

118TH CONGRESS
1ST SESSION

H. R. 5826

To require a report on sanctions under the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2023

Mr. WILSON of South Carolina (for himself and Mr. MOSKOWITZ) 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

A BILL

To require a report on sanctions under the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act, 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 “No Paydays for Hos-
5 tage-Takers Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Islamic Republic of Iran has a long his-
2 tory of hostage-taking and wrongful detention of
3 United States nationals, including its illegal deten-
4 tion of 52 American diplomats from 1979 to 1981.

5 (2) The Robert Levinson Hostage Recovery and
6 Hostage-Taking Accountability Act (22 U.S.C. 1741
7 et seq.), named in honor of Robert Levinson, the
8 longest-held hostage in United States history who is
9 presumed to have been killed by the regime while in
10 Iranian custody, authorizes sanctions with respect to
11 foreign persons who are responsible for or complicit
12 in hostage-taking or unlawful or wrongful detention
13 of United States nationals abroad.

14 **SEC. 3. STATEMENT OF POLICY.**

15 It shall be the policy of the United States to under-
16 take additional actions and impose strict penalties to deter
17 the Government of Iran and other hostile governments and
18 non-state actors from hostage-taking or wrongfully detain-
19 ing United States nationals.

20 **SEC. 4. REPORT AND CERTIFICATION ON RESTRICTED IRA-**
21 **NIAN FUNDS RELEASED TO QATAR.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, and every 180 days
24 thereafter for 6 years, the President shall submit to the
25 Committee on Foreign Affairs and the Committee on Fi-

1 nancial Services of the House of Representatives and the
2 Committee on Foreign Relations and the Committee on
3 Banking, Housing, and Urban Affairs of the Senate the
4 following:

5 (1) A report on the \$6,000,000,000 in funds
6 transferred from restricted Iranian accounts in the
7 Republic of South Korea to restricted accounts in
8 Qatar on or after August 9, 2023.

9 (2) A certification as to whether credible evi-
10 dence or intelligence exists that any of the funds
11 transferred have been used for any purpose other
12 than humanitarian purposes.

13 (3) A certification as to whether credible evi-
14 dence or intelligence exists that the funds trans-
15 ferred have enabled the Government of Iran to in-
16 crease spending on defense, intelligence, or malign
17 foreign activities.

18 (b) MATTERS TO BE INCLUDED.— The report re-
19 quired by subsection (a)(1) shall include the following:

20 (1) An itemized list of all transactions involving
21 the use of funds transferred, including the value of
22 such transactions, the parties to such transactions,
23 the financial institutions involved, the goods pur-
24 chased in each transaction, the destinations and end
25 user of such goods, the date on which the United

1 States was notified of such transaction, and the date
2 the transaction occurred.

3 (2) The quantity of funds described in sub-
4 section (a)(1) in restricted accounts in Qatar at the
5 beginning and end of each reporting period.

6 (3) A thorough description of the process the
7 United States Government utilized during the re-
8 porting period to review transactions involving the
9 use of funds transferred in order to verify that such
10 transactions were humanitarian in nature.

11 **SEC. 5. REVIEW AND DETERMINATION AND REPORTS ON**
12 **SANCTIONS UNDER THE ROBERT LEVINSON**
13 **HOSTAGE RECOVERY AND HOSTAGE-TAKING**
14 **ACCOUNTABILITY ACT.**

15 (a) REVIEW AND DETERMINATION.—Not later than
16 180 days after the date of the enactment of this Act, and
17 on an annual basis thereafter for 6 years, the President
18 shall—

19 (1) review all cases of the hostage-taking of a
20 United States national in Iran or at the direction of
21 the Government of Iran and all cases of the unlawful
22 or wrongful detention of a United States national in
23 Iran or at the direction of the Government of Iran
24 that have occurred during the preceding 10-year pe-
25 riod; and

1 (2) make a determination as to whether any
2 foreign person, based on credible evidence—

3 (A) is responsible for or complicit in, or re-
4 sponsible for ordering, controlling, or otherwise
5 directing, the hostage-taking of the United
6 States national or the unlawful or wrongful de-
7 tention of the United States national; or

8 (B) knowingly provides financial, material,
9 or technological support for, or goods or serv-
10 ices in support of, an activity described in sub-
11 paragraph (A).

