

118TH CONGRESS
2D SESSION

H. R. 8720

To amend the International Religious Freedom Act of 1998 and the Foreign Assistance Act of 1961 to prohibit preferential Federal grant treatment for atheist groups, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2024

Mr. SMITH of New Jersey (for himself, Mr. BANKS, Mr. HERN, Mr. DUNCAN, Ms. SALAZAR, Mr. HIGGINS of Louisiana, Mr. SELF, Mr. WEBER of Texas, Mr. BABIN, Mr. CLINE, and Mr. BISHOP of North Carolina) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the International Religious Freedom Act of 1998 and the Foreign Assistance Act of 1961 to prohibit preferential Federal grant treatment for atheist groups, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Religious Freedom and
5 Fairness Act”.

1 **SEC. 2. AMENDMENTS TO THE INTERNATIONAL RELIGIOUS**
2 **FREEDOM ACT OF 1998.**

3 (a) FINDINGS.—Section 2(a) of the International Re-
4 ligious Freedom Act of 1998 (22 U.S.C. 6401(a)) is
5 amended—

6 (1) by amending paragraph (6) to read as fol-
7 lows:

8 “(6) Targeting of non-theists, humanists, and
9 atheists because of their beliefs occurs around the
10 world.”; and

11 (2) by adding at the end the following:

12 “(8) Decreasing religiosity and increasing secu-
13 larization has, in some parts of the world, led to
14 some practicing theists facing greater discrimination,
15 harassment, and threats.”.

16 (b) HIGH-LEVEL CONTACTS WITH NONGOVERN-
17 MENTAL ORGANIZATIONS.—Section 105 of the Inter-
18 national Religious Freedom Act of 1998 (22 U.S.C. 6414)
19 is amended—

20 (1) by striking “United States chiefs of mission
21 shall” and inserting “(a) IN GENERAL.—United
22 States chiefs of mission shall”;

23 (2) by striking “United States chiefs of mission
24 and Foreign Service officers abroad shall” and in-
25 serting the following:

1 “(b) OTHER MEETINGS.—United States chiefs of
2 mission and Foreign Services officers abroad shall”; and

3 (3) in subsection (a) (as so designated)—

4 (A) by striking “to provide” and inserting

5 “to—

6 “(1) provide”;

7 (B) by striking the period at the end and
8 inserting “; and”; and

9 (C) by adding at the end the following:

10 “(2) organize, participate in, and attend high-
11 level meetings to understand, document, and report
12 to the Department of State’s Office of International
13 Religious Freedom any perceived or actual anti-reli-
14 gious or anti-theist funding concerns, in the Depart-
15 ment of State’s programs and grant awards.”.

16 (c) PROGRAMS AND ALLOCATIONS OF FUNDS BY
17 UNITED STATES MISSIONS ABROAD.—Section 106 of the
18 International Religious Freedom Act of 1998 (22 U.S.C.
19 6415) is amended—

20 (1) by striking “It is the sense of Congress”
21 and inserting “(a) SENSE OF CONGRESS.—It is the
22 sense of Congress”;

23 (2) in subsection (a) (as so designated)—

24 (A) in paragraph (1), by striking “and” at
25 the end;

1 (B) in paragraph (2), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(3) in allocating or recommending the alloca-
5 tion of funds for programs and grants funded by the
6 United States Government, the Department of State
7 and United States diplomatic missions shall ensure
8 that the programs and grants do not—

9 “(A) promote or advance non-theist or hu-
10 manist ideologies or beliefs; or

11 “(B) aim to expand the membership of
12 non-theist groups.”; and

13 (3) by adding at the end the following:

14 “(b) LIMITATIONS ON FUNDS.—

15 “(1) OTHER LIMITATIONS.—No funds allocated
16 for programs or grants funded by the United States
17 Government as described in subsection (a) may be
18 used to provide funding to—

19 “(A) any entity or close affiliate of such
20 entity that has made public statements dispar-
21 aging, infringing upon, or otherwise denigrating
22 theistic belief; or

23 “(B) any atheist, agnostic, humanist, or
24 other non-theist group in a foreign country un-
25 less the Department of State and United States

1 diplomatic mission to that country also provide
2 proportional funding to other religious groups
3 in that country over the same time period, tak-
4 ing into account the severity and number of vio-
5 lations of religious freedom of the various reli-
6 gious groups and the population and financial
7 capacity of the various religious groups.”.

8 **SEC. 3. AMENDMENTS TO THE FOREIGN ASSISTANCE ACT**
9 **OF 1961.**

10 Section 116(e) of the Foreign Assistance Act of 1961
11 (22 U.S.C. 2151n(e)) is amended—

12 (1) by striking “(e)” and inserting “(e)(1)”;

13 (2) by striking “None of these funds” and in-
14 serting the following:

15 “(2)(A) None of these funds”; and

16 (3) in paragraph (2) (as so designated), by add-
17 ing at the end the following:

18 “(B) None of these funds may be used, directly or
19 indirectly, to—

20 “(i) promote or advance non-theist or humanist
21 ideologies or beliefs; or

22 “(ii) directly aim to expand the membership of
23 non-theist groups.

24 “(C) None of these funds may be provided to—

1 “(i) any entity or close affiliate of such entity
2 that has made public statements disparaging, in-
3 fringing upon, or otherwise denigrating theistic be-
4 lief; or

5 “(ii) any atheist, agnostic, humanist, or other
6 non-theist group in a foreign country unless the De-
7 partment of State and United States diplomatic mis-
8 sion to that country also provide proportional fund-
9 ing to other religious groups in that country over the
10 same time period, taking into account the severity
11 and number of violations of religious freedom of the
12 various religious groups and the population and fi-
13 nancial capacity of the various religious groups.”.

14 **SEC. 4. REPORT.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, and annually thereafter,
17 the Office of International Religious Freedom, in coordi-
18 nation with the Department of State’s Bureau of Democ-
19 racy, Human Rights, and Labor, shall submit to the ap-
20 propriate congressional committees a report that includes
21 a list of all grants, cooperative agreements, and programs
22 funded by the Department in the previous fiscal year that
23 have been provided to religious, atheist, agnostic, and hu-
24 manist groups worldwide.

1 (b) MATTERS TO BE INCLUDED.—The list include
2 in the report required by subsection (a)—

3 (1) shall be disaggregated by country, dollar
4 amount, name of implementing partner;

5 (2) shall include a brief description of what ob-
6 jectives the grant was intended to achieve, what
7 metrics suggest those objectives were met, and what
8 national interests were advanced; and

9 (3) how programming comports with both the
10 Free Exercise Clause and the Establishment Clause
11 of the United States Constitution.

12 (c) FORM.—The report required by subsection (a)
13 may be submitted in classified form if necessary.

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