

Calendar No. 292

112TH CONGRESS
2^D SESSION

H. R. 440

IN THE SENATE OF THE UNITED STATES

JULY 29, 2011

Received

DECEMBER 17, 2011

Read the first time

JANUARY 23, 2012

Read the second time and placed on the calendar

AN ACT

To provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FINDINGS.**

2 Congress finds the following:

3 (1) Seven Baha'i leaders in Iran have been
4 wrongfully imprisoned since 2008.

5 (2) In May 2010, suspected terrorists attacked
6 two mosques in Pakistan belonging to the
7 Ahmaddiya minority Muslim sect, killing at least 80
8 people. Ahmadis consider themselves Muslim, but
9 Pakistani law does not recognize them as such.

10 (3) Said Musa, an Afghan Christian convert,
11 was arrested in May 2010 on charges of apostasy,
12 a crime which can carry the death sentence, and was
13 released in February 2011 only after sustained
14 international pressure.

15 (4) On October 31, 2010, gunmen laid siege on
16 Our Lady of Salvation Church in Baghdad, Iraq kill-
17 ing at least 52 police and worshipers, including two
18 priests, making it the worst massacre of Iraqi Chris-
19 tians since 2003.

20 (5) Iraq's ancient and once vibrant Christian
21 population that numbered an estimated 1,500,000
22 out of a total population in Iraq of 30,000,000 in
23 2003 has been reduced by at least one half, due in
24 significant part to Christians fleeing the violence.

25 (6) In November 2010, a Pakistani court sen-
26 tenced Aasia Bibi, a Christian mother of five, to

1 death under the country’s blasphemy law for insult-
2 ing the Prophet Muhammad.

3 (7) On New Year’s Eve 2010, 23 people were
4 killed when a suicide bomber attacked a Coptic
5 Christian church in Alexandria, Egypt.

6 (8) On March 2, 2011, Pakistani Federal Mi-
7 norities Minister Shahbaz Bhatti, the only Christian
8 member of the Cabinet, who was outspoken in his
9 opposition to Pakistan’s blasphemy laws was assas-
10 sinated by extremists.

11 (9) The Department of State’s 2010 Inter-
12 national Religious Freedom Report stated that many
13 religious minority groups in Uzbekistan “faced
14 heavy fines and/or short jail terms for violations of
15 restrictive religion laws”.

16 (10) The Special Envoy for Anti-Semitism,
17 Hannah Rosenthal, has noted that Holocaust glorifi-
18 cation “is especially virulent in the Middle East
19 media”.

20 (11) A number of countries in the Middle East
21 have recently undergone popular revolutions which
22 in some countries have left security vacuums making
23 religious minorities especially vulnerable to violent
24 attacks, such as—

1 (A) in March 2011, the Shahedin Church
2 in Helwan province, Egypt, was torched, lead-
3 ing to protests which spurred sectarian clashes
4 in the streets of Cairo;

5 (B) on March 20, 2011, a group of
6 Salafists in Upper Egypt cut off a Christian
7 man's ear and burned his home and car; and

8 (C) news reports from April 2011 indicate
9 that Salafi organizations in Egypt have been
10 implicated in the destruction of Sufi shrines
11 across the country fueling violent conflict.

12 (12) Many of these ancient faith communities
13 are being forced to flee the lands which they have
14 inhabited for centuries.

15 (13) The United States Commission on Inter-
16 national Religious Freedom has recommended that
17 Iran, Iraq, Pakistan, Saudi Arabia, Turkmenistan,
18 and Uzbekistan be designated by the Department of
19 State as Countries of Particular Concern in accord-
20 ance with the International Religious Freedom Act
21 of 1998.

22 (14) The situation on the ground in the region
23 continues to develop rapidly and the United States
24 Government needs an individual who can respond in

1 kind and focus on the critical situation of religious
2 minorities in these countries.

3 **SEC. 2. SPECIAL ENVOY TO PROMOTE RELIGIOUS FREE-**
4 **DOM OF RELIGIOUS MINORITIES IN THE**
5 **NEAR EAST AND SOUTH CENTRAL ASIA.**

6 (a) APPOINTMENT.—The President shall appoint a
7 Special Envoy to Promote Religious Freedom of Religious
8 Minorities in the Near East and South Central Asia (in
9 this Act referred to as the “Special Envoy”) within the
10 Department of State.

11 (b) QUALIFICATIONS.—The Special Envoy should be
12 a person of recognized distinction in the field of human
13 rights and religious freedom and with expertise in the
14 Near East and South Central Asia regions. The Special
15 Envoy shall have the rank of ambassador and shall hold
16 the office at the pleasure of the President.

