

Calendar No. 94

119TH CONGRESS
1ST SESSION**S. 1478**

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.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2025

Mr. RISCH (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JUNE 18, 2025

Reported by Mr. RISCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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; TABLE OF CONTENTS.**

4 ~~(a) SHORT TITLE.—This Act may be cited as the~~
 5 ~~“Countering Wrongful Detention Act of 2025”.~~

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—DETECTING AND PREVENTING UNLAWFUL OR
 WRONGFUL DETENTION

Sec. 101. Designation of a foreign country as a State Sponsor of Unlawful or
 Wrongful Detention.

Sec. 102. Required certification regarding international travel advisories.

TITLE II—STRENGTHENING PROCESSES AND SERVICES FOR
 HOSTAGES AND UNLAWFUL OR WRONGFUL DETAINEES

Sec. 201. Advisory Council on Hostage Taking and Unlawful or Wrongful De-
 tention.

Sec. 202. Congressional Report on Components Related to Hostage Affairs and
 Recovery.

3 **TITLE I—DETECTING AND PRE-**
 4 **VENTING UNLAWFUL OR**
 5 **WRONGFUL DETENTION**

6 **SEC. 101. DESIGNATION OF A FOREIGN COUNTRY AS A**
 7 **STATE SPONSOR OF UNLAWFUL OR WRONG-**
 8 **FUL DETENTION.**

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

12 **“SEC. 306A. DESIGNATION OF A FOREIGN COUNTRY AS A**
 13 **STATE SPONSOR OF UNLAWFUL OR WRONG-**
 14 **FUL DETENTION.**

15 “(a) IN GENERAL.—Subject to the notice require-
 16 ment of subsection (c)(1)(A), the Secretary of State, in
 17 consultation with the heads of other relevant Federal
 18 agencies, may designate a foreign country that has pro-

1 vided support for or directly engaged in the unlawful or
2 wrongful detention of a United States national as a State
3 Sponsor of Unlawful or Wrongful Detention based on any
4 of the following criteria:

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

7 “(2) The government of the foreign country or
8 an entity organized under the laws of a foreign
9 country has failed to release an unlawfully or wrong-
10 fully detained United States national within 30 days
11 of being officially notified by the Department of
12 State of the unlawful or wrongful detention.

13 “(3) Actions taken by the government of the
14 foreign country indicate that the government is re-
15 sponsible for, complicit in, or materially supports the
16 unlawful or wrongful detention of a United States
17 national, including by acting as described in para-
18 graph (2) after having been notified by the Depart-
19 ment of State.

20 “(4) The actions of a state or nonstate actor in
21 the foreign country, including any previous action
22 relating to unlawful or wrongful detention or hostage
23 taking of a United States national, pose a risk to
24 the safety and security of United States nationals
25 abroad sufficient to warrant designation of the for-

1 eign country as a State Sponsor of Unlawful or
2 Wrongful Detention, as determined by the Secretary.

3 “(b) TERMINATION OF DESIGNATION.—The Sec-
4 retary of State may terminate the designation of a foreign
5 country under subsection (a) if the Secretary certifies to
6 Congress that the government of the foreign country—

7 “(1) has released the United States nationals
8 unlawfully or wrongfully detained within the terri-
9 tory of the foreign country;

10 “(2) has positively contributed to the release of
11 United States nationals taken hostage within the
12 territory of the foreign country or from the custody
13 of a nonstate entity;

14 “(3) has demonstrated changes in leadership or
15 policies with respect to unlawful or wrongful deten-
16 tion and hostage taking; or

17 “(4) has provided assurances that the govern-
18 ment of the foreign country will not engage or be
19 complicit in or support acts described in subsection
20 (a).

21 “(c) BRIEFING AND REPORTS TO CONGRESS; PUBLI-
22 CATION.—

23 “(1) REPORTS TO CONGRESS.—

24 “(A) IN GENERAL.—Not later than 7 days
25 prior to making a designation of a foreign coun-

try as a State Sponsor of Unlawful or Wrongful Detention under subsection (a), the Secretary of State shall submit to the appropriate committees of Congress a report that notifies the committees of the proposed designation.

