the general
23 public.

24 “(B) Nothing in this paragraph may be construed to
25 apply subchapter II of chapter 5 of title 5, United States

1 Code, to the period of review and comment referred to in
2 subparagraph (A).”.

3 (c) ASYLEES.—

4 (1) GUIDELINES FOR ADDRESSING BIAS.—Not
5 later than 180 days after the date of the enactment
6 of this Act, the Attorney General shall develop and
7 implement guidelines for identifying and addressing
8 improper biases, affecting the treatment of persons
9 who may be eligible for asylum in the United States,
10 based upon a claim of persecution or a well-founded
11 fear of persecution on account of religion, on the
12 part of immigration officers carrying out functions
13 under section 208 or 235 of the Immigration and
14 Nationality Act and interpreters assisting immigra-
15 tion officers in carrying out such functions.

16 (2) STUDIES OF EFFECT OF EXPEDITED RE-
17 MOVAL PROVISIONS ON ASYLUM CLAIMS.—

18 (A) STUDIES.—

19 (i) PARTICIPATION BY UNITED NA-
20 TIONS HIGH COMMISSIONER FOR REFU-
21 GEES.—The Attorney General shall invite
22 the United Nations High Commissioner for
23 Refugees to conduct a study, alone or in
24 cooperation with the Comptroller General
25 of the United States (as determined in the

1 discretion of the United Nations High
2 Commissioner for Refugees), to determine
3 whether immigration officers described in
4 clause (ii) are engaging in any of the con-
5 duct described in such clause.

6 (ii) DUTIES OF COMPTROLLER GEN-
7 ERAL.—The Comptroller General of the
8 United States shall conduct a study, alone
9 or, upon request by the United Nations
10 High Commissioner for Refugees, in co-
11 operation with the United Nations High
12 Commissioner for Refugees, to determine
13 whether immigration officers performing
14 duties under section 235(b) of the Immi-
15 gration and Nationality Act with respect to
16 aliens who may be eligible to be granted
17 asylum are engaging in any of the follow-
18 ing conduct:

19 (I) Improperly encouraging such
20 aliens to withdraw their applications
21 for admission.

22 (II) Incorrectly failing to refer
23 such aliens for an interview by an asy-
24 lum officer for a determination of
25 whether they have a credible fear of

1 persecution (within the meaning of
2 section 235(b)(1)(B)(v) of such Act).

3 (III) Incorrectly removing such
4 aliens to a country where they may be
5 persecuted.

6 (IV) Detaining such aliens im-
7 properly or in inappropriate condi-
8 tions.

9 (B) REPORTS.—

10 (i) PARTICIPATION BY UNITED NA-
11 TIONS HIGH COMMISSIONER FOR REFU-
12 GEES.—The United Nations High Commis-
13 sioner for Refugees may submit to the
14 committees described in clause (ii) a report
15 containing the results of a study conducted
16 under subparagraph (A)(i) or, if the
17 United Nations High Commissioner for
18 Refugees elected to participate in the study
19 conducted under subparagraph (A)(ii),
20 may submit with the Comptroller General
21 of the United States a report under clause
22 (ii).

23 (ii) DUTIES OF COMPTROLLER GEN-
24 ERAL.—Not later than September 30,
25 1999, the Comptroller General of the

1 United States shall submit to the Commit-
2 tees on the Judiciary of the House of Rep-
3 resentatives and the Senate, the Commit-
4 tee on International Relations of the
5 House of Representatives, and the Com-
6 mittee on Foreign Relations of the Senate
7 a report containing the results of the study
8 conducted under subparagraph (A)(ii). If
9 the United Nations High Commissioner for
10 Refugees requests to participate with the
11 Comptroller General in the preparation
12 and submission of the report, the Comp-
13 troller General shall grant the request.

14 (C) ACCESS TO PROCEEDINGS.—

15 (i) IN GENERAL.—Except as provided
16 in clause (ii), to facilitate the studies and
17 reports, the Attorney General shall permit
18 the United Nations High Commissioner for
19 Refugees and the Comptroller General of
20 the United States to have unrestricted ac-
21 cess to all stages of all proceedings con-
22 ducted under section 235(b).

23 (ii) EXCEPTIONS.—Clause (i) shall
24 not apply in cases in which the alien ob-
25 jects to such access, or the Attorney Gen-

1 eral determines that the security of a par-
2 ticular proceeding would be threatened by
3 such access, so long as any restrictions on
4 the United Nations High Commissioner for
5 Refugees' access under this subparagraph
6 do not contravene international law.

7 (D) AUTHORIZATION OF APPROPRIA-
8 TIONS.—There are authorized to be appro-
9 priated for fiscal year 1999 to carry out this
10 paragraph not to exceed \$1,000,000 to the At-
11 torney General (for a United States contribu-
12 tion to the Office of the United Nations High
13 Commission for Refugees for the activities of
14 the United Nations High Commissioner for
15 Refugees under this paragraph) and not to ex-
16 ceed \$1,000,000 to the Comptroller General of
17 the United States.

18 (d) TRAINING.—

19 (1) TRAINING ON RELIGIOUS PERSECUTION.—
20 The Attorney General shall provide training regard-
21 ing religious persecution to all immigration officers
22 and immigration judges adjudicating applications for
23 admission as a refugee or asylum applications, in-
24 cluding—

1 (A) country-specific instruction on the
2 practices and beliefs of religious groups, and on
3 the methods of governmental and nongovern-
4 mental persecution employed on account of reli-
5 gious practices and beliefs; and

6 (B) other relevant information contained in
7 the most recent annual report submitted by the
8 Director to the Congress under section 6.

