of U.S. foreign and domestic policy interests that do not rise to the level of a direct threat to our national security (e.g., regional peacemaking and stability, environmental protection, and combating terrorism). In the past, on occasion). Under the bill, in addition, a presidential waiver would not take effect for forty-five days, absent emergency conditions. According to the findings of the Secretary, such limited discretion in the area of foreign affairs is contrary to the national interest and is not to be expected.

Fourth, the bill would create a new and unnecessary bureaucracy which would duplicate, and possibly undercut, the functions of the State Department and the Department of Justice in the area of religious freedom. The Secretary of State is best situated to report and advise the President on religious persecution abroad. The State Department’s reporting channels and annual Country Reports on Human Rights Practices are the most accurate, cost-effective and appropriate method for the U.S. Government to obtain and report information on religious persecution. Determinations regarding the foreign policy, including those regarding sanctions, should be made by the President with the assistance of the Secretary of State and other departments and agencies involved. Under the bill, the Secretary of State’s Advisory Committee on Religious Freedom and Human Rights would be eliminated.

Fifth, the proposed administrative structure in the bill in reality would marginalize religious freedom rather than mainstream it. It would diminish the role of the Secretary of State and other parts of our government. Enhancing existing structures would represent the most effective way to ensure the prominence of religious freedom in our foreign policy. We would be pleased to work with the Administration and Congress to accomplish that.

Sixth, the bill would impose several new obligations that would have significant financial implications, without providing any indication of how additional funding would be carried out without new resources. These requirements affect not only the State Department, but also Commerce and the INS. Speaking for my own bureau, I can tell you that additional unfunded mandates require diversions of resources from what we are doing in other areas to promote human rights.

Seventh, the bill would pose the risk of challenge as being inconsistent with international obligations, including those arising through the WTO agreement and under other trade laws. The bill poses a similar risk with respect to international obligations contained in the Articles of Agreement of most international financial institutions in which the U.S. participates.

Eighth, while we welcome and share the sponsors’ concerns about fairness in asylum adjudications, including those arising through the WTO agreement, the bill’s proposed changes to asylum procedures would create troubling disparities and threaten to unravel many recent intergovernmental agreements. For example, for persons making asylum claims based on religious persecution in the context of expedited procedures at ports of entry, the bill would create exceptions that raise ex-friendship burdens and that are not available to others fleeing persecution. Let me be clear: we support procedural protections for all applicants at ports of entry. In fact, before passage of last year’s immigration bill, we urged that expedited procedures apply only in exceptional, emergency, situations, not a majority. Members can appreciate our desire to do so with respect to all classes of applicants. Furthermore, we are deeply concerned that changes the bill would make to our asylum procedures (claims made by those already in the country) would create unnecessary burdens and inefficiencies that made asylum vulnerable to abuse in the past. We fear that such changes would hurt all legitimate asylum seekers, including those making claims based on religious persecution.

Ninth, the bill would create numerous sanctions specific to Sudan. The United States, of course, already has in place sanctions against the Sudanese government as a result of its support for international terrorism. The Administration nevertheless remains willing to consider a reasonable and workable expansion of existing sanctions to reflect the lack of Sudanese government actions on issues of concern: state sponsorship of terrorism; support for aggressive actions of terrorist groups; and continuing to come to terms with the opposition in the long-standing civil war; and an abysmal human rights record, including violations of religious freedom. We value the opportunity to continue discussions on this subject with Members in connection with the State Department authorization bill. For that reason, continued inclusion of Sudan sanctions in this bill would seem both unnecessary and counterproductive.

Having explained our concerns with some of the provisions of this bill, let me conclude by repeating that we welcome the opportunity to work with this committee and the rest of the Congress to fashion appropriate legislation that will underscore and strengthen the commitment of the United States to promote religious freedom. The President and the Secretary of State have made it crystal clear that this issue is now a foreign policy priority. In the endless battle for freedom, we do not claim that we can prove every single point. We want to be heartened that the United States alone has the power to bring about an end to all religious persecution around the world. But through a series of unusual circumstances, 71-year-old Bill Ellis is alive and well today with the transplanted heart of a 10-year-old Travis Robinson of Salt Lake City, Utah. This remarkable story is well told in an article published April 24, 1996 in the Salt Lake City Tribune.

I take this opportunity to share this great story with my colleagues:

MOTHER MEETS RECIPIENT OF SON'S HEART

HON. HENRY J. HYDE
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 1997

Mr. HYDE. Mr. Speaker, a heart transplant is but one example of the medical miracles that have occurred in the past 13 years and being involved in the program for all of its 22 years that is now clear: we support procedural protections for all applicants at ports of entry. In fact, before passage of last year’s immigration bill, we urged that expedited procedures apply only in exceptional, emergency situations, not a majority. Members can appreciate our desire to do so with respect to all classes of applicants. Furthermore, we are deeply concerned that changes the bill would make to our asylum procedures (claims made by those already in the country) would create unnecessary burdens and inefficiencies that made asylum vulnerable to abuse in the past. We fear that such changes would hurt all legitimate asylum seekers, including those making claims based on religious persecution.

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