“(B) ELEMENTS.—In each report submitted under subparagraph (A) with respect to the designation of a foreign country as a State Sponsor of Unlawful or Wrongful Detention, the Secretary shall include—

“(i) the justification for the designation; and

“(ii) a description of any action taken by the United States Government, including the Secretary of State or the head of any other relevant Federal agency, in response to the designation to deter the unlawful or wrongful detention or hostage-taking of foreign nationals in the country.

“(2) INITIAL BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this section, the Secretary shall brief Congress on the following:

“(A) Whether any of the following countries should be designated as a State Sponsor

of Unlawful or Wrongful Detention under subsection (a):

“(i) Afghanistan.

“(ii) Eritrea.

“(iii) The Islamic Republic of Iran.

“(iv) The People’s Republic of China.

“(v) The Russian Federation.

“(vi) The Syrian Arab Republic or any transitional government therein.

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

“(viii) The Republic of Belarus.

“(B) The steps taken by the Secretary and the heads of other relevant Federal agencies to deter the unlawful and wrongful detention of United States nationals and to respond to such detentions, including—

“(i) any engagement with private sector companies to optimize the distribution of travel advisories; and

“(ii) any engagement with private companies responsible for promoting travel to foreign countries engaged in the unlawful or wrongful detention of United States nationals.

1 “(C) An assessment of a possible expansion of chapter 97 of title 28, United States Code (commonly known as the ‘Foreign Sovereign Immunities Act of 1976’) to include an exception from asset seizure immunity for State Sponsors of Unlawful or Wrongful Detention.

2 “(D) A detailed plan on the manner by which a geographic travel restriction could be instituted against State Sponsors of Unlawful or Wrongful Detention.

3 “(E) The progress made in multilateral fora, including the United Nations and other international organizations, to address the unlawful and wrongful detention of United States nationals, in addition to nationals of partners and allies of the United States in foreign countries.

4 “(3) ANNUAL BRIEFING.—Not later than one year after the date of the enactment of this section, and annually thereafter for 5 years, the Assistant Secretary of State for Consular Affairs and the Special Presidential Envoy for Hostage Affairs shall brief the appropriate committees of Congress with respect to unlawful or wrongful detentions taking place in the countries listed under paragraph (2)(A)

1 and actions taken by the Secretary of State and the
2 heads of other relevant Federal agencies to deter the
3 wrongful detention of United States nationals, in-
4 cluding any steps taken in accordance with para-
5 graph (2)(B).

6 “(4) PUBLICATION.—The Secretary shall make
7 available on a publicly accessible website of the De-
8 partment of State, and regularly update, a list of
9 foreign countries designated as State Sponsors of
10 Unlawful or Wrongful Detention under subsection
11 (a).

12 “(d) REVIEW OF AVAILABLE RESPONSES TO STATE
13 SPONSORS OF UNLAWFUL OR WRONGFUL DETENTION.—
14 Upon designation of a foreign country as a State Sponsor
15 of Unlawful or Wrongful Detention under subsection (a),
16 the Secretary of State, in consultation with the heads of
17 other relevant Federal agencies, shall conduct a com-
18 prehensive review of the use of existing authorities to re-
19 spond to and deter the unlawful or wrongful detention of
20 United States nationals in the foreign country, includ-
21 ing—

22 “(1) sanctions available under the International
23 Emergency Economic Powers Act (50 U.S.C. 1701
24 et seq.);

1 “(2) visa restrictions available under section
2 7031(e) of the Department of State, Foreign Oper-
3 ations, and Related Programs Appropriations Act,
4 2024 (division F of Public Law 118–47; 8 U.S.C.
5 1182 note) or any other provision of Federal law;

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

8 “(4) imposition of a geographic travel restric-
9 tion on citizens of the United States;

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

14 “(6) restrictions on the export of certain goods
15 to the country under the Arms Export Control Act
16 (22 U.S.C. 2751 et seq.); the Export Control Re-
17 form Act of 2018 (50 U.S.C. 4801 et seq.); or any
18 other Federal law; and

19 “(7) designating the government of the country
20 as a government that has repeatedly provided sup-
21 port for acts of international terrorism pursuant
22 to—

23 “(A) section 1754(e)(1)(A)(i) of the Ex-
24 port Control Reform Act of 2018 (50 U.S.C.
25 4813(c)(1)(A)(i));

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

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

5 “(D) any other provision of law.

