

§ 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 President¹ 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 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 50.²

(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

¹ So in original. Probably should be “Presidential”.

² See References in Text note below.

ment, 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.)

Editorial Notes

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.”

Statutory Notes and Related Subsidiaries

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 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