

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS
FREEDOM REAUTHORIZATION ACT OF 2014; CONCERNING
THE SUSPENSION OF EXIT PERMIT ISSUANCE BY THE DEMO-
CRATIC REPUBLIC OF CONGO FOR ADOPTED CONGOLESE
CHILDREN; AND THE NEED TO BRING THE SOUTH SUDAN
CONFLICT TO A SUSTAINABLE AND LASTING END

MARKUP

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

ON

H.R. 4653, H. Res. 588 and H. Res. 503

—————
JUNE 18, 2014
—————

Serial No. 113-181

—————

Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: <http://www.foreignaffairs.house.gov/> or
<http://www.gpo.gov/fdsys/>

—————
U.S. GOVERNMENT PRINTING OFFICE

88-388PDF

WASHINGTON : 2014

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON FOREIGN AFFAIRS

EDWARD R. ROYCE, California, *Chairman*

CHRISTOPHER H. SMITH, New Jersey	ELIOT L. ENGEL, New York
ILEANA ROS-LEHTINEN, Florida	ENI F.H. FALEOMAVAEGA, American Samoa
DANA ROHRBACHER, California	BRAD SHERMAN, California
STEVE CHABOT, Ohio	GREGORY W. MEEKS, New York
JOE WILSON, South Carolina	ALBIO SIRES, New Jersey
MICHAEL T. McCAUL, Texas	GERALD E. CONNOLLY, Virginia
TED POE, Texas	THEODORE E. DEUTCH, Florida
MATT SALMON, Arizona	BRIAN HIGGINS, New York
TOM MARINO, Pennsylvania	KAREN BASS, California
JEFF DUNCAN, South Carolina	WILLIAM KEATING, Massachusetts
ADAM KINZINGER, Illinois	DAVID CICILLINE, Rhode Island
MO BROOKS, Alabama	ALAN GRAYSON, Florida
TOM COTTON, Arkansas	JUAN VARGAS, California
PAUL COOK, California	BRADLEY S. SCHNEIDER, Illinois
GEORGE HOLDING, North Carolina	JOSEPH P. KENNEDY III, Massachusetts
RANDY K. WEBER SR., Texas	AMI BERA, California
SCOTT PERRY, Pennsylvania	ALAN S. LOWENTHAL, California
STEVE STOCKMAN, Texas	GRACE MENG, New York
RON DeSANTIS, Florida	LOIS FRANKEL, Florida
DOUG COLLINS, Georgia	TULSI GABBARD, Hawaii
MARK MEADOWS, North Carolina	JOAQUIN CASTRO, Texas
TED S. YOHO, Florida	
SEAN DUFFY, Wisconsin	

AMY PORTER, *Chief of Staff*

THOMAS SHEEHY, *Staff Director*

JASON STEINBAUM, *Democratic Staff Director*

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

TOM MARINO, Pennsylvania	KAREN BASS, California
RANDY K. WEBER SR., Texas	DAVID CICILLINE, Rhode Island
STEVE STOCKMAN, Texas	AMI BERA, California
MARK MEADOWS, North Carolina	

CONTENTS

	Page
MARKUP OF	
H.R. 4653, To reauthorize the United States Commission on International Religious Freedom, and for other purposes	3
Amendment in the nature of a substitute to H.R. 4653 offered by the Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey, and chairman, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations	7
H. Res. 588, Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents	11
Amendment to H. Res. 588 offered by the Honorable Christopher H. Smith	15
H. Res. 503, Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance	17
Amendment to H. Res. 503 offered by the Honorable Christopher H. Smith	24
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE RECORD	
APPENDIX	
Markup notice	32
Markup minutes	33
Markup summary	34

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM REAUTHORIZATION ACT OF 2014; CONCERNING THE SUSPENSION OF EXIT PERMIT ISSUANCE BY THE DEMOCRATIC REPUBLIC OF CONGO FOR ADOPTED CONGOLESE CHILDREN; AND THE NEED TO BRING THE SOUTH SUDAN CONFLICT TO A SUSTAINABLE AND LASTING END

WEDNESDAY, JUNE 18, 2014

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:30 p.m., in room 2200 Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. Good afternoon, and I want to thank our colleagues for being here for this markup. Pursuant to notice we are here this afternoon to mark up three bills: H.R. 4653, United States Commission on the International Religious Freedom Reauthorization Act of 2014; H. Res. 588, Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents coming to the U.S.; and H. Res. 503, Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.

All three measures enjoy strong bipartisan support that is typical of the cooperation that characterizes both the subcommittee and our full committee. Congressman Wolf's bill which reauthorizes the United States Commission on International Religious Freedom has a nearly equal number of Democrats and Republican co-sponsors.

