

shall receive from this Government the same protection of persons and property which is accorded to native-born citizens.

(R.S. §2000.)

#### Editorial Notes

##### CODIFICATION

R.S. §2000 derived from Act July 27, 1868, ch. 249, §2, 15 Stat. 224.

Section was formerly classified to section 903a of Title 8, Aliens and Nationality.

#### Statutory Notes and Related Subsidiaries

##### EQUITABLE TREATMENT BY UNITED STATES OF ITS CITIZENS LIVING ABROAD

Pub. L. 95-426, title VI, §611, Oct. 7, 1978, 92 Stat. 989, as amended by Pub. L. 96-60, title IV, §407, Aug. 15, 1979, 93 Stat. 405; Pub. L. 97-241, title V, §505(a)(2), (b)(1), Aug. 24, 1982, 96 Stat. 299, provided that: "The Congress finds that—

"(1) United States citizens living abroad should be provided fair and equitable treatment by the United States Government with regard to taxation, citizenship of progeny, veterans' benefits, voting rights, Social Security benefits, and other obligations, rights, and benefits; and

"(2) United States statutes and regulations should be designed so as not to create competitive disadvantage for individual American citizens living abroad or working in international markets."

#### § 1732. Release of citizens imprisoned by foreign governments

Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war and not otherwise prohibited by law, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.

(R.S. §2001; Pub. L. 101-222, §9, Dec. 12, 1989, 103 Stat. 1900.)

#### Editorial Notes

##### CODIFICATION

R.S. §2001 derived from act July 27, 1868, ch. 249, §3, 15 Stat. 224.

Section was formerly classified to section 903b of Title 8, Aliens and Nationality.

##### AMENDMENTS

1989—Pub. L. 101-222 inserted "and not otherwise prohibited by law" after "acts of war".

#### Executive Documents

##### RELEASE OF AMERICAN HOSTAGES IN IRAN

For Executive Order provisions relating to the release of the American hostages in Iran, see Ex. Ord.

Nos. 12276 to 12285, Jan. 19, 1981, 46 F.R. 7913 to 7932, listed in a table under section 1701 of Title 50, War and National Defense.

#### § 1733. Interagency Hostage Recovery Coordinator

##### (a) Interagency Hostage Recovery Coordinator

###### (1) In general

Not later than 60 days after November 25, 2015, the President shall designate an existing Federal official to coordinate efforts to secure the release of United States persons who are hostages held abroad. For purposes of carrying out the duties described in paragraph (2), such official shall have the title of "Interagency Hostage Recovery Coordinator".

###### (2) Duties

The Coordinator shall have the following duties:

(A) Coordinate activities of the Federal Government relating to each hostage situation described in paragraph (1) to ensure efforts to secure the release of hostages are properly resourced and correct lines of authority are established and maintained.

(B) Chair a fusion cell consisting of appropriate personnel of the Federal Government with purview over each hostage situation described in paragraph (1).

(C) Ensure sufficient representation of each Federal agency and department at each fusion cell established under subparagraph (B) and issue procedures for adjudication and appeal.

(D) Develop processes and procedures to keep family members of hostages described in paragraph (1) informed of the status of such hostages, inform such family members of updates that do not compromise the national security of the United States, and coordinate with the Federal Government's family engagement coordinator or other designated senior representative.

##### (b) Quarterly report and briefing

###### (1) Report

###### (A) In general

On a quarterly basis, the Coordinator shall submit to the appropriate congressional committees a report that includes a summary of each hostage situation described in subsection (a)(1).

###### (B) Form of report

Each report under this<sup>1</sup> subparagraph (A) may be submitted in classified or unclassified form.

###### (2) Briefing

On a quarterly basis, the Coordinator shall provide to the Senators representing the State, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district, where a hostage described in subsection (a)(1) resides a briefing with respect to the status of such hostage.

###### (3) Appropriate congressional committees defined

In this section, the term "appropriate congressional committees" means—

<sup>1</sup> So in original. The word "this" probably should not appear.

(A) the Committee on Armed Services, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate.

(Pub. L. 114-92, div. A, title X, §1092, Nov. 25, 2015, 129 Stat. 1018.)