9 (2) INSTRUCTION BY NONGOVERNMENTAL EX-
10 PERTS.—It is the sense of the Congress that the At-
11 torney General, in carrying out paragraph (1)(A),
12 should include in the training under the paragraph,
13 where practicable, instruction by nongovernmental
14 experts on religious persecution.

15 (3) TRAINING FOR IMMIGRATION OFFICERS AD-
16 JUDICATING REFUGEE APPLICATIONS.—Section 207
17 of the Immigration and Nationality Act (8 U.S.C.
18 1157) is amended by adding at the end the follow-
19 ing:

20 “(f) The Attorney General shall provide training in
21 country conditions, refugee law, and interview techniques,
22 comparable to that provided to full-time adjudicators of
23 applications under section 208, to all immigration officers
24 adjudicating applications for admission as a refugee under
25 this section.”.

1 (e) REPORTING.—Not later than March 30 of each
2 year, the Attorney General shall provide to the Director,
3 for inclusion in the Director’s annual report under section
4 6(b)(4), a report containing the following:

5 (1) With respect to the year that is the subject
6 of the report, the number of applicants for asylum
7 or refugee status whose applications were based, in
8 whole or in part, on religious persecution.

9 (2) In the case of such applications, the number
10 that were proposed to be denied, and the number
11 that were finally denied.

12 (3) In the case of such applications, the number
13 that were granted.

14 (4) A description of other developments with re-
15 spect to the adjudication of applications for asylum
16 or refugee status that were based, in whole or in
17 part, on religious persecution.

18 (5) A description of the training conducted for
19 immigration officers and immigration judges under
20 subsection (d)(1), including a list of speakers and
21 materials used in such training and the number of
22 immigration officers and immigration judges who re-
23 ceived such training.

1 (6) A description of the development and imple-
2 mentation of anti-bias guidelines under subsections
3 (b)(1) and (c)(1).

4 **SEC. 10. STATE DEPARTMENT HUMAN RIGHTS REPORTS.**

5 (a) ANNUAL HUMAN RIGHTS REPORT.—In preparing
6 the annual reports of the State Department on human
7 rights under sections 116(d) and 502B(b) of the Foreign
8 Assistance Act of 1961 (22 U.S.C. 2151n(d) and
9 2304(b)), the Secretary of State shall, in the section on
10 religious freedom—

11 (1) consider the facts and circumstances of the
12 violation of the right to freedom of religion pre-
13 sented by independent human rights groups and
14 nongovernmental organizations;

15 (2) report on the extent of the violations of the
16 right to freedom of religion, specifically including
17 whether the violations arise from governmental or
18 nongovernmental sources, and whether the violations
19 are encouraged by the government or whether the
20 government fails to exercise satisfactory efforts to
21 control such violations;

22 (3) report on whether freedom of religion viola-
23 tions occur on a nationwide, regional, or local level;
24 and

1 (4) identify whether the violations are focused
2 on an entire religion or on certain denominations or
3 sects.

4 (b) TRAINING.—The Secretary of State shall—

5 (1) institute programs to provide training for
6 chiefs of mission as well as Department of State of-
7 ficials having reporting responsibilities regarding the
8 freedom of religion, which shall include training
9 on—

10 (A) the fundamental components of the
11 right to freedom of religion, the variation in be-
12 liefs of religious groups, and the governmental
13 and nongovernmental methods used in the vio-
14 lation of the right to freedom of religion; and

15 (B) the identification of independent
16 human rights groups and nongovernmental or-
17 ganizations with expertise in the matters de-
18 scribed in subparagraph (A); and

19 (2) submit to the Director, not later than Janu-
20 ary 1 of each year, a report describing all training
21 provided to Department of State officials with re-
22 spect to religious persecution during the preceding
23 1-year period, including a list of instructors and ma-
24 terials used in such training and the number and
25 rank of individuals who received such training.

1 SEC. 11. TERMINATION OF SANCTIONS.

2 (a) TERMINATION.—The sanctions described in sec-
3 tion 7 shall cease to apply with respect to a sanctioned
4 country 45 days, or the day after the 15th legislative day,
5 whichever is later, after the Director, in an annual report
6 described in section 6(b), does not include a determination
7 by the Secretary of State that the sanctioned country is
8 among those in which category 1 or category 2 persecution
9 continues to exist, or in an interim report under section
10 6(c), includes a determination by the Secretary of State
11 that neither category 1 nor category 2 persecution exists
12 in such country.

13 (b) WITHDRAWAL OF FINDING.—Any determination
14 of the Secretary of State under section 5(g) may be with-
15 drawn before taking effect if the Secretary makes a writ-
16 ten determination, on the basis of a preponderance of the
17 evidence, that the country substantially eliminated any
18 category 1 or category 2 persecution that existed in that
19 country. The Director shall submit to the Congress each
20 determination under this subsection.

