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EXAMINING THE GOVERNMENT'S RECORD ON IMPLEMENTING THE INTERNATIONAL RELIGIOUS FREEDOM ACT

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY
OF THE

COMMITTEE ON OVERSIGHT
AND GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

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EXAMINING THE GOVERNMENT'S RECORD ON IMPLEMENTING THE INTERNATIONAL RELIGIOUS FREEDOM ACT

Thursday, June 13, 2013,

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, D.C.

The subcommittee met, pursuant to call, at 10:10 a.m., in Room 2154, Rayburn House Office Building, Hon. Jason Chaffetz [chairman of the subcommittee] presiding.

Present: Representatives Chaffetz, Lummis, Mica, Duncan, Gowdy, Woodall, Bentivolio, Issa, Lynch, Speier, and Kelly.

Also Present: Representative Lankford.

Staff Present: Brien A. Beattie, Majority Professional Staff Member; Molly Boyl, Majority Senior Counsel and Parliamentarian; Caitlin Carroll, Majority Deputy Press Secretary; Sharon Casey, Majority Senior Assistant Clerk; John Cuaderes, Majority Deputy Staff Director; Adam P. Fromm, Majority Director of Member Services and Committee Operations; Linda Good, Majority Chief Clerk; Mark D. Marin, Majority Director of Oversight; Laura L. Rush, Majority Deputy Chief Clerk; Scott Schmidt, Majority Deputy Director of Digital Strategy; Jaron Bourke, Minority Director of Administration; Devon Hill, Minority Research Assistant; Adam Koshkin, Minority Research Assistant; and Safiya Simmons, Minority Press Secretary.

Mr. CHAFFETZ. Thank you. The committee will come to order. I would like to begin this hearing by stating the Oversight Committee mission statement.

We exist to secure two fundamental principles: first, Americans have a right to know that the money Washington takes from them is well spent and, second, Americans deserve an efficient, effective Government that works for them. Our duty on the Oversight and Government Reform Committee is to protect these rights.

Our solemn responsibility is to hold Government accountable to taxpayers, because taxpayers have a right to know what they get from their Government. We will work tirelessly in partnership with citizen watchdogs to deliver the facts to the American people and bring genuine reform to the Federal bureaucracy. This is the mission of the Oversight and Government Reform Committee.

Good morning, and I thank everybody in attendance here to talk about this hearing's topic, which is Examining the Government's Record of Implementing the International Religious Freedom Act.

Now, unfortunately, as you look at this panel, we have some very distinguished people who have done some great work in this field, who are great experts and care passionately about this issue.

At the same time, we are sincerely disappointed that the State Department decided not to make their witness available. Ambassador Cook was invited to attend. We think this would have been a valuable part of the dialogue. On May 30th, 31st, the very end of the month, State Department confirmed verbally that the Ambassador at Large for International Religious Freedom, again, Ambassador Suzan Johnson Cook, would be available to testify at the June 13th hearing.

Based on that, we sent a letter to Secretary Kerry, on June 5th, requesting the ambassador's testimony at the hearing. When we confirmed that I would insist on a one panel structure, State withdrew the ambassador from the hearing, citing what they claim is a longstanding State policy of not permitting their witnesses to testify on the same panel as non-government witnesses.

Although the U.S. Commission on Religious Freedom also raised concern about having Chairwoman Katrina Lantos Swett on the same panel as non-government witnesses, we still requested that we have one panel. We believe it is a more effective, efficient way to conduct a hearing; it allows members of Congress to ask pertinent questions. And to suggest that we have to have two panels, as opposed to one panel, seems a ridiculous use of the Congress' time and efforts. So they have made this choice.

But I do want to highlight that on October 7th, 2012, the ambassador sat on a panel again with Chairwoman Swett and an Italian professor. In fact, here is a picture of the two of them sitting next to each other on the panel. And just because it is the United States Congress they decide that they can't sit and testify and talk about issues next to each other. It is obviously the practice of the State Department to do this.

In fact, Transportation and Infrastructure Subcommittee on Coast Guard and Maritime Transportation hearing on combating privacy, on April 10th, 2013, Assistant Secretary of State for Political Military Affairs Andrew Shapiro testified on the same panel as Mr. Neil Smith, the head of underwriting for Lloyds Market Association, a private concern in London.

So it is obviously the practice of the State Department to allow their State Department employees to testify with private sector people on the same panel. They have done it in Congress; they have done it in private settings. But somehow, before the Oversight Committee, they are electing not to make their witness available.

Consequently, I don't believe that this will be as full of a hearing as it could possibly be. It will be a better discussion. This should not be contentious. But there are issues that we need to address as the United States Congress. This is terribly disappointing. It is a waste of the Congress' time. And when we know that she was available to attend, to not make that witness here available today is just inexcusable.

With that, I will yield to the ranking member, Mr. Lynch, from Massachusetts.

Mr. LYNCH. Thank you, Mr. Chairman.

I want to thank the witnesses who are here for your cooperation and willingness to help the committee with its work.

Let me take the procedural issue first, the one that the chairman has illuminated for us.

If I could just amplify, in defense of the Secretary of State, this has been a practice for a long, long time. I remember when I was the chair of the subcommittee on this committee and I was trying to consolidate the hearing to make it more effective and efficient. I tried, myself, to get Bush administration officials to come in; they insisted on the identical protocol, which is that the executive branch agencies and representatives would testify separately.

Some of the agencies refused to sit alongside union officials who were called to testify because of the adversarial nature of those positions. There was also the fear that there would be crossfire, which is entertaining for us, but uncomfortable for the executive branch. So this protocol has been in place for a long, long time. So let me defend the Secretary of State and also the Administration for continuing this practice that has been in practice for a long, long time. It is frustrating, but sometimes that is how democracy is, and hopefully at some point we will be able to at least get some cooperation on matters that are non-adversarial, which I think this hearing qualifies.

Thank you, Mr. Chairman. Congress passed the International Religious Freedom Act in 1998 to establish international freedom as a key objective of U.S. foreign policy. The bill passed with widespread bipartisan support. A GAO report issued in March on the implementation of the bill found that the Act was largely implemented faithfully and properly.

The Office of International Religious Freedom, which operates within the Department of State and is headed by the Ambassador at Large, assists the Secretary of State with promoting religious freedom and designating certain countries that fail to do so as countries of particular concern. The Independent Commission on International Religious Freedom conducts reviews of violations of religious freedom and publishes an annual report, among other duties.

The GAO did, however, point out two problems that have diminished the impact of the promotion of international religious freedom since 1999: first, GAO noted that the Ambassador at Large for International Religious Freedom has always had a lower organizational status within the State Department than other ambassadors at large. Despite the State Department's own guidelines stating that the Ambassador at Large outranks the assistant secretaries, in practice, however, the Ambassador at Large for International Religious Freedom reports to the Assistant Secretary for Democracy, Human Rights and Labor. This was true when the position was created in 1999; it has persisted through the Bush Administration and continues to this day.

Secondly, GAO found that the International Religious Freedom Act failed to define how State and the Commission on International Freedom should interact, leading at times to unnecessary tensions within foreign governments. These challenges have also existed under multiple administrations, secretaries of state, and ambassadors.

As Dr. Lantos Swett states in her written testimony, neither Republican nor Democratic administrations have fully utilized IRFA as the key foreign policy tool as it was intended to be. This is unfortunate and we can do better. Every human being has the right to freedom and of the freedom from religion, and ensuring these rights are upheld and protected worldwide should be a key component to American foreign policy.

With that, I yield back the balance of my time.

Mr. LANKFORD. [Presiding.] Well, thank you and good morning. I am going to make a quick opening statement as well, and then we will move straight on to your statements also.

Religious freedom, as we know well, is a core American value. It is often referred to as our first freedom because of its prominent place at the beginning of our Constitution, the First Amendment. But religious freedom isn't just an American value; it is also recognized around the world as a fundamental human right codified in the Universal Declaration of Human Rights.

Religious freedom is about more than just religious beliefs; it is about an individual freedom of conscience, that is, the right to believe or not to believe whatever one chooses, without fear of retribution from those who disagree. That is something every American, religious or otherwise, should care about. It is an indispensable cornerstone of democracy, liberty, and social harmony. A particular government society is intolerant of minority religious belief, there is a pretty good chance it will be equally intolerant of other beliefs that may not fit the norm, whether in politics, economics, or science.

Religious freedom, therefore, should be a nonnegotiable tenet of life in our modern world. Yet violations of religious freedom are all too common in the world today. As we speak, untold millions of people face discrimination, prison, torture, and even death for no other reason other than they hold on to a religious belief that is different from their fellow citizens, their government, or both.

That is why, in 1998, Congress passed the International Religious Freedom Act. Congress' intent was to elevate the status of religious freedom in the halls of the American foreign policy rhetorically and institutionally. The Act created a new International Religious Freedom Office within the State Department and a new ambassador at large to lead it. It also created the Independent U.S. Commission on Religious Freedom to work cooperatively with the State Department in order to advance the cause of religious freedom around the world.

One of the functions of this subcommittee and of the Oversight and Government Reform Committee as a whole is to make the Government work more efficiently and effectively. That means we aren't just interested in hearing about how many reports the Government has produced or how many meetings it has held. Rather, we want to hear about outcomes that the Government has achieved. Have the institutions' policies and procedures put in place as a result of the International Religious Freedom Act actually resulted in more religious freedom? In other words, is this working?

Unfortunately, the available data is not encouraging. According to a study by the Pew Research Center, 75 percent of the world's

population lives under high or very high levels of religious restrictions, up from 68 percent in 2007. Thirty-seven percent of the countries in the world place high or very high restrictions on religion, up from 29 percent over the same period. This data indicates we are moving in the wrong direction, something confirmed by just watching or reading the news.

Equally discouraging is the apparent lack of substantive action by the State Department to champion religious freedom abroad. According to a recent GAO study, the Ambassador at Large, who Congress intended to be the Secretary's principal advisor in religious freedom, reports to a mid-level official in the State Department, many levels below the Secretary. The Secretary has not made any designation of countries of particular concern for violations of religious freedom since 2011, despite the fact that the Act requires it annually and billions of U.S. dollars and U.S. taxpayer funds continue to flow each year to countries that routinely and egregiously violate religious freedom and human rights.

Would any of us be surprised to learn that other countries no longer take seriously when we condemn particular violations of religious freedom?

Now, I do understand the State Department has to balance a lot of competing national interests, but what I cannot understand is how standing up for a core value like religious freedom should not be at the top of the priority list. This is all the more true in a time when we are locked in a struggle against religious extremism and violence. It is not a coincidence that the most dangerous extremist movements today have emerged from countries with the worst records on religious freedom.

I expect we will hear more from our witnesses today about the important link between promoting religious freedom and combating religious extremism. I hope that our discussion today will give us a better idea of what progress we have made in those 15 years since the passage of the IRFA, and I look forward to hearing from our distinguished witnesses.

Mr. LANKFORD. Now let me get a chance to be able to introduce our distinguished witnesses, and any other members that would like to make an opening statement can submit that for the record and will have seven days to do that.

On our panel today, Dr. Katrina Lantos Swett is the Chair of the United States Commission on International Religious Freedom and President and CEO of the Lantos Foundation for Human Rights. For those who don't know, Dr. Swett is the daughter of the late beloved Congressional icon, the Honorable Tom Lantos.

I also want to follow up on what Mr. Chaffetz said, as well, and note that unlike the State Department, the Commission on Religious Freedom graciously agreed to appear on a panel with other non-governmental witnesses, and we do thank you for being here today.

Dr. Thomas Farr is the Director of Religious Freedom Project, the program on religious and U.S. foreign policy at Georgetown's Berkley Center for Religion, Peace, and World Affairs. Dr. Farr has served in both the U.S. Army and the Foreign Service. As an Army officer he taught history at West Point and served as Adjutant General of the Army's Transportation Command in Europe. He has

served as the first director of the State Department's Office of International Religious Freedom starting on 1999. Thanks for being here.

Ms. Tina Ramirez is the President and Founder of Hardwired, Incorporated, a nonprofit organization dedicated to advancing religious freedom law and policy worldwide. She most recently served as Director of International and Government Relations for The Becket Fund for Religious Liberty and helped found the International Religious Freedom Caucus here in the House of Representatives. Thank you for being here.

Mr. Mahmood Amjad is the Assistant National Director of Public Affairs for the Ahmadiyya Muslim Community and Vice President of the Ahmadiyya Muslim Lawyers Association in the United States. He also works as a litigation associate for a prominent D.C. law firm. Thank you for being here.

Dr. Chris Seiple is the President of the Institute for Global Engagement, a research education diplomatic institution that builds sustainable religious freedom worldwide through local partnerships. A former Marine infantry officer, Dr. Seiple's last posting was to the Pentagon, where he was a member of the Strategic Initiatives Group, an internal think tank for the commandant of the Marine Corps.

I also want to acknowledge the presence of Tom Lantos' widow here today. We are honored to have you here today. You are always welcome.

Pursuant to committee rules, all witnesses will be sworn in before they testify. If you would please stand and raise your right hand.

Do you solemnly swear or affirm the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you, God?

[Witnesses respond in the affirmative.]

Mr. LANKFORD. Thank you.

Let the record reflect all witnesses answered in the affirmative. You may be seated.

In order to allow time for discussion, we would ask you to limit your testimony to five minutes. If any of you have not testified before, the basic ground rules are there is a little clock in front of you. There are also lights that are green, yellow, red. That is a pretty good sign. Green means go; red means stop.

You will have about five minutes. If you go a couple seconds over, I am quite sure we will give mercy. Of all places we would demonstrate mercy, it would be in a conversation about religious freedom. But we would like you to be as close as you can to that time period to allow time for conversation and questions.

Dr. Swett, we will recognize you first.

WITNESS STATEMENTS

STATEMENT OF KATRINA LANTOS SWETT, PH.D.

Ms. LANTOS SWETT. Thank you so much. I am delighted to be here. Before I begin my formal testimony, I just want to say that it is both a privilege to appear before this committee, a privilege to appear with these distinguished colleagues, and I want to give

a particular hello to Congresswoman Speier. We have known each other as friends for many decades and you are doing such an admirable job following my late father's footsteps. So it is really a delight to be here with you as well.

Thank you all, members of this committee, for holding this hearing, and I do request that the balance of my testimony, the written testimony, be submitted for the record.

Mr. LANKFORD. Without objection.

Ms. LANTOS SWETT. Religious freedom is a pivotal human right affirmed by our Nation and international treaties and obligations. It is also crucial to our security and the world's, especially the post-9/11 world. Simply stated, religious freedom abuses often trigger violent religious extremism, including terrorism, and many governments, including those that top our foreign policy and security agendas, either perpetrate or tolerate such abuses.

I hope my testimony helps underscore the importance of promoting religious freedom and utilizing the tools that the International Religious Freedom Act, IRFA, provides. By using these tools, and, frankly, I believe they have never been fully used, the U.S., both the executive branch and Congress, can encourage respect for this right and address factors driving religious repression and extremism.

In October 1998, IRFA became law due to concerns about religious persecution worldwide and the perception that religious freedom was a neglected human right. IRFA includes three mechanisms that monitor religious persecution abroad: an Ambassador at Large for International Religious Freedom within the State Department; a bipartisan and independent USCIRF, of which I serve as chair; and a country of particular concern, CPC, designation for nations engaged in or tolerating systematic, ongoing, and egregious violations.

IRFA created USCIRF as an independent, bipartisan body distinct from the State Department to monitor religious freedom worldwide and make policy recommendations to the President, Secretary of State, and Congress. Far from duplicating the State Department's work, USCIRF's independence allows it to speak publicly and, may I say, more freely about violations and recommend U.S. engagement.

One of USCIRF's chief responsibilities is to recommend to the State Department countries it should designate as CPCs for their systematic, ongoing, and egregious abuses. In its 2013 report, USCIRF recommended that the State Department redesignate the following countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan; and found that seven others also meet the CPC threshold and should be so designated by State: Egypt, Iraq, Nigeria, Pakistan, Tajikistan, Turkmenistan, and Vietnam.

Unfortunately, neither Republican nor Democratic administrations have designated CPCs in a timely manner, and they generally have imposed preexisting sanctions, not unique actions. The Bush Administration issued several designations in its first term, but allowed the process to fall off track in its second; and the Obama Administration issued designations only once during its first term.

Under IRFA, countries remain designated until removed, but any corresponding penalties expire after two years. The countries currently designated were named in August of 2011. Given the two-year life span of any CPC-associated sanctions, we urge that the presidential actions not expire this August, as they will if no action is taken.

We continue to believe that when combined with the prospect of sanctions or other actions, CPC designations can move repressive governments to undertake critical changes. Unfortunately, the State Department has issued indefinite waivers on taking any action against two currently designated CPCs, Uzbekistan and Saudi Arabia. And by relying on preexisting sanctions, such double-hatting, in effect, provides little incentive for CPC designees to reduce or cease violations.

My written testimony includes other recommendations in accordance with IRFA. They include, as you have suggested, giving the Ambassador at Large direct access to the President and Secretary of State; creating and filling a director level religious freedom position at the National Security Council; the Secretary of State compiling a list of prisoners persecuted abroad on account of their faith; the President identifying officials responsible for religious freedom abuses and, where appropriate, publishing their names in the Federal Register; and our diplomats receiving training to promote religious freedom abroad. While such training now is voluntary, it should be mandatory for diplomats, as well as relevant members of the military.

Because we, of all people, know what happens when religious extremism is exported as terrorism, USCIRF urges our Government to prioritize religious freedom not only as a core human right, but a vital part of any security-driven counter-extremism strategy.

And I believe I might have exceeded my time already, so I will defer the rest of my oral testimony, but look forward to touching on those things that I wasn't able to in our discourse.

[Prepared statement of Ms. Lantos Swett follows:]

TESTIMONY

BEFORE THE NATIONAL SECURITY SUBCOMMITTEE

OF THE

HOUSE COMMITTEE ON

OVERSIGHT AND GOVERNMENT REFORM

ON

EXAMINING THE GOVERNMENT'S RECORD ON IMPLEMENTING

THE INTERNATIONAL RELIGIOUS FREEDOM ACT

BY

KATRINA LANTOS SWETT

CHAIR

U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

JUNE 13, 2013

I am Dr. Katrina Lantos Swett, Chair of the U.S. Commission on International Religious Freedom (USCIRF). Thank you for the opportunity to testify today before the National Security Subcommittee on "Examining the Government's Record on Implementing the International Religious Freedom Act." This hearing is important because religious freedom is important: it is a pivotal human right that is both central to U.S. history and heritage and affirmed by international treaties and obligations. This hearing also is both important and timely given that religious freedom also is a practical necessity crucial to both the security of the U.S. and the world, especially the post-9/11 world.

The International Religious Freedom Act (IRFA), out of which USCIRF was created, provides the U.S. government with unique capabilities to promote religious freedom and address violations of this fundamental freedom. These capabilities are especially significant given that religious freedom violations are implicated in some of the United States' most pressing foreign policy challenges. By using the tools that IRFA provides, the United States can more effectively encourage respect for human rights while also addressing factors driving violations of religious freedom and the violent religious extremism such violations generate.

Now more than ever, the U.S. government, including both the Executive Branch and Congress, needs to more fully utilize the tools that IRFA offers.

Before I focus specifically in my testimony on these tools, I want to lay out the stakes. Simply put, violations of religious freedom lead to violent religious extremism, and many governments, including those that top the U.S. foreign policy and security agendas, either perpetrate or tolerate religious freedom abuses. Governments perpetrate these abuses in at least three ways.

First, some governments actually embody the extremism itself. Both the Iranian and Sudanese governments, for example, are run by religious extremists who violently impose their worldview on others. Iran remains a world-class religious-freedom violator, and USCIRF deemed Sudan as the world's most violent religious-freedom abuser due to its conduct during the North-South civil war of 1983-2005 when it called for jihad against the south. Since South Sudan became independent, conditions in Sudan have deteriorated, as its leaders continue to repress their people.

While Iran and Sudan repress freedom on behalf of extremism, other governments engage in repression in the name of opposing it. Both China and Russia, for example, repress Muslims in the name of fighting extremism in Muslim communities.

Still other governments embolden extremists to commit abuses. Pakistan, for example, with its anti-Ahmadi and blasphemy laws, encourage extremists to commit violence against those they perceive as transgressing these laws.

These are examples of how governments violate religious freedom in connection with their stance on extremism. Other governments are responsible for extremist-driven violations through their toleration of these violations -- that is, by their failure to prevent violence or bring justice to the responsible parties. Such failures create and perpetuate a climate of impunity. Egypt's failure to protect Coptic Christians and Nigeria's failure to protect both Christians and Muslims from sectarian violence are two such examples.

Thus, through sins of commission and omission, governments are responsible for religious freedom abuses within their borders, including those driven by violent religious extremism. Such abuses are harmful not only to human rights, but also to the stability of their societies and that of other countries. Indeed, studies show that countries that honor religious freedom enjoy greater stability, harmony, and prosperity -- and women have higher status in such societies -- while those whose governments perpetrate or tolerate violations create the conditions for failed societies. There are at least three reasons for this correlation.

First, governments that persecute or fail to protect their citizens and others against religious persecution can drive people into extremist hands. When our Commission visited Ethiopia last year, we witnessed disturbing signs of this danger. Ethiopia's recent efforts to combat extremism by forcing its Muslim community to embrace a foreign form of Islam run the risk of producing exactly what it fears – the radicalization of individuals within that community.

Second, governments that enforce laws which violate religious freedom unwittingly encourage people to monitor others for signs of trespass and take violent actions against perceived transgressors. Such is the case with Pakistan with its anti-Ahmadi and blasphemy laws.

And third, governments that restrict religious freedom in the name of fighting religious extremist groups end up strengthening these very groups by weakening their more moderate but less resilient competition. For example, in Egypt, President Mubarak's restrictions weakened the hand of pro-freedom movements, making it easier for Salafists to emerge stronger than their more democratic competition in the post-Mubarak era.