6 “(e) APPROPRIATE COMMITTEES OF CONGRESS DE-
7 FINED.—In this paragraph, the term ‘appropriate commit-
8 tees of Congress’ means—

9 “(1) the Committee on Foreign Relations and
10 the Committee on Appropriations of the Senate; and

11 “(2) the Committee on Foreign Affairs and the
12 Committee on Appropriations of the House of Rep-
13 resentatives.

14 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion shall be construed to imply that the United States
16 Government formally recognizes any particular country or
17 the government of such country as legitimate.”.

18 **SEC. 102. REQUIRED CERTIFICATION REGARDING INTER-**

19 **NATIONAL TRAVEL ADVISORIES.**

20 (a) IN GENERAL.—Chapter 423 of title 49, United
21 States Code, is amended by adding at the end the fol-
22 lowing new section:

1 **“§ 42309. Required certification regarding inter-**
 2 **national travel advisories**

3 “(a) IN GENERAL.—An air carrier, foreign air car-
 4 rier, or ticket agent who sells, in the United States, a tick-
 5 et for foreign air transportation of a passenger to a coun-
 6 try or other geographic area with a ‘D’ or ‘K’ indicator
 7 issued by the Department of State Travel Advisory Sys-
 8 tem shall require the passenger listed on the ticket to cer-
 9 tify that the passenger—

10 “(1) has reviewed the travel advisory of the De-
 11 partment of State applicable to such country or
 12 other geographic area; and

13 “(2) understands the risks involved with trav-
 14 eling to such country or other geographic area.

15 “(b) DEFINITIONS.—For purposes of this section:

16 “(1) ‘D’ INDICATOR.—The term “‘D’ indi-
 17 cator’ means a travel advisory issued by the Depart-
 18 ment of State that indicates a risk of wrongful de-
 19 tention of a United States national.

20 “(2) ‘K’ INDICATOR.—The term “‘K’ indi-
 21 cator’ means a travel advisory issued by the Depart-
 22 ment of State that indicates a criminal or terrorist
 23 individual or group has threatened to seize, detain,
 24 kill, or injure individuals (or has seized, detained,
 25 killed, or injured individuals) to compel a third party

1 (including a governmental organization) to meet cer-
 2 tain requirements as a condition of release.”.

3 (b) ~~CLERICAL AMENDMENT.~~—The analysis for chap-
 4 ter 423 of title 49, United States Code, is amended by
 5 inserting after the item relating to section 42308 the fol-
 6 lowing:

“42309. Required certification regarding international travel advisories.”.

7 **TITLE II—STRENGTHENING**
 8 **PROCESSES AND SERVICES**
 9 **FOR HOSTAGES AND UNLAW-**
 10 **FUL OR WRONGFUL DETAIN-**
 11 **EES**

12 **SEC. 201. ADVISORY COUNCIL ON HOSTAGE-TAKING AND**
 13 **UNLAWFUL OR WRONGFUL DETENTION.**

14 The Robert Levinson Hostage Recovery and Hostage-
 15 Taking Accountability Act (22 U.S.C. 1741 et seq.), as
 16 amended by section 101, is further amended by inserting
 17 after section 305B the following:

18 **“SEC. 305C. ADVISORY COUNCIL ON HOSTAGE TAKING AND**
 19 **UNLAWFUL OR WRONGFUL DETENTION.**

20 “(a) ~~ESTABLISHMENT.~~—The President shall estab-
 21 lish an advisory council, to be known as the ‘Advisory
 22 Council on Hostage Taking and Unlawful or Wrongful De-
 23 tention’ (in this section referred to as the ‘Advisory Coun-
 24 cil’), to advise the Special Presidential Envoy for Hostage
 25 Affairs, the Hostage Response Group, and the Hostage

1 Recovery Fusion Cell with respect to Federal policies re-
2 garding hostage-taking and unlawful or wrongful deten-
3 tion.

