

Commission. No member of the Commission is eligible to be elected as Chair of the Commission for a second, consecutive term."

Subsec. (f). Pub. L. 116-94, §803(3), substituted "International Religious Freedom Report" for "Country Report on Human Rights Practices".

Subsec. (i). Pub. L. 116-94, §806(a), substituted "shall comply with" for "are subject to".

Subsec. (j). Pub. L. 116-94, §803(4), added subsec. (j).

2011—Subsec. (c)(1). Pub. L. 112-75, §2(a)(1), added par. (1) and struck out former par. (1) which read as follows: "The term of office of each member of the Commission shall be 2 years. The term of each member of the Commission appointed to the first two-year term of the Commission shall be considered to have begun on May 15, 1999, and shall end on May 14, 2001, regardless of the date of appointment to the Commission. The term of each member of the Commission appointed to the second two-year term of the Commission shall begin on May 15, 2001, and shall end on May 14, 2003, regardless of the date of appointment to the Commission. In the case in which a vacancy in the membership of the Commission is filled during a two-year term of the Commission, such membership on the Commission shall terminate at the end of that two-year term of the Commission. Members of the Commission shall be eligible for reappointment to a second term."

Subsec. (c)(3). Pub. L. 112-75, §2(a)(2), added par. (3).

Subsec. (d). Pub. L. 112-75, §2(b), inserted at end "No member of the Commission is eligible to be elected as Chair of the Commission for a second, consecutive term."

Subsec. (i). Pub. L. 112-75, §2(c), inserted at end "Members of the Commission are subject to the requirements set forth in chapters 300 through 304 of title 41, Code of Federal Regulations (commonly known as the 'Federal Travel Regulation') and the Department of State Standardized Regulations governing authorized travel at government expense, including regulations concerning the mode of travel, lodging and per diem expenditures, reimbursement payments, and expense reporting and documentation requirements."

2002—Subsec. (c)(2). Pub. L. 107-228, §681(b), added par. (2).

Subsec. (d). Pub. L. 107-228, §681(c), substituted "after May 30 of each" for "in each calendar".

Subsec. (g). Pub. L. 107-228, §681(d), inserted at end "A member may serve after the expiration of that member's term until a successor has taken office. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term."

1999—Pub. L. 106-55, §1(a)(2), which directed amendment of section by inserting after first sentence "The term of each member of the Commission appointed to the first two-year term of the Commission shall be considered to have begun on May 15, 1999, and shall end on May 14, 2001, regardless of the date of appointment to the Commission. The term of each member of the Commission appointed to the second two-year term of the Commission shall begin on May 15, 2001, and shall end on May 14, 2003, regardless of the date of appointment to the Commission. In the case in which a vacancy in the membership of the Commission is filled during a two-year term of the Commission, such membership on the Commission shall terminate at the end of that two-year term of the Commission.", was executed by making the insertion after the first sentence of subsec. (c)(1) to reflect the probable intent of Congress.

Subsec. (b)(1)(B)(iii). Pub. L. 106-55, §2(b), substituted "Three" for "three".

Subsec. (c). Pub. L. 106-55, §1(a)(1), designated existing provisions as par. (1) and inserted par. heading.

Subsec. (h). Pub. L. 106-55, §1(a)(3), amended heading and text of subsec. (h) generally. Prior to amendment, text read as follows: "The Secretary of State shall assist the Commission by providing to the Commission such staff and administrative services of the Office as may be necessary and appropriate for the Commission

to perform its functions. Any employee of the executive branch of Government may be detailed to the Commission without reimbursement to the agency of that employee and such detail shall be without interruption or loss of civil service status or privilege."

§ 6432. Duties of Commission

(a) In general

The Commission shall have as its primary responsibility—

(1) the annual and ongoing review of the facts and circumstances of violations of religious freedom presented in the Country Reports on Human Rights Practices, the Annual Report, and the Executive Summary, as well as information from other sources as appropriate; and

(2) the making of policy recommendations to the President, the Secretary of State, and Congress with respect to matters involving international religious freedom.

(b) Policy review and recommendations in response to violations

The Commission, in evaluating United States Government policies in response to violations of religious freedom, shall consider and recommend options for policies of the United States Government with respect to each foreign country the government of which has engaged in or tolerated violations of religious freedom, including particularly severe violations of religious freedom, including diplomatic inquiries, diplomatic protest, official public protest demarche of protest, condemnation within multilateral fora, delay or cancellation of cultural or scientific exchanges, delay or cancellation of working, official, or state visits, reduction of certain assistance funds, termination of certain assistance funds, imposition of targeted trade sanctions, imposition of broad trade sanctions, and withdrawal of the chief of mission.

(c) Policy review and recommendations in response to progress

The Commission, in evaluating the United States Government policies with respect to countries found to be taking deliberate steps and making significant improvement in respect for the right of religious freedom, shall consider and recommend policy options, including private commendation, diplomatic commendation, official public commendation, commendation within multilateral fora, an increase in cultural or scientific exchanges, or both, termination or reduction of existing Presidential actions, an increase in certain assistance funds, and invitations for working, official, or state visits.