These examples demonstrate the centrality of religious freedom and religious freedom violations to the narratives of countries that top the U.S. foreign policy and security agendas. They also underscore that effectively promoting religious freedom can help U.S. policy makers achieve crucial goals by fostering respect for human rights while promoting stability and ultimately national security. And IRFA, when used properly, can help the U.S. achieve these important goals.

USCIRF's Role in IRFA Implementation

In October 1998 Congress passed, and President Clinton signed, the International Religious Freedom Act (IRFA). IRFA mandated the promotion and protection of religious freedom around the world as a central element of American foreign policy. The Act was a response to the growing concern about religious persecution worldwide and the perception that religious freedom was an orphan human right that the U.S. government was not adequately focused on.

IRFA put into place three mechanisms to monitor religious persecution abroad: An Ambassador-at Large for International Religious Freedom within the Department of State; the bipartisan and independent U.S. Commission on International Religious Freedom, (or USCIRF), on which I serve; and to give teeth to this new effort, the creation of a "country of particular concern" status for countries engaged in or tolerating "systematic, ongoing and egregious" violations.

I first will first focus in my testimony on USCIRF's activities and recommendations and then turn to other aspects of IRFA.

USCIRF was created by IRFA as an entity separate and distinct from the State Department: an independent, bipartisan U.S. government advisory body that monitors religious freedom worldwide and makes policy recommendations to the President, Secretary of State, and Congress. USCIRF bases its recommendations on the standards found in the Universal Declaration of Human Rights and other international documents.

USCIRF's work is accomplished through the leadership of its Commissioners, who serve in a voluntary capacity without pay, and the engagement of its professional staff. Three Commissioners are appointed by the President, while six are appointed by the leadership of both parties in the House and Senate. As mentioned, the Commission is bipartisan: Congressional leaders of the party that is not the President's party appoints four Commissioners, and the party in the White House appoints five. Dr. Suzan D. Johnson Cook, the Ambassador-at-Large for International Religious Freedom, serves as a non-voting *ex officio* member.

Far from duplicating the work of the State Department and its Office of International Religious Freedom, USCIRF's independence gives it the freedom to speak publicly about violations of this fundamental right and ways the United States can engage positively. To perform this function, USCIRF issues written analyses, including its Annual Report, as well as periodic policy briefs and frequent press statements and op-eds. In addition, USCIRF has released major reports on a variety of issues, highlighting specific actions the U.S. government should take to improve religious freedom. In 2005, USCIRF released *Thank you, Father Kim Il Sung*, with eyewitness accounts of religious freedom violations in North Korea, as well as the Congressionally-mandated *Report on Asylum Seekers in Expedited Removal*. In 2008, USCIRF issued *A Prison Without Bars: Refugee and Defector Testimonies of Severe Violations of Freedom of Religion or Belief in North Korea*. In 2011, in response to a Congressional request, USCIRF issued *Connecting the Dots: Education and Religious Discrimination in Pakistan*, which analyzed whether the portrayal of the country's religious minorities in public school and *madrassa* textbooks leads to acts of discrimination or violence against them. In 2012, USCIRF issued a major report on constitutions of member states of the Organization of Islamic Cooperation and how they address religious freedom.

USCIRF also works with Congress on a range of issues. Commissioners and USCIRF staff serve as a resource to Members of the House and Senate and their offices on a range of countries and issues, including testifying before Congressional committees about USCIRF's independent findings and recommendations. USCIRF also engages with religious groups and non-governmental organizations (NGOs), seeking their insights and benefiting from their information. Commissioners and staff meet with representatives of religious communities and institutions, victims of religious persecution and their families, human rights groups, academics, and policy experts.

USCIRF's engages with the State Department, National Security Council, USAID, and other executive branch entities to help promote international religious freedom as a key foreign policy

priority, as IRFA mandated. The Commission also meets with high-ranking officials from foreign governments and international organizations, participates in U.S. delegations to international meetings, and helps provide training to Foreign Service officers and other U.S. officials. The Commission travels internationally to examine conditions firsthand, meeting with high-level officials and others.

USCIRF's CPC Recommendations

One of USCIRF's most important responsibilities is to recommend to the State Department those countries that the Department should designate as "countries of particular concern" or CPCs for their "systematic, ongoing and egregious" violations of religious freedom, marking them as among the worst religious freedom violators:

In its 2013 Annual Report, USCIRF recommended that that the State Department re-designate the following countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan:

- In Burma, despite political reforms, sectarian violence and severe abuses against ethnic minority Christians and Muslims continue with impunity.

- In China, conditions continue to deteriorate, particularly for Tibetan Buddhists and Uighur Muslims. To stem the growth of independent Catholic and Protestant groups, the government arrested leaders and shut churches down. Members of Falun Gong, as well as those of other groups deemed "evil cults," face long jail terms, forced renunciations of faith, and torture in detention.

- In Eritrea, religious freedom conditions continue to be extremely grave, with torture or other ill-treatment of 2,000 to 3,000 religious prisoners, arbitrary arrests and detentions without charges, a prolonged ban on public religious activities, and interference in the internal affairs of registered religious groups.

- In Iran, already-poor religious freedom conditions continue to deteriorate, particularly for religious minorities, especially Baha'is, Christians, and Sufi Muslims, as well as for dissenting Shi'a and Sunni Muslims. In the lead-up to the June 14, 2013 presidential election, the government has silenced all forms of dissent.

- In North Korea, the government tightly controls all religious activity and perpetuates an extreme cult of personality venerating the Kim family as a pseudo-religion. Individuals engaged in clandestine Protestant activity or "fortune telling" are arrested, tortured, and even executed, and thousands of religious believers remain imprisoned in North Korea's notorious penal labor camps, including refugees repatriated from China.

- Despite improvements in religious freedom, Saudi Arabia remains unique in the extent to which it restricts the public expression of any religion other than Islam. Not a single church or other non-Muslim house of worship exists in the country. The government privileges its own interpretation of Sunni Islam over all other interpretations. It also arrests and detains

Shi'a Muslim dissidents and continues to imprison individuals for apostasy, blasphemy, and sorcery.

- In Sudan, religious freedom remains poor due to the government's imposition of a restrictive interpretation of Shari'ah (Islamic law) on Muslims and non-Muslims alike, including use of amputations and floggings for crimes and acts of "indecency" and "immorality." The government continues to arrest Christians for proselytizing and for the capital offense of apostasy, and governmental and non-governmental attacks against the Christian community continue.

- In Uzbekistan, the Uzbek government continues to repress religious freedom through a restrictive religion law facilitating state control over all religious communities, particularly the majority Muslim community. It imprisons individuals who do not conform to officially-prescribed practices or who it claims are extremist, including as many as 5,000 to 10,000 Muslims.

USCIRF also has recommended that seven other states also meet the CPC threshold and should be designated as CPCs: Egypt, Iraq, Nigeria, Pakistan, Tajikistan, Turkmenistan, and Vietnam.

- In Egypt, the government repeatedly has failed to protect religious minorities, including Coptic Christians, from violence, while prosecuting and jailing people for "defamation" of religion. In addition, Egypt's new constitution includes problematic provisions relating to religious freedom.

- In Iraq, despite the government's efforts to improve security, religiously-motivated violence by extremist groups continues with impunity, with Shi'a Muslims experiencing the worst attacks in the past year. In recent years, such violence has forced large percentages of the country's smallest religious minority communities, including Christians, Mandaeans, and Yezidis, to flee the country, and those who remain live in fear of further violence and face discrimination, marginalization, and neglect.

- In Nigeria, protection of religious freedom continued to falter, as the terrorist group Boko Haram attacked Christians, as well as fellow Muslims opposing them, and inflamed tensions between Christians and Muslims. Nigeria's government has repeatedly failed to prosecute perpetrators of religiously-related violence that has killed more than 14,000 Nigerians, both Christian and Muslim, fostering a climate of impunity.

- In Pakistan, religious freedom abuses have risen dramatically due to chronic sectarian violence targeting Shi'a Muslims. The government's continued failure to protect Christians, Ahmadis, and Hindus, along with its repressive blasphemy law and anti-Ahmadi laws, have fueled religious freedom abuses and vigilante violence.

- In Tajikistan, The Tajik government suppresses all religious activity independent of state control, particularly the activities of Muslims, Protestants, and Jehovah's Witnesses. The government also imprisons individuals on unproven criminal allegations linked to Islamic religious activity and affiliation.

- In Turkmenistan, the religious freedom environment remains extremely poor, as the Turkmen religion law makes it difficult for religious groups to function. Police raids and other harassment of registered and unregistered religious groups continue, and Jehovah's Witnesses are imprisoned for conscientious objection.

- In Vietnam, religious freedom conditions remain very poor despite some positive changes over the past decade in response to international attention. The Vietnamese government continues to imprison individuals for religious activity or religious freedom advocacy. It uses a specialized religious police force (*công an tôn giáo*) and vague national security laws to suppress independent Buddhist, Protestant, Hoa Hao, and Cao Dai activities, and seeks to stop the growth of ethnic minority Protestantism and Catholicism via discrimination, violence and forced renunciations of their faith.

While not mandated in IRFA, USCIRF feels it is important to shine the light on other countries that violate religious freedom. The Commission has placed eight countries on its Tier 2 List, which replaces our Watch List designation. These countries are: Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos and Russia.

USCIRF found that abuses in these countries are serious enough to meet at least one of three criteria, but not all, of the "systematic, ongoing, and egregious" CPC benchmark language as specified by the IRFA Act of 1998. These abuses affect billions of our fellow human beings. For instance, in Russia, conditions continue to worsen, as the government uses extremism laws against certain Muslim groups and so-called "non-traditional" religious communities, particularly Jehovah's Witnesses, through raids, detentions, and imprisonment. In addition, massive violations continue in Chechnya. Outside of Russia, similar repression occurs across Central Asia as well. In Indonesia, extremist violence coupled by government arrests of individuals considered religiously deviant threatens its tradition of tolerance and pluralism.

Besides documenting abuses and formulating recommendations for Tier 1 and Tier 2 countries, USCIRF's Annual Report also spotlights countries and regions in which current trends are worth monitoring – Bahrain, Bangladesh, Belarus, Ethiopia, Turkey, Venezuela and Western Europe. And this year's report also addresses several themes relating to religious freedom. These themes range from legal retreat from religious freedom in post-communist countries to severe religious freedom violations by non-state actors. And let me add that recently, USCIRF released a separate report on religious freedom conditions in Syria, including how our government can help Christian and Alawite minorities, as well as members of the Sunni majority.

CPC Designations

Unfortunately, neither Republican nor Democratic Administrations have fully utilized IRFA as the key foreign policy tool it was intended to be. Neither have designated CPCs in a timely manner nor issued specific Presidential actions based on these designations. For instance, the Obama Administration had issued CPC designations only once during its first term; and while the Bush Administration issued several designations, it also allowed the annual designation process to fall off track.

Under IFRA, countries remain designated until removed, but any corresponding penalties will expire after two years. The countries currently designated—Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan—were named in August 2011. Because of the two-year life span of any sanctions associated with CPC designations, the Administration must prioritize this pivotal freedom by pressing countries to implement reforms that will confront violations and ensure that the Presidential actions do not expire in August 2013.

Naming countries as CPCs isn't the end of engagement, but rather the beginning of a high-level process to encourage governments to improve. When combined with the prospect of sanctions or other actions, the CPC designation can create political will where none existed, moving repressive governments to undertake needed changes. Failing to act by August would send a terrible message about the commitment of the United States to this important issue.

Even for those currently named, the State Department issued indefinite waivers on taking any action against Uzbekistan and Saudi Arabia, in both cases to "further the purposes of the [International Religious Freedom] Act." As a result of these waivers, the United States has not implemented any policy response tied to the CPC designation for either of these countries.

The State Department also should implement specific Presidential actions. IRFA includes a menu of options for countries designated as CPCs and a list of actions to help encourage improvements in countries that violate religious freedom but do not meet the CPC threshold. The specific policy options to address severe violations of religious freedom in CPC countries include sanctions (referred to as Presidential actions in IRFA) that are not automatically imposed. Rather, the Secretary of State is empowered to enter into direct consultations with a government to find ways to bring about improvements in religious freedom. IRFA also permits the development of either a binding agreement with a CPC-designated government on specific actions it will take to end the violations that gave rise to the designation or the taking of a "commensurate action." The Secretary may additionally determine that pre-existing sanctions are adequate or waive the requirement of taking action in furtherance of the Act.

However, in practice, the flexibility provided in IRFA has proven detrimental to the intent of the law. Generally, no new Presidential actions pursuant to CPC designations have been levied, with the State Department instead relying on pre-existing sanctions. While relying on pre-existing sanctions is technically correct under the statute, the practice of "double-hatting" has provided little incentive for CPC-designated governments to reduce or end egregious violations of religious freedom. For these mechanisms to have any real impact on promoting religious freedom, the designation of an egregious religious freedom violator as a CPC must be followed by the implementation of a clear, direct, and specific Presidential action.

Other IRFA Provisions

Along with creating USCIRF, IRFA created the International Religious Freedom Office in the State Department with an Ambassador-at-Large as a principal advisor; authorized a director-level position at the NSC to coordinate efforts; mandated that the State department establish prisoner lists; calls for American diplomats to receive training on how to promote religious

freedom effectively around the world; and bars the entry of aliens who are responsible for or directly carried out "particularly severe violations of religious freedom."

The International Religious Freedom Office at the State Department: The key official inside the U.S. government for coordinating and developing U.S. international religious freedom policy is the Ambassador-at-Large for International Religious Freedom. According to a report by the Government Accountability Office (GAO), the State Department's Bureau of Democracy, Human Rights and Labor (DRL) dramatically reduced the rank of the Ambassador-at-Large. GAO reported that the current Ambassador was informed that, while officially reporting to the DRL Assistant Secretary, she would in practice report to the bureau's Principal Deputy Assistant Secretary or a Deputy Assistant Secretary.

This reduction in the Ambassador-at-Large's rank constitutes a major change in the structure IRFA established and a thwarting of congressional intent. Under IRFA, the Ambassador-at-Large is to be a "principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad." Since the position was established, every Administration, including the current one, has situated the Ambassador-at-Large in the Bureau of Democracy, Human Rights and Labor (DRL) and therefore under its Assistant Secretary. However, as reported by the GAO, the State Department's organizational structure guidelines consider an Ambassador-at-Large to be of higher rank than an Assistant Secretary. Furthermore, other Ambassadors-at-Large report to the Secretary, including those for Global Women's Issues, Counterterrorism, and War Crime Issues, as well as the AIDS Coordinator.

USCIRF recommends the Obama Administration fulfill IRFA's intent that the Ambassador-at-Large be a "principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad" by ensuring he or she has direct access to the President and the Secretary of State; continue the practice of having the Ambassador maintain direct oversight of the staff of Office of International Religious Freedom; and have the Ambassador chair a working group with other religiously-oriented positions and programs at the State Department to ensure consistency in message and strategy. In addition, the Office of International Religious Freedom should be empowered to be the central location for all State Department efforts on religious freedom and religious engagement, including by enlarging its staff and deepening its expertise.

Position at the NSC: IRFA also authorized the creation of a director-level position at the National Security Council to serve as the Special Adviser on International Religious Freedom. The Special Advisor was envisioned to be a resource for executive branch officials, compiling and maintaining information on the facts and circumstances of violations of religious freedom, and making policy recommendations. The Special Adviser was briefly filled during the Clinton administration, but has been vacant since. USCIRF urges the Administration to fill this position.

Monitoring Mechanisms – Prisoner Lists: IRFA mandated that the Secretary of State establish monitoring mechanisms "consisting of lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious faith, together with brief evaluations and critiques of the policies of the respective country restricting religious freedom." In compiling this list, the State Department was directed to use the resources of the various bureaus and embassies and

consult with NGOs and religious groups. While the State Department has advocated for individual prisoner cases, USCIRF is unaware of the Department establishing or maintaining a comprehensive prisoner list. However, USCIRF has compiled an informal list of prisoners that reflects only a small number of those detained, jailed, or disappeared, and longer lists of prisoners in Iran, Pakistan, and Uzbekistan are included in the 2013 Annual Report's appendices. In addition, the Congressional-Executive Commission on China maintains a comprehensive, searchable database of prisoners in China. The ability of both commissions to track prisoners, even while operating with substantially fewer resources and less access to international information than the State Department, demonstrates that the State Department can fulfill this statutory mandate.

Training: IRFA calls for American diplomats to receive training on how to promote religious freedom effectively around the world. In the past few years, training for Foreign Service Officers on issues of religious freedom has increased, but remains voluntary. The Foreign Service Institute (FSI) continues to offer a three-day course on *Religion and Foreign Policy*. USCIRF staff was invited to speak to classes about the role of the Commission, and also has been invited regularly to regional studies classes to discuss the Commission's findings on countries of interest. While USCIRF welcomes these initiatives, these courses remain optional and are not yet part of the core curriculum for all diplomats in training.

To ensure that U.S. diplomats, service members, and military chaplains are adequately equipped to deal with issues of religious freedom in the field, USCIRF recommends that all diplomats at the Foreign Service Institute and relevant members of the military receive training on the importance of religious freedom and practical ways to best promote this freedom as an aspect of U.S. foreign policy.

Training on religious freedom issues in the military education system remains minimal, despite the many schools, military service colleges, and universities providing professional military education and the fact that religious and sectarian issue underlie many conflicts around the world. None have a specific focus on training on international standards of freedom of religion or belief. Overall, professional military education at the various service colleges should be expanded to include religious freedom as a topic, to ensure U.S. service members are mindful of these standards when engaging or partnering with religious leaders or local government officials and understand the value of religious freedom in countering violent religious extremism. For the chaplaincy corps, the Army has created the Center for World Religions, which is a small U.S. Army Chaplain Corps Directorate co-located at the Armed Forces Chaplaincy Center in Ft. Jackson, South Carolina. Expanding its capability to train on religious freedom standards, as well as other matters concerning religious issues, could fill a void in joint and inter-agency planning. In addition, the curriculum of the Armed Forces Chaplaincy Center should be expanded so chaplains involved in religious leader liaison are better equipped to understand religious freedom standards in the context of human rights and stability operations.

Admissibility to the U.S. of Severe Violators of Religious Freedom: Another IRFA issue relevant to both the State Department and the Department of Homeland Security (DHS) relates to the admission to the United States of aliens who were "responsible for or directly carried out...particularly severe violations of religious freedom." IRFA bars the entry of such

individuals. This provision has been invoked only once: it was used in March 2005 to exclude Chief Minister Narendra Modi of Gujarat state in India due to his complicity in the 2002 riots that resulted in the deaths of an estimated 1,100 to 2,000 Muslims. USCIRF had urged such an action.

USCIRF continues to urge the Departments of State and Homeland Security to develop a lookout list of aliens who are inadmissible to the United States on this basis. USCIRF wrote to Secretary Clinton in 2012 about the possibility that Chief Minister Modi might apply for a visa, reiterating the Commission's concerns about his admissibility to the United States. Directly related to identifying and barring from entry such severe religious freedom violators, IRFA also requires the President to determine the specific officials responsible for violations of religious freedom engaged in or tolerated by governments of CPCs, and, "when applicable and to the extent practicable," publish the identities of these officials in the Federal Register. Despite these requirements, no individual officials from any CPC countries responsible for particularly severe religious freedom violations have been identified to date.

U.S. Leadership Is Needed

When it comes to promoting religious freedom and combating the rise of violent religious extremism, religious freedom abuses not only offend human rights, but pose a grave threat to the security and stability of countries. And unfortunately, this instability and violence often spills beyond national borders into neighboring countries, threatening entire regions.
As Americans living in a post-9/11 world, we of all people know what happens when violent religious extremism is exported globally as terrorism. This is why the U.S. government must prioritize religious freedom not just as a core human right, but a global security imperative and a vital part of any counter-extremism strategy. Our government must recognize the pivotal role of religion in countries that top our foreign policy agenda and how limitations on religious liberty can prevent the growth and establishment of stable and productive societies.

Religious freedom has national security relevance. Conditions favoring religious freedom can help counter extremism by undercutting the message of extremists and fostering religious diversity and minority rights. As a fundamental right, religious freedom is a core component of a healthy society, as it encompasses other freedoms – including those of expression, association, and assembly.

To further the religious freedom agenda, our Commission believes that both the Executive Branch and Congress have important roles to play in promoting religious freedom. USCIRF recommends the following activities that are part of the *Executive and Congressional Road Maps* that USCIRF developed that I request be included in the record. Along with the Executive Branch actions I noted earlier in my testimony, USCIRF recommends that the Administration:

- Create a national security strategy to guide U.S. government's promotion of international religious freedom: Such a strategy would help ensure that the full weight and influence of the United States is brought to bear on these important issues. Doing so would give guidance to disparate efforts and maximize our ability to influence other countries. It is also important that such a strategy also is reflected in the next Quadrennial Diplomacy and Development

Review (QDDR) and as appropriate in the Quadrennial Defense Review (QDR). To facilitate this effort, USCIRF has also recommended the creation of an interagency working group at the National Security Council to coordinate a whole-of-government effort on religious freedom, including civilian and defense agencies and USCIRF. We also see benefit in staffing this initiative with the NSC position authorized by IRFA.

Congress has a critically important role to play in the promotion of religious freedom. USCIRF urges Members of Congress to connect the dots and undertake activities that reflect the central role that religious freedom plays in U.S. foreign policy. We appreciate today's hearing and urge that Congress:

- Support Legislation that Promotes Freedom of Religion or Belief: Introduce and support legislation that focuses on religious freedom violations and remedies for such violations in specific countries. Such remedies should underscore the human rights, foreign policy and national security dimensions of religious freedom and address violations by measures including: Implementing targeted visa bans and asset freezes on foreign government officials, their family members, and close associates who are implicated in violations of religious freedom; Applying specific sanctions directly related to a country's violation of religious freedom rather than "double hatting" sanctions; and requiring certification by the Secretary of State, prior to the obligation of funds to countries that violate religious freedom and related human rights, that these countries are implementing policies to protect the freedoms of religion, expression, association, and assembly, and provide heightened security for religious minority communities and their places of congregation and worship;

- Hold Hearings in Support of International Religious Freedom: Hold Congressional oversight and other hearings in the relevant House and Senate committees on international religious freedom and related issues that underscore the many dimensions of the issue. Invite USCIRF Commissioners to testify about its Annual Report and topical issues, along with State Department officials who can speak about the Department's annual Report on International Religious Freedom.

