

the European Monitoring Center on Racism and Xenophobia (EUMC). Some contemporary examples of anti-Semitism include the following:

“(A) Calling for, aiding, or justifying the killing or harming of Jews (often in the name of a radical ideology or an extremist view of religion).

“(B) Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such, or the power of Jews as a collective, especially, but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government, or other societal institutions.

“(C) Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the State of Israel, or even for acts committed by non-Jews.

“(D) Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.

“(E) Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interest of their own countries.

“(5) On October 16, 2004, the President signed into law the Global Anti-Semitism Review Act of 2004 [see Short Title of 2004 Amendment note set out under section 2651 of this title]. This law provides the legal foundation for a reporting requirement provided by the Department of State annually on anti-Semitism around the world.

“(6) In November 2015, the House of Representatives passed H. Res. 354 by a vote of 418-0, urging the Secretary of State to continue robust United States reporting on anti-Semitism by the Department of State and the Special Envoy to Combat and Monitor Anti-Semitism.

“(7) In 2016, the International Holocaust Remembrance Alliance (IHRA), comprised of 31 member countries, adopted a working definition of anti-Semitism which stated: ‘Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.’

“(8) The IHRA further clarified that manifestations of anti-Semitism might also target the State of Israel, conceived of as a Jewish collectivity. Anti-Semitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for ‘why things go wrong’. It is expressed in speech, writing, visual forms, and action, and employs sinister stereotypes and negative character traits.”

#### **§ 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 ap-

propriate 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.

**(2) Discretion**

In compiling lists under paragraph (1), the Commission shall exercise all appropriate dis-

cretion, 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**

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.

**(3) Time of appointment**

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

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