

118TH CONGRESS  
2D SESSION

# H. R. 9976

To amend the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act to establish a designation of state sponsor of wrongful or unlawful, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2024

Mr. LAWLER introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act to establish a designation of state sponsor of wrongful or unlawful, 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 “State Sponsor of  
5 Wrongful or Unlawful Detention Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress as follows:

1           (1) There has been a significant rise in the  
2 wrongful detention of United States nationals and  
3 lawful permanent residents by both state and non-  
4 state actors in foreign countries, often used as a tac-  
5 tic for diplomatic leverage to threaten the United  
6 States and the American people.

7           (2) Existing mechanisms to hold foreign actors  
8 accountable for wrongful detentions and the practice  
9 of hostage diplomacy are insufficient.

10          (3) Wrongful detentions and hostage taking  
11 pose a threat to United States national security, vio-  
12 late fundamental human rights, and undermine  
13 international law and norms.

14          (4) It is the responsibility of the United States  
15 Government to protect its nationals and lawful per-  
16 manent residents from wrongful detention and to  
17 provide recourse, justice, and a pathway to com-  
18 pensation for victims.

19 **SEC. 3. DESIGNATION OF STATE SPONSOR OF WRONGFUL**  
20 **OR UNLAWFUL DETENTION.**

21          The Robert Levinson Hostage Recovery and Hostage-  
22 Taking Accountability Act (22 U.S.C. 1741 et seq.) is  
23 amended—

24           (1) by redesignating sections 307 and 308 as  
25 sections 308 and 309, respectively; and

1 (2) by inserting after section 306 the following:

2 **“SEC. 307. DESIGNATION OF STATE SPONSOR OF WRONG-**  
3 **FUL OR UNLAWFUL DETENTION.**

4 “(a) PENALTIES FOR DESIGNATION.—

5 “(1) IN GENERAL.—Any country the govern-  
6 ment of which the Secretary of State designates as  
7 a state sponsor of wrongful or unlawful detention  
8 under this section shall—

9 “(A) be subject to sanctions under relevant  
10 provisions of law, including visa sanctions with  
11 respect to government officials of such country;  
12 and

13 “(B) be prohibited from receiving foreign  
14 assistance under relevant provisions of law.

15 “(2) PUBLIC NOTICE.—The Secretary of State  
16 shall—

17 “(A) update travel advisories to reflect the  
18 designation of countries as state sponsors of ar-  
19 bitrary detention under this section; and

20 “(B) work with airlines to provide a warn-  
21 ing to potential travelers to such designated  
22 countries.

23 “(b) CRITERIA FOR DESIGNATION.—A country may  
24 be designated as a state sponsor of wrongful or unlawful  
25 detention under this section if the Secretary of State de-

1 terminates that the government of such country has pro-  
2 vided support for or directly engaged in the wrongful de-  
3 tention of United States nationals based on one or more  
4 of the following:

5           “(1) The repeated wrongful detention or hos-  
6 tage taking of United States nationals as provided  
7 for in this Act.

8           “(2) The repeated failure of the foreign govern-  
9 ment to resolve a wrongful detention once notified  
10 by the Department of State as provided for in this  
11 Act.

12           “(3) Actions that indicate the complicity or ac-  
13 tive support of the government of such country for  
14 engaging in wrongful detentions or hostage taking.

15           “(4) Actions that pose, in the judgment of the  
16 Secretary, a sufficient risk of wrongful detention or  
17 hostage taking of United States nationals in such  
18 country.

19           “(c) CONGRESSIONAL NOTIFICATION.—The Sec-  
20 retary of State shall notify the Committee on Foreign Af-  
21 fairs of the House of Representatives and the Committee  
22 on Foreign Relations of the Senate not later than 30 days  
23 after each determination to designate a country as a state  
24 sponsor of wrongful or unlawful detention under this sec-  
25 tion.

1       “(d) WITHDRAWAL OF DESIGNATION.—A designa-  
2       tion as a state sponsor of wrongful or unlawful detention  
3       may be removed or withdrawn with respect to a country  
4       if the Secretary of State certifies to the Committee on  
5       Foreign Affairs of the House of Representatives and the  
6       Committee on Foreign Relations of the Senate that—

7               “(1) the government of such country is no  
8       longer supporting acts of wrongful detention or hos-  
9       tage taking; and

10              “(2) such government has provided evidence-  
11       based assurances to the Secretary that it will not  
12       support and actively oppose acts of wrongful deten-  
13       tion or hostage taking in the future.

14       “(e) RULE OF CONSTRUCTION.—Nothing in this sec-  
15       tion may be construed to alter or affect the authorities  
16       of the Secretary of State with respect to determining that  
17       the detention in a foreign country of a United States per-  
18       son is wrongful pursuant to this Act or any other provision  
19       of law.”.

20       **SEC. 4. OTHER MODIFICATIONS TO THE ROBERT LEVINSON**  
21                               **HOSTAGE RECOVERY AND HOSTAGE-TAKING**  
22                               **ACCOUNTABILITY ACT.**

23       The Robert Levinson Hostage Recovery and Hostage-  
24       Taking Accountability Act is amended—

25               (1) in section 303(c) (22 U.S.C. 1741a(c))—

1 (A) by redesignating paragraphs (3), (4),  
2 and (5) as paragraphs (4), (5), and (6), respec-  
3 tively;

4 (B) by inserting after paragraph (2) the  
5 following:

6 “(3) chair the Hostage Response Group and  
7 regularly convene the group in accordance with sec-  
8 tion 305;” and

9 (C) in paragraph (6) (as so redesignated),  
10 by inserting “or held hostage” after “unlawfully  
11 or wrongly detained”; and  
12 (2) in section 305 (22 U.S.C. 1741c)—

13 (A) in subsection (a), by striking “a des-  
14 ignated member of the National Security Coun-  
15 cil or the Deputies Committee of the National  
16 Security Council” and inserting “the Special  
17 Envoy appointed pursuant to section 303”; and

18 (B) in subsection (b), by striking “the Spe-  
19 cial Envoy appointed pursuant to section 303.”.

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