- Promote International Religious Freedom through the National Security Strategy: Urge the White House to create a national security strategy to guide the U.S. government's promotion of international religious freedom and advocate for this strategy being reflected in the next Quadrennial Diplomacy and Development Review and, as appropriate, in the Quadrennial Defense Review.

- Support Civil Society, other NGOs and Prisoners Abroad: During delegation trips abroad, meet with individuals and organizations that promote religious freedom and related human rights, targeted religious communities, and people detained for their religious freedom and human rights work or beliefs. Undertake CODELS to countries of concern to specifically examine conditions of religious freedom for all faiths/beliefs.

  Another way Members of Congress can help prisoners who are detained for their religious freedom and human rights advocacy or observance is to join the Defending Freedoms Project. This is a collaborative effort between the Tom Lantos Human Rights Commission, Amnesty International and USCIRF whereby Members of Congress adopt prisoners of

conscience and advocate on their behalf. By participating in the Project, Members of Congress will be standing in solidarity with these prisoners, letting them know they are not alone, shining a light on the laws and policies that have led to their imprisonment, and helping hold governments accountable.

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Let me stress as I conclude that despite the bleak and challenging picture we see of religious freedom abroad, progress remains possible. If we as a country reaffirm our commitment to religious freedom by making it a permanent and integral part of our foreign policy, it can be a game-changer – both for us and for the world.

Mr. LANKFORD. Thank you, Doctor.
Ms. LANTOS SWETT. Thank you very much.
Mr. LANKFORD. Dr. Farr.

STATEMENT OF THOMAS F. FARR, PH.D.

Mr. FARR. Thank you, Mr. Chairman, members of the subcommittee. Thank you for calling this important hearing and giving me the opportunity to speak.

This is the first and only congressional oversight hearing on the operation of the IRFA since its passage in 1998. I applaud you for taking this on. Let me add, however, that it is very unfortunate that the Administration has decided that this hearing is not important enough to send a representative. As you will see, I consider this unfortunately symptomatic of the Administration's view of international religious freedom policy.

I want to address four questions this morning: Why do we have an international religious freedom policy? How are we doing? What explains our shortcomings? And how can we improve?

Let me begin by giving you two rationales for IRFA. First, advancing religious freedom is the right thing to do. Studies by the Pew Research Center show that unjust restrictions on religious individuals and groups, as well as violent persecution, have steadily increased in recent years. The results have been catastrophic for millions of human beings in many societies. This tragedy provides a clear moral and humanitarian basis for U.S. policy.

But, second, advancing international religious freedom can increase America's national security. There are approximately 70 countries where restrictions on religion are severe. That list of countries includes virtually all the nations whose internal stability, economic policies, and foreign policies are of vital concern to the United States, including Iran, China, Syria, Iraq, Afghanistan, Pakistan, and Egypt.

Increasing religious freedom in these countries can undermine religion-related violence and terrorism, promote economic growth, and help democracy to route and remain stable. If the United States could move these nations toward religious freedom, we would be helping the victims of persecution and increasing our national security at the same time.

Mr. Chairman, the Pew studies strongly suggest an answer to the second question concerning the effectiveness of U.S. policy. Notwithstanding the hard creative work of the State Department's Office of International Religious Freedom, it would be difficult to name a single country in the world over the last 15 years where American religious freedom policy has helped to reduce religious persecution or to increase religious freedom in any substantial or sustained way.

In fact, the Pew reports make it clear that in most of the countries where the United States has poured blood, treasure, and diplomatic resources, levels of religious freedom are declining and religious persecution is rising.

So what is the explanation for this ineffectiveness? Let me give you two. First, the anemic, largely rhetorical methodology employed by all three administrations under which IRFA has operated; second, a loss of conviction among policymakers that religious

freedom is the first freedom. None of the administrations responsible for IRFA has adopted a robust view of the policy mandated by the law; each has assumed a narrow, highly rhetorical approach characterized by reports, speeches, lists of severe persecutors that have little effect, and a State Department activity known as raising the issue, which should not be confused with solving the problem.

IRFA has driven some internal progress at State, but there is no comprehensive U.S. strategy in place to advance religious freedom in the Muslim world or elsewhere. While Congress appropriates millions of dollars annually for democracy and counterterrorism programs, little of that money is spent on promoting religious liberty.

Let me name three obstacles to a robust religious freedom policy in the Department. First, the annual reports are good, but they are mostly descriptive narratives, largely unconnected to strategies or programs. They cannot and do not, by themselves, reduce persecution or advance freedom.

Second, U.S. diplomats are not trained to know why religious freedom is important and how to advance it. The Department has begun a training program on religion and foreign policy, where I have been honored to teach, but it remains voluntary, ad hoc, and weak on religious freedom.

Third, all of the ambassadors at large for religious freedom have been and remain isolated within the State Department and severely under-resourced. Given these and other problems, it is hardly surprising that neither U.S. diplomats nor foreign governments see religious freedom as a priority for the United States.

So why have three administrations failed to make this policy a priority? The overarching explanation, in my view, is that a significant proportion of our officials no longer believe that religious freedom is the first freedom. For America's founding generation and most generations since, religious freedom was believed necessary for the well-being of all individuals and societies.

In particular, religion in the public square was considered crucial for the health of democracy. Many of our foreign policy leaders today, however, see religious freedom as a private matter, with few legitimate public purposes. For some, religious liberty is in no sense necessary to individuals and societies; rather, it is merely one in an ever growing list of rights claims, in this case a claim of privilege by religious people that must be balanced against all other such claims.

Such views are reflected in domestic positions taken by the Obama Administration, but also in its foreign policy. In a 2009 speech, Secretary of State Clinton insisted that "to fulfill their potential, people must be free to worship and to love in the way that they choose." Note that Secretary Clinton evokes the freedom to worship, not religious freedom.

But worship is essentially a private activity, with few, if any, civic or public policy implications. She implies that a right to love is a comparable right. The Obama Administration has weighed religious freedom against other right claims it believes important, such as the right to contraceptives and abortifacients or to same sex marriage, and has found religious freedom to be an inferior right.

This helps to explain why, in its foreign policy, the Administration has applied far more energy in its international pursuit of a right to love than it has religious freedom. It also helps to explain why our religious freedom policy is weak and under-resourced.

Let me close quickly with five amendments I would propose to the IRFA that would remove some of the internal obstacles to a more effective religious freedom policy.

First, mandate that the Ambassador at Large report directly to the Secretary of State.

Second, give the Ambassador the resources he or she needs to develop strategies for key countries around the globe. This need not, and I want all of you to hear this, please, involve the appropriation of new monies, but the allocation of existing appropriations for programs such as democracy promotion and counterterrorism.

Third, make training of American diplomats mandatory at three stages: first, when they enter the foreign service; second, when they receive area studies training, prior to departing for post; and, third, when they become deputy chiefs of mission and ambassadors.

Fourth, require the State Department issue the list of countries of concern annually, along with a comprehensive analysis of all the policy tools applied in each of these countries, including programs that target democratic stability, economic growth, and counterterrorism.

Finally, require the Department to respond in writing to the U.S. Commission on International Religious Freedom to their recommendations. At the same time, require the Commission to pay greater attention to why the United States is not succeeding in advancing religious freedom.

Thank you for having me here today.

[Prepared statement of Mr. Farr follows:]

Examining the Government's Record on Implementing the International Religious Freedom Act

Testimony before the House Committee on Oversight and Government Reform
Subcommittee on National Security, June 13, 2013
Thomas F. Farr*

Mr. Chairman and members of the sub-committee, thank you for calling this important hearing and for giving me the opportunity to present my views.

The policy mandated by the 1998 International Religious Freedom Act (IRFA) has now been in operation for fifteen years. This is the first and only Congressional oversight hearing in those fifteen years concerning the operation of the IRFA. I applaud you for taking this issue on.

I want to focus on three questions that get to the heart of our subject.

First, *why* does the United States seek to promote religious freedom and reduce religious persecution in its foreign policy, and can it enhance our national security? Second, are we succeeding, and, if not, why not? Third, how can we improve our policy?

Before I address these questions, let me affirm that I am committed to the success of US religious freedom policy. I have spent the past fifteen years reflecting, speaking, teaching, and writing about that subject. I direct a Religious Freedom Project at Georgetown University's Berkley Center that will in 2014 begin a three-year investigation into the causal connections between religious freedom, economic growth, and democratic stability.

My experience has convinced me that the success of America's IRF policy is vital to our country, both because it reflects our deepest moral principles, and because success will further our vital national interests, including our national security.

Let me also note that between 1999 and 2003 I was honored to serve as the first Director of the State Department's Office of International Religious Freedom – the office responsible for implementing US policy. As such, I am conscious that I bear some responsibility for the way that policy has developed.

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*Thomas F. Farr is director of the Religious Freedom Project at Georgetown University's Berkley Center for Religion, Peace, and World Affairs

Now the first question: *why* does the United States promote religious freedom in its foreign policy? Can it enhance our national security?

The most immediate answer is that in 1998 Congress passed the International Religious Freedom Act (IRFA) which mandated the initiative. IRFA established a State Department office of international religious freedom, put a very senior diplomatic official (an ambassador at large) at its head, and created an independent U.S. Commission on International Religious Freedom to provide separate policy recommendations and act as a watchdog. The law also encourages, but does not require, the use of foreign aid to advance religious freedom abroad.

But what's the *rationale* for IRFA and the institutions and procedures it establishes? What do we hope to accomplish?

First and foremost, I believe that advancing religious freedom is simply the right thing to do. Unjust restrictions on religious individuals and groups, as well as violent religious persecution, have steadily worsened in recent years. The results have been catastrophic for many people and many societies.

Studies by the Pew Research Center demonstrate that, as of 2010, *75 percent of the world's population* lives in countries where religious freedom is severely restricted. That's three-quarters of the world's people. And there is no sign things are getting any better.

Millions are vulnerable to violent abuse, such as torture, rape, "disappearance," unjust imprisonment, and unjust execution, because of their religious beliefs and practices, or those of their tormentors.

Of the victims of religious persecution, Christians head the list, with Muslims not far behind. Both groups are persecuted in the Far East, South Asia, the Middle East, and Africa.

Strikingly, we are also seeing mounting government restrictions on and social hostility toward religion in the continent where the idea of religious freedom was born - Europe.

Taken together, these data provide a clear *humanitarian* imperative for US policy.

But there are other reasons – reasons that address vital American interests and national security -- for conducting a serious, vigorous, and effective US international religious freedom policy.

There are approximately 70 countries where persecution and restrictions on religion are severe. That list includes virtually all the nations whose internal stability, economic policies, and foreign policies are of substantial concern to the United States, including China, Indonesia, Russia, India, Pakistan, Afghanistan, Iran, Turkey, Saudi Arabia, Syria, and Iraq, as well as Egypt, Libya, and most of the nations comprising what was once wistfully labeled "the Arab Spring."

There is strong evidence that, in many of these countries, the absence of religious freedom is directly related to high levels of religious violence and conflict, in turn a major source of social, economic, and political instability. The terrible Syrian civil war in large part stems from generations of religious persecution, first of Alawites by Sunnis, and then of Sunnis by the Alawite regime of the Assads.

Studies also indicate that the absence of religious freedom can stimulate religious terrorism and energize transnational terrorist movements.

On the other hand, there is also strong evidence that increasing religious freedom can undermine religion-related violence and terrorism, promote economic growth, and help democracy to root and achieve stability.

In short, if the United States could succeed in moving any of these nations in the direction of religious freedom, we would be helping the victims of persecution and increasing our own national security at the same time. Over the long term, increases in religious freedom in Iran, Pakistan or Afghanistan, for example, could help undermine religion-related terrorism. By moving toward equality under the law for all religious communities, increases in religious freedom in Egypt could help democracy to become stable and durable, and provide a stimulus to economic growth.

How Are We Doing?

Mr. Chairman, the Pew studies strongly suggest an answer to my second question concerning US effectiveness. Notwithstanding the hard, creative work of the State Department's Office of International Religious Freedom, it would be difficult to name a single country in the world over the past fifteen years where American religious freedom policy has helped to reduce religious persecution or to increase religious freedom in any substantial or sustained way.

In fact, the Pew Reports make it clear that in most of the countries where the United States has in recent years poured blood, treasure, and diplomatic resources (such as Iraq, Afghanistan, Pakistan, Egypt, China, Saudi Arabia, and Russia), levels of religious freedom are declining and religious persecution is rising.

Some of these countries have been on the IRFA- mandated list of particularly severe violators, the so-called "countries of particular concern." IRFA requires that this list be issued annually but the Obama administration has not done so since 2011. Congress, it seems, takes little notice of this omission (although the US Commission on International Religious Freedom has voiced its concern).

IRFA permits economic sanctions against the nations on this list, but in fifteen years only one country has ever been sanctioned. That country was Eritrea, and I know of no evidence that

either the listing or the sanctions have had any positive effect. The status of religious freedom in Eritrea has in fact declined.

Indeed, I know of no evidence that these lists have substantially improved the status of religious freedom in any country. At one time there was an argument to be made that Vietnam had improved, but that seems no longer to be the case. The US Commission has recommended that Vietnam, which was removed from the list of "countries of particular concern" a few years ago because of improvements in religious freedom, be returned to the list this year.

As for our broader foreign policy goals, religious freedom has played little or no role in political, economic, or strategic programs to achieve fundamental American interests. US officials, including Presidents and Secretaries of State, have done very little to integrate religious freedom into our democracy, economic growth and development, and counter-terrorism strategies.

What is the explanation for this ineffectiveness? There is much to be said here, but let me focus on two problems: first, the anemic, largely rhetorical methodology employed by all three administrations under which IRFA has operated, and second, the decline among our policymakers of the conviction that religious freedom is "the first freedom."

The Deficiencies of the US Approach

None of the three administrations responsible for IRFA have adopted a robust view of the law and the policy it mandates. Each has assumed a narrow, highly rhetorical approach – characterized by reports, speeches, lists of severe persecutors that have little effect, and a State Department activity known as "raising the issue" with governments (an activity which should not be confused with "solving the problem").

To be sure, IRFA has driven some internal progress at State. A perusal of this year's Annual Report shows that some US embassies are in fact operating programs that could have a positive impact on religious freedom over the long-term.

For example, in Afghanistan the embassy has established a program "to support traditional [Afghan] voices that oppose violent extremism…." This is an important initiative that should be replicated wherever Muslims are accused of blasphemy and punished if they argue that Islam does not support extremist ideas. A few years ago an Afghan grad student was sentenced to death for blasphemy. His crime? Writing a paper arguing that the Koran supported the equality of men and women.

Providing a place for such voices – especially in the erstwhile democracies that the United States is supporting -- is vital to religious freedom, and to American national security. Unfortunately, programs like this are largely ad hoc.

There is no comprehensive US strategy in place to advance religious freedom in the Muslim world or anywhere else. While Congress appropriates millions of dollars annually for democracy and counter-terrorism programs, little of that money is spent on promoting religious liberty. All three Presidents, and most Secretaries of State, who have presided over the implementation of IRFA have insisted that they do support international religious freedom. But none has made any serious attempt to integrate the advancement of religious freedom into the foreign policy of the United States, even though that is the express purpose of the International Religious Freedom Act.

The Annual Report itself has had some positive effects, and the Ambassador at Large and her staff are to be congratulated for their hard work. For one thing, the report has taught younger American diplomats (who typically draft it) to ferret out the status of religious freedom in the countries in which they are serving. For another, the report has long been considered the gold standard in showcasing the facts. It is routinely consulted by advocates and academic researchers like the Pew Research Center.

As such, the report "shines a spotlight" on religious persecution and the state of religious freedom all over the world – something most would agree is a good thing.

But illuminating the persecutory acts of governments and others, and the fates of victims has, at best, limited effects. Rarely does it lead persecutors to change their behavior.

Chinese actions, for example, have not been affected by the reports, nor by the fact that China is perennially placed on the list of particularly severe violators ("countries of particular concern"). While persecution in China waxes and wanes, the government still imprisons, tortures, and generally terrorizes religious groups that don't conform. It still supports forced sterilizations and abortions, and forbids Catholic priests and Protestant ministers from criticizing the "one-child" policy from the pulpit. It continues to brutalize Uighur Muslims in China's northwest province, and to attack quite viciously the culture and religion of the people of Tibet.

IRFA also mandates training for diplomats, which is obviously a sensible and necessary element of any new worldwide foreign policy initiative. The Obama administration has experimented with a potentially useful training program conceived under its predecessor. Unfortunately, the program remains voluntary and the curriculum weak on religious freedom.

The stark reality is that fifteen years after IRFA's passage, our diplomats are not being trained to know what religious freedom is and why it is important, let alone how to advance it. This stunning deficiency reflects a continuing, deep-seated skepticism in our foreign policy establishment that religious freedom is in fact important for individuals or societies, or that it should be considered *real* foreign policy.

That skepticism also helps explain why all ambassadors at large for religious freedom – the senior official established by IRFA to carry out the policy – have been and remain isolated within the State Department, and severely under-resourced. Other ambassadors at large report directly to the Secretary of State (e.g., those for Global Women's Issues and for Global AIDS Coordination). But the religious freedom ambassador and office have historically been placed many levels below the Secretary. The ambassador has reported, and reports today, to a lower-ranking official. It is as if an army general were reporting to an army colonel. The religious freedom ambassador does not attend meetings of other senior State Department officials on a regular basis.

In addition, the ambassador at large and the office of international religious freedom are marginalized in a bureau (Democracy, Human Rights, and Labor) that has itself long been marginalized at the State Department, notwithstanding the outstanding people who serve there.

Given this isolation of the office and the official responsible for carrying our America's religious freedom policy, it is hardly surprising that American diplomats and foreign governments do not see religious freedom as a priority for US foreign policy. It is not surprising that religious freedom programs play little or no role in US strategies to stabilize key struggling democracies such as Iraq or Pakistan, encourage economic growth in places like Egypt or Nigeria, or undermine the religion-related terrorism that is still being incubated in many nations of the broader Middle East.

Is Religious Freedom No Longer the "First Freedom"?

If I am correct that American's religious freedom policy has been ineffective over the past fifteen years, and that a major reason for this ineffectiveness is the State Department's largely rhetorical implementation of IRFA, why is this the case? Why have three administrations failed to make this policy a foreign policy priority? Why have they failed to integrate religious freedom into our broader foreign policy strategies?

There are many possible answers to these questions. For example, there is some evidence of a generalized sense among our diplomats that a vigorously pursued religious freedom policy would be unconstitutional. Some believe the policy itself constitutes cultural imperialism. Others think it is a policy imposed by Christians and is designed to clear the way for Christian missionaries. Some conservatives are hesitant to support religious freedom for Muslims around the world.

Such false perceptions and destructive attitudes exist – I personally have encountered each of them. But they do not, in my view, sufficiently explain our diplomatic ineffectiveness. I want to focus on what I see as the major overarching explanation.

It seems to me that a significant proportion of our foreign policy officials no longer believe that religious freedom is the "first freedom" -- of American history, of the US constitution, and of all people everywhere.

At the State Department, and in the foreign affairs establishment in general, too many have rejected the proposition that was central to our founding, namely that religion itself is necessary for the survival of democracy, and therefore that religious freedom is foundational.

If we no longer believe that religious freedom is foundational, it is no surprise that we do not make it a priority in our foreign policy.

For America's founding generation, and most generations since, religious freedom constituted the "first freedom" because it was thought necessary for the well-being of individuals and societies. In particular, religion *in the public square* was considered crucial for the health of democracy.

The Founders believed that religious freedom entailed not only the right to believe and worship, but the right to *act* on the basis of religious belief, individually and in concert with others, privately and in civil society and political life – all within broad and equally applied limits. James Madison viewed religious actors in civil society as a critical check on the power of government. George Washington, in his farewell address, famously argued that religion was necessary for the "dispositions and habits which lead to political prosperity."

Many of our political and foreign policy leaders today, however, see religious freedom as a private matter, with few legitimate public purposes. For some, religious liberty is in no sense *necessary* to individuals and societies. Rather, it is merely one in an ever growing list of rights claims – in this case a claim of privilege by religious people. As such it warrants no special protection, but must be "balanced" against all other claims.

Such views are reflected in positions taken by the Obama administration on the HHS mandate, but also in its international religious freedom policy. In a 2009 speech on the importance of human rights in foreign policy, Secretary of State Hilary Clinton insisted that "to fulfill their potential, people…must be free to worship …. and to love in the way that they choose."

Here we see the diminution of religious freedom in two ways. First, Secretary Clinton evokes the freedom to worship, not religious freedom. But "worship" is essentially a private activity, with few if any civic or public policy implications. As such, it is certainly easier to balance against other rights claims.

Second, she implies that a putative "right to love" is a comparable right. Clearly the Obama administration has in its domestic policy weighed religious freedom against other rights claims it believes important, such as the right to contraceptives and abortifacients, or to same-sex "marriage," and religious freedom has been found to be an inferior right.

This helps to explain why, in its foreign policy, the Obama administration has applied far more policy energy in its international pursuit of a "right to love" than it has religious freedom.

It was no accident that the first affirmation in our Bill of Rights is that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The anti-establishment clause was intended to protect the free exercise of religion, in part by ensuring that no particular religious group was given any privileged position within the country.

Ironically, today the threat of "establishment" is not from any religious entity but rather from an increasingly aggressive secular ideology which is quite willing to abridge the religious freedoms of its citizens when they do not conform to the secular creeds of the day, such as abortion, contraception, and a redefinition of marriage. For these new ideologues, "error has no rights." Religious individuals and entities must toe the line.

Is it any wonder that this new aggressively secular creed, which privatizes and relativizes religious freedom, undermines our will and our capacity as a country to defend religious freedom abroad?