17 (c) PROHIBITION.—The person appointed as Special
18 Envoy may not hold any other position of Federal employ-
19 ment for the period of time during which the person holds
20 the position of Special Envoy.

21 **SEC. 3. DUTIES.**

22 (a) IN GENERAL.—The Special Envoy shall carry out
23 the following duties:

24 (1) Promote the right of religious freedom of
25 religious minorities in the countries of the Near

1 East and the countries of South Central Asia, de-
2 nounce the violation of such right, and recommend
3 appropriate responses by the United States Govern-
4 ment when such right is violated.

5 (2) Monitor and combat acts of religious intoler-
6 erance and incitement targeted against religious mi-
7 norities in the countries of the Near East and the
8 countries of South Central Asia.

9 (3) Work to ensure that the unique needs of re-
10 ligious minority communities in the countries of the
11 Near East and the countries of South Central Asia
12 are addressed, including the economic and security
13 needs of such communities to the extent that such
14 needs are directly tied to religious-based discrimina-
15 tion and persecution.

16 (4) Work with foreign governments of the coun-
17 tries of the Near East and the countries of South
18 Central Asia to address laws that are inherently dis-
19 criminatory toward religious minority communities
20 in such countries.

21 (5) Coordinate and assist in the preparation of
22 that portion of the report required by sections
23 116(d) and 502B(b) of the Foreign Assistance Act
24 of 1961 (22 U.S.C. 2151n(d) and 2304(b)) relating
25 to the nature and extent of religious freedom of reli-

1 religious minorities in the countries of the Near East
2 and the countries of South Central Asia.

3 (6) Coordinate and assist in the preparation of
4 that portion of the report required by section 102(b)
5 of the International Religious Freedom Act of 1998
6 (22 U.S.C. 6412(b)) relating to the nature and ex-
7 tent of religious freedom of religious minorities in
8 the countries of the Near East and the countries of
9 South Central Asia.

10 (b) COORDINATION.—In carrying out the duties
11 under subsection (a), the Special Envoy shall, to the max-
12 imum extent practicable, coordinate with the Bureau of
13 Population, Refugees and Migration of the Department of
14 State, the Ambassador at Large for International Reli-
15 gious Freedom, the United States Commission on Inter-
16 national Religious Freedom, and other relevant Federal
17 agencies and officials.

18 **SEC. 4. DIPLOMATIC REPRESENTATION.**

19 Subject to the direction of the President and the Sec-
20 retary of State, the Special Envoy is authorized to rep-
21 resent the United States in matters and cases relevant to
22 religious freedom in the countries of the Near East and
23 the countries of South Central Asia in—

24 (1) contacts with foreign governments, intergov-
25 ernmental organizations, and specialized agencies of

1 the United Nations, the Organization of Security
2 and Cooperation in Europe, and other international
3 organizations of which the United States is a mem-
4 ber; and

5 (2) multilateral conferences and meetings rel-
6 evant to religious freedom in the countries of the
7 Near East and the countries of South Central Asia.

8 **SEC. 5. PRIORITY COUNTRIES AND CONSULTATION.**

9 (a) PRIORITY COUNTRIES.—In carrying out this Act,
10 the Special Envoy shall give priority to programs, projects,
11 and activities for Egypt, Iraq, Afghanistan, and Pakistan.

12 (b) CONSULTATION.—The Special Envoy shall con-
13 sult with domestic and international nongovernmental or-
14 ganizations and multilateral organizations and institu-
15 tions, as the Special Envoy considers appropriate to fulfill
16 the purposes of this Act.

17 **SEC. 6. FUNDING.**

18 (a) IN GENERAL.—Of the amounts made available
19 for “Diplomatic and Consular Programs” for fiscal years
20 2011 through 2015, \$1,000,000 is authorized to be appro-
21 priated for each such fiscal year for the hiring of staff,
22 for the conduct of investigations, and for necessary travel
23 to carry out the provisions of this Act.

24 (b) FUNDING OFFSET.—To offset the costs to be in-
25 curred by the Department of State for the hiring of staff,

1 for the conduct of investigations, and for necessary travel
2 to carry out the provisions of this Act for fiscal years 2011
3 through 2015, the Secretary of State shall eliminate such
4 positions within the Department of State, unless otherwise
5 authorized or required by law, as the Secretary determines
6 to be necessary to fully offset such costs.

7 (c) LIMITATION.—No additional funds are authorized
8 to be appropriated for “Diplomatic and Consular Pro-
9 grams” to carry out this Act.

10 **SEC. 7. SUNSET.**

11 This Act shall cease to be effective beginning on Octo-
12 ber 1, 2015.

Passed the House of Representatives July 29, 2011.

Attest:

KAREN L. HAAS,

Clerk.

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