21 SEC. 12. SANCTIONS AGAINST SUDAN.

22 (a) EXTENSION OF SANCTIONS UNDER EXISTING
23 LAW.—Any sanction imposed on Sudan because of a de-
24 termination that the government of that country has pro-
25 vided support for acts of international terrorism, includ-
26 ing—

1 (1) export controls imposed pursuant to the Ex-
2 port Administration Act of 1979;

3 (2) prohibitions on transfers of munitions under
4 section 40 of the Arms Export Control Act;

5 (3) the prohibition on assistance under section
6 620A of the Foreign Assistance Act of 1961;

7 (4) section 2327(b) of title 10, United States
8 Code;

9 (5) section 6 of the Bretton Woods Agreements
10 Act Amendments, 1978 (22 U.S.C. 286e–11); and

11 (6) section 527 of the Foreign Operations, Ex-
12 port Financing, and Related Programs Appropria-
13 tions Act, 1998 (as contained in Public Law 105–
14 118),

15 shall continue in effect after the enactment of this Act
16 until the Secretary of State determines that Sudan has
17 substantially eliminated religious persecution in that coun-
18 try, or the determination that the government of that
19 country has provided support for acts of international ter-
20 rorism is no longer in effect, whichever occurs later.

21 (b) ADDITIONAL SANCTIONS ON SUDAN.—Effective
22 90 days after the date of the enactment of this Act, the
23 following sanctions (to the extent not covered under sub-
24 section (a)) shall apply with respect to Sudan:

1 (1) PROHIBITION ON FINANCIAL TRANSACTIONS
2 WITH GOVERNMENT OF SUDAN.—

3 (A) OFFENSE.—Any United States person
4 who knowingly engages in any financial trans-
5 action, including any loan or other extension of
6 credit, directly or indirectly, with the Govern-
7 ment of Sudan shall be fined in accordance with
8 title 18, United States Code, or imprisoned for
9 not more than 10 years, or both.

10 (B) DEFINITIONS.—As used in this para-
11 graph:

12 (i) FINANCIAL TRANSACTION.—The
13 term “financial transaction” has the mean-
14 ing given that term in section 1956(c)(4)
15 of title 18, United States Code.

16 (ii) UNITED STATES PERSON.—The
17 term “United States person” means—

18 (I) any United States citizen or
19 national;

20 (II) any alien lawfully admitted
21 into the United States for permanent
22 residence;

23 (III) any juridical person orga-
24 nized under the laws of the United
25 States; and

1 (IV) any person in the United
2 States.

3 (2) PROHIBITIONS ON UNITED STATES EX-
4 PORTS TO SUDAN.—

5 (A) PROHIBITION ON COMPUTER EX-
6 PORTS.—No computers, computer software, or
7 goods or technology intended to manufacture or
8 service computers may be exported to or for use
9 of the Government of Sudan.

10 (B) REGULATIONS OF THE SECRETARY OF
11 COMMERCE.—The Secretary of Commerce may
12 prescribe such regulations as may be necessary
13 to carry out subparagraph (A).

14 (C) PENALTIES.—Any person who violates
15 this paragraph shall be subject to the penalties
16 provided in section 11 of the Export Adminis-
17 tration Act of 1979 (50 U.S.C. App. 2410) for
18 violations under that Act.

19 (3) PROHIBITION ON NEW INVESTMENT IN
20 SUDAN.—

21 (A) PROHIBITION.—No United States per-
22 son may, directly or through another person,
23 make any new investment in Sudan that is not
24 prohibited by paragraph (1).

1 (B) REGULATIONS.—The Secretary of
2 Commerce may prescribe such regulations as
3 may be necessary to carry out subparagraph
4 (A).

5 (C) PENALTIES.—Any person who violates
6 this paragraph shall be subject to the penalties
7 provided in section 11 of the Export Adminis-
8 tration Act of 1979 (50 U.S.C. App. 2410) for
9 violations under that Act.

10 (4) AVIATION RIGHTS.—

11 (A) AIR TRANSPORTATION RIGHTS.—The
12 Secretary of Transportation shall prohibit any
13 aircraft of a foreign air carrier owned or con-
14 trolled, directly or indirectly, by the Govern-
15 ment of Sudan or operating pursuant to a con-
16 tract with the Government of Sudan from en-
17 gaging in air transportation with respect to the
18 United States, except that such aircraft shall be
19 allowed to land in the event of an emergency
20 for which the safety of an aircraft's crew or
21 passengers is threatened.

22 (B) TAKEOFFS AND LANDINGS.—The Sec-
23 retary of Transportation shall prohibit the take-
24 off and landing in Sudan of any aircraft by an
25 air carrier owned, directly or indirectly, or con-

1 trolled by a United States person, except that
2 such aircraft shall be allowed to land in the
3 event of an emergency for which the safety of
4 an aircraft's crew or passengers is threatened,
5 or for humanitarian purposes.

6 (C) TERMINATION OF AIR SERVICE AGREE-
7 MENTS.—To carry out subparagraphs (A) and
8 (B), the Secretary of State shall terminate any
9 agreement between the Government of Sudan
10 and the Government of the United States relat-
11 ing to air services between their respective terri-
12 tories.

13 (D) DEFINITIONS.—For purposes of this
14 paragraph, the terms “aircraft”, “air transpor-
15 tation”, and “foreign air carrier” have the
16 meanings given those terms in section 40102 of
17 title 49, United States Code.

18 (5) PROHIBITION ON PROMOTION OF UNITED
19 STATES TOURISM.—None of the funds appropriated
20 or otherwise made available by any provision of law
21 may be available to promote United States tourism
22 in Sudan.

23 (6) GOVERNMENT OF SUDAN BANK AC-
24 COUNTS.—

1 (A) PROHIBITION.—A United States de-
2 pository institution may not accept, receive, or
3 hold a deposit account from the Government of
4 Sudan, except for such accounts which may be
5 authorized by the President for diplomatic or
6 consular purposes.

