

onstrated significant improvement in the protection and promotion of the internationally recognized right to freedom of religion during the period covered by the Annual Report. This section of the report shall include a description of the nature of the improvement and an analysis of the factors contributing to such improvement, including actions taken by the United States under this chapter.

(2) Classified addendum

If the Secretary of State determines that it is in the national security interests of the United States or is necessary for the safety of individuals to be identified in the Annual Report or is necessary to further the purposes of this chapter, any information required by paragraph (1), including measures or actions taken by the United States, may be summarized in the Annual Report or the Executive Summary and submitted in more detail in a classified addendum to the Annual Report or the Executive Summary.

(c) Preparation of reports regarding violations of religious freedom

(1) Standards and investigations

The Secretary of State shall ensure that United States missions abroad maintain a consistent reporting standard and thoroughly investigate reports of violations of the internationally recognized right to freedom of religion.

(2) Contacts with nongovernmental organizations

In compiling data and assessing the respect of the right to religious freedom for the Human Rights Reports, the Annual Report on International Religious Freedom, and the Executive Summary, United States mission personnel shall, as appropriate, seek out and maintain contacts with religious and human rights nongovernmental organizations, with the consent of those organizations, including receiving reports and updates from such organizations and, when appropriate, investigating such reports.

(Pub. L. 105-292, title I, §102, Oct. 27, 1998, 112 Stat. 2792; Pub. L. 107-228, div. A, title VI, §681(a), Sept. 30, 2002, 116 Stat. 1408; Pub. L. 108-332, §6(b), Oct. 16, 2004, 118 Stat. 1285; Pub. L. 114-281, title I, §102(a), Dec. 16, 2016, 130 Stat. 1429.)

REFERENCES IN TEXT

Titles I, IV, and V of this Act, referred to in subsec. (b)(1)(C), (F)(i), are titles I, IV, and V of Pub. L. 105-292, Oct. 27, 1998, 112 Stat. 2791, 2800, 2811. Titles I and IV are classified principally to this subchapter (§6411 et seq.) and subchapter III (§6441 et seq.) of this chapter, respectively. Title V amended sections 2151n, 2452, 3965, 4013, and 6202 of this title and enacted provisions set out as a note under section 2151n of this title. For complete classification of titles I, IV, and V to the Code, see Tables.

This chapter, referred to in subsec. (b)(1)(F)(ii), (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.

CODIFICATION

Section is comprised of section 102 of Pub. L. 105-292. Subsec. (d) of section 102 of Pub. L. 105-292 amended sections 2151n and 2304 of this title.

AMENDMENTS

2016—Subsec. (b)(1). Pub. L. 114-281, §102(a)(1), substituted “May 1” for “September 1” in introductory provisions.

Subsec. (b)(1)(A)(iii). Pub. L. 114-281, §102(a)(2)(A), substituted “as well as the routine denial of visa applications for religious workers;” for “; and”.

Subsec. (b)(1)(A)(iv) to (vii). Pub. L. 114-281, §102(a)(2)(B), (C), added cls. (iv) to (vi) and redesignated former cl. (iv) as (vii).

Subsec. (b)(1)(B). Pub. L. 114-281, §102(a)(3), in introductory provisions, inserted “persecution of lawyers, politicians, or other human rights advocates seeking to defend the rights of members of religious groups or highlight religious freedom violations, prohibitions on ritual animal slaughter or male infant circumcision,” 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 Secretary 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.