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Global Human Rights: International Religious Freedom Policy

For decades, U.S. policymakers have sought to promote religious freedom abroad, reflective both of a general interest in promoting human rights through U.S. foreign policy, as well as the emphasis on religious freedom in U.S. domestic law and political culture. Protection of religious freedom is also affirmed in international law through the United Nations Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other instruments. Congress has sought to ensure continued support for religious freedom as a focus of U.S. relations with other nations, most prominently through passage of the International Religious Freedom Act of 1998.

Legislative Background

The International Religious Freedom Act of 1998 (IRFA; P.L. 105-292; 22 U.S.C. 6401 et seq.) is the foundational legislation for U.S. international religious freedom (IRF) policy. Recognizing religious freedom as a “universal human right,” IRFA created various government mechanisms aimed at cementing IRF as a foreign policy priority of the United States. Most significantly, the law

- created an Office of International Religious Freedom within the State Department headed by an Ambassador at Large (AAL) for IRF;
- required that the Secretary of State issue an annual report on the status of religious freedom around the world;
- mandated that the President identify “countries of particular concern” and prescribed U.S. government actions in response to violations of religious freedom, subject to presidential waiver authority; and
- created the independent U.S. Commission on International Religious Freedom (USCIRF).

Congress has subsequently strengthened IRFA through amendment and the enactment of related provisions, notably through the 2016 Frank R. Wolf International Religious Freedom Act (Wolf IRFA; P.L. 114-281).

The State Department’s Role

The State Department leads the federal government’s efforts to promote international religious freedom. The AAL for IRF heads the State Department’s Office of International Religious Freedom (IRF Office). Per IRFA, as amended, the AAL is to integrate IRF policies into U.S. foreign policy efforts and participate in any interagency processes in which the promotion of IRF can advance U.S. national security interests. The position is to report directly to the Secretary of State. The AAL and the IRF Office lead the drafting of the IRFA-mandated annual international religious freedom report (IRF report) and advise the Secretary of State on U.S. policy actions in response to religious freedom violations. Under IRFA, the AAL for IRF is nominated by the President and confirmed by the Senate. A related senior position is the congressionally mandated

Special Envoy to Monitor and Combat Antisemitism (Special Envoy), which is also a presidentially appointed position with the rank of ambassador. President Trump’s nominee to serve as the Special Envoy, Yehuda Kaploun, was confirmed by the Senate in December 2025. The nominee to serve as AAL for IRF, Mark Walker, was not confirmed before the end of the first session of the 119th Congress, causing his nomination to be returned to the President pursuant to Senate rules. Walker subsequently began serving as Principal Advisor for Global Religious Freedom at the State Department before leaving that position in April 2026. President Trump has not yet announced a new nomination for the AAL for IRF position.

The IRF Office and the Special Envoy’s office were originally situated within the State Department’s Bureau of Democracy, Human Rights, and Labor (DRL), before being elevated in 2019 to report to the Under Secretary for Civilian Security, Democracy, and Human Rights (J Under Secretary). As part of its 2025 reorganization, the State Department eliminated the J Under Secretary position and realigned both offices under DRL.

Within recent annual appropriations acts and accompanying explanatory statements, Congress has directed certain amounts of funding for the IRF Office and for IRF foreign assistance programs, among other IRF-related directives. In early 2025, the Trump Administration initiated a foreign aid review and paused nearly all U.S. foreign assistance, reportedly including IRF programs. USCIRF reporting indicates that “a significant portion of programs that utilized funds directed by Congress to promote IRF” were ultimately terminated.

Secretary of State Rubio in December 2025 announced a new visa restriction policy for individuals involved in religious freedom violations.

International Religious Freedom Report

The IRF report, which is statutorily required to be issued on May 1 each year or shortly thereafter, covers developments in individual foreign countries during the prior calendar year and includes information on the status of religious freedom, violations of religious freedom, and relevant U.S. policies. The IRF report is the official U.S. government account of religious freedom conditions abroad, and is a primary information source for the executive branch’s “country of particular concern” designations. The report covering calendar year 2023 was submitted to Congress on June 26, 2024, and is available on the State Department website. The State Department has not released the report covering calendar year 2024, which was statutorily due around May 1, 2025. The department has not yet released the subsequent report covering calendar year 2025, which was statutorily due around May 1, 2026.

Country and Entity Designations

IRFA mandates that the President, using information from the IRF report and other sources, annually designate as “countries of particular concern” (CPCs) those countries the governments of which have engaged in or tolerated “particularly severe” religious freedom violations. The law defines particularly severe violations of religious freedom as “systematic, ongoing, and egregious” violations, including violations such as torture; cruel, inhuman, or degrading treatment or punishment; prolonged detention without charges; forced disappearances; or other flagrant denial of the right to life, liberty, or the security of persons.