7 (B) ANNUAL REPORTS.—The Secretary of
8 the Treasury shall submit annual reports to the
9 Congress on the nature and extent of assets
10 held in the United States by the Government of
11 Sudan.

12 (C) DEFINITION.—For purposes of this
13 paragraph, the term “depository institution”
14 has the meaning given that term in section
15 19(b)(1) of the Act of December 23, 1913 (12
16 U.S.C. 461(b)(1)).

17 (7) PROHIBITION ON UNITED STATES GOVERN-
18 MENT PROCUREMENT FROM SUDAN.—

19 (A) PROHIBITION.—No department, agen-
20 cy, or any other entity of the United States
21 Government may enter into a contract for the
22 procurement of goods or services from
23 parastatal organizations of Sudan, except for
24 items necessary for diplomatic or consular pur-
25 poses.

1 (B) DEFINITION.—As used in this para-
2 graph, the term “parastatal organization of
3 Sudan” means a corporation, partnership, or
4 entity owned, controlled, or subsidized by the
5 Government of Sudan.

6 (8) PROHIBITION ON UNITED STATES APPRO-
7 PRIATIONS FOR USE AS INVESTMENTS IN OR TRADE
8 SUBSIDIES FOR SUDAN.—None of the funds appro-
9 priated or otherwise made available by any provision
10 of law may be available for any new investment in,
11 or any subsidy for trade with, Sudan, including
12 funding for trade missions in Sudan and for partici-
13 pation in exhibitions and trade fairs in Sudan.

14 (9) PROHIBITION ON COOPERATION WITH
15 ARMED FORCES OF SUDAN.—No agency or entity of
16 the United States may engage in any form of co-
17 operation, direct or indirect, with the armed forces
18 of Sudan, except for activities which are reasonably
19 necessary to facilitate the collection of necessary in-
20 telligence. Each such activity shall be considered as
21 significant anticipated intelligence activity for pur-
22 poses of section 501 of the National Security Act of
23 1947 (50 U.S.C. 413).

24 (10) PROHIBITION ON COOPERATION WITH IN-
25 TELLIGENCE SERVICES OF SUDAN.—

1 (A) SANCTION.—No agency or entity of
2 the United States involved in intelligence activi-
3 ties may engage in any form of cooperation, di-
4 rect or indirect, with the Government of Sudan,
5 except for activities which are reasonably de-
6 signed to facilitate the collection of necessary
7 intelligence.

8 (B) POLICY.—It is the policy of the United
9 States that no agency or entity of the United
10 States involved in intelligence activities may
11 provide any intelligence information to the Gov-
12 ernment of Sudan which pertains to any inter-
13 nal group within Sudan. Any change in such
14 policy or any provision of intelligence informa-
15 tion contrary to this policy shall be considered
16 a significant anticipated intelligence activity for
17 purposes of section 501 of the National Secu-
18 rity Act of 1947 (50 U.S.C. 413).

19 The sanctions described in this subsection shall apply until
20 the Secretary of State determines that Sudan has substan-
21 tially eliminated religious persecution in that country.

22 (c) MULTILATERAL EFFORTS TO END RELIGIOUS
23 PERSECUTION IN SUDAN.—

24 (1) EFFORTS TO OBTAIN MULTILATERAL MEAS-
25 URES AGAINST SUDAN.—It is the policy of the

1 United States to seek an international agreement
2 with the other industrialized democracies to bring
3 about an end to religious persecution by the Govern-
4 ment of Sudan. The net economic effect of such
5 international agreement should be measurably great-
6 er than the net economic effect of the other meas-
7 ures imposed by this section.

8 (2) COMMENCEMENT OF NEGOTIATIONS TO INI-
9 TIATE MULTILATERAL SANCTIONS AGAINST
10 SUDAN.—It is the sense of the Congress that the
11 President or, at his direction, the Secretary of State
12 should convene an international conference of the in-
13 dustrialized democracies in order to reach an inter-
14 national agreement to bring about an end to reli-
15 gious persecution in Sudan. The international con-
16 ference should begin promptly and should be con-
17 cluded not later than 180 days after the date of the
18 enactment of this Act.

19 (3) PRESIDENTIAL REPORT.—Not less than
20 210 days after the date of the enactment of this Act,
21 the President shall submit to the Congress a report
22 containing—

23 (A) a description of efforts by the United
24 States to negotiate multilateral measures to

1 bring about an end to religious persecution in
2 Sudan; and

3 (B) a detailed description of economic and
4 other measures adopted by the other industri-
5 alized countries to bring about an end to reli-
6 gious persecution in Sudan, including an assess-
7 ment of the stringency with which such meas-
8 ures are enforced by those countries.

9 (4) CONFORMITY OF UNITED STATES MEAS-
10 URES TO INTERNATIONAL AGREEMENT.—If the
11 President successfully concludes an international
12 agreement described in paragraph (2), the President
13 may, after such agreement enters into force with re-
14 spect to the United States, adjust, modify, or other-
15 wise amend the measures imposed under any provi-
16 sion of this section to conform with such agreement.

