

118-31, div. F, title LXIV, § 6409, Dec. 22, 2023, 137 Stat. 1003; Pub. L. 118-159, div. G, title LXXVII, §§ 7701, 7707, 7708, Dec. 23, 2024, 138 Stat. 2553, 2556, 2557.)

### Editorial Notes

#### AMENDMENTS

2024—Subsec. (d)(2)(B)(ii)(II). Pub. L. 118-159, § 7701(1), inserted “unless the Special Presidential Envoy for Hostage Affairs determines that circumstances warrant an additional night,” after “lodging.”

Subsec. (d)(4). Pub. L. 118-159, § 7701(2), substituted “not later than 14 days after such time that total expenditures to carry out paragraphs (2) and (3) in any fiscal year surpass \$250,000 for any fiscal year” for “of any amount spent above \$250,000 for any fiscal year to carry out paragraphs (2) and (3)”.

Subsec. (e). Pub. L. 118-159, § 7707, added subsec. (e).

Subsec. (f). Pub. L. 118-159, § 7708, added subsec. (f).

2023—Subsec. (d). Pub. L. 118-31, § 6409(1), substituted “Resources for United States nationals unlawfully or wrongfully detained abroad” for “Resource guidance” in heading.

Subsec. (d)(1). Pub. L. 118-31, § 6409(2), substituted “Resource guidance” for “Establishment” in heading, and designated existing provisions as subpar. (A) and inserted heading.

Subsec. (d)(1)(B). Pub. L. 118-31, § 6409(5), substituted “subparagraph (A)” for “paragraph (1)”.

Pub. L. 118-31, § 6409(4), which directed the redesignation of “paragraph (2) as subparagraph (B)”, without specifying the par. to which subpar. (B) was to be redesignated, and the realignment of margins, was executed by redesignating par. (2) as subpar. (B) of par. (1), to reflect the probable intent of Congress, and realigning margins.

Subsec. (d)(2). Pub. L. 118-31, § 6409(6), added par. (2). Former par. (2) redesignated (1)(B).

Pub. L. 118-31, § 6409(3), which directed the redesignation of “subparagraphs (A), (B), (C), (D), and (E) and clauses (i), (ii), (iii), (iv), and (v), respectively,” and the realignment of margins, was executed by redesignating subpars. (A) to (E) as cls. (i) to (v), respectively, to reflect the probable intent of Congress, and realigning margins. Former par. (2) redesignated (1)(B).

Subsec. (d)(3) to (8). Pub. L. 118-31, § 6409(6), added pars. (3) to (8).

2022—Subsec. (a). Pub. L. 117-263, § 9102(1), inserted “, as expeditiously as possible,” after “review” in introductory provisions.

Subsec. (b). Pub. L. 117-263, § 9102(2), amended subsec. (b) generally. Prior to amendment, text read as follows: “Upon a determination by the Secretary of State, based on the totality of the circumstances, that there is credible information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Envoy for Hostage Affairs created pursuant to section 1741a of this title.”

### Statutory Notes and Related Subsidiaries

#### SHORT TITLE

Pub. L. 116-260, div. FF, title III, § 301, Dec. 27, 2020, 134 Stat. 3091, provided that: “This subtitle [subtitle A (§§ 301-308) of title III of div. FF of Pub. L. 116-260, enacting this subchapter] may be cited as the ‘Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act.’”

### § 1741a. Special Envoy for Hostage Affairs

#### (a) Establishment

There shall be a Special Presidential Envoy for Hostage Affairs, who shall be appointed by

the President, by and with the advice and consent of the Senate, and shall report to the Secretary of State.

#### (b) Rank

The Special Envoy shall have the rank and status of ambassador.

#### (c) Responsibilities

The Special Presidential Envoy for Hostage Affairs shall—

(1) lead diplomatic engagement on United States hostage policy;

(2) coordinate all diplomatic engagements and strategy in support of hostage recovery efforts, in coordination with the Hostage Recovery Fusion Cell and consistent with policy guidance communicated through the Hostage Response Group;

(3) in coordination with the Hostage Recovery Fusion Cell as appropriate, coordinate diplomatic engagements regarding cases in which a foreign government has detained a United States national and the United States Government regards such detention as unlawful or wrongful;

(4) provide senior representation from the Special Envoy’s office to the Hostage Recovery Fusion Cell established under section 1741b of this title and the Hostage Response Group established under section 1741c of this title; and

(5) ensure that families of United States nationals unlawfully or wrongly detained abroad receive updated information about developments in cases and government policy.

#### (d) Family Engagement Coordinator

There shall be, in the Office of the Special Presidential Envoy for Hostage Affairs, a Family Engagement Coordinator, who shall ensure—

(1) for a United States national unlawfully or wrongfully detained abroad, that—

(A) any interaction by executive branch officials with any family member of such United States national occurs in a coordinated fashion;

(B) such family member receives consistent and accurate information from the United States Government; and

(C) appropriate coordination with the Family Engagement Coordinator described in section 1741b(c)(2) of this title; and

(2) for a United States national held hostage abroad, that any engagement with a family member is coordinated with, consistent with, and not duplicative of the efforts of the Family Engagement Coordinator described in section 1741b(c)(2) of this title.