12 (b) REPORTS.—Not later than 180 days after the
13 date of the enactment of this Act, and on an annual basis
14 thereafter for 6 years, the President shall submit to the
15 appropriate congressional committees a report that—

16 (1) identifies all foreign persons with respect to
17 which the President has made a determination under
18 subsection (a)(2); and

19 (2) with respect to each such foreign person—

20 (A) states whether sanctions have been im-
21 posed under section 306 of the Robert Levinson
22 Hostage Recovery and Hostage-Taking Ac-
23 countability Act (22 U.S.C. 1741d) or will be
24 imposed within 30 days of the date of the sub-
25 mission of the report; and

1 (B) for whom sanctions have not been im-
2 posed or will not be imposed under section 306
3 of such Act, provides a description of the spe-
4 cific authority under which otherwise applicable
5 sanctions are being waived, have otherwise been
6 determined not to apply, or are not being im-
7 posed and a complete justification of the deci-
8 sion to waive or otherwise not apply the sanc-
9 tions authorized by such sanctions programs
10 and authorities.

11 **SEC. 6. REQUIREMENT TO LIMIT TRAVEL OF IRANIAN DIP-**
12 **LOMATS AT THE UNITED NATIONS.**

13 (a) FINDINGS.—Congress finds the following:

14 (1) United States visa restrictions on sanc-
15 tioned individuals often contain exceptions for activi-
16 ties in order to permit the United States to comply
17 with the Agreement regarding the headquarters of
18 the United Nations signed at Lake Success June 26,
19 1947, and entered into force November 21, 1947,
20 between the United Nations and the United States.

21 (2) Section 6 of Public Law 80–357 (commonly
22 known as the “United Nations Headquarters Agree-
23 ment Act”) provides “Nothing in the agreement
24 shall be construed as in any way diminishing,

1 abridging, or weakening the right of the United
2 States to safeguard its own security.”.

3 (3) Congress has directed the President to use
4 the President’s authority, including the authorities
5 contained in section 6 of Public Law 80–357, to
6 deny any individual’s admission to the United States
7 as a representative to the United Nations if the
8 President determines that such individual has been
9 found to have been engaged in espionage activities
10 or a terrorist activity directed against the United
11 States or its allies and may pose a threat to United
12 States national security interests.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that Iran’s longstanding hostage-taking and wrong-
15 ful detention of United States nationals, assassination
16 plots against United States nationals outside and within
17 the United States, and intelligence activities are a security
18 or terrorist threat to the United States and United States
19 interests and shall be a primary consideration in limiting
20 travel of Iranian diplomats seeking admission to the
21 United States for United Nations activities and their fam-
22 ily members.

23 (c) DENIAL OF VISAS.—Section 407(a)(1) of the For-
24 eign Relations Authorization Act, Fiscal Years 1990 and
25 1991 (8 U.S.C. 1102 note) is amended—

1 (1) by striking “(1)” and inserting “(1)(A)”;

2 (2) by striking “and” at the end and inserting
3 “or”; and

4 (3) by adding further at the end the following:

5 “(B) has been sanctioned pursuant to Executive
6 Order 13224 (66 Fed. Reg. 49079; relating to block-
7 ing property and prohibiting transactions with per-
8 sons who commit, threaten to commit, or support
9 terrorism) or Executive Order 13382 (70 Fed. Reg.
10 38567; relating to blocking property of weapons of
11 mass destruction proliferators and their supporters)
12 as of the date of the enactment of the No Paydays
13 for Hostage-Takers Act; and”.

14 (d) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, and annually thereafter for
16 6 years, the President shall submit to the appropriate con-
17 gressional committees a report on whether the President
18 has taken action to restrict the travel of Iranian diplomats
19 seeking admission to the United States for United Nations
20 activities and their family members and identifying each
21 such instance in which visas were denied or travel was re-
22 stricted.

23 **SEC. 7. REPORT ON BLOCKED IRANIAN ASSETS.**

24 Not later than 180 days after the date of the enact-
25 ment of this Act, and annually thereafter for 6 years, the

1 President shall submit to the appropriate congressional
2 committees a report that includes the following:

3 (1) An itemized list of any identifiable assets
4 with a valuation of more than \$10,000 belonging to
5 Iranian individuals and entities that are or have
6 been blocked or otherwise frozen pursuant to any
7 sanctions program under any jurisdiction globally, in
8 the prior 2 years.

