

Pub. L. 114-281, §2(a), (b), Dec. 16, 2016, 130 Stat. 1426, 1427.)

## REFERENCES IN TEXT

House Concurrent Resolution 102, referred to in subsec. (a)(7)(C), is H. Con. Res. 102, June 26, 1996, 110 Stat. 4483, which is not classified to the Code.

The Foreign Assistance Act of 1961, referred to in subsec. (b)(1)(B), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended, which is classified principally to chapter 32 (§2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

The International Financial Institutions Act of 1977, referred to in subsec. (b)(1)(B), probably means the International Financial Institutions Act, Pub. L. 95-118, Oct. 3, 1977, 91 Stat. 1067, as amended, which enacted sections 262c, 262d, 262e to 262g-3, 262m to 262p-12, 262r to 262t, 282i, 284n, 285s, 285t, 286e-1f, and 290g-10 of this title, repealed sections 283y, 284m, and 290g-9 of this title, and enacted provisions set out as notes under sections 262c and 282i of this title. For complete classification of this Act to the Code, see Short Title of 1977 Amendment note set out under section 261 of this title and Tables.

## AMENDMENTS

2016—Subsec. (a)(3). Pub. L. 114-281, §2(a)(1), inserted “The freedom of thought, conscience, and religion is understood to protect theistic and non-theistic beliefs and the right not to profess or practice any religion.” before “Governments have the responsibility”.

Subsec. (a)(4). Pub. L. 114-281, §2(a)(2), inserted at end “A policy or practice of routinely denying applications for visas for religious workers in a country can be indicative of a poor state of religious freedom in that country.”

Subsec. (a)(6). Pub. L. 114-281, §2(a)(3), inserted “and the specific targeting of non-theists, humanists, and atheists because of their beliefs” after “religious persecution” and “and in regions where non-state actors exercise significant political power and territorial control” before period at end.

Subsec. (b). Pub. L. 114-281, §2(b), designated existing provisions as par. (1) and inserted heading, substituted “The following shall be the policy of the United States:” for “It shall be the policy of the United States, as follows:”, redesignated former pars. (1) to (5) as subpars. (A) to (E), respectively, and added par. (2).

2014—Subsec. (a)(4). Pub. L. 113-154 inserted “desecration of cemeteries,” after “confiscations of property,”.

## SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-281, §1(a), Dec. 16, 2016, 130 Stat. 1426, provided that: “This Act [enacting sections 6442a, 6473a, 6482, and 6483 of this title and amending this section and sections 4028, 6402, 6411, 6412, 6417, 6442, 6444, 6447, 6448, and 6474 of this title] may be cited as the ‘Frank R. Wolf International Religious Freedom Act’.”

## SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-71, §1, Oct. 16, 2015, 129 Stat. 563, provided that: “This Act [enacting section 6433a of this title, amending sections 6435 and 6436 of this title, and enacting provisions set out as a note under section 6432 of this section] may be cited as the ‘United States Commission on International Religious Freedom Reauthorization Act of 2015’.”

## SHORT TITLE OF 2011 AMENDMENT

Pub. L. 112-75, §1, Dec. 23, 2011, 125 Stat. 1272, provided that: “This Act [amending sections 6431, 6432b, 6435, 6435a, and 6436 of this title and enacting provisions set out as a note under section 6432b of this title] may be cited as the ‘United States Commission on International Religious Freedom Reform and Reauthorization Act of 2011’.”

## SHORT TITLE

Pub. L. 105-292, §1(a), Oct. 27, 1998, 112 Stat. 2787, provided that: “This Act [enacting this chapter and sec-

tion 4028 of this title, amending sections 262d, 2151n, 2304, 2452, 3965, 4013, 4028, and 6202 of this title, sections 1157 and 1182 of Title 8, Aliens and Nationality, and section 402 of Title 50, War and National Defense, and enacting provisions set out as notes under section 2151n of this title and section 1182 of Title 8] may be cited as the ‘International Religious Freedom Act of 1998’.”

## FINDINGS RELATING TO PUB. L. 113-154

Pub. L. 113-154, §1, Aug. 8, 2014, 128 Stat. 1827, provided that: “Congress finds the following:

“(1) Cemeteries are sacred sites that are of great spiritual, cultural, and historical significance to many religious and ethnic groups.

“(2) Congress is committed to protecting and preserving the heritage and sacred sites of national, religious, and ethnic groups, which includes cemeteries in the United States and abroad.

“(3) Cemeteries around the world have and continue to be defaced or destroyed as a direct result of their affiliation with a particular religious or spiritual group.