Europe provides an example of what lies ahead. The official American understanding of religious freedom is in many ways reminiscent of the French ideology of *laicete*, which relegates religion to an entirely private role in society and politics. This ideology has spread throughout Europe, and is largely responsible for the growing hostility toward religion we are seeing reflected in the Pew reports.

One of the characteristics of the European privatization project, notes Oxford University Professor Roger Trigg, is its willful dilution of religious freedom to a right of freedom of "religion and belief." The problem here is that "belief" can mean virtually anything one feels strongly about, from environmentalism to the Manchester soccer club. Religion in Europe has long since lost any special status in law, society and politics, and is now routinely treated as merely one human preference among an infinite possible number of preferences.

It is therefore a cause for alarm to see the following sentence at the beginning of the 2012 State Department Annual Report, in a section describing why this right is important for the United States: "Freedom of religion and belief and the right to worship as one chooses fulfill a deep and abiding human need."

To drive this point home Secretary of State John Kerry, in his remarks on the release of the Annual Report, used the "worship" phrase twice to describe the content of US policy. Regarding his own actions, Kerry said he pressed foreign leaders "to safeguard freedom of belief."

All this constitutes thin gruel indeed when compared to the vigorous brand of religious freedom endorsed in our Founding and the First Amendment. It helps to explain the unwillingness of political and foreign policy elites to pursue international religious freedom in a broad and

vigorous way, through coordinated inter-agency strategies, Congressionally-funded democracy and counter-terrorism programs, US economic programs, and the like.

As I have noted, there are other factors contributing to our anemic policy. But the most convincing explanation – and the most disturbing -- is the abandonment of the conviction that religious freedom is the first freedom because it benefits everyone, whether they are religious or not. At the end of the day this is the best explanation of why our diplomacy has settled on a lowest-common-denominator anti-persecution approach -- a largely symbolic rhetorical methodology that gives the illusion of movement but in the end accomplishes little, either for others or for our own nation.

Suggestions for Improving US International Religious Freedom Policy

I will close with a few concrete suggestions for improving our policy, and therefore our moral integrity and our national security at the same time. Some of the problem is deeply ideological, and solutions go beyond the purview of this hearing. However, I would urge members to speak out about the value of religious freedom as the first freedom, to pay more attention to this issue in our foreign policy, and to demand answers from State Department officials in public hearings and private meetings.

In addition, I believe that a few simple amendments could be made in the IRFA that would remove some of the institutional obstacles to a more effective religious freedom policy. Let me mention five.

First, require the Department to treat the ambassador at large for international religious freedom as it does most other such ambassadors, which is to say have this ambassador report directly to the Secretary of State, and attend all regular meetings of senior State Department officials. This will ensure that foreign governments and American diplomats alike see that the administration takes religious freedom seriously enough to give it the same priority they do other key issues.

Second, give the ambassador the resources he or she needs to develop strategies, and to implement them, in key countries around the globe. This need not involve the appropriation of new monies, but the allocation of portions of existing appropriations for programs such as democracy promotion and counter terrorism.

Third, make training of American diplomats mandatory at three stages: when they enter the Foreign Service, when they receive "area studies" training prior to departing for post, and when they become Deputy Chiefs of Mission and Ambassadors. This training should tell them what religious freedom is, why it is important for individuals and societies, why advancing it is important for America's national interests, its status in the country and region to which they have been assigned, and how to advance it.

I should note that the Religious Freedom Project at Georgetown University's Berkley Center (berkleycenter.georgetown.edu/rfp) is one of a handful of institutions developing materials that could be used in such training.

Fourth, amend the IRFA to *require* that the list of particularly severe violators (the "countries of particular concern") be issued annually with the Report. In addition to the economic sanctions that might be levied against these countries, *require* the State Department to provide a comprehensive analysis of other policy tools being applied in each country, including programs that target democratic stability, economic growth and counter terrorism.

Finally, require the State Department to respond in writing to recommendations by the US Commission on International Religious Freedom. At the same time, require the Commission to pay greater attention to the question of why the United States is not succeeding in advancing religious freedom, as gauged by objective reports such as those by the Pew Research Center. The Commission should recommend concrete steps for the State Department that will result in increasing the status and authority of the ambassador at large, increasing the resources allocated to religious freedom policy, achieving permanent, effective training for all diplomats, and integrating religious freedom into US strategies for democracy promotion, economic growth, and counter terrorism.

Such changes will not transform our policy overnight. But until they are made, the policy mandated by the IRFA will remain a powerful idea that has not yet gelled, one that is not reducing religious persecution, advancing the institutions and habits of religious freedom, or serving the national security of the United States.

Thank you for having me here today.

Mr. CHAFFETZ. [Remarks made off microphone.]

STATEMENT OF TINA RAMIREZ

Ms. RAMIREZ. Mr. Chairman and members of the committee, thank you for allowing me the opportunity to come before you today and provide this testimony. I would like to ask that my full statement be submitted for the record.

Mr. LANKFORD. Without objection.

Ms. RAMIREZ. The question before the committee today is whether the U.S. Government has been effective in implementing the International Religious Freedom Act of 1998 and, if not, then what has happened to American leadership and what can be done to strengthen it.

To respond to the first part of this question, one thing is absolutely clear: religious freedom has more often than not, as you have heard today, been treated as an annoying thorn in our side, something we are obligated to address out of duty rather than genuine concern. We fail to recognize that violations of religious freedom are a symptom of a deeper cancer that must be addressed for human freedom and rights-based societies to flourish. This has been true of every administration since 1998, as has been noted.

So what has happened to American leadership on international religious freedom? In highlighting the situation of the current administration, it is important to begin by recognizing some positive steps that have been taken: the President raised the persecution of Rohingya Muslims recently with the Burmese president; Secretary Kerry condemned anti-Semitic remarks by the Turkish prime minister; and the State Department worked to defeat the Defamation of Religions Resolution at the United Nations. Important steps.

However, unfortunately, other actions and policies inconsistent have given religious freedom advocates, foreign governments, and the general public the impression that religious freedom is simply a low priority for our Government. For instance, the delayed appointment of the current Ambassador at Large, two and a half years into the first term of the President; the Ambassador's demoted rank; the Administration's calls to negotiate with state sponsors of terrorism, coupled with the failure to respond quickly and decisively when peaceful protesters in Iran, Egypt, and Syria look for international support; providing support to opposition groups in Syria, but not opposition groups in Burma, even though ethnic cleaning and genocide are occurring there; the recent waiving of conditions on aid to Egypt and the persistent national security waivers for Saudi Arabia; the infrequent discussion of religious freedom in meetings between the President and foreign governments, such as in recent visits with the Turkish prime minister or the Chinese president, in Turkey, in particular, the absence is well noted with the situation today; the consideration by the State Department to ease visa restrictions despite requirements in IRFA that they not do that for people that have been involved in egregious violations of religious freedom. They have been considering easing visa restrictions on Narenda Modi, chief minister of Gujarat State, who is responsible for the egregious persecution of Muslims there and more recently has invited a delegation of top Sudanese officials, led by presidential advisor Nafi ali Nafie, also known as

the Butcher of Sudan, to the White House; and, of course, the failure to designate any countries of particular concern since 2011.

In addition to this list, one can note the comments by my colleague, Tom Farr, related to the absolute absence of any concern for religious freedom by State Department officials.

Despite the best intentions, as religious persecution continues to worsen each year, with 5.1 billion people living under egregious persecution, it seems that the policy is simply not working. Therefore, what can be done to strengthen American leadership on this issue?

An effective U.S. religious freedom policy requires both presidential leadership and implementation by the State Department and other officials. I have highlighted implementation in the current administration, but the problems I raise reflect a deeper problem of how this raise is perceived, which must be addressed universally throughout Government. Religious freedom is not just about religious people; it is a right of conscience for people of all faiths and none; it is a freedom for those suffering from religious oppression as well as religious persecution; it protects an individual's beliefs, whatever those beliefs may be; and it protects them from being forced to adopt beliefs that contradict their conscience; it is the first thing often to go, as you have noted, when autocratic governments want to oppress their citizens and silence dissenters, minority communities or those they consider undesirable elements of society, as we have seen throughout history.

Because religious freedom provides a foundation for the conscience of a nation that undergirds every human right, dismissing it in our foreign policy is simply shortsighted. This is why, when the U.S. Government issues waivers for countries that violate religious freedom, it is sending a mixed message. Essentially, despite the fact that religious freedom can't be suspended under international law, it is a non-dirigible human right, we are inadvertently saying that we believe it is a negotiable right when it comes to our national interests. This is a problem.

Therefore, without a comprehensive, strategic, and consistent policy, brutal regimes will slide back into their old habits and instability will increase worldwide. Outdated policies and responses will simply not work with today's challenges. Taking the time to develop a strong offensive and proactive policy is difficult, but it will save us money and diplomatic energy in the long run because it will help build more stable rights-based societies that reduce the need for international interventions.

This is why, in 2007, I worked with Congressman Frank Wolf to secure the first funding designated for religious freedom programming, which, although mandated under IRFA, had never been implemented for 10 years. I also found that there were no required training programs in religious freedom for foreign service officers in the Diplomatic Corps, as provided under IRFA, so we tried to work to do something on that. Of course, as Tom has noted, it is still in process at the State Department.

There are two policies that I think are important for the U.S. Government to consider right now, and I have listed a number of them in my formal testimony that you can see. The two that I would like to highlight are, number one, the U.N. Special

Rapporteur for International Religious Freedom, our key ally in this fight, has been understaffed and resourced at the U.N. So the main person internationally that should be working with us to actually change policy is not even being supported by the United Nations. For an organization that we support substantially fiscally, that should be remedied. And the U.N., because they are supposed to be such a champion of religious freedom and human rights, why don't we call on them to issue a decade for religious freedom and see what they actually will do?

Thank you.

[Prepared statement of Ms. Ramirez follows:]

Committee on House Oversight and Government Reform
Subcommittee on National Security
Examining the Government's Record on Implementing the International Religious Freedom Act
Statement for the Record
Tina Ramirez, President, Hardwired, Inc.
June 13, 2013

Mr. Chairman and Members of the Committee,

Thank you for allowing me the opportunity to testify before this Committee regarding the government's record in implementing the International Religious Freedom Act (IRFA). I would like to ask that my full statement be submitted into the record.

When IRFA was passed in 1998, I was one of many Americans elated that the U.S. Congress made our nation's historic commitment to religious freedom a national foreign policy priority, establishing various agencies to promote this fundamental human right and work to end oppressive policies against people on the basis of their religion or beliefs. At the time, I was a college student and was particularly interested in the situation in Sudan, which was one of the main reasons Americans rallied behind IRFA, though China and Russia were two other areas of specific concern inspiring the legislation's passage – all remain concerns today.

At the time of IRFA's passage, the civil war in Sudan was raging on: two million Sudanese in the south and others supporting them in the surrounding areas of Blue Nile and South Kordofan were killed as government planes bombed their churches and their homes from the air, enslaving those they captured – especially children – while President Bashir declared a holy war on the south, instituted criminal sharia, and used systematic starvation as a weapon of war. You may recall that Roma Downey highlighted the slavery of southern Sudanese by the Bashir regime in an episode of Touched by an Angel in 1999, further galvanizing American interest in Sudan. Americans were shocked that human slavery still existed; the many Lost Boys of Sudan now living in America provide us with a daily reminder of the brutal realities of religious oppression.

Indeed, the lesson of Sudan for America was that no one is safe when religious oppression is allowed to flourish – for Muslims, Christians, followers of traditional African religions, and most ethnic groups outside President Bashir's own tribe, his oppressive policies of genocide, slavery, and ethnic cleansing had no respect of persons.

The situation in Sudan also illustrated the inextricable link between religious persecution and so many other human rights violations – where religious persecution is present, we can also find a variety of abuses of other human rights. Moreover, as history has shown time and again, religious freedom serves as an important litmus test or canary in the coal mine for the level of other human freedoms. Therefore, in promoting religious freedom in Sudan and elsewhere, the US was embarking on a policy to promote greater human freedom and human dignity. If implemented well, such a policy could have significant and positive implications for the promotion of other rights, and would contribute to the benefits of a rights-based society – economic, social, cultural, political and more.

The ability of autocratic governments to oppress their citizens and silence dissenters, minority communities, or undesirable elements of society is closely tied to restrictions on or the denial of the human right to the freedom of thought, conscience, religion or belief, as articulated in Article 18 of both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights upon which IRFA policy was based. As Seamus Hasson has so articulately stated, religious freedom is "the foundation of the existence of any human right. Freedom of religious expression is the catalyst in

any society to the awareness of the dignity of the human person and the most fundamental precondition for any intelligible discussion about human rights."

This freedom, religious freedom, is not just about religious people. It protects an individual's beliefs – whatever those beliefs may be. It protects secularists and atheists, women and children, those with disabilities, non-citizens and citizens, prisoners and those enslaved or trafficked by others, minority and majority faith communities, those we disagree with and those we support – it unequivocally protects human conscience for all. It is a non-derogable human right, one that cannot be suspended or taken away at any time by governments under their international obligations. While the freedom to express one's faith may be limited under certain circumstances, the ability to believe may never be limited.

As one of the first major initiatives inspired by IRFA, U.S. policy in Sudan serves as an important indicator of our government's success over the past 15 years implementing this legislation. Recognizing the inhumanity of the situation, where slavery, forced starvation, mass killings, and terrorism flourished, Democrats, Republicans, the Human Rights Caucus, the Congressional Black Caucus, and people of all or no faith throughout the country worked together to pass legislation to end the human destruction occurring in Sudan. The U.S. Commission on International Religious Freedom recommended that the White House appoint a Special Envoy to negotiate a peace agreement to end the civil war. President Bush appointed former Senator John Danforth to serve as the Special Envoy to Sudan and he worked tirelessly and honorably to draft the Comprehensive Peace Agreement (CPA). The CPA was signed between the north and the south in 2005, finally bringing an end to the decades-long conflict.

All of this was accomplished in the initial years of IRFA's passage. Everything seemed to be moving forward well for this new policy. Since then, there have been several other notable accomplishments inspired by provisions in IRFA:

- The State Department denied a visa to Narendra Modi, chief minister of Gujarat State in India, pursuant to IRFA for his direct involvement in the persecution of Muslims;
- The State Department and U.S. Congress worked to secure the release of a number of individuals imprisoned as a result of their religious beliefs, including prominent Uyghur advocate Rebiya Kadeer, Tibetan Buddhist nuns Ngawang Sangdrol and Phuntsog Nyidron, Afghan convert Sayed Mossa, a number of Iranian converts, hundreds of Vietnamese religious prisoners, and most recently Chinese human rights advocate Chen Guangcheng, among many others;
- The Department of Homeland Security began to address problems in U.S. immigration law relating to expedited removal to ensure that legitimate asylum seekers are not put at risk of being returned to countries where they may face religious persecution; and more recently,
- The State Department worked to counter a movement at the United Nations under resolutions entitled "Defamation of Religions," which provided cover for domestic blasphemy, apostasy, and anti-conversion laws; the US ultimately offered an alternative resolution in 2011 to replace the Defamation resolutions and initiated the Istanbul Process, focused on combating religious intolerance which has engaged the Department of Justice in efforts to facilitate trainings with countries undergoing legal changes related to freedom of religion and freedom of expression; and

Some of these accomplishments, among others, were identified in legislation I drafted while working for Congressmen Trent Franks and Emanuel Cleaver, former co-chairs of the International Religious Freedom Caucus, in 2008 to mark the 10th anniversary of IRFA.[1] In that legislation, I also identified several new situations that had arisen to challenge US policy on religious freedom. Unfortunately several of those challenges remain unaddressed today. Consequently, in spite of these notable accomplishments,

[1] H.RES.1140 (2008) -- Recognizing the 10th Anniversary of the International Religious Freedom Act of 1998.

much work remains to be done as religious persecution continues to worsen each year, leaving 5.1 billion people without this basic freedom that serves as a linchpin to so many other human freedoms.

In 2007, I worked with Congressman Frank Wolf to secure the first funding designated for religious freedom programming, which - although mandated under IRFA - had never been implemented. My research indicated that the only funding for religious related programs were focused on tolerance and accounted for less than one percent of the total funds distributed under the Human Rights and Democracy Fund with the State Department. Unfortunately, in reviewing the implementation of those designated funds, I discovered that the State Department largely failed to support programs that would address the legal challenges to religious freedom worldwide. I also undertook research for both the USCIRF and Congress and found that there were no required training programs in international religious freedom for Foreign Service officers and the diplomatic corps, as required under IRFA. In both instances, State followed a reactionary approach rather than a proactive one. The failure to effectively invest in the positive promotion of religious freedom and training of our diplomats in positive engagement has cost us more in the long run as instability increases worldwide. Not only would such an investment save America money in the long run, it would also improve our reporting mechanism under the State Department's Office of International Religious Freedom.

In 2011, I was part of a broad coalition of non-governmental organizations working to reform the International Religious Freedom Act. Two of our suggestions were implemented by Senator Durbin. The first was the institution of term limits for Commissioners at the USCIRF in order to engage a variety of individuals with new ideas and approaches to advancing religious freedom. The other suggestion related to the reduction of the Commission's budget. Other recommendations were unfortunately not taken up by Congress in the reauthorization of IRFA but would contribute to greater effectiveness in the government's implementation of that Act. These recommendations included increasing the status given to the Ambassador at Large for International Religious Freedom to the equivalent of others with the rank of Ambassador, implementing required training for all Foreign Service officers and politically appointed diplomats, and increasing support for programs that specifically promote religious freedom abroad.

The recent study by the Government Accountability Office has acknowledged some of the continuing problems in implementing an effective strategy as well. Still, the question before the Committee today is whether the government has been effective in implementing IRFA and if not, then what has happened to America's leadership on religious freedom?

Under President Bush, the rank of the Ambassador-at-Large for International Religious Freedom was demoted within the State Department. And, as you know, it took two and a half years for the current Administration to appoint an Ambassador-at-Large. By the time this position was finally filled, the Arab Spring had already begun and there was little time for the Ambassador to respond to violations of religious freedom, let alone develop the expertise required to address such situations.

While inconsistent policies affect most Administrations, the demotion and delayed appointment of the Ambassador-at-Large gave religious freedom advocates and the general public the impression that religious freedom was a low priority for America. While much could be said of previous Administrations and their efforts on religious freedom, in particular the failure to adopt any comprehensive policy in Iraq that would protect religious minorities, my comments will focus primarily on the current Administration's efforts to implement IRFA.

Coupled with the inconsistent policies and messages in recent years, American leadership and resolve is not what it was at the time of IRFA's passage when a broad multi-faith, bi-partisan coalition supported it. This includes the recent Administration's calls to negotiate with state sponsors of terrorism, and failure to respond decisively when peaceful protestors in Iran, Egypt and Syria look for international support

against autocratic policies and religious oppression, to the recent waiving of conditions on aid to Egypt and persistent national security waivers for Saudi Arabia despite massive violations of religious freedom in both countries. Indeed, Saudi Arabia has traditionally earned a pass from both Republican and Democrat administrations – this, despite the fact that the country publishes and exports textbooks which educate children in how to kill Christians, Jews, and homosexuals.

While President Obama recently met with Burmese President Thein Sien and raised concerns about the persecution of Rohingya Muslims, there is no evidence that he has raised similar concerns about persecution of religious minorities in recent visits with the Turkish Prime Minister Recep Tayyip Erdogan or Chinese President Xi Jinping. Moreover, official statements following the 2010 attack on a Syriac Church in Baghdad and current attacks on Muslims and Christians by Boko Haram in Nigeria have underplayed the terrorist nature of the attacks as specifically targeting religious communities (of course, past Administrations did not prioritize religious freedom in policies in Iraq and Nigeria as well which has contributed to the growing problem that now exists for the current Administration).

Many Muslim human rights groups have rightfully raised concern over the consideration of easing visa restrictions on Narendra Modi; however, more alarming for these groups is what will happen with if Modi becomes Prime Minister in light of this shift in US policy towards someone directly responsible for egregious violations of religious freedom. Recently, a large multi-faith effort recently raised concern over the invitation of top Sudanese officials, led by presidential advisor Nafie ali Nafie, a man also well known as the Butcher of Sudan, to the White House and what this means for the future of US policy on religious freedom when IRFA clearly restricts the issuing of any visas for officials directly involved in egregious violations of religious freedom. And in a glaring error, the State Department and Administration have failed to designate any countries as Countries of Particular Concern since 2011, although they are required to do so by IRFA each year. So despite some positive statements from the Administration, there have been major missteps which jeopardize the integrity of the US's religious freedom efforts.

Apart from issues in the White House, and beginning under the previous Administration, the Department of Homeland Security has placed thousands of applications for resettlement on hold because of terrorism related inadmissibility grounds (TRIG) which have unintentionally designated those persecuted by terrorists as providing "material support" to terrorists. Though never intended by Congress, lawmakers recognized this problem, and in 2007, just before President Obama took office, Senators Patrick Leahy (D-Vt.) and Jon Kyl (R-Ariz.) passed legislation with broad bipartisan support, authorizing the president to exempt persons with no actual connection to terrorism from the overly broad definition of terrorism created under the USA PATRIOT Act of 2001. Many persecuted individuals remain in limbo in dangerous situations, waiting for the President to fulfill his promise to clear up the backlog of cases, issue the regulations needed to fix this problem, and help persecuted refugees work through this process more quickly. If those truly associated with terrorism and egregious violations of religious freedom can enter the U.S. despite laws preventing this from occurring, then perhaps the President can direct the Secretary of Homeland Security to address the TRIG concerns raised by a bi-partisan initiative of Congress to ensure American remains a refuge to those fleeing religious persecution.

In reviewing US policy implementing the IRFA since 1998, one thing is clear: religious freedom has more often than not been treated as an annoying thorn in our side – something we are obligated to address out of duty rather than genuine concern. We have failed to recognize the violation of religious freedom as the symptom of a deeper cancer that must be addressed for human freedom to flourish. This has been true of every Administration since 1998.

To be effective, religious freedom must be supported as a top priority by the President, it must be part of a comprehensive policy for nations and regions, and it must take on a strategic offensive approach rather than a delayed defensive one.

