

AMENDMENT TO H.R. 5300
OFFERED BY M____.

At the appropriate place, insert the following:

1 **SEC. ____.** **PROGRAMS TO ADVANCE INTERNATIONAL RELI-**
2 **GIOUS FREEDOM.**

3 (a) **AUTHORIZATION.**—The President, acting
4 through the Secretary of State and the Ambassador at
5 Large for International Religious Freedom, shall carry out
6 foreign assistance programs to advance international reli-
7 gious freedom, in accordance with 22 USC 6401(b)(1)(E)
8 and 22 USC 2151n(e).

9 (b) **PROGRAM PURPOSES.**—

10 (1) Programs carried out pursuant to sub-
11 section (a) shall—

12 (A) Aim to increase societal understanding
13 of, and legal and cultural respect for, the free
14 exercise of religion as enshrined in the U.S.
15 Constitution and affirmed in the Universal Dec-
16 laration of Human Rights and the International
17 Covenant on Civil and Political Rights, by—

18 (i) Training and educating key
19 groups, including policymakers, lawyers,

1 judges, educators, journalists, and religious
2 communities, on religious freedom;

3 (ii) Developing legal protections for
4 the free exercise of religion, including pro-
5 tectations that ensure equal rights for indi-
6 viduals and groups regardless of religious
7 belief;

8 (iii) Helping ensure religious commu-
9 nities and minorities who have experienced
10 atrocities as defined by Section 6 of Public
11 Law 115-441 or particularly severe viola-
12 tions of religious freedom as defined in 22
13 USC 6401 can persevere as distinct com-
14 munities, including by—

15 (I) providing to such commu-
16 nities humanitarian assistance;

17 (II) protecting, preserving, or re-
18 storing such communities' cultural
19 heritage sites; or

20 (III) improving the safety and se-
21 curity of houses of worship and public
22 spaces for all faiths;

23 (B) Address religious freedom in countries
24 that either—

1 (i) Have experienced recent or ongoing
2 genocides or mass atrocities, or are at
3 high risk of experiencing genocide or mass
4 atrocities; or

5 (ii) Have been designated under section
6 402(b)(1)(A)(ii) or (iii) of the International
7 Religious Freedom Act of 1998
8 (22 U.S.C. 6442(b)), or recommended for
9 designation by the U.S. Commission on
10 International Religious Freedom, within
11 the past 10 years as:

12 (I) Countries of Particular Concern, or
13

14 (II) Special Watch List countries; or
15

16 (iii) Are countries in which a non-
17 state actor designated as an entity of particular
18 concern for religious freedom under
19 section 301 of the Frank R. Wolf International
20 Religious Freedom Act (22 U.S.C.
21 6442a) is located;

22 (2) Not less than 50 percent of the amounts
23 authorized to be appropriated or otherwise made
24 available for international religious freedom programs
25 for each such fiscal year shall go toward

1 training and educating key groups on, and devel-
2 oping legal protections for, the free exercise of reli-
3 gion.

4 (c) PROGRAM PROHIBITIONS.—Programs car-
5 ried out pursuant to subsection (a) may not—

6 (1) Aim directly to promote or advance the
7 adoption of any particular religious, non-theist, or
8 humanist ideologies or beliefs, or aim to expand the
9 membership of any particular religious, non-theist,
10 or humanist group—except insofar as such pro-
11 motion, advancement, adoption, or expansion might
12 occur incidentally as a result of the promotion of re-
13 ligious freedom;

14 (2) Promote censorship or hate speech laws di-
15 rectly or indirectly, or take or promote any actions
16 that would otherwise contravene the First Amend-
17 ment to the U.S. Constitution if engaged in by the
18 U.S. government;

19 (3) Embody or promote a conception of reli-
20 gious freedom distinct from that which is enshrined
21 in the First Amendment to the U.S. Constitution
22 and reflected in standing U.S. Supreme Court juris-
23 prudence and consistent caselaw;

24 (d) Programs and activities authorized and carried
25 out pursuant to 22 U.S.C. 2151n(e) with respect to pro-

1 moting the right to free religious belief and practice shall
2 comply with the program purposes and prohibitions of this
3 section.

4 (e) ELIGIBLE PROGRAM IMPLEMENTERS.—

5 An entity eligible to implement programs authorized in
6 subsection (a)—

7 (1) shall be a non-governmental organization or
8 other civil society organization that has—

9 (A) either—

10 (i) legal or cultural expertise in inter-
11 national religious freedom, and

12 (ii) a demonstrated successful record
13 of promoting cultural respect for or legal
14 acceptance of religious freedom; or

15 (B) or—

16 (i) a demonstrated record of providing
17 assistance to persecuted religious commu-
18 nities, or

19 (ii) expertise in cultural heritage res-
20 toration and preservation;

21 (2) may be a faith-based or religious entity, and
22 may not be discriminated against on the basis of re-
23 ligious identity or religious belief when competing for
24 grant funding; and

1 (3) shall be selected to implement programs de-
2 scribed in subsection (a) through an open competi-
3 tive process.

4 (f) REPORT.—Not later than 180 days after the
5 date of the enactment of this Act, and annually thereafter
6 for five years, the Secretary of State shall submit to the
7 appropriate congressional committees a list of all grants,
8 cooperative agreements, and programs carried out under
9 subsection (a) in the previous fiscal year.

10 (g) MATTERS TO BE INCLUDED.—The list required
11 by subsection (f)—

12 (1) shall be disaggregated by country, dollar
13 amount, name of implementing partner;

14 (2) shall include a description of what objectives
15 the programming was intended to achieve, what
16 metrics suggest those objectives were met, and what
17 national interests were advanced; and

18 (3) shall include a description of how, if appli-
19 cable, the programming comports with both the Free
20 Exercise Clause and the Establishment Clause of the
21 United States Constitution.

22 (4) Form—The report required by subsection
23 (f) may be submitted in classified form if necessary.
24 Copies of any material produced for use in the pro-
25 gramming must be provided to the appropriate con-

- 1 gressional committees for review on request from
- 2 any committee within 30 days of the request.