4 “(b) MEMBERSHIP.—

5 “(1) IN GENERAL.—The President shall invite
6 individuals to the Advisory Council, which shall be
7 comprised of—

8 “(A) United States nationals who have
9 been unlawfully or wrongfully detained or taken
10 hostage abroad;

11 “(B) family members of such United
12 States nationals; and

13 “(C) not fewer than 2 experts on areas in-
14 cluding hostage-taking, wrongful detention,
15 international relations, rule of law, and counter-
16 terrorism who have been recommended by the
17 Secretary of State.

18 “(2) TERMS.—The term of a member of the
19 Advisory Council shall be 3 years.

20 “(3) COMPENSATION AND TRAVEL EX-
21 PENSES.—A member of the Advisory Council shall
22 not be considered a Federal employee and shall not
23 be compensated for service on the Advisory Council,
24 but may be allowed travel expenses, including per
25 diem in lieu of subsistence, in accordance with sub-

1 chapter I of chapter 57 of title 5, United States
2 Code.

3 “(c) ~~ANNUAL REPORTS.~~—Not later than 1 year after
4 the date of the enactment of this section, and annually
5 thereafter, the Advisory Council shall submit to the Presi-
6 dent and the appropriate congressional committees a re-
7 port setting forth the recommendations of the Advisory
8 Council.

9 “(d) ~~TERMINATION.~~—The Advisory Council shall ter-
10minate on the date that is 10 years after the date of the
11 enactment of this section.”.

12 **SEC. 202. CONGRESSIONAL REPORT ON COMPONENTS RE-**
13 **LATED TO HOSTAGE AFFAIRS AND RECOV-**
14 **ERY.**

15 (a) ~~IN GENERAL.~~—Not later than 180 days after the
16 date of the enactment of this Act, the President shall sub-
17mit to Congress a report on the following:

18 (1) The Hostage Response Group established
19 pursuant to section 305(a) of the Robert Levinson
20 Hostage Recovery and Hostage-Taking Account-
21 ability Act (22 U.S.C. 1741e(a)).

22 (2) The Hostage Recovery Fusion Cell estab-
23 lished pursuant to section 304(a) of that Act (22
24 U.S.C. 1741b(a)).

1 ~~(3)~~ The Office of the Special Presidential
 2 Envoy for Hostage Affairs established pursuant to
 3 section ~~303(a)~~ of that Act ~~(22 U.S.C. 1741a(a))~~.

4 ~~(b)~~ ELEMENTS.—The report required by subsection
 5 ~~(a)~~ shall include—

6 ~~(1)~~ a description of the existing structure of
 7 each component listed in subsection ~~(a)~~;

8 ~~(2)~~ recommendations on how the components
 9 can be improved, including through reorganization
 10 or consolidation of the components; and

11 ~~(3)~~ cost efficiencies on the components listed in
 12 subsection ~~(a)~~; including resources available to eligi-
 13 ble former wrongful detainees and hostages and
 14 their family members.

15 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

16 ~~(a)~~ *SHORT TITLE.*—*This Act may be cited as the*
 17 *“Countering Wrongful Detention Act of 2025”.*

18 ~~(b)~~ *TABLE OF CONTENTS.*—*The table of contents for*
 19 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Rule of construction.

**TITLE I—DETECTING AND PREVENTING UNLAWFUL OR WRONGFUL
DETENTION**

*Sec. 101. Designation of a foreign country as a State Sponsor of Unlawful or
Wrongful Detention.*

Sec. 102. Required certification regarding international travel advisories.

**TITLE II—STRENGTHENING PROCESSES AND SERVICES FOR
HOSTAGES AND UNLAWFUL OR WRONGFUL DETAINEES**

*Sec. 201. Advisory Council on Hostage Taking and Unlawful or Wrongful Deten-
tion.*

Sec. 202. Congressional Report on Components Related to Hostage Affairs and Recovery.

