

after “entire religions,” and “policies that ban or restrict the public manifestation of religious belief and the peaceful involvement of religious groups or their members in the political life of each such foreign country,” after “such groups.”

Subsec. (b)(1)(C). Pub. L. 114-281, §102(a)(4), substituted “A detailed description of United States actions, diplomatic and political coordination efforts, and other” for “A description of United States actions and”.

Subsec. (b)(1)(F)(i). Pub. L. 114-281, §102(a)(5), substituted “section 6442(b)(1)(A)(ii) of this title” for “section 6442(b)(1) of this title” and inserted at end “Any country in which a non-state actor designated as an entity of particular concern for religious freedom under section 6442a of this title is located shall be included in this section of the report.”

2004—Subsec. (b)(1)(A)(iv). Pub. L. 108-332 added cl. (iv).

2002—Subsec. (b)(1)(B). Pub. L. 107-228 inserted “including policies that discriminate against particular religious groups or members of such groups,” after “the existence of government policies violating religious freedom.”

#### EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-332 applicable beginning with the first report under sections 2151n(d), 2304(b), and 6412(b) of this title submitted more than 180 days after Oct. 16, 2004, see section 6(c) of Pub. L. 108-332, set out as a note under section 2151n of this title.

#### ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

### § 6413. Establishment of religious freedom Internet site

In order to facilitate access by nongovernmental organizations (NGOs) and by the public around the world to international documents on the protection of religious freedom, the Secretary of State, with the assistance of the Ambassador at Large, shall establish and maintain an Internet site containing major international documents relating to religious freedom, the Annual Report, the Executive Summary, and any other documentation or references to other sites as deemed appropriate or relevant by the Ambassador at Large.

(Pub. L. 105-292, title I, §103, Oct. 27, 1998, 112 Stat. 2795.)

### § 6414. High-level contacts with nongovernmental organizations

United States chiefs of mission shall seek out and contact religious nongovernmental organizations to provide high-level meetings with religious nongovernmental organizations where appropriate and beneficial. United States chiefs of mission and Foreign Service officers abroad shall seek to meet with imprisoned religious leaders where appropriate and beneficial.

(Pub. L. 105-292, title I, §105, Oct. 27, 1998, 112 Stat. 2795.)

### § 6415. Programs and allocations of funds by United States missions abroad

It is the sense of the Congress that—

(1) United States diplomatic missions in countries the governments of which engage in

or tolerate violations of the internationally recognized right to freedom of religion should develop, as part of annual program planning, a strategy to promote respect for the internationally recognized right to freedom of religion; and

(2) in allocating or recommending the allocation of funds or the recommendation of candidates for programs and grants funded by the United States Government, United States diplomatic missions should give particular consideration to those programs and candidates deemed to assist in the promotion of the right to religious freedom.

(Pub. L. 105-292, title I, §106, Oct. 27, 1998, 112 Stat. 2796.)

### § 6416. Equal access to United States missions abroad for conducting religious activities

#### (a) In general

Subject to this section, the Secretary of State shall permit, on terms no less favorable than that accorded other nongovernmental activities unrelated to the conduct of the diplomatic mission, access to the premises of any United States diplomatic mission or consular post by any United States citizen seeking to conduct an activity for religious purposes.

#### (b) Timing and location

The Secretary of State shall make reasonable accommodations with respect to the timing and location of such access in light of—

(1) the number of United States citizens requesting the access (including any particular religious concerns regarding the time of day, date, or physical setting for services);

(2) conflicts with official activities and other nonofficial United States citizen requests;

(3) the availability of openly conducted, organized religious services outside the premises of the mission or post;

(4) availability of space and resources; and

(5) necessary security precautions.

#### (c) Discretionary access for foreign nationals

The Secretary of State may permit access to the premises of a United States diplomatic mission or consular post to foreign nationals for the purpose of attending or participating in religious activities conducted pursuant to this section.

(Pub. L. 105-292, title I, §107, Oct. 27, 1998, 112 Stat. 2796.)

### § 6417. Prisoner lists and issue briefs on religious freedom concerns

#### (a) Sense of Congress

To encourage involvement with religious freedom concerns at every possible opportunity and by all appropriate representatives of the United States Government, it is the sense of the Congress that officials of the executive branch of Government should promote increased advocacy on such issues during meetings between foreign dignitaries and executive branch officials or Members of Congress.