“(4) Such attacks constitute an assault on the fundamental right to freedom of religion, and are especially egregious when sponsored or tolerated by the local or national governments in the countries in which such offenses occur.”

## § 6402. Definitions

In this chapter:

**(1) Ambassador at Large**

The term “Ambassador at Large” means the Ambassador at Large for International Religious Freedom appointed under section 6411(b) of this title.

**(2) Annual Report**

The term “Annual Report” means the Annual Report on International Religious Freedom described in section 6412(b) of this title.

**(3) Appropriate congressional committees**

The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives; and

(B) in the case of any determination made with respect to the taking of President<sup>1</sup> action under paragraphs (9) through (15) of section 6445(a) of this title, the term includes the committees described in subparagraph (A) and, where appropriate, the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

**(4) Commensurate action**

The term “commensurate action” means action taken by the President under section 6445(b) of this title.

**(5) Commission**

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

**(6) Country Reports on Human Rights Practices**

The term “Country Reports on Human Rights Practices” means the annual reports

<sup>1</sup> So in original. Probably should be “Presidential”.

required to be submitted by the Department of State to Congress under sections 2151n(d) and 2304(b) of this title.

**(7) Executive Summary**

The term “Executive Summary” means the Executive Summary to the Annual Report, as described in section 6412(b)(1)(F) of this title.

**(8) Government or foreign government**

The term “government” or “foreign government” includes any agency or instrumentality of the government.

**(9) Human Rights Reports**

The term “Human Rights Reports” means all reports submitted by the Department of State to Congress under sections 2151n and 2304 of this title.

**(10) Institution of higher education**

The term “institution of higher education” has the meaning given that term in section 1001 of title 20.

**(11) Non-state actor**

The term “non-state actor” means a nonsovereign entity that—

- (A) exercises significant political power and territorial control;
- (B) is outside the control of a sovereign government; and
- (C) often employs violence in pursuit of its objectives.

**(12) Office**

The term “Office” means the Office on International Religious Freedom established in section 6411(a) of this title.

**(13) Particularly severe violations of religious freedom**

The term “particularly severe violations of religious freedom” means systematic, ongoing, egregious violations of religious freedom, including violations such as—

- (A) torture or cruel, inhuman, or degrading treatment or punishment;
- (B) prolonged detention without charges;
- (C) causing the disappearance of persons by the abduction or clandestine detention of those persons; or
- (D) other flagrant denial of the right to life, liberty, or the security of persons.

**(14) Special Adviser**

The term “Special Adviser” means the Special Adviser to the President on International Religious Freedom described in section 3021(i) of title 50.<sup>2</sup>

**(15) Special Watch List**

The term “Special Watch List” means the Special Watch List described in section 6442(b)(1)(A)(iii) of this title.

**(16) Violations of religious freedom**

The term “violations of religious freedom” means violations of the internationally recognized right to freedom of religion and religious belief and practice, as set forth in the international instruments referred to in section

6401(a)(2) of this title and as described in section 6401(a)(3) of this title, including violations such as—

(A) arbitrary prohibitions on, restrictions of, or punishment for—

- (i) assembling for peaceful religious activities such as worship, preaching, and prayer, including arbitrary registration requirements;
- (ii) speaking freely about one’s religious beliefs;
- (iii) changing one’s religious beliefs and affiliation;
- (iv) not professing a particular religion, or any religion;
- (v) possession and distribution of religious literature, including Bibles; or
- (vi) raising one’s children in the religious teachings and practices of one’s choice; or

(B) any of the following acts if committed on account of an individual’s conscience, non-theistic views, or religious belief or practice: detention, interrogation, imposition of an onerous financial penalty, forced labor, forced mass resettlement, imprisonment, forced religious conversion, forcibly compelling non-believers or non-theists to recant their beliefs or to convert, beating, torture, mutilation, rape, enslavement, murder, and execution.

(Pub. L. 105–292, §3, Oct. 27, 1998, 112 Stat. 2790; Pub. L. 114–281, §3, Dec. 16, 2016, 130 Stat. 1427.)

REFERENCES IN TEXT

This chapter, referred to in text, 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.

Section 3021(i) of title 50, referred to in par. (14), was redesignated section 3021(k) by Pub. L. 110–53, title XVIII, §1841(g)(1), Aug. 3, 2007, 121 Stat. 500.

AMENDMENTS

2016—Pars. (10) to (14). Pub. L. 114–281, §3(2), (3), added pars. (10) and (11) and redesignated former pars. (10) to (12) as (12) to (14), respectively. Former par. (13) redesignated (16).

Par. (15). Pub. L. 114–281, §3(4), added par. (15).

Par. (16). Pub. L. 114–281, §3(1), redesignated par. (13) as (16).