1 SEC. 2. RULE OF CONSTRUCTION.

*2 Nothing in this Act or the amendments made by this
3 Act may be construed as preventing the freedom of travel
4 of United States citizens.*

**5 TITLE I—DETECTING AND PRE-
6 VENTING UNLAWFUL OR
7 WRONGFUL DETENTION**

**8 SEC. 101. DESIGNATION OF A FOREIGN COUNTRY AS A
9 STATE SPONSOR OF UNLAWFUL OR WRONG-
10 FUL DETENTION.**

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

**14 “SEC. 306A. DESIGNATION OF A FOREIGN COUNTRY AS A
15 STATE SPONSOR OF UNLAWFUL OR WRONG-
16 FUL DETENTION.**

*17 “(a) IN GENERAL.—Subject to the notice requirement
18 of subsection (c)(1)(A), the Secretary of State, in consulta-
19 tion with the heads of other relevant Federal agencies, may
20 designate a foreign country that has provided support for
21 or directly engaged in the unlawful or wrongful detention
22 of a United States national as a State Sponsor of Unlawful
23 or Wrongful Detention based on any of the following cri-
24 teria:*

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

3 “(2) *The government of the foreign country or an*
4 *entity organized under the laws of a foreign country*
5 *has failed to release an unlawfully or wrongfully de-*
6 *tained United States national within 30 days of*
7 *being officially notified by the Department of State of*
8 *the unlawful or wrongful detention.*

9 “(3) *Actions taken by the government of the for-*
10 *foreign country indicate that the government is respon-*
11 *sible for, complicit in, or materially supports the un-*
12 *lawful or wrongful detention of a United States na-*
13 *tional, including by acting as described in paragraph*
14 *(2) after having been notified by the Department of*
15 *State.*

16 “(4) *The actions of a state or nonstate actor in*
17 *the foreign country, including any previous action re-*
18 *lating to unlawful or wrongful detention or hostage*
19 *taking of a United States national, pose a risk to the*
20 *safety and security of United States nationals abroad*
21 *sufficient to warrant designation of the foreign coun-*
22 *try as a State Sponsor of Unlawful or Wrongful De-*
23 *tention, as determined by the Secretary.*

24 “(b) *TERMINATION OF DESIGNATION.—The Secretary*
25 *of State may terminate the designation of a foreign country*

1 *under subsection (a) if the Secretary certifies to Congress*
 2 *that the government of the foreign country—*

3 “(1) *has released the United States nationals un-*
 4 *lawfully or wrongfully detained within the territory*
 5 *of the foreign country;*

6 “(2) *has positively contributed to the release of*
 7 *United States nationals taken hostage within the ter-*
 8 *ritory of the foreign country or from the custody of*
 9 *a nonstate entity;*

10 “(3) *has demonstrated changes in leadership or*
 11 *policies with respect to unlawful or wrongful deten-*
 12 *tion and hostage taking; or*

13 “(4) *has provided assurances that the govern-*
 14 *ment of the foreign country will not engage or be*
 15 *complicit in or support acts described in subsection*
 16 *(a).*

17 “(c) *BRIEFING AND REPORTS TO CONGRESS; PUBLICA-*
 18 *TION.—*

19 “(1) *REPORTS TO CONGRESS.—*

20 “(A) *IN GENERAL.—Not later than 7 days*
 21 *prior to making a designation of a foreign coun-*
 22 *try as a State Sponsor of Unlawful or Wrongful*
 23 *Detention under subsection (a), the Secretary of*
 24 *State shall submit to the appropriate committees*

1 of Congress a report that notifies the committees
2 of the proposed designation.

3 “(B) *ELEMENTS.*—In each report submitted
4 under subparagraph (A) with respect to the des-
5 ignation of a foreign country as a State Sponsor
6 of Unlawful or Wrongful Detention, the Sec-
7 retary shall include—

8 “(i) the justification for the designa-
9 tion; and

10 “(ii) a description of any action taken
11 by the United States Government, including
12 the Secretary of State or the head of any
13 other relevant Federal agency, in response
14 to the designation to deter the unlawful or
15 wrongful detention or hostage-taking of for-
16 eign nationals in the country.