I would like to return to Sudan and explore whether we can still consider Sudan to be a model for success in implementing IRFA. Unfortunately, the initial momentum to address religious oppression in Sudan was sidelined by other national security concerns over the past decade; there was little coordination among agencies and certain ones, such as the Department of Defense, flatly failed to implement the President's recommendations. A lack of follow-through since passage of the CPA has allowed the wound to re-open and the cancer to exacerbate into another civil war which is now ravaging the north.

As you know, following the signing of the CPA, President Bashir turned his full attention to Darfur and launched what Congress has recognized as genocide, the brutal ethnic cleansing of at least 200,000 Darfurians. Bashir dismissed the CPA and failed to implement any of the recommendations from it. Congress, State and the President tried to get the south the assistance needed to defend against air raids and other military attacks, but these policies were never implemented by Secretary Gates – and sadly we see the effects of this in the Nuba Mountains today. Since the south seceded in a referendum in 2011, President Bashir has launched a crackdown on Sudanese in the Nuba Mountains and other regions for their loyalty to the south.

Last year, President Bashir invited civil society groups to draft a new constitution. I was invited to facilitate an interfaith training for a group of Sudanese lawyers working on draft recommendations, as they needed assistance in this process and lacked legal expertise in international religious freedom law. However, since Bashir's initial invitation to civil society regarding the constitution last year, a widespread governmental crackdown has swept across civil society, targeting Christian groups in particular. Most recently, several of the individuals who participated in the training were investigated for their work on the constitution, simply doing what the President asked them to do. The Security Forces' Department of Christianity are treating Christians - and the Muslims with whom they are working to ensure equal protection and peaceful coexistence for all - as a national security threat. As the situation deteriorates in Sudan, President Bashir is once again using systematic bombing, starvation, imprisonment, and torture against his people.

The State Department has relaxed some sanctions for educational and professional exchanges in Sudan, which is a positive step, but more must be done to publicly condemn the targeting of those Sudanese who seek further training, to ensure a constitutional process that protects the equal rights of all citizens and which ends the government's brutal policies. Once again, we stand at a critical juncture with an opportunity to stand with the Sudanese people in their pursuit of human freedom. In light of President Obama's promises to focus on ending the conflict in Darfur prior to his election, it is critical that he now take decisive actions to effect real change in Sudan. This can be done by appointing a new Special Envoy, making bold statements about the need for respect for human rights, and rescinding his invitation to anyone associated with egregious violations of religious freedom as required under IRFA.

The lesson of IRFA's effectiveness in relation to Sudan is clear – without a clear, comprehensive, strategic, persistent and consistent policy, brutal regimes will slide back into their old habits and we will continue to see religious persecution increase year after year. That is why the President needs to appoint strong Ambassadors and Envoys to address particularly grave situations, including the recent call by Congress for an Envoy to protect religious minorities in the Middle East, which has so far been dismissed.

Each Administration has faced new and difficult challenges with respect to religious persecution. The key is using new tools to address them. New opportunities for US engagement on religious freedom have arisen in Sudan amidst this new constitutional process, but there are also new opportunities in Laos as they consider new regulations on religion, in Nepal as they consider a new constitution and whether it will have an anti-conversion law in it, in Nigeria as the country devolves into a state of emergency amidst the

rise of an Islamic terrorist group attacking Muslims and Christians alike, and in Turkey which is also undergoing a constitutional revision.

As US leadership on religious freedom has shifted over the years, other nations have stood up to fill the void. The Canadian government has appointed an Ambassador for Religious Freedom and opened a new office to support the initiative. The European Union is working with NGOs to develop guidelines on religious freedom and provide training to officials to ensure greater support worldwide, while officials in the Netherlands, Sweden, Norway and the United Kingdom are becoming more active on religious freedom issues. The Italian government has also established a Religious Freedom Observatory. As other nations advance their own national policies on religious freedom, we have a larger pool of best practices to draw from.

As one example of specific actions taken by foreign governments, earlier this year, German Chancellor Angela Merkel met with Turkish Prime Minister Erdogan and various minority faith communities to discuss the importance of religious freedom in the constitution currently being drafted there. She spent a majority of that time focused on the government's legal challenge to the Mor Gabriel Monastery, in which the government is attempting to seize the land on which the monastery has stood since the 4th century. In contrast, I am not aware of any mention during the recent visit between Erdogan and President Obama of the constitutional process and the need for religious freedom. Yet, here we stand with a clear opportunity to implement IRFA with an ally to help that nation become stronger and more stable through respect for religious freedom.

As you know, what started as a small protest against the destruction of a park in order to build a mall has turned into a major awakening in the consciousness of the people of Turkey, who are now taking a stand against the government's restrictive policies. As people are calling for greater freedom in Turkey - particularly freedom of expression, as Turkey is a major violator of freedom of the press - this is an opportune moment to add to the chorus and demand that Turkey honor and respect its international commitments to freedom of religion or belief. Turkey can make a choice: it can choose to repress the will of the people, as autocratic states throughout the Middle East and North Africa have over the past several years; or it can choose to honor the will of the people, explore and discuss the changes that are necessary to respect their wishes, and make efforts to institute true freedom.

And as everyone in this room knows, true freedom is impossible when people do not have the freedom to believe. When Alevis are forced to call their houses of worship "cultural centers"; when priests and rabbis cannot wear their cleric's clothing out on the street; when the government is waging a legal battle in order to seize the last tiny parcel of land from a monastery which has existed for over 1,600 years; this is not true freedom. Or, as Congress recognized in a resolution I helped draft a few years ago, when Turkish forces destroy and sell off to a black market the entire religious and cultural heritage of northern Cyprus in violations of humanitarian law.[2] Turkey has an opportunity to make a huge step forward, and it is our responsibility, as a close ally, to urge them in that direction.

With these things in mind, I suggest the following policy recommendations to improve US implementation of the IRFA:

To White House:

- In collaboration with the national security advisor designated to address religious freedom, the Ambassador-at-Large and the USCIRF, develop a comprehensive policy to work with countries

[2] HRes1631 (passed House in 2010), Calling for the protection of religious sites and artifacts from and in Turkish-occupied areas of northern Cyprus as well as for general respect for religious freedom.

of particular concern or on the Watch List to move them toward incremental advances in respect for religious freedom, both in law and policy;

- Frequently acknowledge and address serious religious freedom problems in any country, particularly when traveling and by issuing frequent statements calling for protection of religious freedom;
- Work with Congress, State, and the Department of Defense on a clear policy to provide the people of Sudan the assistance needed to prevent another mass genocide and appoint a new Special Envoy to coordinate this policy;
- Direct the Secretary of Homeland Security to address the TRIG concerns raised by a bi-partisan initiative of Congress to ensure American remains a refuge to those fleeing religious persecution;
- Reconsider any invitations to the US of any foreign officials who have been directly involved in egregious violations of religious freedom pursuant to IRFA;
- Reconsider any waivers to countries violating the inviolable right to religious freedom;
- Consider appointing a Special Envoy to protect religious minorities in the Middle East; and
- Condition any official US engagement with opposition groups in countries undergoing political change on the adoption and public recognition of a Bill of Rights that includes respect for religious freedom as understood in the UDHR.

To the State Department:

- In collaboration with the national security advisor designated to address religious freedom, the Ambassador-at-Large and the USCIRF, develop a comprehensive policy to work with countries of particular concern or on the Watch List to move them toward incremental advances in respect for religious freedom, both in law and policy;
- Issue the CPC recommendations called for under IRFA;
- Develop a comprehensive strategy for protecting religious minorities in the Middle East post-Arab Spring,
- Provide programmatic support to organizations working with foreign governments and civil society on legal protections in constitutions and laws to defend the international standard of religious freedom;
- Develop a comprehensive policy to address specific legal issues restricting religious freedom, including blasphemy, apostasy and anti-conversion laws, religious affiliation on identity cards, and other provisions that limit the full equality of all citizens;
- In light of frequent complaints by NGOs of their inability to get messages through to the UN Special Rapporteur on freedom of religion or belief for assistance in initiating private complaints about violations of religious freedom in countries of concern, investigate why the Special Rapporteur appears to have little support from the Office of the High Commissioner for Human Rights;
- Provide specific required training of all Foreign Service officers in international religious freedom standards and IRFA policy;
- Continue to ensure that no foreign government official receives a visa to enter the United States if that official, such as Narendra Modi or Nafie al Nafie, has been directly involved in particularly severe violations of religious freedom;
- Develop a policy to address the propagation of hatred in educational institutions worldwide, such as in Saudi funded textbooks and the misrepresentation of religious minorities such as Alevis and Christians in Turkish textbooks;
- Address national policies in countries like Kurdistan, Iraq, Uzbekistan, Russia, and China, among others, to justify restrictions on religious freedom by accusing peaceful practitioners of some religious communities of terrorist activities; and
- Develop and articulate a clear policy for why religious freedom is in the interest of foreign nations – for economic, social, political, and cultural reasons.

To the USCIRF:

- In collaboration with the national security advisor designated to address religious freedom and the Ambassador-at-Large, develop a comprehensive policy to work with countries of particular concern or on the Watch List to move them toward incremental advances in respect for religious freedom, both in law and policy;
- Work with Congress to develop legislation to advance religious freedom and assist the Department of State in indentifying and implementing programming and training, as well as in developing other comprehensive policies for specific situations identified above; and
- Work with the Department of State to develop and articulate a clear policy for why religious freedom is in the interest of foreign nations – for economic, social, political, and cultural reasons.

To the US Congress:

- Condition all aid on respect for religious freedom and allow for no waiver on sanctions or aid with respect to religious freedom, and only permit limitations for the manifesting of belief as permitted under international law;
- Call on the United Nations to initiate a "Decade for Religious Freedom" during which time all national laws and constitutions should be amended to be consistent with the international standard for religious freedom under Article 18 of the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights as well as broad public education for religious freedom; and
- Call on the Department of State and White House to act on IRFA and other legislative actions taken by Congress, including related to the issue of asylum seekers, restrictions on visas for foreign officials directly engaged in violations of religious freedom, the promotion of religious freedom through funding initiatives and training Foreign Service officers.

In conclusion, it is essential for US religious freedom policy to convince America's own diplomats and Foreign Service officers that it is vital to human freedom and national interests. Equally important is for the American public to express their support for US engagement on international religious freedom. In the first respect, the Pew Forum has done excellent research showing the economic, social, cultural, political and other benefits of religious freedom, which provides clear, tangible reasons for diplomats to promote religious freedom as a stabilizing force. Religious freedom positively correlates with other human freedoms and enables stronger, more stable governments.

The second issue – that of public support and engagement - is a much larger problem which Hardwired will be working to change in the coming months. Since younger generations of Americans are increasingly nonreligious, and because this issue has been construed in recent years as an issue only for religious people, it has been sidelined in the national media and among those advocating for other social justice issues. As the linchpin of so many other human freedoms, it is incumbent upon the NGO community to utilize different strategies as well to be more effective in advocating for religious freedom.

While the Holocaust primarily and overwhelmingly targeted Jews, it also involved the extermination of other "undesirables" – the disabled, Jehovah's Witnesses that wouldn't swear an oath along with Christians morally opposed to the regime and other conscientious objectors, communists and other political opponents, and more. I recently heard about a Christian couple that was imprisoned with a communist in Turkey several years ago. They thought they had it bad until they saw how the Turkish government treated the communist. They put him outside in the freezing cold during winter, stripped him of his clothes and soaked him in cold water, then left him to freeze. Each day they would do this to him, and each day, this Christian couple would wrap him in their bodies to warm him up and prevent him from freezing to death. They kept him alive and through it realized that Pastor Niemoller's words from the

Holocaust were true for every generation – we must all stand together in the fight against human oppression for it is truly a human struggle which affects all of us. Religious freedom cannot be fought in a vacuum, it is a right of conscience for people of all faiths and none – it is a freedom for those suffering from religious oppression and religious persecution.

I hope that as Congress reconsiders this important initiative in our nation's foreign policy, there will be a new movement to stand with those oppressed by religiously motivated regimes or ideologically driven autocrats on the basis of our common humanity, whether we agree or disagree with their beliefs, and because we know that freedom of conscience is essential for human freedom for anyone anywhere in the world.

Thank you.

Mr. CHAFFETZ. Mr. Amjad?

STATEMENT OF AMJAD MAHMOOD KHAN

Mr. AMJAD. Mr. Chairman, members of the subcommittee, thank you for inviting me to testify here today before this committee. I want to, first of all, convey the regrets of Amjad Khan, who was supposed to be here originally and could not make it because of travel difficulties. I also want to specially recognize Congresswoman Speier, who has been a long-time friend of our community. I also want to request permission from the committee to submit the full extent of our remarks for the record.

Mr. LANKFORD. Absolutely. Without objection.

Mr. AMJAD. Thank you.

So I will make three main points today. First, I will discuss the strengths of the International Religious Freedom Act and the ways in which it has benefitted out community; second, I will touch upon the Act's key role in enhancing national security; and, finally, I want to discuss a few of the ways in which the Act can be made even more effective.

Before I delve into these points, allow me to very briefly introduce our community to you. The Ahmadiyya Muslim Community is a revivalist movement within Islam that espouses the motto of love for all, hatred for none. As a central tenet of its faith, the community rejects violence and terrorism for any and all reason. When violent extremists label their acts of terrorism as jihad, it is the Ahmadiyya Muslim Community that is usually first and most forceful in its denunciation, focusing on both conveying true Islamic teachings to Muslims around the world, as well as removing misconceptions of Islam in the West. Today, our community is established in more than 200 countries and its tens of millions of adherents will follow the only spiritual caliph in the Muslim world, His Holiness Mirza Masroor Ahmad, who resides in London.

Our community is arguably the most persecuted Muslim community in the world, as has been recognized by the U.S. State Department, the U.S. Commission on International Religious Freedom, and dozens of human rights non-governmental organizations.

Over the past decade, hundreds of Ahmadi Muslims have been murdered in Pakistan, and dozens more in other countries around the world. Indeed, in 2010 alone, 99 Ahmadi Muslims were murdered in Pakistan, the deadliest year ever for the community. In Pakistan, our community is declared to be non-Muslim by constitutional amendment and is effectively barred from participating in national elections, such as the one that took place last month to elect a new government.

It is clear, then, that the International Religious Freedom Act is a critical piece of legislation for our community, which brings me to my first main point: how the IRFA has helped our community and its strengths. The Act has helped to raise awareness within those countries in which Ahmadi Muslims, and indeed all religious minorities, face persecution, as well as in the United States, where organizations like the U.S. Commission for International Religious Freedom under the able leadership of Dr. Swett and The Becket Fund for Religious Liberty has advocated for the release of Ahmadi Muslim prisoners of conscience and the protection of their rights to

practice their faith freely, and without fear of government or extremist reprisal.

My second main points relates to the underappreciated role of the IRFA in enhancing our national security. Today, violent extremism is perhaps the central threat to U.S. national security, both at home and our embassies and military installations abroad. And while terrorism has nothing to do with religion, those who carry out these acts are often brainwashed into believing that they somehow serve a religious purpose. This is true for terrorists everywhere who rely on religious justification.

As it relates to the Islamic world, by enhancing the freedom of minority sects and protecting scholars at risk, the IRFA can help restore pluralism to Muslim-majority countries. By virtue of the Act, the ulema, the scholars, who support acts of violence can be challenged not just on moral grounds, but based on international human rights principles that are consistent with Islamic law, thus removing misconceptions from the mass public that have persisted, unchecked, for decades.

Having noted some of the IRFA's benefits and strengths, both intrinsically and in the struggle against violent extremism, I now wish to bring to the committee's attention my final main point: ways in which this Act can be strengthened, not just to further its core purpose, but to help save lives, to help other nations establish their own religious freedoms, and perhaps one day make the Act itself unnecessary. I note five areas of improvement.

The first area of improvement relates to information flow and content at the U.S. State Department's various bureaus and embassies and consulates. Despite our ever-readiness to provide information to the Department, its written correspondence is sometimes wrought with errors concerning the persecution cases with which it deals. Some of this must be attributed to unclear information on the ground but, simply put, the political officers assigned to the International Religious Freedom portfolio, often first-and second-tour professionals, must be given more training and emphasis on this subject. Their training should include more practical procedural instruction so that all officers, irrespective of cone or assignment, are able to advocate for human rights and religious freedom, and understand how to interact with religious communities' representatives in the United States, gather information in the host countries, and take action.

The second area of improvement relates to responsiveness. Desk officers, regional bureaus, and overseas posts are sometimes nonresponsive for long stretches of time to acute requests for assistance in countries that have seen the worst violations of international religious freedom. For example, despite briefings by our community, the U.S. Embassy in Saudi Arabia has provided only limited assistance and support relating to the release of two Saudi nationals and Ahmadi Muslim prisoners of conscience, who I am sad to report are still languishing in jail, without charge, for more than one year, and this despite a law on the books capping such confinement to six months. So while our community fully appreciates the tremendous strain and workload placed on embassies abroad, I believe a greater level of responsiveness to the concerns

of vulnerable religious communities can go a long way in achieving U.S. engagement on acute issues of religious persecution.

The third area of improvement relates to prioritization. International religious freedom, despite being a portfolio item, usually takes a back seat to security, democratization, and even economic issues like energy security. The tragic events of 9/11 have taught us that we must make human rights and religious freedom a tier one issue in countries that we dub state sponsors of terrorism. Only when we break the hold of religious domination by extremist clerics will there be a viable opposition or alternative for the massages in those countries. Consistent with U.S. law and policy, under the current Leahy Process, the State Department vets its assistance to foreign security forces to ensure that recipients have not committed gross human rights abuses. When the vetting process uncovers credible information that an individual has committed a gross violation of human rights, U.S. assistance is withheld. It is unclear whether violations of international religious freedom constitute a gross violation of human rights for purposes of the Leahy Process, but, in my view and recommendation, they should.

Let me briefly touch on the final two areas.

The fourth area of improvement relates to feedback and the need for a feedback loop and admin and enhanced communications that could be made with a concerned community upon the release of a country's report.

The final area of improvement relates to structure. Currently, the Ambassador at Large for International Religious Freedom has not been vested with the necessary authority and, as has been covered here by other witnesses, must be empowered to directly assist with the implementation of recommendations related to the persecution of international religious freedom.

In conclusion, let me say that the primary source of our community's persecution is religious extremists who espouse a militant perversion of Islam. Our community strongly believes that all such religious extremism must be cut at its root, and we welcome all and any and all efforts by the U.S. Government to redress global restrictions to international religious freedom. The IRFA provides vital safeguards to protect a fundamental universal human right, and while we wholeheartedly support the Act, we hope that Congress urgently improves upon its limitations and shortcomings in a manner that strengthens the Act's original mandate. Our community stands ready to assist in this process.

Thank you very much.

[Prepared statement of Mr. Amjad follows:]

United States House of Representatives
Committee on Oversight and Government Reform
Subcommittee on National Security
Washington, D.C.
June 13, 2013

Testimony of Amjad Mahmood Khan, Esq.

Mr. Chairman and Members of the Subcommittee:

Thank you for inviting me to testify today on the role of international religious freedom on United States foreign policy since the passage of the International Religious Freedom Act of 1998.

I am a Muslim-American attorney residing in Los Angeles. In my private practice, I litigate complex business and commercial matters for an international law firm. In my *pro bono* practice, I represent refugees escaping persecution. I have studied international and human rights law at Harvard Law School (where I graduated in 2004) and have written about the global persecution of the Ahmadiyya Muslim Community and surrounding issues for prominent legal journals and national newspapers. I also volunteer as the National Director of Public Affairs for the Ahmadiyya Muslim Community USA and provide my testimony today in that capacity.

I will make three main points today: *first*, I will discuss the strengths of the International Religious Freedom Act and the ways in which it has benefitted our Community; *second*, I will touch upon the Act's key role in enhancing national security; and *finally*, I will enumerate the ways in which the Act can be made even more effective.

Before I delve into these points, allow me to briefly introduce our Community.

Founded in 1889, the Ahmadiyya Muslim Community is a revivalist movement within Islam and espouses the motto of "Love for all, hatred for none." As a central tenet of its faith, the Community rejects violence and terrorism for any and all reason. When violent extremists label their acts of terrorism as 'jihad,' it is the Ahmadiyya Muslim Community that is usually first and most forceful in its denunciation, focusing on both conveying true Islamic teachings to Muslims around the world as well as removing misconceptions of Islam in the West. Today, our Community is established in more than 200 countries, and its tens of millions of adherents all follow the only spiritual caliph in the Muslim world, His Holiness Mirza Masroor Ahmad, who resides in London.

The Ahmadiyya Muslim Community is arguably the most persecuted Muslim community in the world. The U.S. State Department, the U.S. Commission on International Religious Freedom and dozens of human rights non-governmental organizations have documented the systematic persecution endured by our Community at the hands of religious extremists and state institutions.

Over the past several decades, hundreds of Ahmadi Muslims have been murdered in Pakistan, and dozens more in Bangladesh and Indonesia. In 2010 alone, 99 Ahmadi Muslims were murdered in Pakistan—the deadliest year ever for the Community. In Pakistan, our Community is declared to be "non-Muslim" by constitutional amendment and is effectively barred from participating in national elections such as the one that took place last month to elect a new government. Even using basic Islamic greetings can result in up to three years imprisonment for Ahmadi Muslims.

It is clear, then, that the International Religious Freedom Act is a critical piece of legislation for our Community, which brings me to my first main point: how the International Religious Freedom Act has helped our Community, and its strengths. The Act has helped to raise awareness within those countries in which Ahmadi Muslims, and indeed all religious minorities, face persecution, as well as in the United States, where organizations like the U.S. Commission for International Religious Freedom have advocated for the release of Ahmadi Muslim prisoners of conscience and the protection of their rights to practice their faith freely, and without fear of government or extremist reprisal.

The International Religious Freedom Act has several strengths. Over the past fifteen years, the U.S. State Department's annual International Religious Freedom report has become increasingly more robust, detailing not just persecution, but actions taken as a result of engagement by the U.S. diplomatic corps. Legal practitioners like me routinely cite to and rely on annual International Religious Freedom reports in asylum and refugee cases here and abroad. The Act also allows for an ongoing and crucial dialogue between our Community and the U.S. State Department's Bureau of Democracy, Human Rights and Labor.

