

Calendar No. _____

118TH CONGRESS
1ST SESSION**S. 509**

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2023

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 Foreign Relations

_____ (legislative day, _____), _____

Reported by Mr. MENENDEZ, without amendment

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”.

1 **SEC. 2. RESOURCES FOR UNITED STATES NATIONALS UN-**
2 **LAWFULLY OR WRONGFULLY DETAINED**
3 **ABROAD.**

4 Section 302(d) of the Robert Levinson Hostage Re-
5 covery and Hostage-Taking Accountability Act (22 U.S.C.
6 1741(d)) is amended—

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

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

14 “(1) RESOURCE GUIDANCE.—

15 “(A) IN GENERAL.—Not later than”;

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

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

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

26 (6) by adding at the end the following:

1 “(2) TRAVEL ASSISTANCE.—

2 “(A) FAMILY ADVOCACY.—For the purpose
3 of facilitating meetings between the United
4 States Government and the family members of
5 United States nationals unlawfully or wrong-
6 fully detained abroad, the Secretary shall pro-
7 vide financial assistance to cover the costs of
8 travel to Washington, D.C., including travel by
9 air, train, bus, or other transit as appropriate,
10 to any individual who—

11 “(i) is—

12 “(I) a family member of a United
13 States national unlawfully or wrong-
14 fully detained abroad as determined
15 by the Secretary under subsection (a);
16 or

17 “(II) an appropriate individual
18 who—

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

22 “(bb) does not represent in
23 any legal capacity a United
24 States national unlawfully or
25 wrongfully detained abroad or

1 the family of such United States
2 national;

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

6 “(iii) requests such assistance.

7 “(B) TRAVEL AND LODGING.—

8 “(i) IN GENERAL.—For each such
9 United States national unlawfully or
10 wrongfully detained abroad, the financial
11 assistance described in subparagraph (A)
12 shall be provided for not more than 2 trips
13 per fiscal year, unless the Special Presi-
14 dential Envoy for Hostage Affairs deter-
15 mines that a third trip is warranted.

16 “(ii) LIMITATIONS.—Any trip de-
17 scribed in clause (i) shall—

18 “(I) consist of not more than 2
19 family members or other individuals
20 approved in accordance with subpara-
21 graph (A)(i)(II), unless the Special
22 Presidential Envoy for Hostage Af-
23 fairs determines that circumstances
24 warrant an additional family member
25 or other individual approved in ac-

1 cordance with subparagraph (A)(i)(II)
2 and approves assistance to such third
3 family member or other individual;
4 and

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

8 “(C) RETURN TRAVEL.—If other United
9 States Government assistance is unavailable,
10 the Secretary may provide to a United States
11 national unlawfully or wrongfully detained
12 abroad as determined by the Secretary under
13 subsection (a), compensation and assistance, as
14 necessary, for return travel to the United
15 States upon release of such United States na-
16 tional.

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

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

23 “(B) any family member of such United
24 States national, with regard to the psycho-

1 logical, social, and mental health effects of such
2 unlawful or wrongful detention.

3 “(4) NOTIFICATION REQUIREMENT.—The Sec-
4 retary shall notify the Committee on Foreign Rela-
5 tions of the Senate, the Committee on Foreign Af-
6 fairs of the House of Representatives, and the Com-
7 mittees on Appropriations of the Senate and the
8 House of Representatives of any amount spent above
9 \$250,000 for any fiscal year to carry out paragraphs
10 (2) and (3).

11 “(5) REPORT.—Not later than 90 days after
12 the end of each fiscal year, the Secretary shall sub-
13 mit to the Committees on Foreign Relations and Ap-
14 propriations of the Senate and the Committee on
15 Foreign Affairs and Appropriations of the House of
16 Representatives a report that includes—

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

19 “(B) a detailed description of support pro-
20 vided pursuant to paragraph (3) and the indi-
21 viduals providing such support; and

22 “(C) the number and location of visits out-
23 side of Washington, D.C., during the prior fis-
24 cal year made by the Special Presidential Envoy
25 for Hostage Affairs to family members of each

1 United States national unlawfully or wrongfully
2 detained abroad.

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

6 “(7) FAMILY MEMBER DEFINED.—In this sub-
7 section, the term ‘family member’ means a spouse,
8 father, mother, child, brother, sister, grandparent,
9 grandchild, aunt, uncle, nephew, niece, cousin, fa-
10 ther-in-law, mother-in-law, son-in-law, daughter-in-
11 law, brother-in-law, sister-in-law, stepfather, step-
12 mother, stepson, stepdaughter, stepbrother, step-
13 sister, half brother, or half sister.”.