The resolution on DR Congo adoptions is a Democratic measure authored by Congressman Collin Peterson of Minnesota, and again has strong bipartisan support and I am happy to say that the lead co-sponsor of our bipartisan resolution on the crisis in South Sudan is my dear friend and colleague, Ranking Member Karen Bass, who shares an abiding concern and deep concern for the Nation of South Sudan. I want to thank members of the subcommittee for their support for these resolutions as well, and I do think it will receive full floor consideration.

The fact that this subcommittee will reconvene following this markup for a briefing and hearing as well as scheduling of other events including a competing hearing and votes scheduled by leadership, it is the intent of the Chair to consider these measures en bloc along with substitute amendments sent to you yesterday.

All members do have copies of the documents before them, and then after we have concluded our expedited consideration I would be glad to recognize any member including myself and the ranking member and any of our other members for any statements they would like to make.

All members are given leave to insert written remarks into the record should they choose to do so. Seeing that we have a reporting quorum, without objection, the following are considered as read and will be considered en bloc.

H.R. 4653, the United States Commission on International Religious Freedom Reauthorization Act of 2014, with the Smith Amendment to H.R. 4653, again sent to your offices Tuesday; H. Res. 588, Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents, and a substitute amendment offered by myself to H. Res. 588; and then H. Res 503, Expressing the sense in the House regarding the need to bring the South Sudan conflict to a sustainable and lasting end and promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance, and another Smith amendment sent to your offices yesterday.

[The information referred to follows:]

113TH CONGRESS
2D SESSION

H. R. 4653

To reauthorize the United States Commission on International Religious Freedom, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2014

Mr. WOLF introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To reauthorize the United States Commission on International Religious Freedom, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Commis-
5 sion on International Religious Freedom Reauthorization
6 Act of 2014”.

7 **SEC. 2. ESTABLISHMENT AND COMPOSITION.**

8 (a) IN GENERAL.—Subsection (a) of section 201 of
9 the International Religious Freedom Act of 1998 (22
10 U.S.C. 6431) is amended by inserting before the period

1 at the end the following: “; which shall be an independent
2 Federal Government advisory body”.

3 (b) MEMBERSHIP.—Subsection (b)(3) of section 201
4 of the International Religious Freedom Act of 1998 (22
5 U.S.C. 6431) is amended by striking “The appointments
6 required by paragraph (1) shall be made not later than
7 120 days after the date of the enactment of this Act.”
8 and inserting the following: “The President and Members
9 of Congress are encouraged to appoint members of the
10 Commission within 90 days of a vacancy on the Commis-
11 sion.”.

12 (c) VACANCIES.—Subsection (g) of section 201 of the
13 International Religious Freedom Act of 1998 (22 U.S.C.
14 6431) is amended by striking the second sentence.

15 **SEC. 3. TRAINING FOR FOREIGN SERVICE OFFICERS.**

16 Subsection (a) of section 708 of the Foreign Service
17 Act of 1980 (22 U.S.C. 4028) is amended—

18 (1) in the matter preceding paragraph (1),

19 (A) by striking “and the director” and in-
20 serting “the director”; and

21 (B) inserting “and members of the United
22 States Commission on International Religious
23 Freedom,” after “Training Center,”; and

24 (2) in paragraph (2)—

1 (A) by striking “and the various” and in-
2 serting “the various”; and

3 (B) by inserting “, the relationship be-
4 tween religious freedom and security, and the
5 role of religious freedom in United States for-
6 eign policy” after “violations of religious free-
7 dom”.

8 **SEC. 4. COMMISSION PERSONNEL MATTERS.**

9 (a) IN GENERAL.—Subsection (a) of section 204 of
10 the International Religious Freedom Act of 1998 (22
11 U.S.C. 6432b) is amended in the second sentence, by in-
12 serting “voting” after “nine”.

13 (b) COMPENSATION.—Subsection (b) of section 204
14 of the International Religious Freedom Act of 1998 (22
15 U.S.C. 6432b) is amended by inserting “voting members
16 of the” after “The”.

17 (c) SECURITY CLEARANCES.—Subsection (e) of sec-
18 tion 204 of the International Religious Freedom Act of
19 1998 (22 U.S.C. 6432b) is amended by adding at the end
20 the following new sentence: “The Department of State is
21 encouraged to allow Commissioners and Commission staff
22 with the appropriate security clearance access to classified
23 information, in order to fulfill the duties and responsibil-
24 ities of their positions.”.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 Subsection (a) of section 207 of the International Re-
3 ligious Freedom Act of 1998 (22 U.S.C. 6435) is amended
4 by striking “2014” and inserting “2019”.

