

112TH CONGRESS
1ST SESSION

H. R. 2867

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2011

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To reauthorize the International Religious Freedom Act of
1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Commis-
3 sion on International Religious Freedom Reform and Re-
4 authorization Act of 2011”.

5 **SEC. 2. ESTABLISHMENT AND COMPOSITION.**

6 (a) MEMBERSHIP.—Section 201(b)(1)(B) of the
7 International Religious Freedom Act of 1998 (22 U.S.C.
8 6431(b)(1)(B)) is amended—

9 (1) in the matter preceding clause (i), by strik-
10 ing “Nine” and inserting “five”;

11 (2) in clause (i), by striking “Three members”
12 and inserting “One member”;

13 (3) in clause (ii)—

14 (A) by striking “Three members” and in-
15 serting “Two members”;

16 (B) by striking “two of the members” and
17 inserting “one member”; and

18 (C) by striking “one of the members” and
19 inserting “the other member”; and

20 (4) in clause (iii)—

21 (A) by striking “Three members” and in-
22 serting “Two members”;

23 (B) by striking “two of the members” and
24 inserting “one member”; and

25 (C) by striking “one of the members” and
26 inserting “the other member”.

1 (b) TERMS.—Section 201(c) of the International Re-
2 ligious Freedom Act of 1998 (22 U.S.C. 6431(c)) is
3 amended—

4 (1) in paragraph (1), by striking the last sen-
5 tence and inserting the following: “An individual is
6 not eligible to serve more than two consecutive terms
7 as a member of the Commission. Each member serv-
8 ing on the Commission on the date of enactment of
9 the United States Commission on International Reli-
10 gious Freedom Reform and Reauthorization Act of
11 2011 may be reappointed to not more than one addi-
12 tional consecutive term.”;

13 (2) in paragraph (2)—

14 (A) in subparagraph (A), by striking “May
15 15, 2003, through May 14, 2005” and inserting
16 “May 15, 2012, through May 14, 2014”;

17 (B) in subparagraph (B) to read as fol-
18 lows:

19 “(B) PRESIDENTIAL APPOINTMENTS.—The
20 member of the Commission appointed by the
21 President under subsection (b)(1)(B)(i) shall be
22 appointed to a 1-year term.”;

23 (C) in subparagraph (C)—

24 (i) by striking “three members” and
25 inserting “two members”;

1 (ii) by striking “the other two ap-
2 pointments” and inserting “the other ap-
3 pointment”; and

4 (iii) by striking “2-year terms” and
5 inserting “to a 2-year term”;

6 (D) in subparagraph (D)—

7 (i) by striking “three members” and
8 inserting “two members”;

9 (ii) by striking “the other two ap-
10 pointments” and inserting “the other ap-
11 pointment”; and

12 (iii) by striking “2-year terms” and
13 inserting “to a 2-year term”; and

14 (E) in subparagraph (E), by striking “May
15 15, 2003, and shall end on May 14, 2004” and
16 inserting “May 15, 2012, and shall end on May
17 14, 2013”; and

18 (3) by adding at the end the following new
19 paragraph:

20 “(3) INELIGIBILITY FOR REAPPOINTMENT.—If
21 a member of the Commission attends, by being phys-
22 ically present or by conference call, less than 75 per-
23 cent of the meetings of the Commission during one
24 of that member’s terms on the Commission, the

1 member shall not be eligible for reappointment to
2 the Commission.”.

3 (c) ELECTION OF CHAIR.—Section 201(d) of the
4 International Religious Freedom Act of 1998 (22 U.S.C.
5 6431(d)) is amended by inserting at the end the following:
6 “No member of the Commission is eligible to be elected
7 as Chair of the Commission for a second, consecutive
8 term.”.

9 (d) QUORUM.—Section 201(e) of the International
10 Religious Freedom Act of 1998 (22 U.S.C. 6431(e)) is
11 amended by striking “Six” and inserting “Four”.

12 (e) APPLICABILITY.—A member of the United States
13 Commission on International Religious Freedom who is
14 serving on the Commission on the date of enactment of
15 this Act shall continue to serve on the Commission until
16 the expiration of the current term of the member under
17 the terms and conditions for membership on the Commis-
18 sion as in effect on the day before the date of the enact-
19 ment of this Act.

