

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.”

Subsec. (f). Pub. L. 116-94, §806(b), designated existing provisions as par. (1), inserted heading, and added par. (2).

Subsec. (g). Pub. L. 116-94, §806(c), added subsec. (g).

§ 6432b. Commission personnel matters

(a) In general

The Commission may, without regard to the civil service laws and regulations, appoint and terminate an Executive Director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The decision to employ or terminate an Executive Director shall be made by an affirmative vote of at least six of the nine members of the Commission.

(b) Compensation

The Commission may provide reasonable compensation to the Executive Director without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director may not exceed the rate payable under level II of the Executive Schedule under section 5313 of such title. The rate of pay for other personnel of the Commission may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of such title. All employees of the Commission shall otherwise be treated as employees whose pay is disbursed by the Secretary of the Senate, including for purposes of applying the Standing Rules of the Senate. The Commission shall be treated as an employing office of the Senate.

(c) Professional staff

The Commission and the Executive Director shall hire Commission staff on the basis of professional and nonpartisan qualifications. Commissioners may not individually hire staff of the Commission. Staff shall serve the Commission as a whole and may not be assigned to the particular service of a single Commissioner or a specified group of Commissioners. This subsection does not prohibit staff personnel from assisting individual members of the Commission with particular needs related to their duties.

(d) Staff and services of other Federal agencies

(1) Department of State

The Secretary of State shall assist the Commission by providing on a reimbursable or nonreimbursable basis to the Commission such staff and administrative services as may be necessary and appropriate to perform its functions.

(2) Other Federal agencies

Upon the request of the Commission, the head of any Federal department or agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its functions under this sub-

chapter. The detail of any such personnel shall be without interruption or loss of civil service or Foreign Service status or privilege.

(e) Security clearances

The Executive Director shall be required to obtain a security clearance. The Executive Director may request, on a needs-only basis and in order to perform the duties of the Commission, that other personnel of the Commission be required to obtain a security clearance. The level of clearance shall be the lowest necessary to appropriately perform the duties of the Commission.

(f) Cost

The Commission shall reimburse all appropriate Government agencies for the cost of obtaining clearances for members of the Commission, for the Executive Director, and for any other personnel.

(Pub. L. 105-292, title II, §204, as added Pub. L. 106-55, §1(b)(3), Aug. 17, 1999, 113 Stat. 402; amended Pub. L. 112-75, §3(a), Dec. 23, 2011, 125 Stat. 1273; Pub. L. 116-94, div. J, title VIII, §805(a), Dec. 20, 2019, 133 Stat. 3077.)

Editorial Notes

PRIOR PROVISIONS

A prior section 204 of Pub. L. 105-292 was renumbered section 206 and is classified to section 6434 of this title.

AMENDMENTS

2019—Subsec. (b). Pub. L. 116-94, §805(a)(1), substituted “provide reasonable compensation to the Executive Director” for “fix the compensation of the Executive Director and other personnel” and “may not exceed the rate payable under level II of the Executive Schedule under section 5313” for “and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316” and inserted at end “The rate of pay for other personnel of the Commission may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of such title. All employees of the Commission shall otherwise be treated as employees whose pay is disbursed by the Secretary of the Senate, including for purposes of applying the Standing Rules of the Senate. The Commission shall be treated as an employing office of the Senate.”

Subsec. (f). Pub. L. 116-94, §805(a)(2), substituted “the Commission, for the Executive Director” for “the commission, for the executive director”.

Subsec. (g). Pub. L. 116-94, §805(a)(3), struck out subsec. (g) which related to application of antidiscrimination laws.

2011—Subsec. (g). Pub. L. 112-75 added subsec. (g).

Statutory Notes and Related Subsidiaries

PENDING CLAIMS

Pub. L. 112-75, §3(b), Dec. 23, 2011, 125 Stat. 1273, provided that: “Any administrative or judicial claim or action pending on the date of the enactment of this Act [Dec. 23, 2011] may be maintained under [former] section 204(g) of the International Religious Freedom Act of 1998 [former 22 U.S.C. 6432b(g)], as added by subsection (a).”

§ 6433. Report of Commission

(a) In general

Not later than May 1 of each year, the Commission shall submit a report to the President,