17 (5) PROCEDURES FOR AGREEMENT TO ENTER
18 INTO FORCE.—Each agreement submitted to the
19 Congress under this subsection shall enter into force
20 with respect to the United States if—

21 (A) the President, not less than 30 days
22 before the day on which the President enters
23 into such agreement, notifies the House of Rep-
24 resentatives and the Senate of the President's
25 intention to enter into such an agreement, and

1 promptly thereafter publishes notice of such in-
2 tention in the Federal Register;

3 (B) after entering into the agreement, the
4 President transmits to the House of Represent-
5 atives and to the Senate a document containing
6 a copy of the final text of such agreement, to-
7 gether with—

8 (i) a description of any administrative
9 action proposed to implement such agree-
10 ment and an explanation as to how the
11 proposed administrative action would
12 change or affect existing law; and

13 (ii) a statement of the President's rea-
14 sons regarding—

15 (I) how the agreement serves the
16 interest of United States foreign pol-
17 icy; and

18 (II) why the proposed adminis-
19 trative action is required or appro-
20 priate to carry out the agreement; and

21 (C) a joint resolution approving such
22 agreement has been enacted.

23 (6) UNITED NATIONS SECURITY COUNCIL IMPO-
24 SITION OF SAME MEASURES AGAINST SUDAN.—It is
25 the sense of the Congress that the President should

1 instruct the Permanent Representative of the United
2 States to the United Nations to propose that the
3 United Nations Security Council, pursuant to Article
4 41 of the United Nations Charter, impose measures
5 against Sudan of the same type as are imposed by
6 this section.

7 (d) ADDITIONAL MEASURES AND REPORTS; REC-
8 COMMENDATIONS OF THE PRESIDENT.—

9 (1) UNITED STATES POLICY TO END RELIGIOUS
10 PERSECUTION.—It shall be the policy of the United
11 States to impose additional measures against the
12 Government of Sudan if its policy of religious perse-
13 cution has not ended on or before December 25,
14 1998.

15 (2) REPORT TO CONGRESS.—The Director shall
16 prepare and transmit to the Speaker of the House
17 of Representatives and the Chairman of the Com-
18 mittee on Foreign Relations of the Senate on or be-
19 fore February 1, 1999, and every 12 months there-
20 after, a report containing a determination by the
21 Secretary of State of whether the policy of religious
22 persecution by the Government of Sudan has ended.

23 (3) RECOMMENDATION FOR IMPOSITION OF AD-
24 DITIONAL MEASURES.—If the Secretary of State de-
25 termines that the policy of religious persecution by

1 the Government of Sudan has not ended, the Presi-
2 dent shall prepare and transmit to the Speaker of
3 the House of Representatives and the Chairman of
4 the Committee on Foreign Relations of the Senate
5 on or before March 1, 1999, and every 12 months
6 thereafter, a report setting forth such recommenda-
7 tions for such additional measures and actions
8 against the Government of Sudan as will end that
9 government's policy of religious persecution.

10 (e) DEFINITIONS.—As used in this section:

11 (1) GOVERNMENT OF SUDAN.—The term “Gov-
12 ernment of Sudan” includes any agency or instru-
13 mentality of the Government of Sudan.

14 (2) NEW INVESTMENT IN SUDAN.—The term
15 “new investment in Sudan”—

16 (A) means—

17 (i) a commitment or contribution of
18 funds or other assets; or

19 (ii) a loan or other extension of credit,
20 that is made on or after the effective date of
21 this subsection; and

22 (B) does not include—

23 (i) the reinvestment of profits gen-
24 erated by a controlled Sudanese entity into
25 that same controlled Sudanese entity, or

1 the investment of such profits in a Suda-
2 nese entity;

3 (ii) contributions of money or other
4 assets where such contributions are nec-
5 essary to enable a controlled Sudanese en-
6 tity to operate in an economically sound
7 manner, without expanding its operations;
8 or

9 (iii) the ownership or control of a
10 share or interest in a Sudanese entity or a
11 controlled Sudanese entity or a debt or eq-
12 uity security issued by the Government of
13 Sudan or a Sudanese entity before the date
14 of the enactment of this Act, or the trans-
15 fer or acquisition of such a share or inter-
16 est, or debt or equity security, if any such
17 transfer or acquisition does not result in a
18 payment, contribution of funds or assets,
19 or credit to a Sudanese entity, a controlled
20 Sudanese entity, or the Government of
21 Sudan.

22 (3) CONTROLLED SUDANESE ENTITY.—The
23 term “controlled Sudanese entity” means—

24 (A) a corporation, partnership, or other
25 business association or entity organized in

1 Sudan and owned or controlled, directly or indi-
2 rectly, by a United States person; or

3 (B) a branch, office, agency, or sole propri-
4 etorship in Sudan of a United States person.

5 (4) SUDANESE ENTITY.—The term “Sudanese
6 entity” means—

7 (A) a corporation, partnership, or other
8 business association or entity organized in
9 Sudan; or

10 (B) a branch, office, agency, or sole propri-
11 etorship in Sudan of a person that resides or is
12 organized outside Sudan.

13 (5) SUDAN.—The term “Sudan” means any
14 area controlled by the Government of Sudan or by
15 any entity allied with the Government of Sudan, and
16 does not include any area in which effective control
17 is exercised by an entity engaged in active resistance
18 to the Government of Sudan.

19 (f) WAIVER AUTHORITY.—The President may waive
20 the imposition of any sanction against Sudan under this
21 section for periods of not more than 12 months each, if
22 the President, for each waiver—

23 (1) determines that the national security inter-
24 ests of the United States justify such a waiver; and

1 (2) provides to the Committees on Foreign Re-
2 lations, Finance, the Judiciary, and Appropriations
3 of the Senate and to the Committees on Inter-
4 national Relations, the Judiciary, and Appropria-
5 tions of the House of Representatives a written noti-
6 fication of the President's intention to waive any
7 such sanction.

