

religious freedom, in consultation with independent human rights groups and nongovernmental organizations, including churches and other religious communities, and make such recommendations as may be necessary to the appropriate officials and offices in the United States Government.

(Pub. L. 105-292, title II, §202, Oct. 27, 1998, 112 Stat. 2798; Pub. L. 106-55, §1(b)(1), Aug. 17, 1999, 113 Stat. 401.)

AMENDMENTS

1999—Subsec. (f). Pub. L. 106-55 struck out heading and text of subsec. (f). Text read as follows: “The Commission may, for the purpose of carrying out its duties under this subchapter, hold hearings, sit and act at times and places in the United States, take testimony, and receive evidence as the Commission considers advisable to carry out the purposes of this chapter.”

§ 6432a. Powers of the Commission

(a) Hearings and sessions

The Commission may, for the purpose of carrying out its duties under this subchapter, hold hearings, sit and act at times and places in the United States, take testimony and receive evidence as the Commission considers advisable to carry out the purposes of this chapter.

(b) Information from Federal agencies

The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this section. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission, subject to applicable law.

(c) Postal services

The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) Administrative procedures

The Commission may adopt such rules and regulations, relating to administrative procedure, as may be reasonably necessary to enable it to carry out the provisions of this subchapter.

(e) Views of the Commission

The Members of the Commission may speak in their capacity as private citizens. Statements on behalf of the Commission shall be issued in writing over the names of the Members. The Commission shall in its written statements clearly describe its statutory authority, distinguishing that authority from that of appointed or elected officials of the United States Government. Oral statements, where practicable, shall include a similar description.

(f) Travel

The Members of the Commission may, with the approval of the Commission, conduct such travel as is necessary to carry out the purpose of this subchapter. Each trip must be approved by a majority of the Commission. This provision shall not apply to the Ambassador-at-Large, whose travel shall not require approval by the Commission.

(Pub. L. 105-292, title II, §203, as added Pub. L. 106-55, §1(b)(3), Aug. 17, 1999, 113 Stat. 401.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 105-292, Oct. 27, 1998, 112 Stat. 2787, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6401 of this title and Tables.

PRIOR PROVISIONS

A prior section 203 of Pub. L. 105-292 was renumbered section 205 and is classified to section 6433 of this title.

§ 6432b. Commission personnel matters

(a) In general

The Commission may, without regard to the civil service laws and regulations, appoint and terminate an Executive Director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The decision to employ or terminate an Executive Director shall be made by an affirmative vote of at least six of the nine members of the Commission.

(b) Compensation

The Commission may fix the compensation of the Executive Director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(c) Professional staff

The Commission and the Executive Director shall hire Commission staff on the basis of professional and nonpartisan qualifications. Commissioners may not individually hire staff of the Commission. Staff shall serve the Commission as a whole and may not be assigned to the particular service of a single Commissioner or a specified group of Commissioners. This subsection does not prohibit staff personnel from assisting individual members of the Commission with particular needs related to their duties.

(d) Staff and services of other Federal agencies

(1) Department of State

The Secretary of State shall assist the Commission by providing on a reimbursable or nonreimbursable basis to the Commission such staff and administrative services as may be necessary and appropriate to perform its functions.

(2) Other Federal agencies

Upon the request of the Commission, the head of any Federal department or agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its functions under this subchapter. The detail of any such personnel shall be without interruption or loss of civil service or Foreign Service status or privilege.

(e) Security clearances

The Executive Director shall be required to obtain a security clearance. The Executive Di-

rector may request, on a needs-only basis and in order to perform the duties of the Commission, that other personnel of the Commission be required to obtain a security clearance. The level of clearance shall be the lowest necessary to appropriately perform the duties of the Commission.

(f) Cost

The Commission shall reimburse all appropriate Government agencies for the cost of obtaining clearances for members of the commission,¹ for the executive¹ director,¹ and for any other personnel.