20 **SEC. 3. APPLICATION OF ANTIDISCRIMINATION LAWS.**

21 Section 204 of the International Religious Freedom
22 Act of 1998 (22 U.S.C. 6432b) is amended by inserting
23 after subsection (f) the following new subsection:

24 “(g) APPLICATION OF ANTIDISCRIMINATION LAWS.—
25 For purposes of providing remedies and procedures to ad-

1 dress alleged violations of rights and protections that per-
2 tain to employment discrimination, family and medical
3 leave, fair labor standards, employee polygraph protection,
4 worker adjustment and retraining, veterans' employment
5 and reemployment, intimidation or reprisal, protections
6 under the Americans with Disabilities Act of 1990, occu-
7 pational safety and health, labor-management relations,
8 and rights and protections that apply to employees whose
9 pay is disbursed by the Secretary of the Senate or the
10 Chief Administrative Officer of the House of Representa-
11 tives, all employees of the Commission shall be treated as
12 employees whose pay is disbursed by the Secretary of the
13 Senate or the Chief Administrative Officer of the House
14 of Representatives and the Commission shall be treated
15 as an employing office of the Senate or the House of Rep-
16 resentatives.”.

17 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 207(a) of the International Religious Free-
19 dom Act of 1998 (22 U.S.C. 6435(a)) is amended by strik-
20 ing “for the fiscal year 2003” and inserting “for each of
21 the fiscal years 2012 and 2013”.

22 **SEC. 5. STANDARDS OF CONDUCT AND DISCLOSURE.**

23 Section 208 of the International Religious Freedom
24 Act of 1998 (22 U.S.C. 6435a) is amended—

1 (1) in subsection (c)(1), by striking “\$100,000”
2 and inserting “\$250,000”; and
3 (2) in subsection (e), by striking “International
4 Relations” and inserting “Foreign Affairs”.

5 **SEC. 6. TERMINATION.**

6 Section 209 of the International Religious Freedom
7 Act of 1998 (22 U.S.C. 6436) is amended by striking
8 “September 30, 2011” and inserting “September 30,
9 2013”.

10 **SEC. 7. REPORT ON EFFECTIVENESS OF PROGRAMS TO**
11 **PROMOTE RELIGIOUS FREEDOM.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of the enactment of this Act, the Comptroller General
14 of the United States shall submit to the appropriate con-
15 gressional committees a report on the implementation of
16 this Act and the amendments made by this Act.

17 (b) CONSULTATION.—The Comptroller General shall
18 consult with the appropriate congressional committees and
19 nongovernmental organizations for purposes of preparing
20 the report.

21 (c) MATTERS TO BE INCLUDED.—The report shall
22 include the following:

23 (1) A review of the effectiveness of all United
24 States Government programs to promote inter-

1 national religious freedom, including their goals and
2 objectives.

3 (2) An assessment of the roles and functions of
4 the Office on International Religious Freedom estab-
5 lished in section 101(a) of the International Reli-
6 gious Freedom Act of 1998 (22 U.S.C. 6411(a)) and
7 the relationship of the Office to other offices in the
8 Department of State.

9 (3) A review of the role of the Ambassador at
10 Large for International Religious Freedom ap-
11 pointed under section 101(b) of the International
12 Religious Freedom Act of 1998 (22 U.S.C. 6411(b))
13 and the placement of such position within the De-
14 partment of State.

15 (4) A review and assessment of the goals and
16 objectives of the United States Commission on Inter-
17 national Religious Freedom established under sec-
18 tion 201(a) of the International Religious Freedom
19 Act of 1998 (22 U.S.C. 6431(a)).

20 (5) A comparative analysis of the structure of
21 the United States Commission on International Reli-
22 gious Freedom as an independent non-partisan enti-
23 ty in relation to other United States advisory com-
24 missions, whether or not such commissions are
25 under the direct authority of Congress.

1 (6) A review of the relationship between the
2 Ambassador at Large for International Religious
3 Freedom and the United States Commission on
4 International Religious Freedom, and possible re-
5 forms that would improve the ability of both to
6 reach their goals and objectives.

7 (d) DEFINITION.—In this section, the term “appro-
8 priate congressional committees” has the meaning given
9 the term in section 3 of the International Religious Free-
10 dom Act of 1998 (22 U.S.C. 6402).

 Passed the House of Representatives September 15,
2011.

Attest:

KAREN L. HAAS,
Clerk.