8 The notification shall contain an explanation of the rea-
9 sons why the President considers the waiver to be nec-
10 essary, the type and amount of goods, services, or assist-
11 ance to be provided pursuant to the waiver, and the period
12 of time during which such a waiver will be effective. When
13 the President considers it appropriate, the explanation
14 under the preceding sentence, or any part of the expla-
15 nation, may be submitted in classified form.

16 (g) DULY AUTHORIZED INTELLIGENCE ACTIVI-
17 TIES.—The prohibitions and restrictions contained in
18 paragraphs (1), (2), (3), and (7) of subsection (b) shall
19 not apply to the conduct of duly authorized intelligence
20 activities of the United States Government.

21 **SEC. 13. PROMOTION OF RELIGIOUS FREEDOM.**

22 (a) ESTABLISHMENT OF A RELIGIOUS FREEDOM
23 INTERNET SITE.—In order to facilitate access by non-
24 governmental organizations (NGOs) and by the public
25 around the world to international documents on the pro-

1 tection of religious freedom, the Director shall establish
2 and maintain an Internet site containing major inter-
3 national documents relating to religious freedom, each an-
4 nual report submitted under section 6, and any other doc-
5 umentation or references to other sites as deemed appro-
6 priate or relevant by the Director.

7 (b) TRAINING FOR FOREIGN SERVICE OFFICERS.—
8 Chapter 7 of title I of the Foreign Service Act of 1980
9 is amended by adding at the end the following new section:
10 **“SEC. 708. TRAINING FOR FOREIGN SERVICE OFFICERS.**

11 “The Secretary of State and the Director of the Of-
12 fice of Religious Persecution Monitoring established under
13 section 5 of the Freedom From Religious Persecution Act
14 of 1998, acting jointly, shall establish as part of the stand-
15 ard training for officers of the Service, including chiefs
16 of mission, instruction in the field of internationally recog-
17 nized human rights. Such instruction shall include—

18 “(1) standards for proficiency in the knowledge
19 of international documents and United States policy
20 in human rights, and shall be mandatory for all
21 members of the Service having reporting responsibil-
22 ities relating to human rights, and for chiefs of mis-
23 sion; and

24 “(2) instruction on the international right to
25 freedom of religion, the nature, activities, and beliefs

1 of different religions, and the various aspects and
2 manifestations of religious persecution.”.

3 (c) HIGH-LEVEL CONTACTS WITH NGOS.—United
4 States chiefs of mission shall seek out and contact reli-
5 gious nongovernmental organizations to provide high-level
6 meetings with religious nongovernmental organizations
7 where appropriate and beneficial. United States chiefs of
8 mission and Foreign Service officers abroad shall seek to
9 meet with imprisoned religious leaders where appropriate
10 and beneficial.

11 (d) PROGRAMS AND ALLOCATIONS OF FUNDS BY
12 UNITED STATES MISSIONS ABROAD.—It is the sense of
13 the Congress that—

14 (1) United States diplomatic missions in coun-
15 tries the governments of which engage in or tolerate
16 religious persecution should develop, as part of an-
17 nual program planning, a strategy to promote the
18 respect of the internationally recognized right to
19 freedom of religion; and

20 (2) in allocating or recommending the allocation
21 of funds or the recommendation of candidates for
22 programs and grants funded by the United States
23 Government, United States diplomatic missions
24 should give particular consideration to those pro-

1 grams and candidates deemed to assist in the pro-
2 motion of the right to religious freedom.

3 (e) EQUAL ACCESS TO UNITED STATES MISSIONS
4 ABROAD FOR CONDUCTING RELIGIOUS ACTIVITIES.—

5 (1) IN GENERAL.—Subject to this subsection,
6 the Secretary of State shall permit, on terms no less
7 favorable than that accorded other nongovernmental
8 activities, access to the premises of any United
9 States diplomatic mission or consular post by any
10 United States citizen seeking to conduct an activity
11 for religious purposes.

12 (2) TIMING AND LOCATION.—The Secretary of
13 State shall make reasonable accommodations with
14 respect to the timing and location of such access in
15 light of—

16 (A) the number of United States citizens
17 requesting the access (including any particular
18 religious concerns regarding the time of day,
19 date, or physical setting for services);

20 (B) conflicts with official activities and
21 other nonofficial United States citizen requests;

22 (C) the availability of openly conducted, or-
23 ganized religious services outside the premises
24 of the mission or post; and

25 (D) necessary security precautions.

1 (3) DISCRETIONARY ACCESS FOR FOREIGN NA-
2 TIONALS.—The Secretary of State may permit ac-
3 cess to the premises of a United States diplomatic
4 mission or consular post to foreign nationals for the
5 purpose of attending or participating in religious ac-
6 tivities conducted pursuant to this Act.

7 (f) PRISONER LISTS AND ISSUE BRIEFS ON RELI-
8 GIOUS PERSECUTION CONCERNS.—

9 (1) SENSE OF THE CONGRESS.—To encourage
10 involvement with religious persecution concerns at
11 every possible opportunity and by all appropriate
12 representatives of the United States Government, it
13 is the sense of the Congress that officials of the ex-
14 ecutive branch of the United States Government
15 should promote increased advocacy on such issues
16 during meetings between executive branch and con-
17 gressional leaders and foreign dignitaries.

