

REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(2), 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.

§ 6449. Termination of Presidential actions

Any Presidential action taken under this chapter with respect to a foreign country shall terminate on the earlier of the following dates:

(1) Termination date

Within 2 years of the effective date of the Presidential action unless expressly reauthorized by law.

(2) Foreign government actions

Upon the determination by the President, in consultation with the Commission, and certification to Congress that the foreign government has ceased or taken substantial and verifiable steps to cease the particularly severe violations of religious freedom.

(Pub. L. 105-292, title IV, §409, Oct. 27, 1998, 112 Stat. 2809.)

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§ 6450. Preclusion of judicial review

No court shall have jurisdiction to review any Presidential determination or agency action under this chapter or any amendment made by this chapter.

(Pub. L. 105-292, title IV, §410, Oct. 27, 1998, 112 Stat. 2809.)

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PART B—STRENGTHENING EXISTING LAW

§ 6461. Exports of certain items used in particularly severe violations of religious freedom**(a) Mandatory licensing**

Notwithstanding any other provision of law, the Secretary of Commerce, with the concurrence of the Secretary of State, shall include on the list of crime control and detection instruments or equipment controlled for export and reexport under section 4605(n) of title 50 or under any other provision of law, items being exported or reexported to countries of particular concern for religious freedom that the Secretary of Commerce, with the concurrence of the Secretary of State, and in consultation with appropriate officials including the Assistant Secretary of State

for Democracy, Human Rights and Labor and the Ambassador at Large, determines are being used or are intended for use directly and in significant measure to carry out particularly severe violations of religious freedom.

(b) Licensing ban

The prohibition on the issuance of a license for export of crime control and detection instruments or equipment under section 2304(a)(2) of this title shall apply to the export and reexport of any item included pursuant to subsection (a) on the list of crime control instruments.

(Pub. L. 105-292, title IV, §423, Oct. 27, 1998, 112 Stat. 2810.)

SUBCHAPTER IV—REFUGEE, ASYLUM, AND CONSULAR MATTERS

§ 6471. Use of Annual Report

The Annual Report, together with other relevant documentation, shall serve as a resource for immigration judges and consular, refugee, and asylum officers in cases involving claims of persecution on the grounds of religion. Absence of reference by the Annual Report to conditions described by the alien shall not constitute the sole grounds for a denial of the alien’s claim.

(Pub. L. 105-292, title VI, §601, Oct. 27, 1998, 112 Stat. 2812.)

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.

§ 6472. Reform of refugee policy**(a), (b) Omitted****(c) Guidelines for refugee-processing posts****(1) Guidelines for addressing hostile biases**

The Attorney General and the Secretary of State shall develop and implement guidelines that address potential biases in personnel of the Immigration and Naturalization Service and of the Department of State that are hired abroad and involved with duties which could constitute an effective barrier to a refugee claim if such personnel carries a bias against the claimant on the grounds of religion, race, nationality, membership in a particular social group, or political opinion. The subject matter of this training should be culturally sensitive and tailored to provide a nonbiased, non-adversarial atmosphere for the purpose of refugee adjudications.

(2) Guidelines for refugee-processing posts in establishing agreements with United States Government-designated refugee processing entities

The Attorney General and the Secretary of State shall develop and implement guidelines to ensure uniform procedures for establishing agreements with United States Government-designated refugee processing entities and personnel, and uniform procedures for such entities and personnel responsible for preparing