17 “(2) *INITIAL BRIEFING REQUIRED.*—Not later
18 than 60 days after the date of the enactment of this
19 section, the Secretary shall brief Congress on the fol-
20 lowing:

21 “(A) Whether any of the following countries
22 should be designated as a State Sponsor of Un-
23 lawful or Wrongful Detention under subsection
24 (a):

25 “(i) Afghanistan.

1 “(ii) *Eritrea.*

2 “(iii) *The Islamic Republic of Iran.*

3 “(iv) *The People’s Republic of China.*

4 “(v) *The Russian Federation.*

5 “(vi) *The Syrian Arab Republic or*
6 *any transitional government therein.*

7 “(vii) *Venezuela under the regime of*
8 *Nicolás Maduro.*

9 “(viii) *The Republic of Belarus.*

10 “(B) *The steps taken by the Secretary and*
11 *the heads of other relevant Federal agencies to*
12 *deter the unlawful and wrongful detention of*
13 *United States nationals and to respond to such*
14 *detentions, including—*

15 “(i) *any engagement with private sec-*
16 *tor companies to optimize the distribution*
17 *of travel advisories; and*

18 “(ii) *any engagement with private*
19 *companies responsible for promoting travel*
20 *to foreign countries engaged in the unlawful*
21 *or wrongful detention of United States na-*
22 *tionals.*

23 “(C) *An assessment of a possible expansion*
24 *of chapter 97 of title 28, United States Code*
25 *(commonly known as the ‘Foreign Sovereign Im-*

1 *munities Act of 1976’)* to include an exception
2 *from asset seizure immunity for State Sponsors*
3 *of Unlawful or Wrongful Detention.*

4 “(D) *A detailed plan on the manner by*
5 *which a geographic travel restriction could be in-*
6 *stituted against State Sponsors of Unlawful or*
7 *Wrongful Detention.*

8 “(E) *The progress made in multilateral*
9 *fora, including the United Nations and other*
10 *international organizations, to address the un-*
11 *lawful and wrongful detention of United States*
12 *nationals, in addition to nationals of partners*
13 *and allies of the United States in foreign coun-*
14 *tries.*

15 “(3) *ANNUAL BRIEFING.*—*Not later than one*
16 *year after the date of the enactment of this section,*
17 *and annually thereafter for 5 years, the Assistant Sec-*
18 *retary of State for Consular Affairs and the Special*
19 *Presidential Envoy for Hostage Affairs shall brief the*
20 *appropriate committees of Congress with respect to*
21 *unlawful or wrongful detentions taking place in the*
22 *countries listed under paragraph (2)(A) and actions*
23 *taken by the Secretary of State and the heads of other*
24 *relevant Federal agencies to deter the wrongful deten-*

1 *tion of United States nationals, including any steps*
 2 *taken in accordance with paragraph (2)(B).*

3 “(4) *PUBLICATION.—The Secretary shall make*
 4 *available on a publicly accessible website of the De-*
 5 *partment of State, and regularly update, a list of for-*
 6 *ign countries designated as State Sponsors of Un-*
 7 *lawful or Wrongful Detention under subsection (a).*

8 “(d) *REVIEW OF AVAILABLE RESPONSES TO STATE*
 9 *SPONSORS OF UNLAWFUL OR WRONGFUL DETENTION.—*
 10 *Upon designation of a foreign country as a State Sponsor*
 11 *of Unlawful or Wrongful Detention under subsection (a),*
 12 *the Secretary of State, in consultation with the heads of*
 13 *other relevant Federal agencies, shall conduct a comprehen-*
 14 *sive review of the use of existing authorities to respond to*
 15 *and deter the unlawful or wrongful detention of United*
 16 *States nationals in the foreign country, including—*

17 “(1) *sanctions available under the International*
 18 *Emergency Economic Powers Act (50 U.S.C. 1701 et*
 19 *seq.);*

20 “(2) *visa restrictions available under section*
 21 *7031(c) of the Department of State, Foreign Oper-*
 22 *ations, and Related Programs Appropriations Act,*
 23 *2024 (division F of Public Law 118–47; 8 U.S.C.*
 24 *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) imposition of a geographic travel restriction
4 on citizens of the United States;