5 **SEC. 6. STANDARDS OF CONDUCT AND DISCLOSURE.**

6 Paragraph (2) of section 208(d)(2) of the Inter-
7 national Religious Freedom Act of 1998 (22 U.S.C.
8 6435a(d)(2)) is amended by adding at the end the fol-
9 lowing new subparagraph:

10 “(H) Intern, fellowship, and volunteer pro-
11 grams that are primarily of educational benefit
12 to the intern, fellow, or volunteer. Sponsoring
13 private parties may provide compensation and
14 benefits to interns, fellows, and volunteers, pro-
15 vided that no conflict of interest arises.”.

16 **SEC. 7. TERMINATION.**

17 Section 209 of the International Religious Freedom
18 Act of 1998 (22 U.S.C. 6436) is amended by striking
19 “September 30, 2014” and inserting “September 30,
20 2019”.

**AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4653
OFFERED BY MR. SMITH OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Commis-
3 sion on International Religious Freedom Reauthorization
4 Act of 2014”.

5 **SEC. 2. ESTABLISHMENT AND COMPOSITION.**

6 (a) **IN GENERAL.**—Subsection (a) of section 201 of
7 the International Religious Freedom Act of 1998 (22
8 U.S.C. 6431) is amended by inserting before the period
9 at the end the following: “, which shall be an independent
10 Federal Government advisory body”.

11 (b) **SELECTION.**—Subparagraph (A) of section
12 201(b)(2) of the International Religious Freedom Act of
13 1998 (22 U.S.C. 6431(b)(2)) is amended by inserting at
14 the end the following new sentence: “The Commission as
15 a whole shall also have expertise on the variety of faiths
16 practiced around the world.”.

17 (c) **MEMBERSHIP.**—Subsection (b)(3) of section 201
18 of the International Religious Freedom Act of 1998 (22

1 U.S.C. 6431) is amended by striking “The appointments
2 required by paragraph (1) shall be made not later than
3 120 days after the date of the enactment of this Act.”
4 and inserting the following: “An appointment required by
5 subparagraph (B) of paragraph (1) should be made within
6 90 days of a vacancy on the Commission.”.

7 (d) VACANCIES.—Subsection (g) of section 201 of the
8 International Religious Freedom Act of 1998 (22 U.S.C.
9 6431) is amended by striking the second sentence.

10 **SEC. 3. TRAINING FOR FOREIGN SERVICE OFFICERS.**

11 Subsection (a) of section 708 of the Foreign Service
12 Act of 1980 (22 U.S.C. 4028) is amended—

13 (1) in the matter preceding paragraph (1),

14 (A) by striking “and the director” and in-
15 sserting “the director”; and

16 (B) inserting “and members of the United
17 States Commission on International Religious
18 Freedom,” after “Training Center,”; and

19 (2) in paragraph (2)—

20 (A) by striking “and the various” and in-
21 sserting “the various”; and

22 (B) by inserting “, the relationship be-
23 tween religious freedom and security, and the
24 role of religious freedom in United States for-

1 eign policy” after “violations of religious free-
2 dom”.

3 **SEC. 4. COMMISSION PERSONNEL MATTERS.**

4 (a) IN GENERAL.—Subsection (a) of section 204 of
5 the International Religious Freedom Act of 1998 (22
6 U.S.C. 6432b) is amended in the second sentence, by in-
7 serting “voting” after “nine”.

8 (b) COMPENSATION.—Subsection (b) of section 204
9 of the International Religious Freedom Act of 1998 (22
10 U.S.C. 6432b) is amended by inserting “voting members
11 of the” after “The”.

12 (c) SECURITY CLEARANCES.—Subsection (e) of sec-
13 tion 204 of the International Religious Freedom Act of
14 1998 (22 U.S.C. 6432b) is amended by adding at the end
15 the following new sentence: “The Department of State is
16 encouraged to allow Commissioners and Commission staff
17 with the appropriate security clearance access to classified
18 information, in order to fulfill the duties and responsibil-
19 ities of their positions.”.

20 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

21 Subsection (a) of section 207 of the International Re-
22 ligious Freedom Act of 1998 (22 U.S.C. 6435) is amended
23 by striking “2014” and inserting “2019”.

1 **SEC. 6. STANDARDS OF CONDUCT AND DISCLOSURE.**

2 Paragraph (2) of section 208(d)(2) of the Inter-
3 national Religious Freedom Act of 1998 (22 U.S.C.
4 6435a(d)(2)) is amended by adding at the end the fol-
5 lowing new subparagraph:

6 “(H) Intern, fellowship, and volunteer pro-
7 grams that are primarily of educational benefit
8 to the intern, fellow, or volunteer. Sponsoring
9 private parties may provide compensation and
10 benefits to interns, fellows, and volunteers, pro-
11 vided that no conflict of interest arises. The
12 number, duration, and funding source of any
13 such internship, fellowship, or volunteer pro-
14 grams shall be described in the annual financial
15 report required by subsection (e).”.

16 **SEC. 7. TERMINATION.**

17 Section 209 of the International Religious Freedom
18 Act of 1998 (22 U.S.C. 6436) is amended by striking
19 “September 30, 2014” and inserting “September 30,
20 2019”.