18 (2) RELIGIOUS PERSECUTION PRISONER LISTS
19 AND ISSUE BRIEFS.—The Secretary of State, in con-
20 sultation with United States chiefs of mission
21 abroad, regional experts, the Director, and non-
22 governmental human rights and religious groups,
23 shall prepare and maintain issue briefs on religious
24 freedom, on a country-by-country basis, consisting of
25 lists of persons believed to be imprisoned for their

1 religious faith, together with brief evaluations and
2 critiques of policies of the respective country re-
3 stricting religious freedom. The Secretary of State
4 shall exercise appropriate discretion regarding the
5 safety and security concerns of prisoners in consider-
6 ing the inclusion of their names on the lists.

7 (3) AVAILABILITY OF INFORMATION.—The Sec-
8 retary of State shall provide these religious freedom
9 issue briefs to executive branch and congressional of-
10 ficials and delegations in anticipation of bilateral
11 contacts with foreign leaders, both in the United
12 States and abroad.

13 (g) ASSISTANCE FOR PROMOTING RELIGIOUS FREE-
14 DOM.—

15 (1) FINDINGS.—The Congress makes the fol-
16 lowing findings:

17 (A) In many nations where severe viola-
18 tions of religious freedom occur, there is not
19 sufficient statutory legal protection for religious
20 minorities or there is not sufficient cultural and
21 social understanding of international norms of
22 religious freedom.

23 (B) Accordingly, in its foreign assistance
24 already being disbursed, the United States
25 should make a priority of promoting and devel-

1 oping legal protections and cultural respect for
2 religious freedom.

3 (2) ALLOCATION OF FUNDS FOR INCREASED
4 PROMOTION OF RELIGIOUS FREEDOMS.—Section
5 116(e) of the Foreign Assistance Act of 1961 is
6 amended by inserting “and the right to free religious
7 belief and practice” after “adherence to civil and po-
8 litical rights”.

9 (h) INTERNATIONAL BROADCASTING.—

10 (1) Section 302(1) of the United States Inter-
11 national Broadcasting Act of 1994 is amended by
12 inserting “and of conscience (including freedom of
13 religion)” after “freedom of opinion and expression”.

14 (2) Section 303(a) of the United States Inter-
15 national Broadcasting Act of 1994 is amended—

16 (A) by striking “and” at the end of para-
17 graph (6);

18 (B) by striking the period at the end of
19 paragraph (7) and inserting “; and”; and

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

21 “(8) promote respect for human rights, includ-
22 ing freedom of religion.”.

23 (i) INTERNATIONAL EXCHANGES.—Section 102(b) of
24 the Mutual Educational and Cultural Exchange Act of
25 1961 is amended—

1 (1) by striking “and” after paragraph (10);

2 (2) by striking the period at the end of para-
3 graph (11) and inserting “; and”; and

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

5 “(12) promoting respect for and guarantees of
6 religious freedom abroad by interchanges and visits
7 between the United States and other nations of reli-
8 gious leaders, scholars, and religious and legal ex-
9 perts in the field of religious freedom.”.

10 (j) FOREIGN SERVICE AWARDS.—

11 (1) PERFORMANCE PAY.—Section 405(d) of the
12 Foreign Service Act of 1980 is amended by inserting
13 after the first sentence the following: “Such service
14 in the promotion of internationally recognized
15 human rights, including the right to religious free-
16 dom, shall serve as a basis for granting awards
17 under this section.”.

18 (2) FOREIGN SERVICE AWARDS.—Section 614
19 of the Foreign Service Act of 1980 is amended by
20 adding at the end the following new sentence: “Dis-
21 tinguished, meritorious service in the promotion of
22 internationally recognized human rights, including
23 the right to religious freedom, shall serve as a basis
24 for granting awards under this section.”.

1 **SEC. 14. COMMISSION ON INTERNATIONAL RELIGIOUS PER-**
2 **SECUTION.**

3 (a) ESTABLISHMENT AND COMPOSITION.—

4 (1) GENERALLY.—There is established the
5 United States Commission on International Reli-
6 gious Persecution (hereinafter referred to as the
7 “Commission”).

8 (2) MEMBERSHIP.—

9 (A) APPOINTMENT.—The Commission
10 shall be composed of—

11 (i) the Director; and

12 (ii) four other members, who shall be
13 appointed as follows:

14 (I) Two Senators, one of whom
15 shall be appointed by the President
16 pro tempore of the Senate upon the
17 recommendations of the Majority
18 Leader, and one of whom shall be ap-
19 pointed by the Minority Leader.

20 (II) Two Members of the House
21 of Representatives, one of whom shall
22 be appointed by the Speaker of the
23 House of Representatives upon the
24 recommendations of the Majority
25 Leader, and one of whom shall be ap-
26 pointed by the Minority Leader.

1 (B) CHAIR.—The Commission shall elect
2 one of its members as chair.

3 (C) TIME OF APPOINTMENT.—The ap-
4 pointments required by subparagraph (A) shall
5 be made not later than 120 days after the date
6 of the enactment of this Act.

7 (3) TERMS.—The term of office of each mem-
8 ber of the Commission shall be 2 years, except that
9 an individual may not serve more than 2 terms.

10 (4) QUORUM.—Three members of the Commis-
11 sion constitute a quorum of the Commission.

12 (5) MEETINGS.—Not more than 15 days after
13 the issuance of an annual report under section 6, the
14 Commission shall convene.