(d) Effects on religious communities and individuals

Together with specific policy recommendations provided under subsections (b) and (c), the Commission shall also indicate its evaluation of the potential effects of such policies, if implemented, on the religious communities and individuals whose rights are found to be violated in the country in question.

(e) Monitoring

(1) In general

The Commission shall, on an ongoing basis, monitor facts and circumstances of violations

of religious freedom, in consultation with independent human rights groups and non-governmental organizations, including churches and other religious communities, and make such recommendations as may be necessary to the appropriate officials and offices in the United States Government.

(2) Tracking; review

The Commission shall regularly—

(A) track the implementation by the United States Government of the recommendations it makes under paragraph (1); and

(B) review, to the extent practicable, the effectiveness of such implemented recommendations in advancing religious freedom internationally.

(Pub. L. 105–292, title II, §202, Oct. 27, 1998, 112 Stat. 2798; Pub. L. 106–55, §1(b)(1), Aug. 17, 1999, 113 Stat. 401; Pub. L. 116–94, div. J, title VIII, §804(a), Dec. 20, 2019, 133 Stat. 3077.)

Editorial Notes

AMENDMENTS

2019—Subsec. (e). Pub. L. 116–94 designated existing provisions as par. (1), inserted heading, and added par. (2).

1999—Subsec. (f). Pub. L. 106–55 struck out heading and text of subsec. (f). Text read as follows: “The Commission may, for the purpose of carrying out its duties under this subchapter, hold hearings, sit and act at times and places in the United States, take testimony, and receive evidence as the Commission considers advisable to carry out the purposes of this chapter.”

Statutory Notes and Related Subsidiaries

SENSE OF CONGRESS

Pub. L. 114–71, §2, Oct. 16, 2015, 129 Stat. 563, provided that: “It is the sense of the Congress that the United States Commission on International Religious Freedom—

“(1) was created by Congress to independently assess and to accurately and unflinchingly describe threats to religious freedom around the world; and

“(2) in carrying out its prescribed duties, should use its authorized powers to ensure that efforts by the United States to advance religious freedom abroad are timely, appropriate to the circumstances, prudent, and effective.”

§ 6432a. Powers of the Commission

(a) Hearings and sessions

The Commission may, for the purpose of carrying out its duties under this subchapter, hold hearings, sit and act at times and places in the United States, take testimony and receive evidence as the Commission considers advisable to carry out the purposes of this chapter.

(b) Information from Federal agencies

The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this section. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission, subject to applicable law.

(c) Postal services

The Commission may use the United States mails in the same manner and under the same

conditions as other departments and agencies of the Federal Government.

(d) Administrative procedures

The Commission may adopt such rules and regulations, relating to administrative procedure, as may be reasonably necessary to enable it to carry out the provisions of this subchapter.

(e) Views of the Commission

The Members of the Commission may speak in their capacity as private citizens. Statements on behalf of the Commission shall be issued in writing over the names of the Members. The Commission shall in its written statements clearly describe its statutory authority, distinguishing that authority from that of appointed or elected officials of the United States Government. Oral statements, where practicable, shall include a similar description. If a Member of the Commission is invited to speak at an event in his or her capacity as a Commissioner, the Member shall provide notice of the request to all Commissioners and the Executive Director as soon as the Commissioner becomes aware of such invitation. Speeches and responses to questions at official events shall reflect the views of the Commission. Official speeches and other prepared materials shall be made available to all Commissioners in advance of the event. If a Commissioner is speaking in his or her private capacity, he or she shall include qualifying language that the views they are representing are his or her own views and not the views of the Commission.

(f) Travel

(1) In general

The Members of the Commission may, with the approval of the Commission, conduct such travel as is necessary to carry out the purpose of this subchapter. Each trip must be approved by a majority of the Commission. This provision shall not apply to the Ambassador-at-Large, whose travel shall not require approval by the Commission.

(2) Prohibition against payment of official travel by non-Federal sources

Members of the Commission and Commission staff may not accept payment from a non-Federal source for expenses related to official travel on behalf of the Commission.

(g) Annual disclosures

Not later than March 1 of each year, each Member of the Commission shall submit a report to the appropriate congressional committees (as defined in section 6433a(a) of this title) with respect to the most recently concluded 12-month period, that discloses any travel by the Member outside of the United States that was paid for or reimbursed by a person or entity other than the Member, a relative of the Member, or the Federal Government, including—

(1) who paid for or reimbursed the travel;

(2) a good faith estimate of the cost of the travel, if the travel was funded by a person or entity that does not employ the Member; and

(3) brief details of the travel and events related to such travel.

(Pub. L. 105–292, title II, §203, as added Pub. L. 106–55, §1(b)(3), Aug. 17, 1999, 113 Stat. 401;