



DEPARTMENT OF STATE
WRITTEN STATEMENT
OF
ROGER D. CARSTENS
SPECIAL PRESIDENTIAL ENVOY FOR HOSTAGE AFFAIRS
BEFORE THE
UNITED STATES HOUSE FOREIGN AFFAIRS COMMITTEE
SUBCOMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

HEARING
ON
JUNE 13, 2024

Chairman McCaul, Chairman Mast, Ranking Member Meeks, Ranking Member Crow, and members of the Committee, thank you for holding this hearing. I am honored to testify today about the evolution of the hostage recovery enterprise and specifically the role of my office, the Office of the Special Presidential Envoy for Hostage Affairs or “SPEHA,” to bring Americans home and support their families.

While the members of the panel appearing before you today represent the Executive Branch, we would be remiss if we did not recognize the key role our partners play in efforts to secure the release of Americans wrongfully detained abroad: Our partners right here in this room – members of Congress and their staff – the families of detainees, NGOs, and countless advocates in the private sector. Capitol Hill is a vital ally in this effort as this is truly a nonpartisan issue, supported by all members who tirelessly advocate for their constituents and fellow Americans held hostage or wrongfully detained abroad. We appreciate Congress’s leadership in advancing legislation such as the Levinson Act that empower my office and others across government to undertake this work. We welcome your continued support with more recent legislation providing additional resources for Americans returned from captivity, and their families, and for

establishing March 9 as an annual day of observance for hostages and wrongful detainees.

The hostage recovery enterprise was born from previous failures to bring home hostages held by terrorists in Syria, Pakistan, and elsewhere. In 2014 and 2015 several Americans and countless other hostages from around the world were brutally murdered by ISIS. It was a wake-up call to the U.S. government when President Obama called for a review of hostage recovery activities to determine whether we had the right structure and policies in place.

The answer was we did not. While our colleagues in the Bureau of Consular Affairs have always provided the services to U.S. citizens detained in prisons overseas, the U.S. government writ large was unprepared to handle a hostage crisis, had insufficient architecture in place, and was not equipped to provide critical information to families about their loved ones. On June 24, 2015, President Obama issued Executive Order 13698 and Presidential Policy Directive 30, which fundamentally changed our hostage and wrongful detention policy and created my office, SPEHA, as well as the Hostage Recovery Fusion Cell and the

Hostage Response Group – all part of what we call informally the hostage recovery enterprise.

I'm here today to talk about my office. The Office of the Special Presidential Envoy for Hostage Affairs, SPEHA, has three core pillars: (1) secure the release of U.S. nationals wrongfully detained or held hostage abroad and help them reintegrate upon return; (2) support families of wrongful detainees by providing case-specific information and access to U. S. government resources; and (3) lead and coordinate interagency, multilateral, and private sector strategies and efforts to deter and prevent what has often been called hostage diplomacy. Hostage taking and wrongfully detaining U.S. nationals were declared a national emergency by President Biden in July 2022 under Executive Order 14078 and identified as national security priorities in the 2022 National Security Strategy.

SPEHA leads and coordinates the U.S. government's diplomatic engagements on all matters related to hostage takings and wrongful detentions and engages at the highest levels to secure the safe recovery of U.S. hostages and those wrongfully detained. To be effective, the office depends upon rapid, agile, and coordinated actions to develop recovery options and ensure all instruments of national power

are drawn upon for the recovery of U.S. nationals who have been determined to be wrongfully detained or held hostage abroad. The office collaborates with the Hostage Recovery Fusion Cell staffed by hostage recovery professionals from the Federal Bureau of Investigation, Department of Defense, Department of State, Department of Justice, Department of the Treasury, and the Intelligence Community. Also supporting these efforts is the Hostage Response Group, a dedicated interagency policy body of senior officials convened by the National Security Council to review and provide guidance on hostage and wrongful detention recovery strategies and ensure high-level support for all hostage and wrongful detention recovery and family engagement efforts.

SPEHA provides a unique function within the U.S. government. In countries where there is limited, strained, or no diplomatic presence, SPEHA may directly negotiate with authorities or hostage takers to secure the release of detained U.S. nationals, and conducts recovery missions to bring these Americans home. It is the primary office tasked with advocating for a wrongful detainee's release on behalf of the U.S. government and is the first point of contact for their families, helping them access resources and information related to their loved one's case.

While our initial focus in 2015 was on hostages taken by terrorist groups, we observed state actors engaged in similar patterns of behavior, unjustly detaining Americans for political leverage against the United States. We generally use the term “wrongful detention” when a state actor is involved, and Congress was quick to act on this issue in 2020 with the Levinson Act. Passed with bipartisan support, the Levinson Act codified the architecture of the hostage recovery enterprise, required the Secretary of State to make wrongful detention determinations about individual cases, and authorized additional tools, including sanctions, to bring Americans home.

Consistent with the Levinson Act, our U.S. embassies and consulates overseas review cases of all detained U.S. nationals to look for indicators the detention may be wrongful. Every case is unique. We work closely with our colleagues in the Bureau of Consular Affairs and others in U.S. missions abroad to obtain the facts of the case. While in some cases our missions may have an abundance of information early on, more commonly we may have limited or no consular access in a country, or we may not have a full picture of what’s going on. When we recommend, based on the totality of circumstances surrounding a case, that the Secretary of State make the determination that a U.S. national is wrongfully

detained, we want to make sure we get it right. If we do not, we risk jeopardizing the legitimacy of the process and weakening our ability to secure the release of other Americans. We want to make sure that we are responsible in implementing the process Congress mandated in the Levinson Act alongside other components of the State Department, and that requires us to take a hard look at the facts.

Getting the determination process “right” is so important because, while not a “get out of jail free card,” that determination means the U.S. government is formally throwing its weight behind efforts to bring someone home. A wrongful detention determination provides the U.S. government with a legally recognized basis to call for the release of the individual, which we generally do not do without identifying extenuating or unique circumstances such as health, humanitarian, or other concerns. A wrongful detention determination also unlocks a host of other benefits, including more resources for family engagement, a flight home, and – thanks to Congress – psychological and physical support and resources, which complement the consular visitation and monitoring our Consular Affairs colleagues provide to every U.S. citizen detained abroad.

Once a wrongful detention determination is made, my office treats every single wrongful detention and hostage case with urgency. It nonetheless can take time to figure out what is motivating the other side and how best to secure a release. Sometimes it's not clear if the other side knows what they want and they only come to a decision through the negotiation process. Even once a deal is on the table, it often takes multiple rounds of negotiations to come to mutually acceptable terms.

Further, countering hostage diplomacy requires a collective response. We are now joined with other countries that face similar struggles in securing the release of their nationals. And, we are partnered with civil society leaders, think tanks, media, academics, and activists, including survivors and their families, to increase pressure on worst offenders and to secure the safest, fastest way to bring loved ones home.

Ultimately, what brings us together today is a set of shared values. The United States and likeminded partners value the well-being of every single citizen. When we determine an individual is being held wrongfully overseas, we will work to get them out and bring them home. This set of shared values is the reason my office

exists. The Biden-Harris Administration has brought home 47 individuals, including former hostages and wrongful detainees – an accomplishment that would not have been possible without bi-partisan congressional support.

In closing I want to convey a message to everyone here and everyone wrongfully detained or held hostage abroad from the U.S. government. We will not forget you and we will not leave you behind. We will bring you home. I welcome the opportunity to answer your questions.