Par. (16)(A)(iv) to (vi). Pub. L. 114–281, §3(5)(A), added cl. (iv) and redesignated former cls. (iv) and (v) as (v) and (vi), respectively.

Par. (16)(B). Pub. L. 114–281, §3(5)(B), inserted “conscience, non-theistic views, or” after “an individual’s” and “forcibly compelling non-believers or non-theists to recant their beliefs or to convert,” after “forced religious conversion.”.

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of

<sup>2</sup> See References in Text note below.

House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

SUBCHAPTER I—DEPARTMENT OF STATE  
ACTIVITIES

**§ 6411. Office on International Religious Freedom; Ambassador at Large for International Religious Freedom**

**(a) Establishment of Office**

There is established within the Department of State an Office on International Religious Freedom that shall be headed by the Ambassador at Large for International Religious Freedom appointed under subsection (b).

**(b) Appointment**

The Ambassador at Large shall be appointed by the President, by and with the advice and consent of the Senate, and shall report directly to the Secretary of State.

**(c) Duties**

The Ambassador at Large shall have the following responsibilities:

**(1) In general**

The primary responsibilities of the Ambassador at Large shall be to—

(A) advance the right to freedom of religion abroad, to denounce the violation of that right, and to recommend appropriate responses by the United States Government when this right is violated; and

(B) integrate United States international religious freedom policies and strategies into the foreign policy efforts of the United States.

**(2) Advisory role**

The Ambassador at Large shall be a principal adviser to the President and the principal adviser to the Secretary of State regarding matters affecting religious freedom abroad and, with advice from the Commission on International Religious Freedom, shall make recommendations regarding—

(A) the policies of the United States Government toward governments that violate freedom of religion or that fail to ensure the individual's right to religious belief and practice; and

(B) policies to advance the right to religious freedom abroad.

**(3) Diplomatic representation**

Subject to the direction of the President and the Secretary of State, the Ambassador at Large is authorized to represent the United States in matters and cases relevant to religious freedom abroad in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization on Security and Cooperation in Europe, and other international organizations of which the United States is a member;

(B) multilateral conferences and meetings relevant to religious freedom abroad; and

(C) contacts with nongovernmental organizations that have an impact on the state of

religious freedom in their respective societies or regions, or internationally.

**(4) Coordination responsibilities**

In order to promote religious freedom as an interest of United States foreign policy, the Ambassador at Large—

(A) shall coordinate international religious freedom policies across all programs, projects, and activities of the United States; and

(B) should participate in any interagency processes on issues in which the promotion of international religious freedom policy can advance United States national security interests, including in democracy promotion, stability, security, and development globally.

**(5) Reporting responsibilities**

The Ambassador at Large shall have the reporting responsibilities described in section 6412 of this title.

**(d) Funding**

The Secretary of State shall provide the Ambassador at Large with such funds as may be necessary for the hiring of appropriate staff for the Office, including full-time equivalent positions and other temporary staff positions needed to compile, edit, and manage the Annual Report under the direct supervision of the Ambassador at Large, and for the conduct of investigations by the Office and for necessary travel to carry out this chapter. The Secretary of State should provide the Ambassador at Large with sufficient funding to carry out the duties described in this section, including, as necessary, representation funds. On the date on which the President's annual budget request is submitted to Congress, the Secretary shall submit an annual report to the appropriate congressional committees that includes a report on staffing levels for the International Religious Freedom Office.

(Pub. L. 105-292, title I, §101, Oct. 27, 1998, 112 Stat. 2791; Pub. L. 114-281, title I, §101(a), Dec. 16, 2016, 130 Stat. 1428.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (d), 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.

AMENDMENTS

2016—Subsec. (b). Pub. L. 114-281, §101(a)(1), inserted before period at end " , and shall report directly to the Secretary of State".

Subsec. (c)(1). Pub. L. 114-281, §101(a)(2)(A), substituted "responsibilities" for "responsibility", inserted dash after "shall be to", designated remainder of existing provisions as subpar. (A), substituted " ; and" for period at end, and added subpar. (B).

Subsec. (c)(2). Pub. L. 114-281, §101(a)(2)(B), inserted "the principal adviser to" before "the Secretary of State" in introductory provisions.

Subsec. (c)(3)(C). Pub. L. 114-281, §101(a)(2)(C), added subpar. (C).

Subsec. (c)(4), (5). Pub. L. 114-281, §101(a)(2)(D), (E), added par. (4) and redesignated former par. (4) as (5).

Subsec. (d). Pub. L. 114-281, §101(a)(3), substituted "appropriate staff for the Office, including full-time