113TH CONGRESS
2D SESSION

H. RES. 588

Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2014

Mr. PETERSON (for himself, Mr. BARR, Mrs. BEATTY, Mr. BRALEY of Iowa, Mr. BURGESS, Mr. COHEN, Ms. DELBENE, Mr. ELLISON, Mr. FARR, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mr. LAMBORN, Mr. LARSON of Connecticut, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCHENRY, Mr. NOLAN, Mr. POCAN, Mr. POMPEO, Mr. RIBBLE, Mr. SHIMKUS, Mr. SMITH of Washington, and Mr. TIBERI) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.

Whereas according to UNICEF, over 4,000,000 orphans are estimated to be living in the Democratic Republic of Congo;

Whereas cyclical and violent conflict has plagued the Democratic Republic of Congo since the mid-1990s;

Whereas the United States has made significant financial investments in the Democratic Republic of Congo, pro-

viding an estimated \$274,000,000 bilateral aid to the Democratic Republic of Congo in fiscal year 2013 and an additional \$165,000,000 in emergency humanitarian assistance;

Whereas the policy of the Administration toward the Democratic Republic of Congo is “focused on helping the country become a nation that . . . provides for the basic needs of its citizens”;

Whereas the United Nations, the Hague Conference on Private International Law, and other international organizations have recognized a child’s right to a family as a basic human right worthy of protection;

Whereas adoption, both domestic and international, is an important child protection tool and an integral part of child welfare best practices around the world, along with family reunification and prevention of abandonment;

Whereas, on September 27, 2013, the Congolese Ministry of Interior and Security, General Direction of Migration, informed the United States Embassy in Kinshasa that effective September 25, 2013, they had suspended issuance of exit permits to adopted Congolese children seeking to depart the country with their adoptive parents;

Whereas there are United States families with finalized adoptions in the Democratic Republic of the Congo and the necessary legal paperwork and visas ready to travel home with these children but are currently unable to do so; and

Whereas, on December 19, 2013, the Congolese Minister of Justice, Minister of Interior and Security, and the General Direction of Migration confirmed to members of the United States Department of State that the current sus-

pension on the issuance of exit permits continues: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) affirms that all children deserve a safe, lov-
3 ing, and permanent family;

4 (2) recognizes the importance of ensuring that
5 international adoptions of all children are conducted
6 in an ethical and transparent manner;

7 (3) expresses concern over the impact on chil-
8 dren and families caused by the current suspension
9 of exit permit issuance within the Democratic Re-
10 public of Congo;

11 (4) respectfully requests that the Congolese
12 Government—

13 (A) resume processing adoption cases and
14 issuing exit permits via the Ministry of Gender
15 and Family's Interministerial Adoption Com-
16 mittee;

17 (B) prioritize the processing of inter-
18 country adoptions which were initiated before
19 the suspension; and

20 (C) expedite the processing of those adop-
21 tions which involve medically fragile children;
22 and

23 (5) encourages continued dialogue and coopera-
24 tion between the United States Department of State

1 and the Democratic Republic of the Congo's Min-
2 istry of Foreign Affairs to improve the intercountry
3 adoption process and ensure the welfare of all chil-
4 dren adopted from the Democratic Republic of
5 Congo.

AMENDMENT TO H. RES. 588

OFFERED BY MR. SMITH OF NEW JERSEY

In the 1st, 2d, and 3d clauses of the preamble, insert “the” before “Congo” each place it appears.

In the 4th clause of the preamble, insert “, according to the United States Department of State,” before “the policy” and insert “the” before “Congo”.

In the 5th clause of the preamble, strike “, the Hague Conference on Private International Law, and other international organizations have” and insert “has”.

In the 7th clause of the preamble, add at the end before the semi-colon the following: “, affecting hundreds of children”.

In the 8th clause of the preamble, strike “United States families” and insert “American families”.

Page 3, strike paragraph (3) and insert the following:

1 (3) expresses concern over the impact on chil-
2 dren and families caused by a suspension of exit per-
3 mit issuance, considering that the courts continue
4 processing adoptions but children adopted during

1 the suspension are unable to obtain exit permits or
2 necessary documents to depart the country;

Page 3, beginning on line 14, strike “via the Ministry of Gender and Family’s Interministerial Adoption Committee”.

Page 4, line 5, insert “the” before “Congo”.

Amend the title so as to read: “A resolution concerning the suspension of exit permit issuance by the Government of the Democratic Republic of the Congo for adopted Congolese children seeking to depart the country with their adoptive parents.”.

☒

113TH CONGRESS
2^D SESSION

H. RES. 503

Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2014

Mr. SMITH of New Jersey (for himself, Ms. BASS, Mr. McCAUL, Mr. WOLF, and Mr. WEBER of Texas) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.