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

9 “(6) restrictions on the export of certain goods to
10 the country under the Arms Export Control Act (22
11 U.S.C. 2751 et seq.), the Export Control Reform Act
12 of 2018 (50 U.S.C. 4801 et seq.), or any other Federal
13 law; and

14 “(7) designating the government of the country
15 as a government that has repeatedly provided support
16 for acts of international terrorism pursuant to—

17 “(A) section 1754(c)(1)(A)(i) of the Export
18 Control Reform Act of 2018 (50 U.S.C.
19 4813(c)(1)(A)(i));

20 “(B) section 620A of the Foreign Assistance
21 Act of 1961 (22 U.S.C. 2371);

22 “(C) section 40(d) of the Arms Export Con-
23 trol Act (22 U.S.C. 2780(d)); or

24 “(D) any other provision of law.

1 “(e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 2 *FINED.*—*In this paragraph, the term ‘appropriate commit-*
 3 *tees of Congress’ means—*

4 “(1) *the Committee on Foreign Relations and the*
 5 *Committee on Appropriations of the Senate; and*

6 “(2) *the Committee on Foreign Affairs and the*
 7 *Committee on Appropriations of the House of Rep-*
 8 *resentatives.*

9 “(f) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*
 10 *tion shall be construed to imply that the United States Gov-*
 11 *ernment formally recognizes any particular country or the*
 12 *government of such country as legitimate.”.*

13 **SEC. 102. REQUIRED CERTIFICATION REGARDING INTER-**
 14 **NATIONAL TRAVEL ADVISORIES.**

15 “(a) *IN GENERAL.*—*Chapter 423 of title 49, United*
 16 *States Code, is amended by adding at the end the following*
 17 *new section:*

18 **“§ 42309. Required certification regarding inter-**
 19 **national travel advisories**

20 “(a) *IN GENERAL.*—*An air carrier, foreign air carrier,*
 21 *or ticket agent who sells, in the United States, a ticket for*
 22 *foreign air transportation of a passenger to a country or*
 23 *other geographic area with a ‘D’ or ‘K’ indicator issued*
 24 *by the Department of State Travel Advisory System shall*

1 *require the passenger listed on the ticket to certify that the*
 2 *passenger—*

3 “(1) *has reviewed the travel advisory of the De-*
 4 *partment of State applicable to such country or other*
 5 *geographic area; and*

6 “(2) *understands the risks involved with trav-*
 7 *eling to such country or other geographic area.*

8 “(b) *RULE OF CONSTRUCTION.—Nothing in subsection*
 9 *(a) may be construed as grounds to inhibit access to con-*
 10 *sular services by a United States citizen abroad.*

11 “(c) *DEFINITIONS.—For purposes of this section:*

12 “(1) *‘D’ INDICATOR.—The term “‘D” indicator’*
 13 *means a travel advisory issued by the Department of*
 14 *State that indicates a risk of wrongful detention of a*
 15 *United States national.*

16 “(2) *‘K’ INDICATOR.—The term “‘K” indicator’*
 17 *means a travel advisory issued by the Department of*
 18 *State that indicates a criminal or terrorist individual*
 19 *or group has threatened to seize, detain, kill, or injure*
 20 *individuals (or has seized, detained, killed, or injured*
 21 *individuals) to compel a third party (including a*
 22 *governmental organization) to meet certain require-*
 23 *ments as a condition of release.”.*

1 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 2 *423 of title 49, United States Code, is amended by inserting*
 3 *after the item relating to section 42308 the following:*

“42309. Required certification regarding international travel advisories.”.