## SUBCHAPTER II—HOSTAGE RECOVERY AND HOSTAGE-TAKING ACCOUNTABILITY

### Executive Documents

#### EX. ORD. NO. 13698. HOSTAGE RECOVERY ACTIVITIES

Ex. Ord. No. 13698, June 24, 2015, 80 F.R. 37131, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

**SECTION 1. Purpose.** The 21st century has witnessed a significant shift in hostage-takings by terrorist organizations and criminal groups abroad. Hostage-takers frequently operate in unstable environments that challenge the ability of the United States Government and its partners and allies to operate effectively. Increasingly, hostage-takers target private citizens—including journalists and aid workers—as well as Government officials. They also utilize increasingly sophisticated networks and tactics to derive financial, propaganda, and recruitment benefits from hostage-taking operations. The United States is committed to securing the safe recovery of U.S. nationals held hostage abroad and deterring future hostage-takings by denying hostage-takers any benefits from their actions. Because such hostage-takings pose unique challenges, the United States Government must be organized and work in a coordinated effort to use all instruments of national power to achieve these goals, consistent with the United States Government's no concessions policy. Establishing a single United States Government operational body to coordinate all efforts for the recovery of U.S. nationals taken hostage abroad, with policy guidance coordinated through the National Security Council, will increase the likelihood of a successful recovery, allow for enhanced support to hostages and their families, promote foreign policy and national security interests abroad, and enhance the prospects of successful criminal prosecutions of hostage-takers. Dedicating a senior diplomatic representative to operate in support of this coordinated effort will further enhance the potential for the safe recovery of hostages.

**SEC. 2. Establishment and Responsibilities of the Hostage Recovery Fusion Cell.** (a) The Attorney General, acting through the Director of the Federal Bureau of Investigation (FBI), shall establish within the FBI for administrative purposes an interagency Hostage Recovery Fusion Cell (HRFC).

(b) The following executive departments, agencies, and offices (agencies) shall participate in the HRFC:

- (i) the Department of State;
- (ii) the Department of the Treasury;
- (iii) the Department of Defense;
- (iv) the Department of Justice;
- (v) the Office of the Director of National Intelligence;
- (vi) the FBI;
- (vii) the Central Intelligence Agency; and
- (viii) other agencies as the President or the Attorney General, acting through the Director of the FBI, from time to time, may designate.

(c) The HRFC shall have a Director, who shall be a full-time senior officer or employee of, or detailed to, the FBI. The HRFC shall also have a Family Engagement Coordinator and other officers or employees as

appropriate. The head of each participating agency shall, to the extent permitted by law, make available for assignment or detail to the HRFC such personnel as the Attorney General, acting through the Director of the FBI and after consultation with the head of the agency, may request. Such personnel so detailed or assigned will operate utilizing the clearances provided by their respective agencies.

(d) The HRFC shall coordinate efforts by participating agencies to ensure that all relevant information, expertise, and resources are brought to bear to secure the safe recovery of U.S. nationals held hostage abroad. The HRFC may also be tasked with coordinating the United States Government's response to other hostage-takings occurring abroad in which the United States has a national interest, as specifically referred to the HRFC by the Deputies Committee, as established in Presidential Policy Directive 1 of February 13, 2009 (Organization of the National Security Council System), or any successor. Pursuant to policy guidance coordinated through the National Security Council, the HRFC shall:

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

(ii) 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;

(iii) assess and track all hostage-takings of U.S. nationals abroad and provide regular reports to the President through the National Security Council on the status of such cases and any measures being taken toward the hostages' safe recovery;

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

(v) 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;

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

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

**SEC. 3. Establishment of the Hostage Response Group.** (a) There shall be a Hostage Response Group (HRG) chaired by the Special Assistant to the President and Senior Director for Counterterrorism, to be convened on a regular basis and as needed at the request of the National Security Council to further the safe recovery of U.S. nationals held abroad. The HRG may also be tasked with coordinating the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest, as specifically referred to the HRFC by the Deputies Committee.

(b) The regular members of the HRG shall include the Director of the HRFC, the HRFC's Family Engagement Coordinator, and senior representatives from the Department of State, Department of the Treasury, Department of Defense, Department of Justice, FBI, Office of the Director of National Intelligence, and other agencies as the President, from time to time, may designate.

(c) The HRG, in support of the Deputies Committee chaired by the Assistant to the President for Homeland Security and Counterterrorism, and consistent with the process outlined in Presidential Policy Directive 1 or any successor, shall:

(i) identify and recommend hostage recovery options and strategies to the President through the National