Whereas the long civil war between the Government of Sudan and its southern region (1983 to 2005) was ended with the Comprehensive Peace Agreement;

Whereas citizens in the then-semi-autonomous region of South Sudan voted on January 9, 2011, through January 15, 2011, to secede from Sudan and became the world's newest nation on July 9, 2011;

Whereas leaders of the ruling Sudan People's Liberation Movement (SPLM) put aside longstanding ethnic and personal animosities in the last few years in order to facilitate the independence effort;

Whereas political, social, and economic conflict between the Dinka and Nuer, the largest and second largest ethnic groups respectively, as well as among other smaller ethnic groups, have nevertheless occurred during the period of apparent peace since the signing of the 2005 Comprehensive Peace Agreement;

Whereas there have been persistent questions raised in recent years concerning an alleged lack of broad political and ethnic inclusion in building the Government of South Sudan;

Whereas South Sudan President Salva Kiir (a Dinka) dismissed his entire cabinet on July 23, 2013, including his main rival, then-Vice President Riek Machar (a Nuer), which necessitated radio broadcasts calling for calm in the wake of that action;

Whereas in mid-December, tensions erupted over the handling of an SPLM party conference preparing for 2015 national elections, with the spark for violence reportedly being an attempt by Dinka presidential guards to disarm their Nuer counterparts;

Whereas in the wake of the initial violence, the Government of South Sudan arrested 11 senior political figures, including former Finance Minister Kostl Manibe, former Minister of Cabinet Affairs Deng Alor, and SPLM Secretary General Pagan Amum, accusing them of being involved in a "failed coup" and holding them in virtual house arrest;

Whereas government forces, led by President Kiir, and a rebel force led by former Vice President Machar have engaged in combat and have been joined in the fighting by some militia leaders, forming, along with defectors from the ruling party and national army, the nucleus of an Army in Opposition;

Whereas fighting quickly spread to several provinces and as of February 11, 2014, more than 723,000 people were displaced within South Sudan and more than 145,000 had fled to nearby countries, mostly to Ethiopia;

Whereas untold thousands of South Sudanese have been killed in the fighting, including, according to the United Nations, those targeted for their ethnicity; and

Whereas United States commitment to fully implementing the Comprehensive Peace Agreement and ongoing United States Department of State engagement in achieving an enduring peace remain essential: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that it should be the policy of the United
3 States Government to encourage and facilitate as fea-
4 sible—

5 (1) the full implementation of the January 23,
6 2014, cessation of hostilities agreement between the
7 Government of South Sudan and the Sudan People's
8 Liberation Movement/Army in Opposition, with a
9 commitment to ensuring that the multilateral Joint
10 Monitoring and Verification Team has unimpeded
11 access to all parts of the country;

1 (2) the expansion of existing efforts to disarm
2 militia and other armed groups in South Sudan, de-
3 mobilize combatants and reintegrate them into civil-
4 ian society, and curtail supplies of foreign arms be-
5 yond that necessary for national security or law and
6 order, raising the possibility of an arms embargo in
7 the event of further violations of the cessation of
8 hostilities agreement;

9 (3) the elevation of the United States Govern-
10 ment's existing presence at the Addis Ababa-based
11 peace negotiations, building on Special Envoy Don-
12 ald Booth's efforts and with a focus on high-level en-
13 gagement around the broader political negotiations
14 necessary to broker a durable peace in conjunction
15 with neighboring countries, including Kenya, Ethi-
16 opia, Uganda, and the broader international commu-
17 nity, to increase leverage in the discussions;

18 (4) the observance of due process and rule of
19 law leading to either the lawful prosecution or un-
20 conditional release of all arrested political leaders in
21 line with the constitution and all relevant laws;

22 (5) the relaunching of an inclusive process of
23 consultations on South Sudan's permanent constitu-
24 tion, drawing on the National Constitutional Review
25 Commission's work around the existing transitional

1 constitution, while recognizing the need for reforms
2 in light of the current circumstances;

3 (6) the negotiation of an inclusive political
4 framework for governance in the time remaining
5 until the next general elections that provides political
6 actors and civil society roles in ensuring that good
7 governance prevails in South Sudan as a part of the
8 ongoing negotiations in Addis Ababa, with a strong
9 emphasis on the need for direct participation of civil
10 society actors in the process and creation of a cred-
11 ible feedback process allowing stakeholders and con-
12 stituencies within South Sudan to remain informed
13 about the ongoing negotiations and have their input
14 respected;

15 (7) support for South Sudan's National Elec-
16 tion Commission as it lays out a conflict-sensitive
17 roadmap to prepare for and conduct the next South
18 Sudanese general elections with an agreed-upon
19 timetable for a census, constitutional adoption, and
20 the return of displaced people, establishing measur-
21 able benchmarks to ensure to the fullest extent pos-
22 sible a free, fair, and transparent process;

