118TH CONGRESS
1ST SESSION

H. R. _____

To amend the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act to require the Secretary of State to submit to Congress information relating to cases of United States nationals detained abroad in which the Secretary has not made a determination or has determined that there is not credible information that the individuals are being detained unlawfully or wrongfully.

IN THE HOUSE OF REPRESENTATIVES

Mr. RESCHENTHALER introduced the following bill; which was referred to the Committee on ______________________

A BILL

To amend the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act to require the Secretary of State to submit to Congress information relating to cases of United States nationals detained abroad in which the Secretary has not made a determination or has determined that there is not credible information that the individuals are being detained unlawfully or wrongfully.

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

This Act may be cited as the "Marc Fogel Act".

SEC. 2. AMENDMENT TO ROBERT LEVINSON HOSTAGE RECOVERY AND HOSTAGE-TAKING ACCOUNTABILITY ACT.

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

(1) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (b) the following:

"(c) Submission to Congress of Information Relating to Cases Without Determinations or Determinations That There Is Not Credible Information That the Individuals Are Being Detained Unlawfully or Wrongfully.—

"(1) In general.—If, within 180 days of the initiation of any review of a case of a United States national detained abroad under subsection (a), the Secretary of State—

"(A) has not made a determination with respect to the detention of the individual, the Secretary shall submit to the appropriate congressional committees copies of all documents and communications described in paragraph (2)
relating to the review of the criteria described
in subsection (a) with respect to the detention
of the individual; or

"(B) has made a determination that there
is not credible information that the individual is
being detained unlawfully or wrongfully, the
Secretary shall submit to the appropriate con-
gressional committees—

"(i) copies of all documents and com-
munications described in paragraph (2) re-
lating to the review of the criteria de-
scribed in subsection (a) with respect to
the detention of the individual; and

"(ii) copies of all documents providing
a justification for the determination.

"(2) DOCUMENTS AND COMMUNICATIONS DE-
scribed.—The documents and communications de-
scribed in this paragraph are documents, memo-
randa, advisory legal opinions, audio recordings (in-
cluding telephone records), correspondence (includ-
ing electronic mail records), and other communica-
tions, or any portion of any such communications.

"(3) FORM.—The information required by
paragraph (1) shall be submitted in unclassified
form, but may contain a classified annex."