

118TH CONGRESS
2D SESSION

H. R. 10168

To amend the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act to require the Secretary of State to provide additional information to Congress regarding United States nationals detained abroad, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2024

Mr. HILL (for himself and Ms. STEVENS) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act to require the Secretary of State to provide additional information to Congress regarding United States nationals detained abroad, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Detainee
5 Transparency and Recovery Act”.

1 **SEC. 2. TIMELINE FOR UNLAWFUL OR WRONGFUL DETEN-**
2 **TION DETERMINATIONS.**

3 Section 302 of the Robert Levinson Hostage Recov-
4 ery and Hostage-Taking Accountability Act (22 U.S.C.
5 1741) is amended by adding at the end the following:

6 “(e) **TIMELINE FOR UNLAWFUL OR WRONGFUL DE-**
7 **TENTION DETERMINATIONS.—**

8 “(1) **CREDIBLE INFORMATION DETERMINA-**
9 **TIONS.—**

10 “(A) **IN GENERAL.—**Not less frequently
11 than every 180 days, the Assistant Secretary
12 for the Bureau of Consular Affairs and the
13 Special Presidential Envoy for Hostage Affairs
14 shall review the cases where there is potential
15 credible information that any United States na-
16 tional is being detained wrongfully and which
17 has been identified through official government
18 channels to both bureaus.

19 “(B) **REPORT OF FINDINGS.—**Not later
20 than 30 days after each review under subpara-
21 graph (A), the Assistant Secretary of State for
22 Consular Affairs and the Special Presidential
23 Envoy for Hostage Affairs shall jointly submit
24 to Congress a classified report identifying the
25 United States nationals identified as a result of
26 the review in subparagraph (A) detained over-

1 seas who have not, as of the date of the report,
2 been determined by the Secretary to be unlaw-
3 fully or wrongfully detained.

4 “(C) NOTIFICATION TO FAMILY MEM-
5 BERS.—In the case of a United States national
6 detained overseas identified in the report under
7 subparagraph (B), the Assistant Secretary of
8 State for Consular Affairs shall notify a family
9 member (as that term is defined in subsection
10 (d)(8)) or the legal representative of the United
11 States national not later than 30 days after the
12 transmittal of the report required by subpara-
13 graph (B).

14 “(2) STATUS DETERMINATIONS.—

15 “(A) IN GENERAL.—Except as provided in
16 subparagraph (B) and to the extent practicable,
17 not later than 180 days after the date on which
18 the Secretary of State receives an assessment
19 from the Special Presidential Envoy for Hos-
20 tage Affairs or the head of any other relevant
21 bureau of the Department of State that credible
22 information exists that a United States national
23 is being detained unlawfully or wrongfully, the
24 Secretary shall determine whether the United

1 States national is in fact being unlawfully or
2 wrongfully detained.

3 “(B) WAIVER.—

4 “(i) IN GENERAL.—The Secretary
5 may waive the requirement under subpara-
6 graph (A) to make an unlawful or wrong-
7 ful detention determination if the Sec-
8 retary—

9 “(I) determines that making such
10 a determination may jeopardize the
11 safety or interests of the United
12 States national being detained abroad
13 or the national security interests of
14 the United States; and

15 “(II) submits to Congress a clas-
16 sified report describing the reasons
17 for the waiver.

18 “(ii) TIMING.—A waiver under clause
19 (i) shall expire on the date that is 180
20 days after the date on which the Secretary
21 submits the report on the waiver to Con-
22 gress pursuant to clause (i)(II).

23 “(iii) RENEWAL.—The Secretary may
24 renew a waiver granted pursuant to clause

1 (i) in the manner provided under such
2 clause.”.

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