23 (8) the creation of a framework for security
24 sector reform by engaging with the Sudan People's
25 Liberation Army (SPLA) and South Sudan Police

1 Service (SPSS) with a focus on transforming the
2 fractured security forces into a professional and ac-
3 countable national army and police force, providing
4 for the integration of rebel militias into the national
5 army where appropriate and politically engaging re-
6 spected officers and civil society representatives;

7 (9) technical, logistical, and expert support to
8 the African Union Commission of Inquiry into atroc-
9 ities and human rights abuses committed during the
10 current conflict in South Sudan, while independently
11 weighing targeted sanctions against perpetrators of
12 human rights abuses and those obstructing the
13 peace process and encouraging the Commission of
14 Inquiry to report publicly on its findings and rec-
15 ommendations and adhere to the reporting timeline
16 of three months from its establishment in accord-
17 ance with the African Union Peace and Security
18 Council Communiqué of December 30, 2013;

19 (10) support for a South Sudan version of a
20 Truth and Reconciliation Commission to provide a
21 platform for grievances to be aired and addressed to
22 lessen the temptation for revenge;

23 (11) financial and technical assistance to sup-
24 port a grassroots program of social reconciliation,
25 utilizing the good offices of the South Sudan faith-

1 based community and other elements of civil society
2 to mitigate conflict and encourage social cohesion
3 across the country building on successful effort to
4 work with local communities and traditional authori-
5 ties;

6 (12) encouragement of the creation of a hybrid
7 or mixed court for South Sudan to hold perpetrators
8 of grave human rights abuses accountable while re-
9 specting South Sudanese sovereign legal authority
10 and building indigenous capacity in the justice sector
11 and establishing a documentation clearinghouse
12 modeled on the multi-donor Syrian Justice and Ac-
13 countability Center to collect testimony and forensic
14 evidence or any eventual trial;

15 (13) the resumption of United States Agency
16 for International Development programming, focus-
17 ing on famine prevention and resilience, especially in
18 hard-hit areas; and

19 (14) United States financial support to meet
20 humanitarian needs and capacity building support to
21 meet the goals in previously listed recommendations.

AMENDMENT TO H. RES. 503

OFFERED BY MR. SMITH OF NEW JERSEY

Strike paragraph (4) of the resolved text and insert the following:

1 (4) the observance of due process and rule of
2 law leading to either the lawful prosecution or exon-
3 eration of all arrested political leaders in line with
4 the constitution and all relevant laws;

Strike paragraph (7) of the resolved text and insert the following:

5 (7) support for South Sudan's National Elec-
6 tion Commission as it lays out a conflict-sensitive
7 roadmap to prepare for and conduct the next South
8 Sudanese general elections with an agreed-upon
9 timetable for a census, constitutional adoption, the
10 return of displaced people and establishing of meas-
11 urable benchmarks to ensure to the fullest extent
12 possible a free, fair, and transparent process;

Strike paragraph (9) of the resolved text and insert the following:

1 (9) technical, logistical, and expert support to
2 the African Union Commission of Inquiry into atrocities
3 and human rights abuses committed during the
4 current conflict in South Sudan, encouraging the
5 Commission of Inquiry to report publicly on its findings
6 and recommendations and adhere to the reporting
7 timeline of three months from its establishment
8 in accordance with the African Union Peace and Security
9 Council Communique of December 30, 2013;

 Strike paragraph (11) of the resolved text and insert
the following:

10 (11) financial and technical assistance to support
11 a grassroots program of social reconciliation,
12 working through the South Sudan faith-based community
13 and other elements of civil society to mitigate conflict
14 and encourage social cohesion across
15 the country building on successful effort to work
16 with local communities and traditional authorities;

 Strike paragraph (13) of the resolved text and insert
the following:

17 (13) the resumption of any United States Agency
18 for International Development programming, regarding
19 famine prevention and resilience, that may
20 have been suspended; and

Strike paragraph (14) of the resolved text and insert the following:

- 1 (14) United States financial support under cur-
- 2 rent funding to meet humanitarian needs and capac-
- 3 ity building support to meet the goals in previously
- 4 listed recommendations.



Mr. SMITH. The Chair moves that the en bloc amendments be adopted, and all those in favor say aye.

All those opposed, no.

The ayes have it in the opinion of the Chair, and the items that are considered en bloc are adopted. Without objection, the measures as amended are reported favorably to the full committee and the staff is directed to make any technical and conforming changes.

I would like to note that we have completed our formal consideration of these measures and I recognize members for remarks. And I would like to first recognize myself on behalf of the first bill that just passed on to the full committee reauthorizing the United States Commission on International Religious Freedom.