Wolf IRFA mandated an additional Special Watch List of countries with severe religious freedom violations but that do not reach the threshold of systematic, ongoing, and egregious. In recognition of religious freedom abuses carried out by the Islamic State and other non-state actors, Wolf IRFA also added a new requirement that the President designate entities of particular concern (EPCs) and, “when practicable,” take actions to address severe violations of religious freedom committed by EPCs.

Actions in Response to Religious Freedom Violations

IRFA provides an escalating list of U.S. government actions that may be exercised in response to religious freedom violations engaged in or tolerated by foreign governments (see 22 U.S.C. §6445). Actions may include diplomatic measures such as demarches, public condemnations, or the cancellation of meetings or exchanges. For CPCs, the executive branch is to implement one or more sanctions suggested by IRFA, such as foreign assistance restrictions or trade-related restrictions. The law provides the executive branch significant discretion in determining which, if any, actions to take against CPCs. Administrations can apply commensurate substitute action in lieu of IRFA’s suggested measures, exempt a CPC from new sanctions by referring to preexisting, “broad-based” human rights-related sanctions imposed against that country, or waive sanctions by citing U.S. national interest. In practice, Administrations have generally either referred to sanctions already in place against CPCs under other authorities or issued waivers instead of implementing new sanctions under IRFA.

A comprehensive list of CPC designations and accompanying actions has not been issued since December 2023, under the Biden Administration (see **Table 1**). The State Department at that time also placed five countries on the Special Watch List (Algeria, Azerbaijan, the Central African Republic, Comoros, and Vietnam) and designated several EPCs (al-Shabaab, Boko Haram, Hayat Tahrir al-Sham, the Houthis, ISIS, ISIS-Sahel, ISIS-West Africa, Jamaat Nasr al-Islam wal Muslimin, and the Taliban).

Table 1. Dec. 2023 CPCs and U.S. Actions

Country	Action
Burma (Myanmar)	Referred to preexisting sanctions
China	Referred to preexisting sanctions
Cuba	Referred to preexisting sanctions
Eritrea	Referred to preexisting sanctions
Iran	Referred to preexisting sanctions
Nicaragua	Referred to preexisting sanctions
North Korea	Referred to preexisting sanctions

Country	Action
Pakistan	Issued national interest waiver
Russia	Referred to preexisting sanctions
Saudi Arabia	Issued national interest waiver
Tajikistan	Issued national interest waiver
Turkmenistan	Issued national interest waiver

Source: 89 *Federal Register* 3980.

IRFA and Wolf IRFA impose deadlines to issue new designations following the IRF report’s release, and to take subsequent IRFA-mandated actions against CPCs. Under the Biden Administration, the State Department missed statutory deadlines that were triggered by the June 2024 IRF report covering 2023. Upon taking office, the Trump Administration did not issue designations in connection with that report. As noted above, the State Department to date has not released IRF reports covering 2024 or 2025.

On October 31, 2025, President Trump announced that he was designating Nigeria as a CPC. The Administration has not announced what action(s) will be taken as a result of Nigeria’s designation, and has not yet issued other new designations. IRFA’s language suggests that the December 2023 CPC designations remain in effect, but the associated IRFA-prescribed actions terminated in December 2025 (per **Table 1**, new sanctions were not imposed as a result of the December 2023 designations).

U.S. Commission on International Religious Freedom (USCIRF)

IRFA also established USCIRF, an independent federal commission tasked with monitoring IRF conditions, reviewing U.S. government policy, and making policy recommendations. The President and House and Senate leadership appoint USCIRF commissioners, and IRFA’s provisions ensure its composition reflects recommendations of both the majority and minority party. Commissioners may serve up to two terms of two years each and are to be distinguished individuals in fields relevant to religious freedom. The AAL for IRF also serves as a nonvoting member. USCIRF in June 2025 elected Vicky Hartzler as the commission’s chair for 2025-2026.

Pursuant to IRFA, USCIRF produces its own annual report, which it has utilized to analyze the executive branch’s implementation of IRFA during the preceding year, make general policy recommendations, and recommend CPC, Special Watch List, and EPC designations. USCIRF’s recommendations for CPC and other designations are typically more expansive than the official State Department designations. In its report covering calendar year 2025 (released in March 2026), USCIRF recommended that five countries be added to the official CPC list in addition to those that are already on it: Afghanistan, India, Libya, Syria, and Vietnam. USCIRF also recommended additional Special Watch List and EPC designations. USCIRF is currently authorized through September 2026; pending legislation in the 119th Congress (H.R. 1744, S. 3984) would reauthorize USCIRF through September 2028.

Michael A. Weber, Specialist in Foreign Affairs

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