



U.S. CONGRESSMAN
FRENCH HILL
Serving the 2nd District of Arkansas

Countering Wrongful Detention Act of 2025

The wrongful detention of American citizens and permanent residents are on the rise. In 2024, 83% of Americans held in captivity abroad were wrongfully detained. This is concerning and alarming. Deterrence is needed. The United States must be able to hold foreign countries and nonstate actors accountable for wrongfully detaining Americans.

Bill Overview

- Allows the Secretary of State to designate countries or entities who engage in wrongful detention as a state sponsor of unlawful or wrongful detention.
- Allows the Secretary of State to impose a range of penalties on states that wrongfully detain U.S. citizens or U.S. permanent residents.
- Allows the Secretary of State to terminate the designation of a foreign country being a sponsor of unlawful or wrongful detention.
- Gives Congress oversight power to terminate the Secretary of State's designation of a country being a sponsor of unlawful or wrongful detention. The designation expires unless Congress passes a joint resolution approving the designation. If the joint resolution is not passed and enacted into law, it terminates the designation of a country being a state sponsor of wrongful detention.
- Requires the Secretary of State to brief Congress on whether the following countries should be designated as a state sponsor of unlawful or wrongful detention:

Please note, all the listed countries except for China have a D indicator from State. The D indicator warns U.S. citizens of the risk of wrongful detention by a foreign country.

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|---------------|-------------|
| ○ Afghanistan | ○ Syria |
| ○ Eritrea | ○ Venezuela |
| ○ Iran | ○ Belarus |
| ○ China | ○ Nicaragua |
| ○ Russia | |

Examples of wrongful detention from a foreign country¹

- U.S. officials receive or possess credible information indicating innocence of the detained individual.
- The individual is being detained solely or substantially because he or she is a U.S. national.
- The individual is being detained solely or substantially to influence U.S. Government policy or to secure economic or political concessions from the U.S. Government.
- The detention appears to be because the individual sought to obtain, exercise, defend or promote freedom of the press, freedom of religion, or the right to peacefully assemble.
- The individual is being detained in violation of the laws of the detaining country.
- Independent non-governmental organizations or journalists have raised legitimate questions about the innocence of the detained individual.
- The U.S. mission in the country where the individual is being detained has received credible reports that the detention is a pretext for an illegitimate purpose.
- The individual is detained in a country where the Department of State has determined in its annual human rights reports that the judicial system is not independent or impartial, is susceptible to corruption, or is incapable of rendering just verdicts.
- The individual is being detained in inhumane conditions.
- Due process of law has been sufficiently impaired so as to render the detention arbitrary; or U.S. diplomatic engagement is likely necessary to secure the release of the detained individual.

Endorsements

- Sarah (Levinson) Moriarty, Co-Founder of R. A. Levinson & Associates and Fellow, New America Future Security Program

Please contact Amelia Allert (Amelia.Allert@mail.house.gov) with questions or to cosponsor.

¹ James Foley Foundation. "Hostage & Wrongful Detainee Criteria." <https://jamesfoleyfoundation.org/hostage-advocacy/hostage-wrongful-detainee-criteria/#gsc.tab=0>.