Most importantly, however, the International Religious Freedom Act has catapulted religious freedom into the portfolios of every political section in every embassy and consulate around the world, giving persecuted communities an advocate in every country of concern. I will provide the Subcommittee two quick examples of this particular feature of the Act. First, in 2011, U.S. diplomats assigned to the United Arab Emirates (UAE) proved to be instrumental in helping to secure the release of an Emirati national and Ahmadi Muslim convert. My colleague and I personally travelled to UAE for weeks to provide free legal assistance to the Ahmadi Muslim prisoner, and I was genuinely grateful for the

U.S. Embassy's impressive diplomatic ground support and engagement. Second, in the Kyrgyz Republic in 2012, the U.S. Embassy took a keen interest in supporting our Community's right to register as a religious group and even sent representatives to observe the controversial court hearings in Bishkek.

My second main point relates to the underappreciated role the International Religious Freedom Act plays in enhancing our national security. Today, violent extremism is perhaps *the* central threat to U.S. national security, both at home and at our embassies and military installations abroad. And while terrorism has nothing to do with religion, those who carry out these acts are often brainwashed into believing that they somehow serve a religious purpose. This is true for terrorists everywhere who rely on religious justification.

As it relates to the Islamic world, by enhancing the freedom of minority sects, and protecting scholars at risk, the International Religious Freedom Act can help restore pluralism to Muslim-majority countries. By virtue of the Act, the *ulema* who support acts of violence can be challenged, not just on moral grounds, but based on international human rights principles that are consistent with Islamic law—thus removing misconceptions from the mass public that have persisted, unchecked, for decades.

Despite persecution, our Community tirelessly engages common Muslims and Islamic leaders on the true meaning of "jihad" and how violence and terrorism are never sanctioned in Islam. We do this through individual efforts on the ground in Muslim-majority countries, through our international satellite station, Muslim Television Ahmadiyya, which has a dedicated channel in Arabic, and Urdu programming as well, and through print media and the Internet. However, due to persecution, and a curbing of our freedoms of expression, our voice is often muffled, or altogether muted, in parts of the Islamic world. If Ahmadi Muslims were granted the freedom to convey their message of global peace freely and publicly, just imagine how much influence they can have on the struggle to rid the world of religious terrorism.

Having noted some of the International Religious Freedom Act's benefits and strengths, both intrinsically and in the struggle against violent extremism, I now wish to bring to the Subcommittee's attention my final main point: ways in which this Act can be strengthened, not just to further its core purpose, but to help save lives, to help other nations establish their own religious freedoms, and perhaps one day make the Act itself unnecessary. I note five areas of improvement.

The first area of improvement relates to information flow and content at the U.S. State Department's various bureaus and embassies and consulates. Despite our ever-readiness to provide information to the Department, its written

correspondence is sometimes wrought with errors concerning the persecution cases with which it deals. Some of this must be attributed to unclear information on the ground, but simply put, the political officers assigned to the International Religious Freedom portfolio, often first and second-tour professionals, must be given more training and emphasis on this subject. Their training at the Foreign Service Institute should include more practical procedural instruction, so that all officers, irrespective of cone or assignment, are able to advocate for human rights and religious freedom and understand how to interact with religious communities' representatives in the United States, gather information in the host countries, and take action.

The second area of improvement relates to responsiveness. Desk officers, regional bureaus and overseas posts are sometimes non-responsive for long stretches of time to acute requests for assistance in countries that have seen the worse violations of international religious freedom. For example, despite briefings by our Community, the U.S. Embassy in Saudi Arabia has provided only limited assistance and support relating to the release of two Saudi nationals and Ahmadi Muslim prisoners of conscience, who I am sad to report are still languishing in jail, without charge, for more than one year, and this despite a law on the books capping such confinement to six months. While our Community fully appreciates the tremendous strain and work load placed on U.S. embassies abroad, I believe a greater level of responsiveness to the concerns of vulnerable religious communities can go a long way in achieving U.S. engagement on acute issues of religious persecution.

The third area of improvement relates to prioritization. International religious freedom, despite being a portfolio item, usually takes a backseat to security, democratization and even economic issues like energy security. The tragic events of 9/11 have taught us that we must make human rights and religious freedom a tier-one issue in countries that we dub state sponsors of terrorism. Only when we break the hold of religious domination by extremist clerics will there be a viable opposition or alternative for the masses in those countries. Consistent with U.S. law and policy, under the current Leahy Process, the State Department vets its assistance to foreign security forces to ensure that recipients have not committed gross human rights abuses. When the vetting process uncovers credible information that an individual has committed a gross violation of human rights, U.S. assistance is withheld. It is unclear whether violations of international religious freedom constitute a "gross violation of human rights" for purposes of the Leahy Process, but in my view and recommendation, they should.

The fourth area of improvement relates to feedback. There is no feedback loop on the response that foreign governments have to the State Department's annual International Religious Freedom report. To be sure, government officials the world

over eagerly consume their country's report upon its release, and even voice displeasure with it, but whatever their response, it is not conveyed to the communities which are noted in those reports. Added and enhanced communications would certainly help to build confidence, measure the Act and its reports' effectiveness, and track progress in those countries.

The fifth and final area of improvement relates to structure. Currently, the Ambassador-at-Large for International Religious Freedom has not been vested with the necessary authority to take action when a country flagrantly violates human rights. For example, an empowered Ambassador-at-Large could have taken more active measures to ensure the full and free right to vote for Ahmadi Muslims ahead of Pakistan's national elections last month. Yet, our Government's support for this flagrant human rights violator continues unfettered, thereby weakening the International Religious Freedom Act's overall utility and efficacy. The Ambassador-at-Large must be empowered to directly assist with the implementation of recommendations related to the protection of international religious freedom.

In conclusion, let me say that the primary source of our Community's persecution is religious extremists who espouse a militant perversion of Islam. Our Community strongly believes that all such religious extremism must be cut at its root, and we welcome and all any and all efforts by the U.S. Government to redress global restrictions to international religious freedom. The International Religious Freedom Act provides vital safeguards to protect a fundamental universal human right. While our Community whole-heartedly supports the Act, we hope that Congress urgently improves upon the Act's limitations and shortcomings in a manner that strengthens the Act's original mandate. Our Community stands ready to assist in this process.

Thank you.

Mrs. LUMMIS. [Presiding.] I thank the gentleman and would like to recognize Dr. Seiple. Now, did I pronounce that correctly?

Mr. SEIPLE. Yes, you did, ma'am.

Mrs. LUMMIS. You are recognized. Thank you for joining us.

STATEMENT OF CHRIS SEIPLE, PH.D.

Mr. SEIPLE. Thank you, Madam Chair. Thank you, members, for the opportunity to speak with you. And thank you to my panelists for the presentations they have made.

I respectfully request that my statement be included in the record.

I would like to take a little bit broader approach and think about where we have been in order to think about where we probably need to go.

This week, and this month in particular, remind us of the best and the worst of our own history. Three hundred twenty-one years ago witches were hung in Salem because they dared to differ with the majority culture in their beliefs or their behavior. Of course, in that same great State of Massachusetts Bay Colony, Quakers had been hung 32 years earlier. A guy by the name of Roger Williams fled that, anticipating that tyranny of a majority culture and only being allowed to worship one way, and went to Rhode Island. I have lived in both States; they are both good places.

But this is the important point: Roger Williams created a space where Quakers and Jews and Baptists and Native Americans, whom he paid for the land, could live together from the bottom up. Then his genius was to institutionalize that in the Rhode Island Colonial Charter of 1663 and intentionally link religious freedom to the civility of a society and the stability of the State. In other words, if you repress people, you are going to make them mad and they are going to agitate against the State, and that is bad for the home team.

Now, two facts kind of drive everything I think that we need to think about. One is that 84 percent of the world believes in something greater than themselves. Eighty-four percent. You can't put it in a category. You can't put it in a committee. It is everywhere. And the other fact, which has already been mentioned, is 75 percent of the world faces restrictions on their capacity to exercise their freedom of conscience or belief. Seventy-five percent of the world.

Which is also to say that we are discussing various issues about our own Act, but the situation has gotten worse in 15 years, and it is getting worse. Which is to say we are all to blame. We need to think about how we work together, government and grassroots, top-down and bottom-up, non-government, all on the same panel, all on the same sphere, trying to make things better, because it is in our national interest and it is the right thing to do.

So I would like to make five comments about where we might go in the future, fully aware that there are many good things that have happened since the passage of the Act, to include the establishment of a standard and that we are a voice for the voiceless worldwide. That did not exist before the Act and we should not make light of that as we self-critique, as we are very good at in this

Country. So here are five things to think about as we think about the future.

One is we have to think through what we mean by religious freedom and what we mean by religious engagement. Our combatant commands, our chaplains, our military, our intelligence community, pick a U.S. governmental agency, they have to deal with religion, they have to engage the world as it is. How are they being trained to think about this issue? So I think we need a focal point for religious engagement, a focal point that focuses on the broader issue of working with and partnering with religious communities worldwide to demonstrate how they contribute to the common good and the stability of the state, which in turn would free up the religious freedom office to be just that, religious freedom, and not be a catchall for everything religious, because there are no places in our Government where people can come and talk about the religious issues. That is number one.

Second, I think we need a global religious engagement strategy of some kind to be incorporated into the national security strategy. Such a strategy would address this broader picture and, at the same time, accelerate and accentuate the capacity to focus on religious freedom in its own context, as opposed, again, to it being a catchall for all things.

Third, we need education and training for the entire U.S. Government personnel on this issue. It starts at State Department, it starts at the Foreign Service Institute but, like I said, it is not just the Foreign Service officers. There are a lot of braves ones going outside the view from the embassy window, but there are also a lot of brave folks in DOD and the intelligence community, and they have to think through these things. And often it is the case that the best of faith will defeat the worst of religion, and we have to think that through and how that works, and build the relationships necessary to do it.

Fourth, the GAO report has been highlighted. We have to give attention to that, especially the decreasing size of the Office of International Religious Freedom and the fact that an ambassador at large reports to a deputy assistant secretary. That is not in keeping with the Act. That is not good for our Country. That is not good for the voiceless overseas. It is not good for our national security.

And then, last, we need to think about new ways of partnering together. I happen to be the senior advisor to the Secretary of State in a pro bono, unpaid position in the Religion Foreign Policy Working Group, and the top-down of our Government has invited civil society bottom-up speaking into how U.S. foreign policy is formed and informed. That is unprecedented. That is exactly the nature of the times that we live in. I also co-chair a religious freedom roundtable that meets every two months here on Capitol Hill. Our next big event is 27 June. We would love to have some of you all speak. But that is the bottom-up inviting the top-down in, and that is the nature of the world that we live in. Top-down, bottom-up, government and grassroots have to work together or no change is sustainable. So that kind of model can be replicated.

And the last thing that I might say in summary is this: maybe it is time to think about a global religious engagement act that

clarifies roles and responsibilities and expectations for U.S. agencies regarding the engagement of religious communities and religious issues worldwide, and, therefore, further strengthens the role that the Office of Religious Freedom can play at the State Department.

Thank you for your time.

[Prepared statement of Mr. Seiple follows:]

Committee on House Oversight and Government Reform
Sub-Committee on National Security

Examining the Government's Record on Implementing the International Religious Freedom Act

Statement for the Record
Chris Seiple, Ph.D.
President
Institute for Global Engagement

13 June 2013

Mr. Chair, and Members of the Committee,

Thank you for the privilege of discussing this foundational issue, especially this month, and this week. On June 1, 1660, Mary Dyer was hung on the Boston Common for not believing in God the same way as the Protestant majority did. 321 years ago this week, citizens of Salem, Massachusetts, were convicted and hung as "witches." And fifty years ago this week, George Wallace proclaimed "segregation forever" between a white Protestant majority and a black Protestant minority (incredibly, a full 100 years after the Emancipation Proclamation).

As we look in the mirror, mindful of such memory, there can be no recourse but humility. Yet, that same mirror also brings honor.

We also remember this week our first Catholic president, who did not tolerate the intolerance of George Wallace. He asked us, that warm June 11th evening, not to be defined by what we are against, but by what we are for; because all Americans must be treated as equal citizens under the rule of law. President Kennedy reminded us fifty years ago this week that "We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution."

In 1636, another man from Massachusetts, Roger Williams, fled the theocracy of that state to found Rhode Island. He believed strongly that "forced worship stinks in the nostrils of God." Therefore, God was glorified when every single human being—created by Him, in His own image—had the opportunity to choose faith freely. As a function of his Christian faith, Williams lived the example of a society where, from the bottom-up, Native Americans (from whom he bought the initial land), Jews, Baptists, Quakers, to name a few, lived in civil manner toward each other.

As a result, Rhode Island was also a state that was stable. "Witches" and Quakers were not hung in Rhode Island because beliefs other than the majority were not considered a mortal threat to the state. Instead, Rhode Island citizens discussed their differences; for example,

Roger Williams publicly debated the Quakers, with whom he disagreed vigorously, but not violently. Williams' brilliance, however, was to institutionalize this thinking from the top-down. The 1663 Colonial Charter of Rhode Island explicitly links the civility of society and the stability of the state through religious freedom.

In other words, as our founding fathers realized, religious freedom was not only the right thing to do, according to the Golden Rule found in most holy scriptures; it was in everyone's self-interest, and needed to be institutionalized in the constitution. President Kennedy was exactly right. While the holy scriptures command us to love neighbor, and enemy, they can be and have been used to validate violence. The God-given liberty of the human condition must be ordered to ensure that the right thing is done.

And that is the exceptionalism of the American experiment: we have a system capable of self-critique and therefore self-correction, based on a socially-owned and legally-protected freedom of conscience to believe whatever we want. Only such a system could have evolved from the original sin of our founding, slavery, such that the majority Protestant culture could treat a different race, largely of the same religious tradition, as equal citizens under the rule of law. But it took the top-down of our government through Presidents Kennedy and Johnson and the bottom-up of the faith communities, led by Reverend Dr. Martin Luther King, Jr., to make it happen.

It took too long, and we have work to do, but this top-down/bottom-up approach, rooted in mutual respect and self-interest, is not only unique, it is the model for our future. Religious freedom/respect-for-the-other just doesn't happen: there must be an intentional strategy to constantly re-weave it into the fabric of our own society, and the structures of our state, as we come alongside other countries that seek the same.

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As president of the Institute for Global Engagement (IGE), a religious freedom organization, I live these issues every day. For more than a decade, IGE has worked at the critical intersection of faith and international affairs, toward a future in which people of all faiths and none have full freedom of conscience and equal citizenship. IGE advances the view that religious freedom—properly implemented—is integral to a flourishing society, and a stable state. IGE does so transparently, convening, connecting, and facilitating consensus among government officials, religious leaders, and scholars about the essential role of religious freedom in their region and country.

Like Roger Williams, we are clearly Christian who just as clearly work for all faiths and none. That is, we believe that each individual on this planet has the God-given freedom to choose, change, share, or reject any and all faiths. As a result, we also believe that each individual has the same freedom to bring his/her beliefs—the essence of their identity—into the public square and debate any faith or any issue according to the teachings of his/her faith (with the obvious

exception of those whose "faith" teaches violence against others, which is a criminal/terrorist issue, not a religious one).

When faiths are allowed to teach and live out their respective and often irreconcilable theologies amidst the public context of principled pluralism, then the common good is served. Such theology makes for better citizens who resist corruption; who honor the sanctity of a contract and promote good business practices; and, who confront those who would manipulate belief for political gain. Such a result requires the government to allow such teaching and practice; and it requires faith communities to ensure that those who lead and teach their congregations are equipped to do so. For the state, "seminary" is good for society and security.

Of course, the opposite is also true. Where there is repression of the freedom of conscience or belief, and the capacity of the religious community to contribute to the common good, there is more likely to be significant social if not security problems. No one likes to be tolerated, and no one likes to be restricted in practicing the core of their identity. It is not long before repressed people agitate against the state.

At IGE, we work to create a space where government and (especially ethnic minority) religious leaders can discuss how faith contributes to the well-being of society, in a mutually respectful manner. IGE works with local partners, including the top-down of government officials and the bottom-up of religious leaders, to help build a public table, as it were, where all faiths and none are invited to dinner. Through the inclusion of all as equal citizens, an awareness is created that, no matter the particular issue, all faiths and none can contribute to the common good, i.e., to a society that is civil and a state that is stable.

Our relational diplomacy varies by country, but we and our partners seek a religious freedom that is socially-owned from the bottom-up, and legally-protected from the top-down. Such an approach requires nuance, as religion, or particular religious minorities, are often understood as the problem. We (IGE and its partners) work to demonstrate that the best of faith defeats the worst of religion, if given the chance. In short, we are in the business of changing mindsets in order to change behavior; and that requires not just a space for the conversation, but the scholarship and training standard to inspire and institutionalize a different approach to religious freedom.

For example, we just celebrated the 10th anniversary of our journal, *The Review of Faith & International Affairs*, the only one of its kind in the world (Routledge Press). Moreover, in the last three years we have co-authored or co-edited three thought leading books: *International Religious Freedom Advocacy: A Guide to Organizations, Law, and NGOs* (Baylor Press, 2009); *Religion and Foreign Affairs* (Baylor, 2012); and, *The Routledge Handbook on Religion & Security* (2013).

As a think-and-do-organization, however, this thinking must be applied through training, at home and abroad, if citizens are to maintain or first understand this universal principle in the context of their culture and the rule of law. Since 2010, for example, we have trained over 6000

Asian officials and religious leaders at the national and provincial levels in religion and the rule of law; religion, security, and citizenship; religious freedom; conflict resolution; and peace-building.

As an outgrowth of these experiences at the intersection of hard and soft power, we have established the Center for Women of Faith & Leadership. The only thing less included in international affairs than religion, is religious women. They are needed now—in every vocation—to demonstrate practically how faith contributes to the civility and stability of society and state.

Personally, I have also had the privilege of helping to create a training course on social-cultural-religious engagement for the U.S. Army Chaplaincy (2010-2012), and I have keynoted the Foreign Service Institute's first four elective courses on religion and foreign policy (2011-2012, with the fifth taking place in August).

Finally, with the blessing of the above experiences, I have had two relevant leadership opportunities. First, I co-founded and co-chair the "International Religious Freedom Roundtable" (2010-present), a bi-monthly meeting of religious freedom organizations that meets here on Capitol Hill to share ideas and invite each other into our respective initiatives. Critically, the first half of that meeting is for NGOs only, after which we invite government officials in to share what we are thinking; i.e., the bottom-up of civil society is inviting the top-down of government into our conversations.

In similar fashion, I was asked by the State Department to serve on its Federal Advisory Committee for the Secretary's "Strategic Dialogue with Civil Society (2011-2015), serving as a senior advisor to the Dialogue's working group on "Religion and Foreign Policy." This working group consisted of approximately 100 scholars, experts, and faith community leaders, producing a "White Paper" last year with recommendations about how the State Department and faith communities might share ideas and partner as appropriate. Put differently, the top-down of the State Department took the initiative to invite the bottom-up of civil society to speak into how U.S. foreign policy is formed and informed.

Both initiatives are unprecedented; and both reflect the nature of our times. I believe that such sharing and partnerships require not only an inherent philosophy or theology of the other—after all no global challenge can be addressed unless we, individually and institutionally, are willing to partner with someone who does not pray or look like we do—but that change is unsustainable unless the top-down and bottom-up are working together in a regular and intentionally organized manner.

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It is in the historical, institutional, and personal context of the above, that I make the following observations and recommendations regarding the implementation of the International Religious Freedom Act of 1998.

Foremost, two basic facts should drive our consideration of the issue, past, present, and future. First, 84% of the world's people believe in something greater than themselves. Faith cannot be placed in one category; it permeates all sectors of life.

Second, 75% of the people on our planet now live with government restrictions on their individual freedom of conscience or belief.[1] And new research confirms what we have always known: that where there is less religious freedom, there is less women's empowerment, less economic development, and *more* political instability, conflict, and terrorism.[2]

In other words, at a time when religion is clearly part of the problem, even as faith has never been more relevant amidst the psychological and spiritual dislocation that comes with regional upheaval and globalization, religious freedom worldwide has become worse since the International Religious Freedom Act (IRFA) of 1998.

We can debate this and that but here's the bottom line: What we are doing is not working. And, we are all to blame.

To be sure, IRFA reminded us and institutionalized the best of this country's founding in the U.S. State Department's Office of International Religious Freedom, and the U.S. Commission on International Religious Freedom. Through the reporting of both, America has not only been a voice for those persecuted and harassed for their beliefs, we have created a global standard against which all countries, including our own, should be measured.

Meanwhile, foreign governments know that our government will hold them accountable. As a senior Communist official said to me once, "Whether we like it or not, we recognize religious freedom as a permanent U.S. national interest."

Both have been necessary first steps. But neither is sufficient.

In general, America's religious freedom reporting has been reactive, detailing the mistakes of others. To some extent, this perspective, at least initially, was quite natural: it is much easier to quantify the problem, naming and punishing the symptoms, than to think through the root causes and their interrelationship with other issues in the local context. And, it is hard to fault anyone with such a perspective when our culture, and, as a result, our international relations programs nationwide (from which our Foreign Service Officers graduate), has long believed and therefore taught that one does not talk about religion and politics in polite company.

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[1] Please see see Brian Grim's work at: http://www.pewforum.org/Government/Rising-Tide-of-Restrictions-on-Religion-findings.aspx.

[2] Brian Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century* (Cambridge University Press, 2010). Also, see Grim's April 2013 TedX talk at the Vatican: http://www.tedxviadellaconciliazione.com/speakers/brian-j-grim/.