(g) Application of antidiscrimination laws

For purposes of providing remedies and procedures to address alleged violations of rights and protections that pertain to employment discrimination, family and medical leave, fair labor standards, employee polygraph protection, worker adjustment and retraining, veterans' employment and reemployment, intimidation or reprisal, protections under the Americans with Disabilities Act of 1990 [42 U.S.C. 12101 et seq.], occupational safety and health, labor-management relations, and rights and protections that apply to employees whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, all employees of the Commission shall be treated as employees whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives and the Commission shall be treated as an employing office of the Senate or the House of Representatives.

(Pub. L. 105-292, title II, §204, as added Pub. L. 106-55, §1(b)(3), Aug. 17, 1999, 113 Stat. 402; amended Pub. L. 112-75, §3(a), Dec. 23, 2011, 125 Stat. 1273.)

REFERENCES IN TEXT

The Americans with Disabilities Act of 1990, referred to in subsec. (g), is Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to chapter 126 (§12101 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 204 of Pub. L. 105-292 was renumbered section 206 and is classified to section 6434 of this title.

AMENDMENTS

2011—Subsec. (g). Pub. L. 112-75 added subsec. (g).

PENDING CLAIMS

Pub. L. 112-75, §3(b), Dec. 23, 2011, 125 Stat. 1273, provided that: “Any administrative or judicial claim or action pending on the date of the enactment of this Act [Dec. 23, 2011] may be maintained under section 204(g) of the International Religious Freedom Act of 1998 [22 U.S.C. 6432b(g)], as added by subsection (a).”

§ 6433. Report of Commission

(a) In general

Not later than May 1 of each year, the Commission shall submit a report to the President,

¹ So in original. Probably should be capitalized.

the Secretary of State, and Congress setting forth its recommendations for United States policy options based on its evaluations under section 6432 of this title.

(b) Classified form of report

The report may be submitted in classified form, together with a public summary of recommendations, if the classification of information would further the purposes of this chapter.

(c) Individual or dissenting views

Each member of the Commission may include the individual or dissenting views of the member.

(Pub. L. 105-292, title II, §205, formerly §203, Oct. 27, 1998, 112 Stat. 2799; renumbered §205, Pub. L. 106-55, §1(b)(2), Aug. 17, 1999, 113 Stat. 401.)

PRIOR PROVISIONS

A prior section 205 of Pub. L. 105-292 was renumbered section 207 and is classified to section 6435 of this title.

§ 6434. Applicability of other laws

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(Pub. L. 105-292, title II, §206, formerly §204, Oct. 27, 1998, 112 Stat. 2799; renumbered §206, Pub. L. 106-55, §1(b)(2), Aug. 17, 1999, 113 Stat. 401.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in text, is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 206 of Pub. L. 105-292 was renumbered section 209 and is classified to section 6436 of this title.

§ 6435. Authorization of appropriations

(a) In general

There are authorized to be appropriated to the Commission \$3,000,000 for each of the fiscal years 2012 through 2014 to carry out the provisions of this subchapter.

(b) Availability of funds

Amounts authorized to be appropriated under subparagraph (a) of this section are authorized to remain available until expended but not later than the date of termination of the Commission.

(Pub. L. 105-292, title II, §207, formerly §205, Oct. 27, 1998, 112 Stat. 2800; renumbered §207 and amended Pub. L. 106-55, §1(b)(2), (4), Aug. 17, 1999, 113 Stat. 401, 403; Pub. L. 107-228, div. A, title VI, §681(e), Sept. 30, 2002, 116 Stat. 1409; Pub. L. 112-75, §4, Dec. 23, 2011, 125 Stat. 1273.)

AMENDMENTS

2011—Subsec. (a). Pub. L. 112-75 substituted “for each of the fiscal years 2012 through 2014” for “for the fiscal year 2003”.

2002—Subsec. (a). Pub. L. 107-228 inserted “for the fiscal year 2003” after “\$3,000,000”.

1999—Subsec. (a). Pub. L. 106-55, §1(b)(4), substituted “to carry out the provisions of this subchapter” for “for each of the fiscal years 1999 and 2000 to carry out the provisions of this subchapter.”