In 1998, Congress had the foresight to make the protection and promotion of religious liberty a priority in U.S. foreign policy by creating an Ambassador-at-Large for International Religious Freedom, the Office of International Religious Freedom at the Department of State, which authors the International Religious Freedom Report on every country in the world, and the U.S. Commission on International Religious Freedom and their watchdog report which they send to Congress.

Back in 1997 and 1998 I chaired all of the hearings in the House that led to the markup of the legislation authored by Chairman Frank Wolf of Virginia. It was at the time a very tough sell. There were people against it both in the administration as well as in Congress. But at the end of the day there was a great coming together and a consensus behind it that it was an idea whose time has come, to paraphrase Victor Hugo, and it has made a difference over the years in promoting religious freedom all over the world.

Importantly, this landmark legislation, the International Religious Freedom Act, created a system for naming and taking action against Countries of Particular Concern or CPCs. History has shown that when the U.S. makes religious freedom a priority and that priority is conveyed to Countries of Particular Concern, espe-

cially, we have seen conditions change with minimal harm to security or economic cooperation.

As a matter of fact, countless numbers of religious freedom advocates who have been persecuted have benefited from this legislation and have found freedom or at least a lessening of jail sentences and a mitigation of the abuse that they suffer.

Two and a half years ago after passing with strong bipartisan support in the House, a reauthorization bill, it got bogged down in the Senate, though eventually the Commission was reauthorized, when the legislation was then signed into law by the President. This time we hope there will be no such bogging down. And obstacles in the Senate, we all know how so many bills that are sent there don't get acted on. We think this will and believe it will. We have worked with Mr. Wolf's office, members of USCIRF, and colleagues from both parties to accommodate concerns.

This subcommittee held a hearing on May 22, where the USCIRF commissioner, Dr. Robert George, testified and members from religious minority communities, including Muslim, Baha'i, and Christian, spoke about the importance of the work of the Commission. We understand that this subcommittee's markup having been completed, the full committee will mark it up next week.

This subcommittee has also held many hearings on the Republic of South Sudan as part of our overall U.S. Government's effort to see this new Nation succeed. From our initial hearings and legislation to end the Sudanese practice of supporting the enslavement of southerners to the successful effort—and I held a hearing on slavery in the Sudan back in 1996. Chattel slavery, not unlike what we had sadly and regrettably in the United States, was still going on in Sudan. While we now know that the country emerged, it became independent, there now are some very serious problems that could derail its march toward democracy.

Last December, staff director Greg Simpkins and I were actually preparing, in wake of the firing of government officials, a conflict with the Republic of Sudan over oil revenue, and a series of internal problems that threatened the security of this Nation, to travel there. Just days before we left, as a matter of fact, 2 days before we left, word came of the new conflict and that the airport was closed and the Embassy said don't come.

What began as a political dispute among political rivals has blossomed into a poisonous clash that has taken on ominous ethnic tones that threaten this Nation's future stability. Consequently, I introduced H. Res. 503, with my friend and colleague, Ms. Bass, to recommend a more comprehensive approach to peacemaking in South Sudan. A mere peace treaty cannot overcome the problems that have led to this tragic situation.

The resolution does call for sustainable cessation of hostilities and adds our congressional voice to those calls in Africa as well as within the country of South Sudan. But it goes well beyond the preliminary step to urge a process that includes greater transparency; inclusiveness for civil society in ensuring good governance; a clear and achievable road map to a free and fair election; the disarmament of militias and armed groups along with security sector reform; international and domestic procedure to ensure that those guilty of human rights violations are brought to justice; and contin-

ued U.S. humanitarian aid and support for capacity building and resilience programs to help South Sudan recover from the crisis.

The United States has a significant stake in the long-term success of South Sudan, and we must think beyond the end of this conflict to creating an environment where peace and prosperity can flourish and be sustained.

Finally, I wish to note the importance of making a strong statement in support of the children of the Democratic Republic of the Congo. And I know, I have been there and I have seen again and again, and Greg and I have been to places like Goma and know how many children have been orphaned as a result of the horrible conflict that has occurred there and continues.

This legislation deals with trying to find parents for children who may be adopted, and there are hundreds of kids who are in the pipeline that are no longer now adoptable because of a government change of policy that goes back to last September. And I am talking about the DR Congo. Kinshasa did a change of the view on this, and this encourages them to rethink that and to hopefully allow these children to be adopted here in the United States.

I would like to now yield to Ms. Bass.

Ms. BASS. Thank you very much, Chairman Smith, always, for your leadership. Your hard work on this important bill, H.R. 4653, I am going to speak just briefly about each of the bills.

In a time when sectarian violence rages within and between various world religions and the repression of religious minorities persists, it is important to be supportive of national institutions such as the U.S. Commission on International Religious Freedom. Whether it is the desecration of mosques, churches, or synagogues, or the defamation or persecution of adherence to particular religious groups, it is critical to have oversight and forward-thinking policy in these matters to expand religious freedom.