September 11, 2001, however, (should have) changed all that. Since then, the United States has engaged multiple areas worldwide where religion suffuses the local environment; so much so that it is like the air, invisible and forgotten. Similarly, and unfortunately, there has been no intentional national strategy to engage religious actors and communities, let alone help build religious freedom in a proactive manner, sensitive to culture and consistent with the rule of law. Consider, for example, that the most recent Quadrennial Defense Review, Quadrennial Diplomacy & Development Review, and the National Action Plan on Women, Peace, and Security do not mention "religious engagement," or "religious freedom."

Therefore, if the United States government is to promote and build religious freedom worldwide, it needs to re-consider how it is organized and equipped for this mission, which further requires us to revisit how we conceptualize the mission in the first place.

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To begin with, we must think clearly about religious engagement, and religious freedom: Is religious freedom a lesser included set of religious engagement, or vice versa? Personally, I believe that everything is a lesser included set of religious freedom, because everything in this globalized age begins with how I engage the other (in other words, as noted above, nothing gets done without partnering with someone who does not vote or pray as you do).

On the other hand, most do not think that way, and it is hard to institutionalize such thinking, conceptually and structurally. For example, if religious communities across Sub-Saharan Africa are partnering with USAID and other governments to reduce malaria, this partnership would not easily be first understood as religious freedom (even though it does demonstrate that faith communities are contributing to the common good, and thus, are not a threat to social cohesion and stability).

My recommendation, therefore, is that we think of religious freedom as a lesser-included set of religious engagement. Put differently, the U.S. government needs a focal point for religious engagement, beginning at the State Department, that is clearly linked to the Office of International Religious Freedom at the State Department. Such a change to the State Department's structure would allow the Office of International Religious Freedom to focus on just that: religious freedom. (Instead of being a "catch-all" for anything religious, because it is the only office that formally addresses religion in the State Department.)

As I wrote in 2004:

> "There needs to be a one-stop-shopping place where U.S. agencies can go for these issues. There does not now exist an analytical focal point for religion and religious freedom at the operational or strategic level of our government. A "center of excellence" for these issues would serve as a living repository of lessons learned that any U.S. agency might reference for its own global operations. It could also offer timely assessments of the potentially positive and negative implications of a given religion

> across a range of issues and regions. This kind of analysis would, in turn, lead to new models and measures of effectiveness for gauging religion and U.S. policy in international affairs."[3]

Next, the U.S. government needs a global religious engagement strategy—as part and parcel of its national security strategy—that further integrates religious freedom into America's global engagement. The formation of such a strategy would consider how the U.S. actively builds religious engagement and religious freedom into diplomacy, development, and defense in a proactive manner, from the top-down, and the bottom-up. All of which explicitly supports democracy.

Third, the U.S. government must intentionally educate and train U.S. government personnel to integrate religious engagement and religious freedom into their spheres of influence and sectors of work. If 84% of the world believes in something greater than itself, it reasonable to expect religion/religious freedom to be a part of most issues that the U.S. government engages.

Fourth, the U.S. government should follow-up on the recent report of the General Accounting Office on religious freedom. Serious structural and reporting issues were identified that need to be actively addressed; not least the decreasing size of the International Religious Freedom Office, and the reporting structure for the Ambassador-at-Large.[4]

Finally, the U.S. government should consider and develop new structures of engagement and partnership. For example, the State Department's "Religion & Foreign Policy" working group and civil society's "International Religious Freedom Roundtable" are models that need further examination, if not replication: within our government, and worldwide.

Combined, these recommendations might call for a new act of Congress regarding the Global Religious Engagement of our country, detailing the roles, responsibilities, and expectations of the relevant government agencies and commissions, while calling for a strategic review after each presidential election.

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In a global age defined thus far by our inability to live with our deepest religious differences, America must look to its founding, to the essential element of the American experiment: religious freedom. Meanwhile, the U.S. government must engage faith communities worldwide

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[3] Chris Seiple, "Religion & Realpolitik: Recommendations for the President," St. Paul Pioneer Press, 12 November 2004 (now available at: https://www.from-the-president-religion-realpolitik-recommendations-for-the-president). Also see, "Religion and the New Global Counterinsurgency," where I argue that a "mature understanding of religious freedom is the greatest preemptive weapons against religious terrorism that we, and the world, possess." (Available at: http://archived.globalengage.org/issues/articles/582-religion-and-the-new-global-counterinsurgency.html.)

[4] Please see GAO Report, "International Religious Freedom Act," March 2013 (available at: http://www.gao.gov/products/GAO-13-196).

pursuant our common global problems: from sex-trafficking and maternal health care to terrorism and issues of citizenship and the rule of law.

Yet, to state the obvious, 2013 is not 1998...simply, the world moves faster, and our people and platforms must have agility and alacrity of mind and action if they are to have any influence, let alone sustainable impact.

We have every reason to be humbled by the worst of our past. But we have every reason to honor the best of our past, by working to include religious communities at home and abroad, partnering where appropriate, demonstrating that they are essential to a society that is civil and a state that is stable. This is true religious freedom. If we honor our values, we will take care of our interests.

Again, I am grateful for the opportunity to testify this month, this week, on this foundational issue. Thank you.

Mrs. LUMMIS. I thank the gentleman and the entire panel for your testimony today. Deeply appreciate your presence and want to register my regret that the witness from the State Department, Ambassador Johnson Cook has left an empty chair here today. I do thank all the witnesses and now will yield to our first set of questions, which will be asked by the gentleman from Tennessee, Mr. Duncan.

Mr. DUNCAN. Well, thank you very much, Madam Chair. I too would like to express my regret about the ambassador not being here to testify, especially when the State Department has asserted a policy or hidden behind a policy that they have not applied in several other instances, as Chairman Chaffetz pointed out in his opening statement.

But the question that I have relates to something that happened last week. Last week, an Egyptian court sentenced 43 staff members of pro-democracy, nongovernmental organizations, including 16 Americans, to prison terms of up to five years for their activities to support civil society and democracy. One of those 16 Americans is the son of Secretary of Transportation, Ray LaHood. And what I am wondering about is this: Some people don't like to admit this or point this out, but our direct foreign aid is a small part of the budget. It amounts to many billions, so it is important, but about half of what the Defense Department spends in other countries is just really pure foreign aid. We do most of our foreign aid through the Defense Department; it is not called foreign aid. We do aid through almost every department and agency in the Federal Government in other countries. So we are spending many, many, many billions in other countries each year.

And I would like to know if the witnesses feel that we should, in some way, tell these countries that are rated as CPCs or are clear violators of religious freedom, that we should tell these other countries that we may have to start reducing not only our direct foreign aid, but even, more importantly, all the aid that we are doing through all these other departments and agencies in the Federal Government. I would like to know if any of you have any comments about that. Yes.

Ms. RAMIREZ. Thank you, Mr. Duncan. Just in response briefly to the situation in Egypt. I actually worked for Congressman Bilirakis and one of his former employees was also involved in the situation there, and I don't know if he was one of the 43 convicted, but he was one of the people that were held a couple years ago. So the situation is very dire in Egypt, and what happened when the government allowed the conviction of those 43 NGO workers, many of them American NGO workers, as well a number of NGOs, is that it sent the message that there is an authoritarian policy in Egypt that is essentially going to run underground all the civil society organizations that are necessary to sustain democracy there.

So it is extremely unfortunate that just last week, while this was happening, we also waived any conditionality on the aid that we are providing Egypt. The U.S. Government has provided Egypt billions of dollars in aid over the last 30 years, and when Congressman Obey, who was chair of the Appropriations Committee at the time, tried to condition that aid on the basis of human rights and a number of other issues, the Egyptian government actually did re-

spond favorably and they began to address some of the problems along the border of the Gaza Strip.

So we know that just by conditioning aid, we are not going to lose an ally. It would be naive of us to think that. The fact is that history shows they have actually paid attention when we condition our aid.

The other fact is that this is not the Egyptian government's money, as they often like to think it is. Aid is the American taxpayers' money, and they have a right to know that that money is not being used, whether it is supposedly for military or being subverted to the security apparatus, which has always happened in Egypt, to basically suppress the population when we have a policy that prioritizes religious freedom as a fundamental human right, not a negotiable one.

Mr. DUNCAN. Well, thank you. The Heritage Foundation, just yesterday, issued a report calling for a freezing of U.S. aid to Egypt in response to this situation that I talked about, and what it seems to me is we should at least consider doing this to countries that aren't doing anything to increase religious freedom.

Dr. Swett?

Ms. LANTOS SWETT. I just want to echo some of those comments, and I think we need to absorb the fact that it sends an extraordinarily negative message when we do not respond with some sort of conditionality on aid when this kind of really egregious behavior occurs. I also agree that it does not and will not derail our necessary relations with countries when we act in that way. But at the end of the day that is really a decision for the Congress. I mean, this is where the Congress has to act to hold any administration's feet to the fire in terms of how that aid is to be handled. But I think, as a general principle and policy, the notion that there should be no strings attached and that there should be no conditions for aid that is provided by the United States Government when actions that are in clear violation of our most fundamental principles and our own national interest is just an unwise policy.

Mr. DUNCAN. My time is up, but I do want to say this: This is my 25th year, and your father was mentioned several times, but I see your husband sitting out there too, and he also was a very respected member of Congress. I don't want to leave him out.

Ms. LANTOS SWETT. Thank you so much.

Mr. DUNCAN. Dr. Farr wants to say something.

Mr. FARR. Could I, briefly?

Mr. DUNCAN. Yes.

Mr. FARR. First, Egypt has never been a country of particular concern in 15 years. I believe the Commission has recommended that it be placed on the list. I would note that prior to the Arab Spring Egypt was ranked by the Pew studies as one of the worst, if not the worst, country in the world. This was under Mubarak. It will be interesting to see, next week, when the next Pew report comes out, where the Arab Spring Egypt stands.

Second, in 15 years we have levied economic sanctions against only one country that had been on all the 15 lists, and that was poor, old Eritrea, where things have gotten worse as a result of those sanctions, not better.

We should condition aid in Egypt and these other countries, in my view. We should do this creatively. I think to go to the point you raised, Mr. Duncan, this will strengthen civil society.

And this is my final point: We need to do more than throw these CPC lists out. We need not only to condition the money, but we need to strengthen those in Egypt who already stand for religious freedom. We need to stand with them and provide opportunities for them to speak out, and that is another place, in my view, we are failing.

Mr. DUNCAN. Thank you.

Mrs. LUMMIS. I thank the gentleman and yield to the gentlelady from California, Ms. Speier.

Ms. SPEIER. Madam Chair, thank you.

Let me officially welcome former Congressman Dick Swett to this hearing today. It is great to have you here as well.

Let me say to each of you as panelists you have truly been eloquent this morning. We have hearings in this committee two or three times a week, and I don't know that we have ever heard from a group of people that were more articulate and compelling than you, so thank you very much for your comments today.

I might also add that every time we have a hearing there is an issue raised. Sometimes it is about the IRS and their conferences, or the General Services Administration, or the fact that we have contractors that don't pay their taxes; and typically what we find out is that we do have rules on the books, but we tend to waive them. We had a hearing this week on suspension and debarment. But as it turns out, as tough as we have these rules on the books, we don't use them. Or when we do suspend, as we have on occasion, with big defense contractors, we then waive it because they are the only contractor that can do the work.

So I don't want you to feel that somehow you are the only group of people who have come here to make the case about laws that we have on the books that we somehow ignore. It is, unfortunately, a consistency around here that is, I think, very troubling and something this committee should spend more time on.

You have all talked in varying ways about a number of issues that need to be fixed. One is the structure, the fact that the ambassador at large function does not really exist, that it is a reporting-to function. You have talked about a lack of communication and you have talked about the need for training.

I would think that if we attempted just one of those areas and really honed in on that, that we could make some dramatic changes. I mean, to have this law on the books for as long as it has been on the books, and this is the first hearing that has been held, is deeply troubling to me, and I am sure it is to you as well.

So I guess what my question would be to each of you is: If there was one thing we could tackle and really fix, what would be your highest priority?

Let's start with you, Dr. Swett.

Mr. SEIPLE. Thank you, ma'am. Education and training.

Ms. SPEIER. Education and training?

Mr. SEIPLE. Education and training. You don't change behavior in our own Government, or other places, unless you change the mind-set.

Ms. SPEIER. All right.

Mr. SEIPLE. And people have to be integrated. Goldwater-Nichols, 1986, the Congress dictated, top-down, that the four services would get along and be educated and trained together. I am a product of that out of the Naval Post Graduate School, and I don't think of the U.S. Army as the Army dogs anymore, because I am just a jarhead. We are on the same team fighting the same way, and that is because I was in the classroom together and I was exposed to think critically and holistically about all issues; and we need something like a Goldwater-Nichols for the entire inner agency that it brings in issues like religious engagement and religious freedom, because it has been totally ignored, and everything happens by happenstance as a result.

Ms. SPEIER. Thank you.

Mr. Amjad?

Mr. AMJAD. Thank you. Each of the areas you highlight I tried to touch on in my presentation, and I certainly would agree that probably the most low-hanging fruit, if you will, is probably responsiveness and information flow. There are other areas, such as ultimately prioritization, that I think will have to be addressed, but in terms of ensuring that concerns are addressed on a timely basis and that the folks who are in charge of addressing them are adequately trained and understand the nuances that go into these very complex issues I think is absolutely critical.

To touch briefly on something that was discussed a moment ago about Egypt and other countries in the Arab Spring, one thing we have noticed as a community is that as the hopes of the Arab Spring are clear to us, as evident are the perils of the forces that are rising that may bring freedom for themselves but may, in the process, seek to silence freedom for others, including minority groups such as our community. We have, as I discussed during my remarks, active cases in Saudi Arabia, we have cases in Lybia; we have had cases historically in Egypt, in the UAE. There are many countries around the Arab world where the forces that are rising up we have to monitor very closely to ensure that they do not use the rise of a religious tide as a way to silence those who may hold different views from themselves.

Ms. SPEIER. My time is about to expire, but I would like to get to each of you.

Ms. Ramirez?

Ms. RAMIREZ. I will be brief. What I would say is what I had said during my statement earlier, that the U.S. should initiate a U.N. decade for religious freedom, and part of that should be that instead of just reporting on countries, we should actually use that report to develop, with the U.N., strategic comprehensive strategies to have incremental advances in laws and policies in countries all over the world.

Mr. FARR. Three quick points. Whatever you do, don't do it informally; amend the law and make it clear. The law already says the State Department is supposed to be training Foreign Service officers. Fifteen years later it is not happening. Make it mandatory, and I suggested three areas where it should be mandatory.

And I agree with what Chris said, but I would say the top priority would be to give the Ambassador at Large the status, and the

resources, but the status to make the argument within the administration, any administration, within any State Department. We don't have a senior official in the foreign policy establishment who has the status to make arguments on behalf of this. Imagine what would happen if that person did. It is, to me, obvious that this is a very important and every easy fix to make to the IRFA.

Ms. LANTOS SWETT. I won't echo what my colleagues have already said, but I think there is a deeper way in which this has to be addressed, and that is that religious freedom must become a key priority of American foreign policy. I look back at the way in which human rights more broadly became embedded in our U.S. foreign policy; it started in the Congress. There was a movement, there was a passage of the law that, for the first time in any nation's history, designated human rights, the promotion of human rights as a principal goal of U.S. foreign policy. That is where it started, and the legal structure was created and then a president came along, Jimmy Carter, who sort of raised high that standard and really adopted that with a passion, and it became sort of a road from which we couldn't turn back.

We have never yet reached that critical mass with religious freedom, and it is truly the first freedom. The whole range of other human rights flow from this fundamental protection of religious freedom, conscience, and belief. So at the end of the day all of these fixes can only go so far until and unless we get the sort of impassioned congressional leadership on this issue that then inspires an administration to raise that banner high and not have religious freedom remain the poor cousin, you know, the sort of shunted off, in the corner, every now and then a few rhetorical flourishes are thrown out, but it is not truly integrated.

And it is increasingly implicated in our national security challenges. Look at every country that poses a serious threat to our Nation. They all are huge religious freedom violators and abusers; they are hotbeds of extremism, which translates into terrorism. So it is not just nice feel good stuff, it is are we going to be safe as a Country.

Ms. SPEIER. Madam Chair, thank you for letting me exceed my time.

Mrs. LUMMIS. The Chair is being very generous with the clock, but we have, as you have mentioned, a very distinguished panel of witnesses, and we appreciate their advice and counsel today.

The chair now yields to the gentleman from South Carolina, Mr. Gowdy.

Mr. GOWDY. Thank you, Madam Chairwoman. I want to thank you and I want to thank Chairman Chaffetz and I want to thank my colleagues, frankly on both sides of the aisle, for having this hearing. It is stunning to me, Dr. Farr, that this would be the first oversight hearing. When I think about some other hearing titles that I have experienced in the last two-plus years, it is stunning.

So I commend you, Madam Chairwoman, Chairman Chaffetz, and colleagues on both sides of the aisle, because this is an issue of great importance to the people that I work for in South Carolina, one of whom has traveled the whole way from South Carolina to be here today, John Hutchison and others in my district care as much about this issue as they do any other issue.

And how we interact, frankly, Madam Chairwoman, with countries that discriminate or persecute on the basis of religion or access to education or gender, frankly, says as much about us as it does about them.

So, Dr. Farr, I want to start by asking you this. And I think I know the answer, but I would rather you give it to me. Why would the most powerful country on the planet be reluctant to cite Egypt, hypothetically, or Saudi Arabia, hypothetically, as a CPC when the evidence dictates that it should be cited as such? What is the reluctance?

Mr. FARR. Well, it is a good question, Mr. Gowdy. I think there are two answers. Of course, the honest answer is I can't be sure. I think I know. I will tell you what I think. In the first place, I suspect there are those in the Administration, in fact, I know there are those in the Administration, arguing that this kind of sanctioning because of religious freedom is beside the point; we have bigger fish to fry; we can't condition our aid on something as unimportant as religious freedom.

Now, as the chairman said earlier, it is important that we all acknowledge that religious freedom isn't the only issue we have with any of these countries, including Egypt. There does have to be some balancing of American priorities. But the striking thing is that this is just not there as a priority; it isn't looked at as a priority.

So the second thing I would say in answer to your question is that some of this is just, rather than hostility, it is indifference; it is that the issue doesn't come up in our senior policy circles, which is one reason why we need an Ambassador-at-Large with the status and authority to be present at these senior meetings within the State Department and within any given administration to make the case for religious freedom, which is not, as I said in my remarks, not just special pleading for religious people, it is about the whole country of Egypt and its stability, its civil society, its nourishing of extremism. Remember that Osama Bin Laden and others were members of the Muslim Brotherhood at one time. I mean, these ideas are important in Egypt and in much of the Middle East. So advancing religious freedom there is a very, very important national security issue for the United States, so we need somebody in the administration to make that case. Nobody is doing it.

Mr. GOWDY. Well, I hear these phrases like American values and who we are as a people, and there just seems to be a disconnect between our purported American values and whether or not it is echoed with our policy decisions. So I want you to do this for me: You have a South Carolina connection. I want you to assume that the voters in my district were to wise up and elect you and kick me out, and that you were sitting up here next term of Congress. Specifically what are the first three things you would do if you were sitting here instead of sitting there?

Mr. FARR. Well, I would apologize to the people of South Carolina, first, congressman.

[Laughter.]

Mr. FARR. Especially those I know from your district, namely my family and others.

Three things. The first thing I would do is ask Congress, work with other members of Congress that care deeply about this issue to get Congress involved on both houses much more energetically on the issue of religious freedom; calling hearings, making speeches, talking about this issue as a national security issue as well as an issue of our values. So the first answer is Congress, pay attention to this. I mean, the fact that there has been no hearing in 15 years is a congressional issue.

The second thing I would do is amend the International Religious Freedom Act quite concretely. Some of the stuff is new that we said; some of it is tightening up language that already exists. As I have said, training is already there in the IRFA; thou shalt train. Well, you know, it depends on what that means. In some definitions of it, I suppose the State Department is training, but they are just doing it halfheartedly and on an ad hoc basis. So amend the IRFA, tighten it up and get a bipartisan approach to getting that done.

Finally, I would ask members of Congress to speak out in their personal roles on the importance of the first freedom. I really think this is a bipartisan issue. The first freedom doesn't just mean, as the chairman said, this is the first thing in the First Amendment; it is because the people of South Carolina and, frankly, the people of every State in this Union deeply believe in the value of religious freedom; not just a special pleading, because I am a Baptist or a Muslim or an Ahmadiyya, but because it is good for this Country, and including non-religious people. And I would love to hear more people speak out about this because I think it is important.

Mr. GOWDY. Madam Chairwoman, my time is up, but I do want to thank all of the witnesses for living out the first American value and doing a better job, the five of you, than we, or I should say I, have done. So thank you.

Mrs. LUMMIS. I thank the gentleman and will now yield to the gentlelady from Illinois, Ms. Kelly.

Ms. KELLY. Thank you, Madam Chairman.

Thank you to the witnesses for being here today. A couple times now people have talked about the training that is necessary, and I am interested, by any of you, how would you improve the training? What specific things do you think should be included in the training?

Ms. LANTOS SWETT. I will just jump in. I think the first thing is to make it mandatory, and not optional. Dr. Farr is involved, as he said, and participates in the training that is currently available, so he can speak more directly to how that curriculum perhaps should be tightened up, but making it mandatory. I want to once again reiterate how important it is that the issue of religious freedom not be cast as sort of a nice, feel good, sort of soft thing, that because it sounds like a laudable goal to pursue, we want to say nice things about it. It is implicated in our national security. It is implicated in the caliber of life that people living in these societies have.

The Pew studies have been mentioned several times today. One thing that I don't think was mentioned is that there is an extraordinary and compelling correlation that the Pew study shows between societies that do a good job of robustly protecting religious freedom and the levels of stability, the status of women in those

societies, their economic welfare, and a whole host of criteria, whole host of desirable outcomes that we want to see in other countries, they correlate with the robust protection of religious freedom. So, in a way, recasting religious freedom as one of our hard targets, not a soft target, I think is critically important, because it is easy to sideline the extras, the frosting on the top, the things that just make us feel good. When our State Department, when our Congress, when our Country comes to see religious freedom as one of our hard goals, then I think we are going to see the sort of focus and the sort of resources and the sort of prioritization that really is critical.

