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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To provide the United States Government with additional tools to deter state and non-state actors from wrongfully detaining United States nationals for political leverage, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. HILL of Arkansas introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To provide the United States Government with additional tools to deter state and non-state actors from wrongfully detaining United States nationals for political leverage, and for other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Countering Wrongful  
5       Detention Act of 2025”.

1   **SEC. 2. DESIGNATION OF A FOREIGN COUNTRY AS A STATE**  
2                           **SPONSOR OF UNLAWFUL OR WRONGFUL DE-**  
3                           **TENTION.**

4           The Robert Levinson Hostage Recovery and Hostage-  
5 Taking Accountability Act (22 U.S.C. 1741 et seq.) is  
6 amended by inserting after section 306 the following:

7   **“SEC. 306A. DESIGNATION OF A FOREIGN COUNTRY AS A**  
8                           **STATE SPONSOR OF UNLAWFUL OR WRONG-**  
9                           **FUL DETENTION.**

10          “(a) IN GENERAL.—Subject to the notice require-  
11 ment of subsection (d)(1)(A), the Secretary of State, in  
12 consultation with the heads of other relevant Federal  
13 agencies, may designate a foreign country that has pro-  
14 vided support for or directly engaged in the unlawful or  
15 wrongful detention of a United States national as a State  
16 Sponsor of Unlawful or Wrongful Detention based on any  
17 of the following criteria:

18               “(1) The unlawful or wrongful detention of a  
19 United States national occurs in the foreign country.

20               “(2) The government of the foreign country or  
21 a nonstate actor in the foreign country has failed to  
22 release an unlawfully or wrongfully detained United  
23 States national within 30 days of being notified by  
24 the Department of State of such unlawfully or  
25 wrongfully detained national.

1           “(3) Actions taken by the government of the  
2           foreign country indicate that the government is re-  
3           sponsible for, complicit in, or materially supports the  
4           unlawful or wrongful detention of a United States  
5           national, including by acting as described in para-  
6           graph (2) after having been notified by the Depart-  
7           ment of State.

8           “(4) The actions of a state or nonstate actor in  
9           the foreign country, including any previous action  
10          relating to unlawful or wrongful detention or hostage  
11          taking of a United States national, pose a risk to  
12          the safety and security of United States nationals  
13          abroad sufficient to warrant designation of the for-  
14          eign country as a State Sponsor of Unlawful or  
15          Wrongful Detention, as determined by the Secretary.

16       “(b) TERMINATION OF DESIGNATION.—

17               “(1) TERMINATION BY THE SECRETARY OF  
18               STATE.—The Secretary of State may terminate the  
19               designation of a foreign country under subsection  
20               (a) if the Secretary certifies to Congress that it is  
21               in the national interest to terminate such designa-  
22               tion and that the foreign country—

23                       “(A) has released the United States na-  
24                       tionals unlawfully or wrongfully detained within  
25                       the territory of the foreign country;

1           “(B) has demonstrated changes in policies  
2           with respect to unlawful or wrongful detention  
3           and hostage taking; or

4           “(C) has provided assurances that the gov-  
5           ernment of the foreign country will not engage  
6           or be complicit in or support acts described in  
7           subsection (a).

8           “(2) TERMINATION UNLESS APPROVAL BY CON-  
9           GRESS.—The designation of a foreign country under  
10          subsection (a) shall terminate on the date that is 6  
11          months after such designation unless a joint resolu-  
12          tion of approval with respect to the designation is  
13          enacted into law.

14          “(c) PROHIBITION ON SUBSEQUENT DESIGNATIONS  
15 IF DESIGNATION NOT APPROVED; EXCEPTION.—

16          “(1) IN GENERAL.—If a joint resolution of ap-  
17          proval is not enacted into law with respect to a des-  
18          ignation of a foreign country under subsection (a)  
19          before the expiration of the 6-month period de-  
20          scribed in subsection (b)(2), the Secretary of State  
21          may not designate the foreign country under sub-  
22          section (a) during the 6-month period beginning on  
23          the date of the expiration of the 6-month period de-  
24          scribed in subsection (b)(2).

1           “(2) EXCEPTION.—A foreign country with re-  
2       spect to which a designation under subsection (a)  
3       has terminated by reason of the application of sub-  
4       section (b)(2) may be re-designated as a State Spon-  
5       sor of Unlawful or Wrongful Detention for purposes  
6       of subsection (a) if a joint resolution providing for  
7       such designation is enacted into law.

8           “(d) BRIEFING AND REPORTS TO CONGRESS; PUBLI-  
9       CATION.—

10           “(1) REPORTS TO CONGRESS.—

11               “(A) IN GENERAL.—Not later than 7 days  
12       after making a designation of a foreign country  
13       as a State Sponsor of Unlawful or Wrongful  
14       Detention under subsection (a), the Secretary  
15       of State shall submit to the appropriate con-  
16       gressional committees a report that notifies the  
17       committees of the proposed designation.

18               “(B) ELEMENTS.—In each report sub-  
19       mitted under subparagraph (A) with respect to  
20       the designation of a foreign country as a State  
21       Sponsor of Unlawful or Wrongful Detention,  
22       the Secretary shall include—

23                   “(i) the justification for the designa-  
24       tion; and

1 “(ii) a description of any action taken  
2 by the United States Government, includ-  
3 ing the Secretary of State or the head of  
4 any other relevant Federal agency, to deter  
5 the unlawful or wrongful detention of for-  
6 eign nationals in the country.

7 “(2) INITIAL BRIEFING REQUIRED.—Not later  
8 than 60 days after the date of the enactment of this  
9 section, the Secretary shall brief the appropriate  
10 congressional committees on the following:

11 “(A) Whether any of the following coun-  
12 tries should be designated as a State Sponsor  
13 of Unlawful or Wrongful Detention under sub-  
14 section (a):

15 “(i) Afghanistan.

