

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,<sup>1</sup> for the executive<sup>1</sup> director,<sup>1</sup> 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,

<sup>1</sup> 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.”

**§ 6435a. Standards of conduct and disclosure****(a) Cooperation with nongovernmental organizations, the Department of State, and Congress**

The Commission shall seek to effectively and freely cooperate with all entities engaged in the promotion of religious freedom abroad, governmental and nongovernmental, in the performance of the Commission's duties under this subchapter.

**(b) Conflict of interest and antinepotism****(1) Member affiliations**

Except as provided in paragraph (3), in order to ensure the independence and integrity of the Commission, the Commission may not compensate any nongovernmental agency, project, or person related to or affiliated with any member of the Commission, whether in that member's direct employ or not. Staff employed by the Commission may not serve in the employ of any nongovernmental agency, project, or person related to or affiliated with any member of the Commission while employed by the Commission.

**(2) Staff compensation**

Staff of the Commission may not receive compensation from any other source for work performed in carrying out the duties of the Commission while employed by the Commission.

**(3) Exception****(A) In general**

Subject to subparagraph (B), paragraph (1) shall not apply to payments made for items such as conference fees or the purchase of periodicals or other similar expenses, if such payments would not cause the aggregate value paid to any agency, project, or person for a fiscal year to exceed \$250.

**(B) Limitation**

Notwithstanding subparagraph (A), the Commission shall not give special preference to any agency, project, or person related to or affiliated with any member of the Commission.

**(4) Definitions**

In this subsection, the term "affiliated" means the relationship between a member of the Commission and—

(A) an individual who holds the position of officer, trustee, partner, director, or employee of an agency, project, or person of which that member, or relative of that member of,<sup>1</sup> the Commission is an officer, trustee, partner, director, or employee; or

(B) a nongovernmental agency or project of which that member, or a relative of that member, of the Commission is an officer, trustee, partner, director, or employee.

**(c) Contract authority****(1) In general**

Subject to the availability of appropriations, the Commission may contract with and compensate Government agencies or persons for

the conduct of activities necessary to the discharge of its functions under this subchapter. Any such person shall be hired without interruption or loss of civil service or Foreign Service status or privilege. The Commission may procure temporary and intermittent services under the authority of section 3109(b) of title 5, except that the Commission may not expend more than \$250,000 in any fiscal year to procure such services.

**(2) Expert study**

In the case of a study requested under section 6474 of this title, the Commission may, subject to the availability of appropriations, contract with experts and shall provide the funds for such a study. The Commission shall not be required to provide the funds for that part of the study conducted by the Comptroller General of the United States.

**(d) Gifts****(1) In general**

In order to preserve its independence, the Commission may not accept, use, or dispose of gifts or donations of services or property. An individual Commissioner or employee of the Commission may not, in his or her capacity as a Commissioner or employee, knowingly accept, use or dispose of gifts or donations of services or property, unless he or she in good faith believes such gifts or donations to have a value of less than \$50 and a cumulative value during a calendar year of less than \$100.

**(2) Exceptions**

This subsection shall not apply to the following:

(A) Gifts provided on the basis of a personal friendship with a Commissioner or employee, unless the Commissioner or employee has reason to believe that the gift was provided because of the Commissioner's position and not because of the personal friendship.

(B) Gifts provided on the basis of a family relationship.

(C) The acceptance of training, invitations to attend or participate in conferences or such other events as are related to the conduct of the duties of the Commission, or food or refreshment associated with such activities.

(D) Items of nominal value or gifts of estimated value of \$10 or less.

(E) De minimis gifts provided by a foreign leader or state, not exceeding a value of \$260. Gifts believed by Commissioners to be in excess of \$260, but which would create offense or embarrassment to the United States Government if refused, shall be accepted and turned over to the United States Government in accordance with the Foreign Gifts and Decorations Act of 1966 and the rules and regulations governing such gifts provided to Members of Congress.

(F) Informational materials such as documents, books, videotapes, periodicals, or other forms of communications.

(G) Goods or services provided by any agency or component of the Government of the United States, including any commis-

<sup>1</sup> So in original. The comma probably should follow "member".