#### (b) Prisoner lists and issue briefs on religious freedom concerns

The Secretary of State, in consultation with the Ambassador at Large, the Assistant Sec-

retary of State for Democracy, Human Rights and Labor, United States chiefs of mission abroad, regional experts, and nongovernmental human rights and religious groups, shall prepare and maintain issue briefs on religious freedom, on a country-by-country basis, consisting of lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious activities, religious freedom advocacy, or efforts to protect and advance the universally recognized right to the freedom of religion, together with brief evaluations and critiques of the policies of the respective country restricting religious freedom. In considering the inclusion of names of prisoners on such lists, the Secretary of State shall exercise appropriate discretion, including concerns regarding the safety, security, and benefit to such prisoners.

**(c) Availability of information**

The Secretary shall make available religious freedom issue briefs under subsection (b) to executive branch officials and Members of Congress in anticipation of bilateral contacts with foreign leaders, both in the United States and abroad.

**(d) Victims list maintained by the United States Commission on International Religious Freedom**

**(1) In general**

The Commission shall make publicly available, to the extent practicable, online and in official publications, lists of persons it determines are imprisoned or detained, have disappeared, been placed under house arrest, been tortured, or subjected to forced renunciations of faith for their religious activity or religious freedom advocacy by the government of a foreign country that the Commission recommends for designation as a country of particular concern for religious freedom under section 6442(b)(1)(A)(ii) of this title or by a non-state actor that the Commission recommends for designation as an entity of particular concern for religious freedom under section 6442a of this title and include as much publicly available information as practicable on the conditions and circumstances of such persons.

**(2) Discretion**

In compiling lists under paragraph (1), the Commission shall exercise all appropriate discretion, including consideration of the safety and security of, and benefit to, the persons who may be included on the lists and the families of such persons.

(Pub. L. 105-292, title I, §108, Oct. 27, 1998, 112 Stat. 2796; Pub. L. 114-281, title I, §104, Dec. 16, 2016, 130 Stat. 1432.)

AMENDMENTS

2016—Subsec. (b). Pub. L. 114-281, §104(1), substituted “activities, religious freedom advocacy, or efforts to protect and advance the universally recognized right to the freedom of religion,” for “faith.”

Subsec. (c). Pub. L. 114-281, §104(2), substituted “make available” for “, as appropriate, provide”.

Subsec. (d). Pub. L. 114-281, §104(3), added subsec. (d).

SUBCHAPTER II—COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

**§ 6431. Establishment and composition**

**(a) In general**

There is established the United States Commission on International Religious Freedom.

**(b) Membership**

**(1) Appointment**

The Commission shall be composed of—

(A) the Ambassador at Large, who shall serve ex officio as a nonvoting member of the Commission; and

(B) Nine<sup>1</sup> other members, who shall be United States citizens who are not being paid as officers or employees of the United States, and who shall be appointed as follows:

(i) Three members of the Commission shall be appointed by the President.

(ii) Three members of the Commission shall be appointed by the President pro tempore of the Senate, of which two of the members shall be appointed upon the recommendation of the leader in the Senate of the political party that is not the political party of the President, and of which one of the members shall be appointed upon the recommendation of the leader in the Senate of the other political party.

(iii) Three members of the Commission shall be appointed by the Speaker of the House of Representatives, of which two of the members shall be appointed upon the recommendation of the leader in the House of the political party that is not the political party of the President, and of which one of the members shall be appointed upon the recommendation of the leader in the House of the other political party.

**(2) Selection**

**(A) In general**

Members of the Commission shall be selected among distinguished individuals noted for their knowledge and experience in fields relevant to the issue of international religious freedom, including foreign affairs, direct experience abroad, human rights, and international law.

**(B) Security clearances**

Each member of the Commission shall be required to obtain a security clearance.

**(3) Time of appointment**

The appointments required by paragraph (1) shall be made not later than 120 days after October 27, 1998.

**(c) Terms**

**(1) In general**

The term of office of each member of the Commission shall be 2 years. An individual, including any member appointed to the Commission prior to December 23, 2011, shall not serve more than 2 terms as a member of the Commission under any circumstance. For any

<sup>1</sup> So in original. Probably should not be capitalized.