(Pub. L. 116-260, div. FF, title III, § 303, Dec. 27, 2020, 134 Stat. 3093; Pub. L. 117-263, div. I, title XCI, § 9103, Dec. 23, 2022, 136 Stat. 3858.)

### Editorial Notes

#### AMENDMENTS

2022—Subsec. (d). Pub. L. 117-263 added subsec. (d).

### § 1741b. Hostage Recovery Fusion Cell

#### (a) Establishment

The President shall establish an interagency Hostage Recovery Fusion Cell.

**(b) Participation**

The President shall direct the heads of each of the following executive departments, agencies, and offices to make available personnel to participate in the Hostage Recovery Fusion Cell:

- (1) The Department of State.
- (2) The Department of the Treasury.
- (3) The Department of Defense.
- (4) The Department of Justice.
- (5) The Office of the Director of National Intelligence.
- (6) The Federal Bureau of Investigation.
- (7) The Central Intelligence Agency.
- (8) Other agencies as the President, from time to time, may designate.

**(c) Personnel**

The Hostage Recovery Fusion Cell shall include—

(1) a Director, who shall be a full-time senior officer or employee of the United States Government;

(2) a Family Engagement Coordinator who shall—

(A) work to ensure that all interactions by executive branch officials with a hostage's family occur in a coordinated fashion and that the family receives consistent and accurate information from the United States Government; and

(B) if directed, perform the same function as set out in subparagraph (A) with regard to the family of a United States national who is unlawfully or wrongfully detained abroad; and

(3) other officers and employees as deemed appropriate by the President.

**(d) Duties**

The Hostage Recovery Fusion Cell shall—

(1) coordinate efforts by participating agencies to ensure that all relevant information, expertise, and resources are brought to bear to secure the safe recovery of United States nationals held hostage abroad;

(2) if directed, coordinate the United States Government's response to other hostage-takings occurring abroad in which the United States has a national interest;

(3) if directed, coordinate or assist the United States Government's response to help secure the release of United States nationals unlawfully or wrongfully detained abroad; and

(4) pursuant to policy guidance coordinated through the National Security Council—

(A) identify and recommend hostage recovery options and strategies to the President through the National Security Council or the Deputies Committee of the National Security Council;

(B) coordinate efforts by participating agencies to ensure that information regarding hostage events, including potential recovery options and engagements with families and external actors (including foreign governments), is appropriately shared within the United States Government to facilitate a coordinated response to a hostage-taking;

(C) assess and track all hostage-takings of United States nationals abroad and provide

regular reports to the President and Congress on the status of such cases and any measures being taken toward the hostages' safe recovery;

(D) provide a forum for intelligence sharing and, with the support of the Director of National Intelligence, coordinate the declassification of relevant information;

(E) coordinate efforts by participating agencies to provide appropriate support and assistance to hostages and their families in a coordinated and consistent manner and to provide families with timely information regarding significant events in their cases;

(F) make recommendations to agencies in order to reduce the likelihood of United States nationals' being taken hostage abroad and enhance United States Government preparation to maximize the probability of a favorable outcome following a hostage-taking; and

(G) coordinate with agencies regarding congressional, media, and other public inquiries pertaining to hostage events.

**(e) Administration**

The Hostage Recovery Fusion Cell shall be located within the Federal Bureau of Investigation for administrative purposes.

(Pub. L. 116-260, div. FF, title III, §304, Dec. 27, 2020, 134 Stat. 3094.)

**§ 1741c. Hostage Response Group****(a) Establishment**

The President shall establish a Hostage Response Group, chaired by a designated member of the National Security Council or the Deputies Committee of the National Security Council, to be convened on a regular basis, to further the safe recovery of United States nationals held hostage abroad or unlawfully or wrongfully detained abroad, and to be tasked with coordinating the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest.

**(b) Membership**

The regular members of the Hostage Response Group shall include the Director of the Hostage Recovery Fusion Cell, the Hostage Recovery Fusion Cell's Family Engagement Coordinator, the Special Envoy appointed pursuant to section 1741a of this title, and representatives from the Department of the Treasury, the Department of Defense, the Department of Justice, the Federal Bureau of Investigation, the Office of the Director of National Intelligence, the Central Intelligence Agency, and other agencies as the President, from time to time, may designate.

**(c) Duties**

The Hostage Recovery Group shall—

(1) identify and recommend hostage recovery options and strategies to the President through the National Security Council;

(2) coordinate the development and implementation of United States hostage recovery policies, strategies, and procedures;

(3) receive regular updates from the Hostage Recovery Fusion Cell and the Special Envoy for Hostage Affairs on the status of United