

principally to this subchapter. For complete classification of title IV to the Code, see Tables.

This chapter, referred to in subssecs. (c)(4) and (d), 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.

#### AMENDMENTS

1999—Subsec. (c)(1). Pub. L. 106–55, §2(a)(1), substituted “(4), and (5)” for “and (4)” in introductory provisions.

Subsec. (c)(4). Pub. L. 106–55, §2(a)(2)(A), inserted “under this chapter” after “Exception for ongoing Presidential action” in heading.

Subsec. (c)(4)(B) to (D), (5). Pub. L. 106–55, §2(a)(2)(B)–(D), inserted “and” at end of subpar. (B), substituted period for “; and” at end of subpar. (C), redesignated subpar. (D) as par. (5), inserted par. heading, and substituted “At the time” for “at the time”.

### § 6443. Consultations

#### (a) In general

As soon as practicable after the President decides to take action under section 6441 of this title in response to violations of religious freedom and the President decides to take action under paragraphs (9) through (15) of section 6445(a) of this title (or commensurate action in substitution thereto) with respect to that country, or not later than 90 days after the President designates a country as a country of particular concern for religious freedom under section 6442 of this title, as the case may be, the President shall carry out the consultations required in this section.

#### (b) Duty to consult with foreign governments prior to taking Presidential actions

##### (1) In general

The President shall—

(A) request consultation with the government of such country regarding the violations giving rise to designation of that country as a country of particular concern for religious freedom or to Presidential action under section 6441 of this title; and

(B) if agreed to, enter into such consultations, privately or publicly.

##### (2) Use of multilateral fora

If the President determines it to be appropriate, such consultations may be sought and may occur in a multilateral forum, but, in any event, the President shall consult with appropriate foreign governments for the purposes of achieving a coordinated international policy on actions that may be taken with respect to a country described in subsection (a) of this section, prior to implementing any such action.

##### (3) Election of nondisclosure of negotiations to public

If negotiations are undertaken or an agreement is concluded with a foreign government regarding steps to cease the pattern of violations by that government, and if public disclosure of such negotiations or agreement would jeopardize the negotiations or the implementation of such agreement, as the case may be, the President may refrain from disclosing

such negotiations and such agreement to the public, except that the President shall inform the appropriate congressional committees of the nature and extent of such negotiations and any agreement reached.

#### (c) Duty to consult with humanitarian organizations

The President should consult with appropriate humanitarian and religious organizations concerning the potential impact of United States policies to promote freedom of religion in countries described in subsection (a) of this section.

#### (d) Duty to consult with United States interested parties

The President shall, as appropriate, consult with United States interested parties as to the potential impact of intended Presidential action or actions in countries described in subsection (a) of this section on economic or other interests of the United States.

(Pub. L. 105–292, title IV, § 403, Oct. 27, 1998, 112 Stat. 2804.)

### § 6444. Report to Congress

#### (a) In general

Subject to subsection (b) of this section, not later than 90 days after the President decides to take action under section 6441 of this title in response to violations of religious freedom and the President decides to take action under paragraphs (9) through (15) of section 6445(a) of this title (or commensurate action in substitution thereto) with respect to that country, or not later than 90 days after the President designates a country as a country of particular concern for religious freedom under section 6442 of this title, as the case may be, the President shall submit a report to Congress containing the following:

##### (1) Identification of Presidential actions

An identification of the Presidential action or actions described in paragraphs (9) through (15) of section 6445(a) of this title (or commensurate action in substitution thereto) to be taken with respect to the foreign country.

##### (2) Description of violations

A description of the violations giving rise to the Presidential action or actions to be taken.

##### (3) Purpose of Presidential actions

A description of the purpose of the Presidential action or actions.

##### (4) Evaluation

###### (A) Description

An evaluation, in consultation with the Secretary of State, the Ambassador at Large, the Commission, the Special Adviser, the parties described in section 6443(c) and (d) of this title, and whoever else the President deems appropriate, of—

(i) the impact upon the foreign government;

(ii) the impact upon the population of the country; and

(iii) the impact upon the United States economy and other interested parties.

###### (B) Authority to withhold disclosure

The President may withhold part or all of such evaluation from the public but shall provide the entire evaluation to Congress.