

ommendations, if the classification of information would further the purposes of this chapter.

(c) Individual or dissenting views

Each member of the Commission may include the individual or dissenting views of the member.

(Pub. L. 105–292, title II, § 205, formerly § 203, Oct. 27, 1998, 112 Stat. 2799; renumbered § 205, Pub. L. 106–55, § 1(b)(2), Aug. 17, 1999, 113 Stat. 401.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), 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.

PRIOR PROVISIONS

A prior section 205 of Pub. L. 105–292 was renumbered section 207 and is classified to section 6435 of this title.

§ 6433a. Strategic plan

(a) Definitions

In this section:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on Foreign Affairs of the House of Representatives;
- (C) the Committee on Appropriations of the Senate; and
- (D) the Committee on Appropriations of the House of Representatives.

(2) Commission

The term “Commission” means the United States Commission on International Religious Freedom established under section 6431 of this title.

(3) Commissioner

The term “Commissioner” means a member of the Commission.

(4) Vice Chair

The term “Vice Chair” means the Vice Chair of the Commission who was appointed to such position by an elected official from the political party that is different from the political party of the elected official who appointed the Chair of the Commission.

(b) Strategic policy and organizational review planning process

Not later than 60 days after October 16, 2015, and not less frequently than biennially thereafter, the Chair and Vice Chair of the Commission, in coordination with the Commissioners, the Ambassador-at-Large for International Religious Freedom, Commission staff, and others jointly selected by the Chair and Vice Chair, shall carry out a strategic policy and organizational review planning process that includes—

- (1) a review of the duties set forth in section 6432 of this title and the powers set forth in section 6432a of this title;

- (2) the preparation of a written description of prioritized actions that the Commission is required to complete to fulfill the strategic plan required under subsection (d);

- (3) a review of the scope, content, and timing of the Commission’s annual report and any required changes; and

- (4) a review of the personnel policies set forth in section 6432b of this title and any required changes to such policies.

(c) Unanimous agreement

(1) In general

To the greatest extent possible, the Chair, Vice Chair, and all of the Commissioners shall ensure that this section is implemented in a manner that results in unanimous agreement among the Commissioners with regard to—

- (A) the strategic policy and organizational review planning process required under subsection (b); and
- (B) the strategic plan required under subsection (d).

(2) Alternative approval process

If unanimous agreement under paragraph (1) is not possible, items for inclusion in the strategic plan may, at the joint discretion of the Chair and Vice Chair, be approved by an affirmative vote of—

- (A) a majority of Commissioners appointed by an elected official from the political party of the President; and
- (B) a majority of Commissioners appointed by an elected official from the political party that is not the party of the President.

(d) Submission of strategic plan

Not later than 180 days after December 20, 2019, and every 2 years thereafter, the Chair and Vice Chair of the Commission shall jointly submit, to the appropriate congressional committees, a written strategic plan that includes—

- (1) a description of prioritized actions for the Commission for a period of time to be specified by the Commissioners;
- (2) a description of any changes the Commission considers necessary with regard to the scope, content, and timing of the Commission’s annual report;
- (3) a description of any changes the Commission considers necessary with regard to personnel matters; and
- (4) the Commission’s funding requirements for the period covered by the strategic plan.

(e) Pending issues

The strategic plan required under subsection (d) may identify any issues or proposals that have not yet been resolved by the Commission.

(f) Implementation of personnel provisions and annual report

Notwithstanding section¹ 6432b(a) and 6533(a) of this title, the Commission is authorized to implement provisions related to personnel and the Commission’s annual report that are included in the strategic plan submitted pursuant to this section.

(g) Congressional oversight

Upon request, the Commission shall—

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

(1) make available for inspection any information and documents requested by the appropriate congressional committees; and

(2) respond to any requests to provide testimony before the appropriate congressional committees.

(Pub. L. 114-71, § 4, Oct. 16, 2015, 129 Stat. 563; Pub. L. 116-94, div. J, title VIII, § 807, Dec. 20, 2019, 133 Stat. 3079.)

Editorial Notes

REFERENCES IN TEXT

December 20, 2019, referred to in subsec. (d), was in the original “the date of the enactment of this Act”, and was translated as referring to the date of enactment of Pub. L. 116-94, which amended subsec. (d), to reflect the probable intent of Congress. See 2019 Amendment note below.

CODIFICATION

Section was enacted as part of the United States Commission on International Religious Freedom Reauthorization Act of 2015, and not as part of the International Religious Freedom Act of 1998 which comprises this chapter.