In terms of H. Res. 503, I also want to add my voice and support regarding the need to bring the South Sudan conflict to a sustainable end and to promote the reconciliation of longstanding and recent grievances allowing for a peaceful society with good governance. It is my hope that this legislation will help lay the groundwork to not only bring about a peaceful and sustainable resolution to the conflict, but also to establish a stable and economically viable South Sudan.

In terms of H. Res. 588, this is another important piece of legislation. I am proud to join Representative Peterson as a co-sponsor of this resolution, and I have worked with my colleagues here in the House and the Senate, in particular my colleague, Senator Mary Landreau. In April, the co-chairs of the Congressional Coalition on Adoption of which I am one, organized nearly 200 Members of Congress to bring concerns about the interruption of the adoption process directly to the Government of the DRC.

As we all work to resolve this issue, Congress and advocates must continue to engage and communicate with the Congolese Government to ensure that all adoptive children are united with safe, loving and permanent families. I look forward to continuing to work with the Congolese Government to continue to improve the intercountry adoption process and the welfare and safety of all children globally.

Mr. SMITH. Thank you very much.

Mr. Cicilline?

Mr. CICILLINE. Mr. Chairman, I want to thank you and the ranking member for bringing these three pieces of legislation before this subcommittee for markup.

Mr. SMITH. Dr. Bera?

Mr. BERA. The same thing.

Mr. SMITH. Thank you. Thank you for joining today and for supporting these bills and resolutions.

I would just note, more than parenthetically, we have with us today Andrew Natsios who was our Special Envoy to Sudan. Did a magnificent job in that position, and from 2001 to 2006 was the Administrator for USAID and was absolutely devoted to meeting crises worldwide, but had such a special heart and mind for the people of Sudan.

And we in this Congress benefited greatly from his leadership and, of course, above all, the people of Sudan. So I do thank you. Mr. Natsios is speaking on behalf of the human rights in the next venue, but I do want to acknowledge his presence during this markup and thank him for his extraordinary service.

This markup is concluded and we will now go to our briefing and then hearing, and I thank my colleagues again for their support in these bills.

[Whereupon, at 1:51 p.m., the subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE RECORD

**SUBCOMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations
Christopher H. Smith (R-NJ), Chairman**

June 18, 2014

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN meeting of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, to be held in Room 2200 of the Rayburn House Office Building (and available live on the Committee website at <http://www.foreignaffairs.house.gov>):

DATE: Wednesday, June 18, 2014

TIME: 1:30 p.m.

MARKUP OF: H.R. 4653, To reauthorize the United States Commission on International Religious Freedom, and for other purposes.

H. Res. 503, Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.

H. Res. 588, Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.



COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF SUBCOMMITTEE MARKUP

MINUTES OF SUBCOMMITTEE ON Africa, Global Health, Global Human Rights, and MARKUP

Day Wednesday Date June 18, 2014 Room 2200 Rayburn International Organizations

Starting Time 1:36 p.m. Ending Time 1:51 p.m.

Recesses 0 (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session Electronically Recorded (taped)
Executive (closed) Session Stenographic Record
Televised

BILLS FOR MARKUP: (include bill number(s) and title(s) of legislation.)

*H.R. 4653, To reauthorize the United States Commission on International Religious Freedom, and for other purposes.
H. Res. 504, Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.
H. Res. 508, Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.*

COMMITTEE MEMBERS PRESENT:

Rep. Karen Bass, Rep. David Cicilline, Rep. Ami Bera

NON-COMMITTEE MEMBERS PRESENT:

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

*H.R. 4653 passed, as amended by Smith (NJ) #55, by unanimous consent
H.Res. 588 passed, as amended by Smith (NJ) #56, by unanimous consent
H.Res. 503 passed, as amended by Smith (NJ) #54, by unanimous consent*

RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

Subject Yeas Nays Present Not Voting

TIME SCHEDULED TO RECONVENE _____

or
TIME ADJOURNED 1:51 p.m.

Gregory B. Suptis
Subcommittee Staff Director

6/18/2014 Subcommittee on Africa, Global Health, and Human Rights Markup Summary

The Chair called up the following measures for consideration by the subcommittee. By unanimous consent, the three measures and three amendments (previously provided to Members of the Committee) were considered *en bloc*:

1. H.R. 4653 (Wolf, VA), “To reauthorize the United States Commission on International Religious Freedom, and for other purposes.”
 - a. As amended by Smith 55 (an amendment in the nature of a substitute)
2. H. Res. 588 (Peterson), “Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.”
 - a. As amended by Smith 56
3. H. Res. 503 (Smith, NJ), “Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.”
 - a. As amended by Smith 54

The measures and respective amendments were adopted by voice vote, and favorably reported to the full committee, as amended, by unanimous consent.

The subcommittee adjourned.