15 (6) ADMINISTRATIVE SUPPORT.—The Director
16 shall provide to the Commission such staff and ad-
17 ministrative services of the Office as may be nec-
18 essary for the Commission to perform its functions.
19 The Secretary of State shall assist the Director and
20 the Commission by detailing staff resources as need-
21 ed and as appropriate.

22 (7) COMPENSATION.—

23 (A) TRAVEL EXPENSES.—Members of the
24 Commission shall receive no pay for services
25 performed as such a member, but shall be al-

1 lowed travel expenses, including per diem in lieu
2 of subsistence, at rates authorized for employ-
3 ees of agencies under subchapter I of chapter
4 57 of title 5, United States Code, while away
5 from their homes or regular places of business
6 in the performance of services for the Commis-
7 sion.

8 (B) NO COMPENSATION FOR GOVERNMENT
9 EMPLOYEES.—Any member of the Commission
10 who is an officer or employee of the United
11 States shall receive no additional compensation
12 for services performed as a member of the Com-
13 mission.

14 (b) DUTIES OF THE COMMISSION.—

15 (1) In general.—The Commission shall have as
16 its primary responsibility the consideration of the
17 facts and circumstances of category 1 or category 2
18 persecution presented in each annual report issued
19 under section 6 and the consideration of United
20 States Government policies to promote religious free-
21 dom and prevent religious persecution, and to make
22 appropriate policy recommendations to the Presi-
23 dent, the Secretary of State, and the Congress.

24 (2) POLICY REVIEW AND RECOMMENDATIONS
25 IN RESPONSE TO VIOLATIONS.—The Commission, in

1 evaluating United States Government policies, shall
2 consider and recommend policy options to further
3 enhance the effectiveness of sanctions related to reli-
4 gious persecution and human rights.

5 (3) POLICY REVIEW AND RECOMMENDATIONS
6 IN RESPONSE TO PROGRESS.—The Commission shall
7 make and provide an assessment of—

8 (A) the progress of sanctions imposed
9 under section 7 on a country or responsible en-
10 tity toward achieving termination of religious
11 persecution, as well as the potential deterrence
12 of religious persecution as a result of this Act
13 in countries on which sanctions have not been
14 imposed under this Act;

15 (B) diplomatic and other steps the United
16 States has taken or should take to further ac-
17 complish the intended objectives of the sanc-
18 tions, including the promotion of multilateral
19 adoption of comparable measures;

20 (C) comparable measures undertaken by
21 other countries;

22 (D) additional policy options to promote
23 the objectives of this Act and an assessment of
24 their potential effectiveness;

1 (E) any obligations of the United States
2 under international treaties or trade agreements
3 with which sanctions imposed under section 7
4 have conflicted or proposed policy options under
5 paragraph (2) may conflict;

6 (F) any retaliation resulting from sanc-
7 tions imposed under section 7 and the likelihood
8 that a proposed policy option under paragraph
9 (2) will lead to retaliation against United States
10 interests, including agricultural interests; and

11 (G) the estimated impact from sanctions
12 imposed under section 7 and proposed policy
13 options under paragraph (2) on United States
14 foreign policy, national security, economic, and
15 humanitarian interests, including benefit or
16 harm to United States businesses, agriculture,
17 and consumers, the competitiveness of United
18 States businesses, and the international reputa-
19 tion of the United States as a reliable supplier
20 of products, technology, agricultural commod-
21 ities, and services.

22 (4) EFFECTS ON RELIGIOUS COMMUNITIES AND
23 INDIVIDUALS.—Together with specific policy rec-
24 ommendations provided under paragraphs (2) and
25 (3), the Commission shall also indicate its evaluation

1 of the potential effects of such policies, if imple-
2 mented, on the religious communities and individ-
3 uals whose rights are found to be violated in the
4 country in question.

5 (5) MONITORING.—The Commission shall, on
6 an ongoing basis, monitor facts and circumstances of
7 religious persecution, in consultation with independ-
8 ent human rights groups and nongovernmental orga-
9 nizations, including churches and other religious
10 communities, and make such recommendations as
11 may be necessary to the appropriate agencies and of-
12 ficials of the United States Government.

13 (c) REPORT OF THE COMMISSION.—

14 (1) IN GENERAL.—Not later than March 1 of
15 each year, the Commission shall submit a report to
16 the President and the Congress setting forth its rec-
17 ommendations for changes in United States policy
18 based on its evaluations under subsection (b).

19 (2) CLASSIFIED FORM OF REPORT.—The report
20 may be submitted in classified form, together with a
21 public summary of recommendations.

22 (3) INDIVIDUAL OR DISSENTING VIEWS.—Each
23 member of the Commission may include the individ-
24 ual or dissenting views of the member.

1 (d) TERMINATION.—The Commission shall terminate
2 8 years after the initial appointment of its members.

3 **SEC. 15. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Subject to subsections (b) and (c),
5 this Act and the amendments made by this Act shall take
6 effect 120 days after the date of the enactment of this
7 Act.

8 (b) APPOINTMENT OF DIRECTOR.—The Director
9 shall be appointed not later than 60 days after the date
10 of the enactment of this Act.

11 (c) REGULATIONS.—Each Federal department or
12 agency responsible for carrying out any of the sanctions
13 under section 7 shall issue all necessary regulations to
14 carry out such sanctions within 120 days after the date
15 of the enactment of this Act.

Passed the House of Representatives May 14, 1998.

Attest:

Clerk.