



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 13, 1998
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 2431 - Freedom From Religious Persecution Act of 1998 (Wolf (R) VA)

The President has made religious freedom a priority and the Administration is committed to identifying new and creative means for securing religious freedom for people of all faiths and beliefs. In particular, the Administration has raised religious freedom issues directly with foreign leaders and in multilateral fora. The State Department has expanded coverage of religious freedom in its annual human rights report and has created an Advisory Committee on Religious Freedom Abroad. In addition, the Secretary of State will be creating a senior-level coordinator responsible for integrating religious freedom into U.S. foreign policy.

The Administration strongly opposes H.R. 2431, the "Freedom From Religious Persecution Act of 1998" because it would undermine U.S. efforts to support the goal of religious freedom, as well as other important U.S. foreign policy interests. The bill's proposed sanctions would be counterproductive to convincing foreign governments to prevent limitations on religious freedom and could lead to misguided repercussions against minority religious groups perceived as causing deterioration of relations with the United States. H.R. 2431 is objectionable because it would: (1) impose automatic sanctions that could harm religious minorities and bilateral relations with allies, as well as limit Presidential flexibility and raise questions regarding U.S. international obligations; (2) undermine U.S. policy to respect all human rights; (3) unravel the current refugee admissions program; and (4) create a confusing bureaucracy to promote freedom of religion.

Current law already provides an adequate basis for the United States to impose sanctions on foreign entities that violate human rights. Automatic imposition of sanctions could also dissuade foreign governments or persons from cooperating with the United States to prevent limitations on religious freedom and harm U.S. political and economic relationships with other countries.

Although H.R. 2431 provides waiver authority, it does not eliminate a principal source of concern, which is the annual, automatic condemnation that would be required by the bill. While public condemnation may be appropriate in many instances, it should not be automatic in all cases. If the Administration is deprived of needed flexibility in situations that are often quite complex, the well-being of the very populations the bill seeks to help is put at risk. U.S. efforts to work collectively with other nations to promote religious freedom, reconciliation, and peace would also be placed at risk.

While appreciating the action taken by the Ways and Means Committee on the areas within its jurisdiction, the Administration opposes section 12 of H.R. 2431, which would legislate sanctions against Sudan. The President imposed sanctions against Sudan on November 4, 1997. This section further legislates sanctions without exempting emergency food aid distribution programs, which would place many innocent Sudanese civilians in danger of starvation. It also limits waiver authority to only two sanctions.

For the above reasons, if H.R. 2431 were presented to the President in its current form, his senior advisers would recommend that the bill be vetoed.

Pay-As-You-Go Scoring

H.R. 2431 could increase direct spending; therefore, it is subject to the pay-as-you-go requirement of the Omnibus Budget Reconciliation Act (OBRA) of 1990. The bill does not contain provisions to offset the increased direct spending. Therefore, if the bill were enacted, its deficit effects could contribute to a sequester of mandatory programs. OMB's preliminary scoring estimate is that the PAYGO effect of this bill would be \$5 million for FY 1999 and \$25 million during FYs 1999-2003. Final scoring of this legislation may deviate from this estimate.

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