4 **TITLE II—STRENGTHENING**
 5 **PROCESSES AND SERVICES**
 6 **FOR HOSTAGES AND UNLAW-**
 7 **FUL OR WRONGFUL DETAIN-**
 8 **EES**

9 **SEC. 201. ADVISORY COUNCIL ON HOSTAGE-TAKING AND**
 10 **UNLAWFUL OR WRONGFUL DETENTION.**

11 *The Robert Levinson Hostage Recovery and Hostage-*
 12 *Taking Accountability Act (22 U.S.C. 1741 et seq.), as*
 13 *amended by section 101, is further amended by inserting*
 14 *after section 305B the following:*

15 **“SEC. 305C. ADVISORY COUNCIL ON HOSTAGE TAKING AND**
 16 **UNLAWFUL OR WRONGFUL DETENTION.**

17 “(a) *ESTABLISHMENT.*—*The President shall establish*
 18 *an advisory council, to be known as the ‘Advisory Council*
 19 *on Hostage Taking and Unlawful or Wrongful Detention’*
 20 *(in this section referred to as the ‘Advisory Council’), to*
 21 *advise the Special Presidential Envoy for Hostage Affairs,*
 22 *the Hostage Response Group, and the Hostage Recovery Fu-*
 23 *sion Cell with respect to Federal policies regarding hostage-*
 24 *taking and unlawful or wrongful detention.*

25 “(b) *MEMBERSHIP.*—

1 “(1) *IN GENERAL.*—*The President shall invite*
 2 *individuals to the Advisory Council, which shall be*
 3 *comprised of—*

4 “(A) *United States nationals who have been*
 5 *unlawfully or wrongfully detained or taken hos-*
 6 *tage abroad;*

7 “(B) *family members of such United States*
 8 *nationals; and*

9 “(C) *not fewer than 2 experts on areas in-*
 10 *cluding hostage-taking, wrongful detention,*
 11 *international relations, rule of law, and counter-*
 12 *terrorism who have been recommended by the*
 13 *Secretary of State.*

14 “(2) *TERMS.*—*The term of a member of the Ad-*
 15 *visory Council shall be 3 years.*

16 “(3) *COMPENSATION AND TRAVEL EXPENSES.*—*A*
 17 *member of the Advisory Council shall not be consid-*
 18 *ered a Federal employee and shall not be compensated*
 19 *for service on the Advisory Council, but may be al-*
 20 *lowed travel expenses, including per diem in lieu of*
 21 *subsistence, in accordance with subchapter I of chap-*
 22 *ter 57 of title 5, United States Code.*

23 “(c) *ANNUAL REPORTS.*—*Not later than 1 year after*
 24 *the date of the enactment of this section, and annually*
 25 *thereafter, the Advisory Council shall submit to the Presi-*

1 *dent and the appropriate congressional committees a report*
 2 *setting forth the recommendations of the Advisory Council.*

3 “(d) *TERMINATION.*—*The Advisory Council shall ter-*
 4 *minate on the date that is 10 years after the date of the*
 5 *enactment of this section.*”.

6 **SEC. 202. CONGRESSIONAL REPORT ON COMPONENTS RE-**
 7 **LATED TO HOSTAGE AFFAIRS AND RECOVERY.**

8 (a) *IN GENERAL.*—*Not later than 180 days after the*
 9 *date of the enactment of this Act, the President shall submit*
 10 *to Congress a report on the following:*

11 (1) *The Hostage Response Group established pur-*
 12 *suant to section 305(a) of the Robert Levinson Hos-*
 13 *tage Recovery and Hostage-Taking Accountability Act*
 14 *(22 U.S.C. 1741c(a)).*

15 (2) *The Hostage Recovery Fusion Cell established*
 16 *pursuant to section 304(a) of that Act (22 U.S.C.*
 17 *1741b(a)).*

18 (3) *The Office of the Special Presidential Envoy*
 19 *for Hostage Affairs established pursuant to section*
 20 *303(a) of that Act (22 U.S.C. 1741a(a)).*

21 (b) *ELEMENTS.*—*The report required by subsection (a)*
 22 *shall include—*

23 (1) *a description of the existing structure of each*
 24 *component listed in subsection (a);*

- 1 (2) *recommendations on how the components can*
2 *be improved, including through reorganization or*
3 *consolidation of the components; and*
- 4 (3) *cost efficiencies on the components listed in*
5 *subsection (a), including resources available to eligible*
6 *former wrongful detainees and hostages and their*
7 *family members.*

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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.

JUNE 18, 2025

Reported with an amendment