Ms. KELLY. Thank you.

Ms. RAMIREZ. Congresswoman, if I could just add to that. Recently I developed two different training manuals on international religious freedom and provided training abroad to civil society government officials, and the Department of Justice is actually working with civil society and foreign governments with some of those materials. So I think there are three main objectives that I would provide. One is that the State Department officials need to understand the benefits, which Mrs. Lantos Swett had suggested as well.

They also need to understand what the law says. It is one thing to educate people on religious tolerance, etcetera; it is another thing to tell them this is an international legal standard that we are accountable to under international covenants on civil and political rights. And regardless of whether countries have signed that or not, it is already established as an international norm jus cogens, a norm that can't be derogated from, so it is a standard of international law, and our Foreign Service officers should understand that and be able to articulate it.

And then, third, one of the problems that I found, which Mahmood had explained, was that there is a lot of bias in our State Department officials and embassies around the world. We have had a number of problems with visas, with people going in of different faith communities or ethnic backgrounds that are discriminated against in getting visas, and a lot of that comes from a bias against religious or ethnic communities. So I think that they need to recognize their own bias in order to be able to really treat people under the international standard of religious freedom.

Ms. KELLY. Thank you.

Mr. SEIPLE. May I add one thing, please, Madam Chair? Thank you.

We do this kind of training all around the world, religion rule of law, religion security and citizenship, and then I have also participated in the FSI, Foreign Service Institute, courses here, and two things stand out to me in terms of how to think about it. One big thing: you have to give people permission to participate. Often there is a cultural or a religious or some kind of obstacle that sometimes is even subconscious that says I can't talk about this. In our own culture, we all know good people don't talk about religion and politics in polite company, assuming you keep polite company, right? So to hear the two things that help in our culture give permission, but I have also found it useful overseas. One is you have to be able to place it in a broader context, and for me that is the art of grand strategy and recognizing that you have to bring

all elements of national power, hard and soft, government and non-government, together to preserve peace. Religious freedom is pre-emptive peace if we implement it correctly.

The second element is this: we have to known our own history. That is why I opened my remarks with Rhode Island versus Massachusetts. It is not some touchy-feely, Thanksgiving, big buckles on your shoes experience that we all talk about and don't know anything about; it is a very practical thing. There were no witches or Quakers hung in Rhode Island because they were not seen as a minority threat to the majority culture and the stability of that State, because they talked about things in public. So we have to know our own history. And then as we relate to others what it is in their history so we can come alongside the best of who they are, because nobody wants to be tolerated, they want to be respected; and they don't want to be known as the homeland of terrorism or oppression, and there are good people in bad places who are willing to partner with us, but we have to be able to relate to them in that kind of way.

Ms. KELLY. Thank you.

Madam Chair, I know Dr. Farr wanted to add, if we can indulge him.

Mrs. LUMMIS. Please do, Dr. Farr.

Mr. FARR. Thank you so much.

Ms. Kelly, thanks for asking that question.

Quick points. One, don't write a letter, amend the IRFA. Two, make it mandatory, as Dr. Lantos Swett suggested. Three, this needs to occur throughout a Foreign Service career. Most FSOs serve 20, 30 years. I was honored to serve for 21 years. You can't just have one course. So you should do it at the beginning, when you come in, so-called A100 course, and then during the area studies courses that each Foreign Service officer has before they go out to post that tells them what is going on in that particular area of the world. And then when they become very senior, deputy chiefs of mission and ambassadors, they hear this again.

The content is important. Dr. Lantos Swett mentioned this. Basically, why is this important to our Country and how do you do it? Chris Seiple's outfit does this, my Religious Freedom Project at the Berkley Center at Georgetown is developing materials that can be used in such a course. So this isn't rocket science, it is something our Country has been doing pretty well for a long time. Our foreign policy should do it better than it is doing.

Ms. KELLY. Thank you.

Thank you, Madam Chair.

Mrs. LUMMIS. I thank the gentlelady and now yield to the gentleman from Michigan, Mr. Bentivolio.

Mr. BENTIVOLIO. Thank you, Madam Chair.

Thank you, ladies and gentlemen, for appearing here today. I was really looking forward to this. And I have probably more questions than five minutes would cover, but I am going to start out.

Basically, in light of recent events, the IRS scandal, monitoring journalists' phone records, the NSA collecting metadata on American citizens, not to mention the massive Obamacare coming to bear on us, the Administration seems intent on monitoring and controlling every aspect of our lives, while ignoring our most basic

freedoms. This again is exhibited by the Administration's refusal to elevate the role of international religious freedom in its foreign policy. The issue of religious freedom is one that matters greatly to me.

The Constitution of the United States guarantees this right and is one of the cornerstones of this great Nation. The fact that a majority of the people in this world face persecution and oppression because of their faith is something that should offend every American. It is a right that I believe should be afforded to every person, regardless of their nationality or religion, so long as that faith does not harm or infringe on the rights of other people. Religion should not be used as a weapon, nor should it be considered a crime.

But listening here today, I heard Mr. Duncan, who seems to have a solution to a problem, and I would like to explore that with you and get your opinion on kind foreign aid to a rating system I think is run or something the State Department already has or this organization already has to foreign aid. Is that something that you have kicked around? Have you thought about it? I would like your opinions on that.

Ms. LANTOS SWETT. Well, under the IRFA Act, when a country is designated as a CPC, a country of particular concern, and those are countries that meet a pretty tough standard. The religious freedom violations have to be systematic, ongoing, and egregious, so it is really sort of embedded in that society. Then the Secretary of State and the Administration is entitled to proceed with sanctions of a variety of sorts, and one of our criticisms as a commission, and this extends back prior to the current Administration, so we have been sort of equal opportunity critics of various administrations, is that none of them have used the tools that IRFA provides to try and actually bring about change.

You know, there are examples, I think Saudi Arabia was mentioned, of a country that has been designated as a CPC, but all sanctions and all consequences flowing from that have been waived for other countervailing reasons. So I would say that from USCIRF's perspective we would strongly encourage this Administration, future administrations, and have been critical of past administrations for not using the tools that are already there.

And specifically as to the question of conditioning foreign aid on meeting certain standards as they relate to religious freedom, I would certainly say that that should be on the table. It is a way of bringing about a change in conduct. You know, the point of exercising that sort of leverage is to achieve positive change for that society, and the positive change in that society, Egypt would be a good example, redounds to our benefit, meets our security concerns and our goals as a Country as well. But at the end of the day it helps change Egypt for the better.

If I could just indulge in a little walk down Memory Lane, when my father, Congressman Lantos, served in the Congress many years ago, he proposed taking a small portion of our annual aid to Egypt, I think it was $150 million, perhaps, and devoting it—this was under Mubarak—to strengthen civil society groups, to strengthen human rights organizations, both to help them and to send the message; and, of course, it was opposed by the State Department at that time, opposed by the Administration at that time,

and I don't think he was successful. But we saw, I think, in the aftermath of the Arab Spring, how wise that policy would have been, to say to somebody who was an ally, but was a repressive dictator at the same time, you have to begin to change and we are going to take some of the money we give you to for other reasons and devote it to these groups as a way of sending a message. That was a right approach then. It wasn't followed then. I think we need to be open to that sort of approach now.

Mr. BENTIVOLIO. Anybody else? Mr. Farr?

Mr. FARR. I couldn't agree more with Dr. Lantos Swett. There are two things, just to reemphasize what she said. On the one hand, there is the negative use of foreign aid, withdrawing it or putting some kind of restriction on the aid that we are already giving, which I support. I would note that the International Religious Freedom Act, as in many other ways, makes it possible for the State Department to do something, but does not require it; and 15 years later we can see what that has meant. It rarely, if ever, has happened and has never been used effectively.

But even more important, in my opinion, than the negative use of foreign aid is what Mr. Lantos, who I had the honor of knowing myself, tried to get the Administration to do, and that is to use foreign aid to support civil society, to support religious freedom organizations within Egypt and everywhere in the world. These people have to have an opportunity to speak up for themselves. So it is not only foreign aid, it is also putting conditions on our aid to Egypt and these other countries to say if you do not let these people speak, we will withhold aid from you. We have to create a space for them. That is what religious freedom means; it means the opportunity for people to speak out. We will never undermine religion-related terrorism in the Middle East or anywhere else if we do not provide an opportunity for people from within those traditions to say the Quran does not require suicide bombing, or the inequality of men and men, or the suppression of non-Muslims. Those people exist in every one of these societies, but they cannot speak out because they will be charged with blasphemy.

We don't pay the slightest attention to this kind of stuff. We do at the international level. I shouldn't say that. The Administration has done some pretty good stuff in the United Nations, but the United Nations, forgive me, Tina, is not where the problem is. The problem is in Afghanistan, Pakistan, Egypt, and in these countries.

So sorry for the long-winded answer, but it is a very important question. Thank you.

Mr. BENTIVOLIO. Thank you.

Mrs. LUMMIS. I thank the gentleman and I thank the panelists for this extraordinary level of advice. The chair now recognizes herself for five minutes to ask some questions that are going to take us down a different road. I wanted to allow the other members of our dias to ask their questions first, because we are talking on the 1,000 to 15,000 foot level about policy, and your specific recommendations in that regard are deeply appreciated.

I want to pursue a different course of questioning. It is with regard to the way an individual has been treated under this law and whether there are times when we either may get it wrong or have the opportunity to rehabilitate the status of someone who has been

targeted under this law. I want to talk specifically about Chief Minister Modi of Gujarat Province in India.

India is the world's largest democracy, and Chief Minister Modi was denied a visa under this law, continues to be denied a visa under this law, when he is now the leader of his political party in India and is likely to become a candidate for prime minister. In addition, the incident about which he was denied a visa was a riot in which it was alleged that he was slow to put down the riots, and a disproportionate number of Muslims were killed in those riots compared to the rioters who were killed who were Hindus.

Now, somehow that has been converted into egregious violations of religious freedom for which he is directly responsible, when in fact the press accounts said that he was alleged to have been simply non-responsive in a timely manner, in the eyes of some, to the riots, which were not organized by him.

Furthermore, the courts in India have not found him to be guilty of anything, in spite of numerous court proceedings in India regarding his involvement in those activities. The courts in India really have no conclusory highest court. Litigation in India can go on and on and on, and yet, in spite of almost a decade of litigation against Mr. Modi, he has never been found guilty of any wrongdoing.

Therefore, I have some concerns about the application of a continuing denial to him of a visa to the United States. Here is someone whose province is growing dramatically in its hiring of people, in the welfare of their families. We have a gigantic Ford Motor Company manufacturing facility going in in Gujarat. There is an enormous Tata vehicle assembly facility in Gujarat. There are numerous companies moving in because of the economic climate and the elevation of the quality of life in terms of employment in Gujarat Province. Gujarat Province is the most receptive province in all of India to employment, to raising the standard of living, and enormous projects to develop their water and to develop their infrastructure are going on.

Now, in light of that decade of history, are we correct to continue to deny a specific individual in the largest democracy in the world a visa to the United States? I just throw that out for the panel.

Ms. LANTOS SWETT. Madam Chairman, I apologize in advance because I think you probably won't like my answer, so I will preface what I am going to say with that. The events that took place in Gujarat were very grave and very serious. By some accounts, 2500 people were killed during the rioting, and many thousands more displaced and injured, and Minister Modi was the governor of the province at the time. There is, we feel at USCIRF, a considerable cloud that still hangs over his conduct during those riots, and some of the recent evidence is more recent.

There have been reports by India's own commission on human rights, so the national entity responsible for evaluating the state of human rights in India issued quite a critical report in which they said that there was responsibility for a failure to act to protect on the part of the government officials and the police. There is, perhaps most troubling, a sworn affidavit from a senior police officer who was part of the police forces in Gujarat at the time, who is quoted in that affidavit as having Minister Modi say very specifi-

cally that the police should not intervene to stop the rioting because—and because I don't have the actual language in front of me, I am perhaps paraphrasing here, but the gist of what he said was that the Hindu community had the right to sort of let off steam, and that they were angry and agitated at their Muslim neighbors, and that the police should not intervene to stop the rioting, which was overwhelmingly directed at the Muslim community. Finally, the Indian Supreme Court, and you are right, it is not completely analogous to our Supreme Court, but they have also issued a ruling.

So I think it is fair to say that there has still been a lack of full transparency and accountability. And, you know, as someone who believes very passionately that accountability is part of how we advance and embed human rights globally as a standard to which all countries need to live up to, I am reluctant to look at the notable achievements of that province under Minister Modi in the economic sphere and say that that progress sort of covers or excuses very grave concerns and shortcomings as they relate to human rights. So I want to be very candid and opening in saying that, last year, USCIRF did send a letter, perhaps you have seen it, and I would be happy to have it provided to you, to then Secretary Clinton in which we did urge the State Department to sort of stand firm in what we believe has been a principle position now for a number of years.

But I would also point out that that, in point of fact, as far as I know, Minister Modi has not applied for a visa, so it is not that he has been preemptively denied one. That is something that would only come into play were he to make an application for a visa. So in that sense it is not like there is an ongoing sanction against him. And, as I said, I am sure my answer perhaps is not one that you agree with, but that is, I think, the position of USCIRF.

Mrs. LUMMIS. Well, I am interested in your position because of what I know in terms of the last 10 years in that province. Let's assume, now hypothetically, that there is a situation where someone has been alleged to have or proven to have been involved in an incident that is alleged to have been motivated by religion. If there is a period of time, a lengthy of period, after which there is no exercise of similar concern, is there a point at which the lifting of those kinds of concerns should occur?

Ms. LANTOS SWETT. Well, as a hypothetical matter, I think of an analogy to our own system of justice. We have a statute of limitations, certainly, as it relates so that you only have a certain period of time in which you can bring a prosecution for a past wrong. I mean, I think there is a potential analogy there.

But I am not sure that that analogy would translate into a rebuttal of the points I tried to make as it relates to Minister Modi because I do think there has to be some transparency and accountability, and, again, it is certainly the view at USCIRF that the questions and the clouds continue to hang over Minister Modi, and I think that there is some benefit for that being part of the mix within the Indian political environment, that his opponents, should he stand for prime minister, this would be something that would be, I am sure, debated and discussed within their context.

Now, clearly, if he were to become the head of state, that becomes a different situation; you have to deal with that. Each nation, each sovereign nation has the right to choose their own head of state. We know that, for example, in Iran, they elected as president somebody that we take a rather dim view of in this Country for two terms, but you have to sort of contend with that reality should it come to pass.

Mrs. LUMMIS. Dr. Farr?

Mr. FARR. This is one of those cases that gives me some sympathy for my colleagues at the State Department. You raise something we have talked about a little bit today, and that is the tension between religious freedom and other American interests. I mean, if this guy is going to be the prime minister of India, that is something we have to pay very close attention to. And you mentioned the economic interests in Gujarat. So we have to weigh these.

I once gave a speech entitled, We Have No Orders to Save You. This was from the police report on the Gujarat incident. This came from a Human Rights Watch report in which Muslim women were surrounded, their houses surrounded, they were raped; pregnant women had their babies ripped from their wombs by these Hindu mobs and killed in front of them. This was truly a horrible religion-based pogrom massacre, and Mr. Modi was the guy in charge of those police, at a higher level, no doubt about it. So this is a very serious problem.

But here is where I come out on this, for what it is worth. This, for a long time, was the only example that I could give, I think this happened in 2006 or somewhere in there, of the United States doing anything under the International Religious Freedom Act, anything. One visa application pulled. And, to me, to put this in larger perspective, the fact that, you know, this is the case is simply a function of our irresponsibility in the operation of the International Religious Freedom Act.

So I am sidestepping the issue a little. It is a very, very tough one. I guess I would probably come down with the Commission on this; I would be very hesitant, given the fact that we haven't done anything else in the world to pull what we have done on this issue, the symbolism of our allowing this would, to me, just be too much.

Mrs. LUMMIS. Allowing what?

Mr. FARR. Allowing Mr. Modi to come to the United States. Pulling this visa prohibition, given the fact it is the only thing that we have done, or one of the few things that we have done under this Act. The symbolism of that I think would be very, very bad. If he becomes prime minister, of course, we have to look at it.

Mrs. LUMMIS. Even though their own courts have not found any wrongdoing.

Mr. FARR. Their courts are notorious for not.

Ms. LANTOS SWETT. And I would just weigh in there too. We have had very interesting discussions at times about sort of rule of law issues in India and they have, in many ways, of course, a very legitimate court system, but they themselves would say that they are slow and have had challenges in trying to address these issues. So I don't think it would be fair to say that there has ever been a determination that there was no moral culpability on the

part of Modi in this matter, and it was, as Dr. Farr has so powerfully said, a very terrible, terrible circumstance.

Mrs. LUMMIS. So we are applying an American religious standard, but a non-American legal standard, because in the United States you are innocent until proven guilty. But, Dr. Lantos Swett, you just said there has been no finding that he was not involved.

Ms. LANTOS SWETT. Well, the invocation of a legal standard is a little bit complicated because, of course, we are in no way attempting to impose a legal penalty on Minister Modi, and would have no ability to do so. The question is whether or not we would extend him the privilege of a visa to visit this Country, and I think we do that a lot, impose those sorts of moral judgments. The most recent example would certainly be the Magnitsky Act, which was passed by Congress late last year, which imposes visa restrictions and a freezing of assets on any Russian officials we believe to be implicated, not convicted, but implicated, in the death of Serge Magnitsky.

So I think that we, in a sense, comparing apples and oranges because we are talking about withholding a privilege, the privilege of visiting this Country, not imposing a legal penalty. You are right, it would not be consonant with our American legal standards to presume a guilt and impose a penalty in that sense, but we can say there is enough smoke here and enough concerns, and enough red flags, if you will, that we are not going to extend this privilege.

Mrs. LUMMIS. I do very much appreciate this discussion because it does, I think, illustrate the challenges that are presented here when we are trying to sort out the appropriate application of the Act. It may, as one of you pointed out, help illustrate the challenges to the State Department, but I am deeply grateful and this committee is deeply grateful for your recommendations about how to elevate the intent of Congress and of the goals of the Act in a way that is appropriately administered in the State Department, and I deeply, deeply appreciate, on behalf of this panel, your attendance here today. This has been an elevating and wonderful discussion. Thank you for your commitment to religious freedom on behalf of this entire panel.

The panel is excused with our gratitude and this hearing is concluded.

[Whereupon, at 11:54 a.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

Opening Statement of Jason Chaffetz, Chairman
Subcommittee on National Security, Homeland Defense, and Foreign Operations
"Examining the Government's Record on Implementing the International Religious Freedom Act"
June 13, 2013

Good morning and welcome to today's hearing: "Examining the Government's Record on Implementing the International Religious Freedom Act?"

I would like to welcome Ranking Member Tierney, Members of the Subcommittee, and members of the audience.

Religious freedom is a core American value. It's often referred to as our "first freedom," because of its prominent place at the head of the First Amendment to our Constitution. But religious freedom isn't just an American value. It's also recognized around the world as a fundamental human right, codified in the Universal Declaration of Human Rights.

But religious freedom is about more than just religious beliefs. It's about an individual's freedom of conscience. That is, the right to believe -- or not believe -- whatever one chooses, without fear of retribution from those who disagree. That's something that every American – religious or otherwise -- should care about. It is an indispensible cornerstone of democracy, liberty, and societal harmony. If a particular government or society is intolerant of a minority religious belief, there's a pretty good chance it will be equally intolerant of other beliefs that may not fit the norm, whether in politics, economics, or science.

Religious freedom should therefore be a non-negotiable tenet of life in our modern world. Yet violations of religious freedom are all too common around the world today. As we speak, untold millions of people face discrimination, prison, torture, and even death, for no reason other than that they hold to religious beliefs that differ from their fellow citizens, their government, or both.

That is why, in 1998, Congress passed the International Religious Freedom Act. Congress' intent was to elevate the status of religious freedom in the halls of American foreign policy – rhetorically and institutionally. The Act created a new International Religious Freedom Office within the State Department, and a new Ambassador-at-Large to lead it. It also created the independent US Commission on Religious Freedom to work cooperatively with the State Department in order to advance the cause of religious freedom around the world.

One of the functions of this Subcommittee -- and of the Oversight and Government Reform Committee as a whole – is to make government work more efficiently and effectively. That means we aren't just interested in hearing about how many reports government has produced or how many meetings it has held. Rather, we want to hear about what outcomes government has achieved. Have the institutions, policies and procedures put in place as a result of the International Religious Freedom Act, actually resulted in more religious freedom? In other words, is it working?

Unfortunately, the available data is not encouraging. According to a study by the Pew Research Center, 75% of the world's population lives under High or Very High levels of religious restrictions, up from 68% in 2007. And 37% of countries in the world place High or Very High restrictions on religion, up from 29% over the same period. This data indicates we are moving in the wrong direction, something confirmed by just watching or reading the news.

Equally discouraging is the apparent lack of substantive action by the State Department to champion religious freedom abroad. According to a recent GAO study, the Ambassador at Large – who Congress intended to be the Secretary's principal advisor on religious freedom -- reports to a mid-level official in the State Department, many levels below the Secretary. The Secretary has not made any designations of Countries of Particular Concern for violations of religious freedom since 2011, despite the fact that the Act requires it annually. And billions of dollars in US taxpayer funds continue to flow each year to countries that routinely and egregiously violate the religious freedom and human rights of their own people, from Egypt to Pakistan, Iraq and Afghanistan. Would any of us be surprised, therefore, to learn that other countries no longer take us seriously when we condemn particular violations of religious freedom?

I understand that the State Department has to balance competing national interests. But what I cannot understand is how standing up for a core value like religious freedom should be not be right at the top of the priority list. This is all the more true at a time we're locked in a struggle against religious extremism and violence. It is not a coincidence that the most dangerous extremist movements today have emerged from countries with the worst records on religious freedom. I expect we will hear more from our witnesses today about the important link between promoting religious freedom and combating religious extremism.

I hope that our discussion today will give us a better idea of what progress we have made in the 15 years since the passage of IRFA and I look forward to hearing from our distinguished witnesses.

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