118TH CONGRESS
1ST Session

S.

To provide resources for United States nationals unlawfully or wrongfully detained abroad, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Menendez (for himself, Mr. Risch, Mrs. Shaheen, and Mr. Hagerty) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To provide resources for United States nationals unlawfully or wrongfully 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 “Supporting Americans
5 Wrongfully or Unlawfully Detained Abroad Act of 2023”.
SEC. 2. RESOURCES FOR UNITED STATES NATIONALS UN-

LAWFULLY OR WRONGFULLY DETAINED

ABROAD.

Section 302(d) of the Robert Levinson Hostage Re-
covery and Hostage-Taking Accountability Act (22 U.S.C.
1741(d)) is amended—

(1) in the subsection heading, by striking “RE-
SOURCE GUIDANCE” and inserting “RESOURCES
FOR UNITED STATES NATIONALS UNLAWFULLY OR
WRONGFULLY DETAINED ABROAD”;

(2) in paragraph (1), by striking the paragraph
heading and all that follows through “Not later
than” and inserting the following:

“(1) RESOURCE GUIDANCE.—

“(A) IN GENERAL.—Not later than”;

(3) in paragraph (2), by redesignating subpara-
graphs (A), (B), (C), (D), and (E) and clauses (i),
(ii), (iii), (iv), and (v), respectively, and moving such
clauses (as so redesignated) 2 ems to the right;

(4) by redesignating paragraph (2) as subpara-
graph (B) and moving such subparagraph (as so re-
designated) 2 ems to the right;

(5) in subparagraph (B), as redesignated by
paragraph (4), by striking “paragraph (1)” and in-
serting “subparagraph (A)”;

(6) by adding at the end the following:
“(2) TRAVEL ASSISTANCE.—

“(A) FAMILY ADVOCACY.—For the purpose of facilitating meetings between the United States Government and the family members of United States nationals unlawfully or wrongfully detained abroad, the Secretary shall provide financial assistance to cover the costs of travel to Washington, D.C., including travel by air, train, bus, or other transit as appropriate, to any individual who—

“(i) is—

“(I) a family member of a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a); or

“(II) an appropriate individual who—

“(aa) is approved by the Special Presidential Envoy for Hostage Affairs; and

“(bb) does not represent in any legal capacity a United States national unlawfully or wrongfully detained abroad or
the family of such United States national;

“(ii) has a permanent address that is more than 50 miles from Washington, D.C.; and

“(iii) requests such assistance.

“(B) TRAVEL AND LODGING.—

“(i) IN GENERAL.—For each such United States national unlawfully or wrongfully detained abroad, the financial assistance described in subparagraph (A) shall be provided for not more than 2 trips per fiscal year, unless the Special Presidential Envoy for Hostage Affairs determines that a third trip is warranted.

“(ii) LIMITATIONS.—Any trip described in clause (i) shall—

“(I) consist of not more than 2 family members or other individuals approved in accordance with subparagraph (A)(i)(II), unless the Special Presidential Envoy for Hostage Affairs determines that circumstances warrant an additional family member or other individual approved in ac-
cordance with subparagraph (A)(i)(II) and approves assistance to such third family member or other individual; and

“(II) not exceed more than 2 nights lodging, which shall not exceed the applicable government rate.

“(C) Return travel.—If other United States Government assistance is unavailable, the Secretary may provide to a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a), compensation and assistance, as necessary, for return travel to the United States upon release of such United States national.

“(3) Support.—The Secretary shall seek to make available operational psychologists and clinical social workers, to support the mental health and well-being of—

“(A) any United States national unlawfully or wrongfully detained abroad; and

“(B) any family member of such United States national, with regard to the psycho-
logical, social, and mental health effects of such unlawful or wrongful detention.

“(4) Notification Requirement.—The Secretary shall notify the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives of any amount spent above $250,000 for any fiscal year to carry out paragraphs (2) and (3).

“(5) Report.—Not later than 90 days after the end of each fiscal year, the Secretary shall submit to the Committees on Foreign Relations and Appropriations of the Senate and the Committee on Foreign Affairs and Appropriations of the House of Representatives a report that includes—

“(A) a detailed description of expenditures made pursuant to paragraphs (2) and (3);

“(B) a detailed description of support provided pursuant to paragraph (3) and the individuals providing such support; and

“(C) the number and location of visits outside of Washington, D.C., during the prior fiscal year made by the Special Presidential Envoy for Hostage Affairs to family members of each
United States national unlawfully or wrongfully detained abroad.

“(6) SUNSET.—The authority and requirements under paragraphs (2), (3), (4), and (5) shall terminate on December 31, 2027.

“(7) FAMILY MEMBER DEFINED.—In this subsection, the term ‘family member’ means a spouse, father, mother, child, brother, sister, grandparent, grandchild, aunt, uncle, nephew, niece, cousin, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.”.