**DISSENTING VIEWS**

**(H.R. 5665, *Combating International Islamophobia Act*)**

All of us on the Committee on Foreign Affairs deplore and condemn anti-Muslim persecution, everywhere and anywhere. No one should ever be attacked or denied their human rights or dignity because of their religious faith. But serious, ongoing attempts at monitoring and combating persecution are preferable to rushed, partisan efforts that amount to nothing more than divisive window dressing.

All of us are committed to opposing the heinous acts of violence we have seen directed at Muslims around the world.  We were horrified and outraged by the 2016 shooting in a Swiss Islamic center, the 2017 attack during evening prayers at a Quebec mosque, and the 2019 attack on two mosques in Christchurch, New Zealand that killed 51 people.  The hateful perpetrators of violence against Muslims must be prosecuted and punished.

That commitment, however, must also apply when the perpetrators are foreign regimes, and especially when those crimes rise to the level of genocide. The genocide committed by the Burmese military against the Rohingya Muslims starting in late 2016 involved some of the most disturbing and heartbreaking atrocities of our generation. Hundreds of thousands of Rohingya are still displaced, homeless, and vulnerable.

Today – at this very moment – the Chinese Communist Party is committing genocide against Uyghur Muslims. Somewhere between one and three million are held in camps. They are being exploited for slave labor and suffering systematic sexual violence. Families are being torn apart, and the CCP prohibits parents from teaching their Islamic faith to their children. Women are suffering forced sterilization and forced abortion, as part of a concerted campaign to suppress Uyghur Muslim birth rates.

Members on our side of the aisle take a back seat to no one in our efforts to combat these anti-Muslim atrocities. In fact, many of us are frustrated that House Democrat Leadership caved to the Biden Administration’s efforts to delay a strong U.S. response to the Uyghur Muslim genocide, rather than sending the bipartisan, Senate-passed Uyghur Forced Labor Prevention Act to the President’s desk last week. Even that dilatory step was only taken after the press highlighted that House leadership had been sitting on the unanimously passed Senate bill for five months, as well as the House companion that passed this chamber 406 to 3 last year.

The deliberately partisan bill before us today has no Republican cosponsors, and committee Democrats made no effort to work toward a mutually agreeable approach prior to markup. It seems less like a serious legislative effort to enact a necessary law, than a rushed, partisan sop to the most progressive wing of the Democrat party.

The bill does not condemn persecution or gross violations of internationally recognized human rights against Muslims, and Democrats voted down an amendment that would have appropriately focused the new office’s efforts of the plight of the Uyghurs and Rohingya, in particular.

Instead, H.R. 5665, creates a duplicative office and a new special envoy position in the State Department, which it charges with combating “Islamophobia and Islamophobic incitement,” two deliberately vague terms that appear nowhere in federal statute and are defined nowhere in the bill.

This partisan proposal is not addressing genuine – or even claimed – shortcomings in the State Department’s human rights and religious freedom efforts on behalf of persecuted Muslims around the world. Those efforts are already robust and on par with State’s efforts on behalf of persecuted Christians and other religious adherents, who also do not have their own special envoys. Monitoring and reporting are already detailed and occur regularly, carried out by human rights officers at our embassies around the world, as well as by State’s Bureau of Democracy, Human Rights, and Labor, its Office of International Religious Freedom, and the United States Commission on International Religious Freedom. The current nominee to serve as the Special Envoy for International Religious Freedom, Rashad Hussein, is a prominent Muslim-American. The annual Country Reports on Human Rights Practices include detailed country-specific narratives of human rights violations targeting Muslims. The annual Report on International Religious Freedom describes in detail the country-specific challenges and abuses faced by Muslims because of their faith, as well as U.S. Government policy and engagement to address such challenges.

Creating a new envoy and office would duplicate these preexisting efforts and further fragment the human rights advocacy conducted by U.S. diplomats, increasing the potential for conflict and delays in policy formulation and clearances.  Further, the State Department requested extensive changes to the bill, which have not been incorporated into the bill text.

The deliberate absence of key definitions for unprecedented statutory terms is troubling. At markup, committee Democrats rejected all efforts to clarify what does or does not constitute “Islamophobia and Islamophobic incitement.” The Chairman himself stated that such determinations should be left completely up to “relevant actors at the State Department.” But unlike “gross violations of internationally recognized human rights,” which has a statutory pedigree, State has no experience or competence in assessing “phobias” or other subjective states of mind.

As Representatives Chabot and Zeldin, among others, have pointed out, there are genuine concerns that the vague, undefined terms of the bill could capture legitimate speech and make critics of radical Islamist extremism the targets of the new special envoy and its office. The envoy and office could proceed with a partisan agenda and single out groups, governments, and individuals who do not share their political inclinations. Sadly, committee markup provided ample evidence for such concern, with Democrat Members irresponsibly referring to Republican amendments as “Islamophobic and racist” and to Republicans as “violently Islamophobic.”

When, in isolated cases, the teachings of Islam are invoked to justify acts of terror, the demeaning treatment of women, anti-Semitic or anti-Israel incitement (including in school texbooks), and other troubling occurrences, that use should be condemned without fear that such criticism will be labeled “Islamophobic” by official U.S. government representatives.

In sum, the Democrat majority deliberately ignored requests by the State Department and Republican members of Congress to address real redundancies and ambiguities in Representative Omar’s bill. They appear determined to proceed with a divisive partisan charade, rather than to stand together in opposing anti-Muslim violence and persecution that all of us deplore. The bill is deeply flawed and should be strongly opposed.

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