

(e) Security clearances

The Executive Director shall be required to obtain a security clearance. The Executive Director 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).”

¹ So in original. Probably should be capitalized.

§ 6433. Report of Commission**(a) In general**

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

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 105-292, Oct. 27, 1998, 112 Stat. 2787, known as the International Religious Freedom Act of 1998, 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 205 of Pub. L. 105-292 was renumbered section 207 and is classified to section 6435 of this title.

§ 6433a. Strategic plan**(a) Definitions**

In this section:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on Foreign Affairs of the House of Representatives;
- (C) the Committee on Appropriations of the Senate; and
- (D) the Committee on Appropriations of the House of Representatives.

(2) Commission

The term “Commission” means the United States Commission on International Religious Freedom established under section 6431 of this title.

(3) Commissioner

The term “Commissioner” means a member of the Commission.

(4) Vice Chair

The term “Vice Chair” means the Vice Chair of the Commission who was appointed to such position by an elected official from the political party that is different from the political party of the elected official who appointed the Chair of the Commission.

(b) Strategic policy and organizational review planning process

Not later than 60 days after October 16, 2015, and not less frequently than biennially there-

after, the Chair and Vice Chair of the Commission, in coordination with the Commissioners, the Ambassador-at-Large for International Religious Freedom, Commission staff, and others jointly selected by the Chair and Vice Chair, shall carry out a strategic policy and organizational review planning process that includes—

(1) a review of the duties set forth in section 6432 of this title and the powers set forth in section 6432a of this title;

(2) the preparation of a written description of prioritized actions that the Commission is required to complete to fulfill the strategic plan required under subsection (d);

(3) a review of the scope, content, and timing of the Commission's annual report and any required changes; and

(4) a review of the personnel policies set forth in section 6432b of this title and any required changes to such policies.

(c) Unanimous agreement

(1) In general

To the greatest extent possible, the Chair, Vice Chair, and all of the Commissioners shall ensure that this section is implemented in a manner that results in unanimous agreement among the Commissioners with regard to—

(A) the strategic policy and organizational review planning process required under subsection (b); and

(B) the strategic plan required under subsection (d).

(2) Alternative approval process

If unanimous agreement under paragraph (1) is not possible, items for inclusion in the strategic plan may, at the joint discretion of the Chair and Vice Chair, be approved by an affirmative vote of—

(A) a majority of Commissioners appointed by an elected official from the political party of the President; and

(B) a majority of Commissioners appointed by an elected official from the political party that is not the party of the President.

(d) Submission of strategic plan

Not later than 180 days after October 16, 2015, and not less frequently than biennially thereafter, the Chair and Vice Chair of the Commission shall jointly submit, to the appropriate congressional committees, a written strategic plan that includes—

(1) a description of prioritized actions for the Commission for a period of time to be specified by the Commissioners;

(2) a description of any changes the Commission considers necessary with regard to the scope, content, and timing of the Commission's annual report;

(3) a description of any changes the Commission considers necessary with regard to personnel matters; and

(4) the Commission's funding requirements for the period covered by the strategic plan.

(e) Pending issues

The strategic plan required under subsection (d) may identify any issues or proposals that have not yet been resolved by the Commission.

(f) Implementation of personnel provisions and annual report

Notwithstanding section¹ 6432b(a) and 6533(a) of this title, the Commission is authorized to implement provisions related to personnel and the Commission's annual report that are included in the strategic plan submitted pursuant to this section.

(g) Congressional oversight

Upon request, the Commission shall—

(1) make available for inspection any information and documents requested by the appropriate congressional committees; and

(2) respond to any requests to provide testimony before the appropriate congressional committees.

(Pub. L. 114–71, § 4, Oct. 16, 2015, 129 Stat. 563.)

CODIFICATION

Section was enacted as part of the United States Commission on International Religious Freedom Reauthorization Act of 2015, and not as part of the International Religious Freedom Act of 1998 which comprises this chapter.

§ 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 \$3,500,000 for each of the fiscal years 2016 to 2019 to carry out the provisions of this chapter and section 6433a of this title.

(b) Availability of funds

Amounts authorized to be appropriated under subsection (a) shall remain available until the earlier of—

(1) the date on which they have been expended; or

(2) the date on which the Commission is terminated under section 6436 of this title.

(c) Limitation

In each fiscal year, the Commission shall only be authorized to expend amounts that have been appropriated pursuant to subsection (a) if the Commission—

(1) complies with the requirements set forth in section 6433a of this title; and

(2) submits the annual financial report required under section 6435a(e) of this title to the appropriate congressional committees.

¹ So in original. Probably should be "sections".