

114TH CONGRESS
1ST SESSION

S. 1798

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

IN THE SENATE OF THE UNITED STATES

JULY 16, 2015

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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 2015”.

1 **SEC. 2. DESIGNATION OF ENTITIES OF PARTICULAR CON-**
2 **CERN FOR RELIGIOUS FREEDOM.**

3 Section 402(b)(1) of the International Religious
4 Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) is amend-
5 ed—

6 (1) by redesignating subparagraphs (B) and
7 (C) as subparagraphs (C) and (D), respectively;

8 (2) in subparagraph (A)—

9 (A) by inserting “, or whether such viola-
10 tions are occurring in territories in which a gov-
11 ernment does not exist or does not exercise con-
12 trol,” after “religious freedom in that country”;
13 and

14 (B) by striking “The President” and in-
15 serting the following:

16 “(B) DESIGNATIONS.—

17 “(i) GOVERNMENTS.—The President”;

18 and

19 (3) in subparagraph (B), as redesignated, by
20 adding at the end the following:

21 “(ii) NON-STATE ACTORS.—The Presi-
22 dent shall designate each non-state actor
23 that has engaged in particularly severe vio-
24 lations of religious freedom as entities of
25 particular concern for religious freedom.”.

1 **SEC. 3. ESTABLISHMENT AND COMPOSITION.**

2 Section 201 of the International Religious Freedom
3 Act of 1998 (22 U.S.C. 6431) is amended—

4 (1) in subsection (a), by inserting “, which shall
5 be an independent Federal Government advisory
6 body” before the period at the end;

7 (2) in subsection (b)—

8 (A) in paragraph (2)(A), by inserting at
9 the end the following: “The Commission as a
10 whole shall also have expertise on the variety of
11 faiths practiced around the world.”; and

12 (B) in paragraph (3), by striking “The ap-
13 pointments required by paragraph (1) shall be
14 made not later than 120 days after the date of
15 the enactment of this Act.” and inserting “An
16 appointment required under paragraph (1)(B)
17 should be made not later than 90 days after a
18 vacancy is created on the Commission.”;

19 (3) by amending subsection (d) to read as fol-
20 lows:

21 “(d) **ELECTION OF CHAIR AND VICE CHAIR.**—

22 “(1) **IN GENERAL.**—Subject to paragraphs (2)
23 and (3), at the first meeting of the Commission after
24 May 30 of each year, a majority of the members of
25 the Commission present and voting shall elect the
26 Chair and Vice Chair of the Commission.

1 “(2) POLITICAL PARTY BALANCE.—At the first
2 meeting of the Commission after May 30, 2016, the
3 members of the Commission shall elect—

4 “(A) as Chair, a Commissioner appointed
5 by an elected official of the political party of the
6 President; and

7 “(B)(i) as Vice Chair, a Commissioner ap-
8 pointed by an elected official of the political
9 party that is not the political party of the Presi-
10 dent; or

11 “(ii) in the occasion of 2 Vice Chairs—

12 “(I) 1 Vice Chair appointed by an
13 elected official of the political party of the
14 President; and

15 “(II) 1 Vice Chair appointed by an
16 elected official of the political party that is
17 not the political party of the President.

18 “(3) ROTATION.—After the election described
19 in paragraph (1), the positions of Chair and Vice
20 Chair shall rotate on an annual basis between Com-
21 missioners appointed by elected officials of each po-
22 litical party.”;

23 (4) in subsection (f), by adding at the end the
24 following: “The Ambassador at Large shall be given
25 advance notice of all Commission meetings and may

1 attend all Commission meetings as a non-voting
2 member of the Commission”; and

3 (5) in subsection (g), by striking the second
4 sentence.

5 **SEC. 4. POWERS OF THE COMMISSION.**

6 Section 203(a) of the International Religious Free-
7 dom Act of 1998 (22 U.S.C. 6432a(a)) is amended by
8 striking “may” and inserting “shall”.

9 **SEC. 5. COMMISSION PERSONNEL MATTERS.**

10 Section 204 of the International Religious Freedom
11 Act of 1998 (22 U.S.C. 6432b) is amended—

12 (1) in subsection (a)—

13 (A) in the second sentence, by inserting
14 “voting” after “nine”; and

15 (B) by adding at the end the following:
16 “The Commission shall conduct an annual re-
17 view of the Executive Director.”;

18 (2) in subsection (b), by inserting “voting mem-
19 bers of the” after “The”;

20 (3) in subsection (c), by inserting “The Com-
21 mission, working with the Executive Director, shall
22 establish internal hiring procedures and practices for
23 professional staff that reflect the collaborative na-
24 ture of the hiring process.” after “qualifications.”;
25 and

1 (4) in subsection (e), by adding at the end the
2 following: “The Department of State is encouraged
3 to allow Commissioners and Commission staff with
4 the appropriate security clearance access to classi-
5 fied information, in order to fulfill the duties and re-
6 sponsibilities of their positions.”.

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

8 Section 208 of the International Religious Freedom
9 Act of 1998 (22 U.S.C. 6435a) is amended—

10 (1) in subsection (b)—

11 (A) by redesignating paragraph (4) as
12 paragraph (5); and

13 (B) by inserting after paragraph (3) the
14 following:

15 “(2) CONFLICT OF INTEREST.—It is unlawful
16 for a Commissioner to permit any person, entity, or
17 special interest group, including foreign governments
18 and state-owned enterprises, to inappropriately influ-
19 ence the Commissioner or to pose a conflict of inter-
20 est with his or her official duties. If such inappro-
21 priate influence or conflict of interest is discovered,
22 the affected Commissioner shall recuse himself or
23 herself from any discussion, decision, recommenda-
24 tion, or vote relating to such person, entity, or spe-
25 cial interest group.”; and

1 (2) in subsection (d)(2), by adding at the end
2 the following:

3 “(H) Intern, fellowship, and volunteer pro-
4 grams that are primarily of educational benefit
5 to the intern, fellow, or volunteer if the number,
6 duration, and funding source of any such in-
7 ternship, fellowship, or volunteer program is de-
8 scribed in the annual financial report required
9 under subsection (e) and the funding source has
10 been approved by a majority vote of the Com-
11 mission. Sponsoring private parties may provide
12 compensation and benefits to interns, fellows,
13 and volunteers if no conflict of interest arises
14 and the Commissioners are notified by any such
15 sponsoring private parties of such compensation
16 and benefits.”.

17 **SEC. 7. EXTENSION AND TERMINATION OF AUTHORITY.**

18 The International Religious Freedom Act of 1998
19 (Public Law 105–292) is amended—

20 (1) in section 207(a) (22 U.S.C. 6435(a)), by
21 striking “2015” and inserting “2021”; and

22 (2) in section 209 (22 U.S.C. 6436), by striking
23 “September 30, 2015” and inserting “September
24 30, 2021”.

1 **SEC. 8. TRAINING FOR FOREIGN SERVICE OFFICERS.**

2 Section 708(a) of the Foreign Service Act of 1980
3 (22 U.S.C. 4028(a)) is amended—

4 (1) in the matter preceding paragraph (1)—

5 (A) by striking “and the director” and in-
6 serting “the director”; and

7 (B) by inserting “and members of the
8 United States Commission on International Re-
9 ligious Freedom,” after “Training Center,”;
10 and

11 (2) in paragraph (2)—

12 (A) by striking “and the various” and in-
13 serting “the various”; and

14 (B) by inserting “, the relationship be-
15 tween religious freedom and security, and the
16 role of religious freedom in United States for-
17 eign policy” after “violations of religious free-
18 dom”.

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