16 “(ii) Eritrea.

17 “(iii) The Islamic Republic of Iran.

18 “(iv) Nicaragua.

19 “(v) The Russian Federation.

20 “(vi) The Syrian Arab Republic.

21 “(vii) Venezuela under the regime of  
22 Nicolás Maduro.

23 “(viii) The Republic of Belarus.

24 “(ix) The People’s Republic of China.

1           “(B) The steps taken by the Secretary to  
2           deter the unlawful and wrongful detention of  
3           United States nationals and to respond to such  
4           detentions, including—

5                   “(i) any engagement with private sec-  
6                   tor companies to optimize the distribution  
7                   of travel advisories; and

8                   “(ii) any engagement with private  
9                   companies responsible for promoting travel  
10                  to foreign countries engaged in the unlaw-  
11                  ful or wrongful detention of United States  
12                  nationals.

13           “(C) An assessment of a possible expan-  
14           sion of chapter 97 of title 28, United States  
15           Code (commonly known as the ‘Foreign Sov-  
16           ereign Immunities Act of 1976’) to include an  
17           exception from asset seizure immunity for State  
18           Sponsors of Unlawful or Wrongful Detention.

19           “(D) The progress made in multilateral  
20           fora, including the United Nations and other  
21           international organizations, to address the un-  
22           lawful and wrongful detention of United States  
23           nationals, in addition to nationals of partners  
24           and allies of the United States in foreign coun-  
25           tries.

1           “(3) ANNUAL BRIEFING.—Not later than one  
2       year after the date of the enactment of this section,  
3       and annually thereafter for 5 years, the Assistant  
4       Secretary of State for Consular Affairs and the Spe-  
5       cial Presidential Envoy for Hostage Affairs, or des-  
6       ignees thereof, shall provide a briefing to the appro-  
7       priate congressional committees on the countries  
8       listed under paragraph (2)(A) and actions taken by  
9       the Secretary of State to deter the wrongful deten-  
10      tion of United States nationals, including any steps  
11      taken in accordance with paragraph (2)(B).

12           “(4) TESTIMONY.—The Special Presidential  
13      Envoy for Hostage Affairs shall testify before the  
14      appropriate congressional committees not less than  
15      once each Congress on activities to deter wrongful  
16      detention.

17           “(5) PUBLICATION.—The Secretary shall make  
18      available on a publicly accessible website of the De-  
19      partment of State, and regularly update, a list of  
20      foreign countries designated as State Sponsors of  
21      Unlawful or Wrongful Detention under subsection  
22      (a).

23           “(6) APPROPRIATE COMMITTEES OF CONGRESS  
24      DEFINED.—In this subsection, the term ‘appropriate  
25      congressional committees’ means—

1           “(A) the Committee on Foreign Affairs  
2           and the Committee on Appropriations of the  
3           House of Representatives; and

4           “(B) the Committee on Foreign Relations  
5           and the Committee on Appropriations of the  
6           Senate.

7           “(e) REVIEW AND DETERMINATION OF AVAILABLE  
8   RESPONSES TO STATE SPONSORS OF UNLAWFUL OR  
9   WRONGFUL DETENTION.—Upon designation of a foreign  
10 country as a State Sponsor of Unlawful or Wrongful De-  
11 tention under subsection (a), the Secretary of State, in  
12 consultation with the heads of other relevant Federal  
13 agencies, shall conduct a comprehensive review and make  
14 a determination of the use of existing authorities to re-  
15 spond to and deter the unlawful or wrongful detention of  
16 United States nationals in the foreign country, includ-  
17 ing—

18           “(1) inadmissibilities available under the Inter-  
19 national Emergency Economic Powers Act (50  
20 U.S.C. 1701 et seq.);

21           “(2) visa restrictions available under section  
22 7031(e) of the Department of State, Foreign Oper-  
23 ations, and Related Programs Appropriations Act,  
24 2024 (division F of Public Law 118–47; 8 U.S.C.  
25 1182 note) or any other provision of Federal law;

1           “(3) sanctions available under the Immigration  
2           and Nationality Act (8 U.S.C. 1101 et seq.);

3           “(4) restrictions on assistance provided to the  
4           government of the country under the Foreign Assist-  
5           ance Act of 1961 (22 U.S.C. 2151 et seq.) or any  
6           other provision of Federal law;

7           “(5) restrictions on the export of certain goods  
8           to the country under the Arms Export Control Act  
9           (22 U.S.C. 2751 et seq.), the Export Control Re-  
10          form Act of 2018 (50 U.S.C. 4801 et seq.), or any  
11          other Federal law; and

12          “(6) designating the country as a country  
13          whose government has repeatedly provided support  
14          for acts of international terrorism pursuant to—

15               “(A) section 1754(c)(1)(A)(i) of the Ex-  
16               port Control Reform Act of 2018 (50 U.S.C.  
17               4813(c)(1)(A)(i));

18               “(B) section 620A of the Foreign Assist-  
19               ance Act of 1961 (22 U.S.C. 2371);

20               “(C) section 40(d) of the Arms Export  
21               Control Act (22 U.S.C. 2780(d)); or

22               “(D) any other provision of law.

23          “(f) RULE OF CONSTRUCTION.—Nothing in this sec-  
24          tion shall be construed to imply that every United States  
25          national detained in a country designated as a State Spon-

1 sor of Unlawful or Wrongful Detention under subsection  
2 (a) should be or is determined to be wrongfully detained  
3 under the Robert Levinson Hostage Recovery and Hos-  
4 tage-Taking Accountability Act.”.