AMENDMENTS

2019—Subsec. (d). Pub. L. 116-94, in introductory provisions, substituted “Not later than 180 days after December 20, 2019, and every 2 years thereafter” for “Not later than 180 days after October 16, 2015, and not less frequently than biennially thereafter”.

§ 6434. Applicability of other laws

Chapter 10 of title 5 shall not apply to the Commission.

(Pub. L. 105-292, title II, § 206, formerly § 204, Oct. 27, 1998, 112 Stat. 2799; renumbered § 206, Pub. L. 106-55, § 1(b)(2), Aug. 17, 1999, 113 Stat. 401; Pub. L. 117-286, § 4(a)(172), Dec. 27, 2022, 136 Stat. 4324.)

Editorial Notes

PRIOR PROVISIONS

A prior section 206 of Pub. L. 105-292 was renumbered section 209 and is classified to section 6436 of this title.

AMENDMENTS

2022—Pub. L. 117-286 substituted “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)”.

§ 6435. Authorization of appropriations

(a) In general

There are authorized to be appropriated to the Commission \$3,500,000 for each of the fiscal years 2025 and 2026 to carry out the provisions of this chapter and section 6433a of this title.

(b) Availability of funds

Amounts authorized to be appropriated under subsection (a) shall remain available until the earlier of—

(1) the date on which they have been expended; or

(2) the date on which the Commission is terminated under section 6436 of this title.

(c) Limitation

In each fiscal year, the Commission shall only be authorized to expend amounts that have been

appropriated pursuant to subsection (a) if the Commission—

(1) complies with the requirements set forth in section 6433a of this title; and

(2) submits the annual financial report required under section 6435a(e) of this title to the appropriate congressional committees.

(Pub. L. 105-292, title II, § 207, formerly § 205, Oct. 27, 1998, 112 Stat. 2800; renumbered § 207 and amended Pub. L. 106-55, § 1(b)(2), (4), Aug. 17, 1999, 113 Stat. 401, 403; Pub. L. 107-228, div. A, title VI, § 681(e), Sept. 30, 2002, 116 Stat. 1409; Pub. L. 112-75, § 4, Dec. 23, 2011, 125 Stat. 1273; Pub. L. 113-271, § 1(1), Dec. 18, 2014, 128 Stat. 2951; Pub. L. 114-71, § 5, Oct. 16, 2015, 129 Stat. 565; Pub. L. 116-94, div. J, title VIII, § 808, Dec. 20, 2019, 133 Stat. 3079; Pub. L. 117-181, § 2(a), Sept. 30, 2022, 136 Stat. 2177; Pub. L. 118-90, § 2(a), Sept. 30, 2024, 138 Stat. 1559.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), 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.

AMENDMENTS

2024—Subsec. (a). Pub. L. 118-90 substituted “2025 and 2026” for “2023 and 2024”.

2022—Subsec. (a). Pub. L. 117-181 substituted “2023 and 2024” for “2019 through 2022”.

2019—Subsec. (a). Pub. L. 116-94 substituted “2019 through 2022” for “2016 to 2019”.

2015—Pub. L. 114-71 amended section generally. Prior to amendment, section authorized appropriations for fiscal years 2012 through 2015.

2014—Subsec. (a). Pub. L. 113-271 substituted “2015” for “2014”.

2011—Subsec. (a). Pub. L. 112-75 substituted “for each of the fiscal years 2012 through 2014” for “for the fiscal year 2003”.

2002—Subsec. (a). Pub. L. 107-228 inserted “for the fiscal year 2003” after “\$3,000,000”.

1999—Subsec. (a). Pub. L. 106-55, § 1(b)(4), substituted “to carry out the provisions of this subchapter” for “for each of the fiscal years 1999 and 2000 to carry out the provisions of this subchapter.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-271, § 2, Dec. 18, 2014, 128 Stat. 2951, provided that: “The amendments made by this Act [amending this section and section 6436 of this title] shall take effect as if enacted on December 10, 2014.”

§ 6435a. Standards of conduct and disclosure

(a) Cooperation with nongovernmental organizations, the Department of State, and Congress

The Commission shall seek to effectively and freely cooperate with all entities engaged in the promotion of religious freedom abroad, governmental and nongovernmental, in the performance of the Commission’s duties under this subchapter.

(b) Conflict of interest and antinepotism

(1) Member affiliations

Except as provided in paragraph (3), in order to ensure the independence and integrity of