9 (2) Any changes to the status of such assets,
10 including unblocking, unfreezing, or transferring
11 such assets, in the prior 2 years.

12 (3) With respect to any changes identified in
13 paragraph (2), whether the United States Govern-
14 ment took any action, including waiving of sanc-
15 tions, that related to such unblocking or unfreezing,
16 and a justification for any such United States ac-
17 tions.

18 **SEC. 8. REPORT ON INTERNATIONAL EFFORTS TO FREEZE**

19 **AND SEIZE IRANIAN ASSETS.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that the Secretary of State, the Secretary of the
22 Treasury, and the Attorney General should, to the extent
23 practicable—

24 (1) carry out a coordinated international effort
25 to find, restrain, freeze, seize, and where appro-

1 appropriate, confiscate or forfeit the assets of those indi-
2 viduals and entities that have been sanctioned in
3 connection with Iran's malign activities, including
4 hostage-taking, wrongful detention, and human
5 rights violations; and

6 (2) work with foreign governments—

7 (A) to share intelligence of financial inves-
8 tigations, as appropriate;

9 (B) to oversee the assets identified pursu-
10 ant to paragraph (1); and

11 (C) to provide technical assistance to help
12 governments establish the necessary legal
13 framework to carry out asset forfeitures.

14 (b) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, and annually thereafter for
16 6 years, the President shall submit to the appropriate con-
17 gressional committees a report on actions described in
18 subsection (a).

19 **SEC. 9. DETERMINATION AND REPORT ON INVALIDATING**
20 **UNITED STATES PASSPORTS FOR TRAVEL TO**
21 **IRAN.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) The Secretary of State maintains authority
24 to restrict the use of United States passports for
25 travel to or use in a country or area which the Sec-

1 retary has determined is a country or area in which
2 there is imminent danger to the public health or
3 physical safety of United States travelers, in accord-
4 ance with section 51.63 of title 22, Code of Federal
5 Regulations.

6 (2) In 2017, the Secretary of State declared
7 United States passports invalid for travel to, in, or
8 through North Korea, unless specially validated for
9 such travel, after United States citizen Otto
10 Warmbier suffered grievous injuries in North Ko-
11 rean custody, which led to his death.

12 (3) The ban on use of United States passports
13 for travel to North Korea was renewed in 2023.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the Secretary of State should declare United
16 States passports invalid for travel to, in, or through Iran
17 due to the imminent danger to the public health and phys-
18 ical safety of United States travelers stemming from the
19 threat of wrongful detention or being taken hostage by the
20 Iranian regime.

21 (c) DETERMINATION AND REPORT.—Not later than
22 90 days after the date of enactment of this Act and annu-
23 ally thereafter for 6 years, the Secretary of State shall
24 determine and report to the Committee on Foreign Affairs

1 of the House of Representatives and the Committee on
2 Foreign Relations of the Senate—

3 (1) whether the travel of United States persons
4 to Iran presents an imminent danger to the public
5 health or physical safety of United States travelers;
6 and

7 (2) whether the Secretary is exercising his au-
8 thority to declare United States passports invalid for
9 travel to, in, or through Iran.

10 **SEC. 10. STRATEGY TO DETER HOSTAGE-TAKING.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, the President shall develop and submit
13 to Congress a strategy to deter and prevent wrongful de-
14 tention and hostage-taking by United States adversaries,
15 including identifying penalties for wrongful detention and
16 hostage-taking, identifying clear United States Govern-
17 ment policies barring the payment of ransom or trans-
18 actions that could be viewed as ransom, and detailing
19 plans to coordinate with United States allies and partners
20 on such strategy.

21 **SEC. 11. DEFINITIONS.**

22 In this Act:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—the term “appropriate congressional commit-
25 tees” means—

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

4 (B) the Committee on Foreign Relations
5 and the Committee on the Judiciary of the Sen-
6 ate.

7 (2) FOREIGN PERSON.—The term “foreign per-
8 son”—

9 (A) means an individual or entity that is
10 not a United States person; and

11 (B) includes a foreign state (as such term
12 is defined in section 1603 of title 28, United
13 States Code).

14 (3) UNITED STATES NATIONAL.—The term
15 “United States national” has the meaning given that
16 term in section 307(2) of the Robert Levinson Hos-
17 tage Recovery and Hostage-Taking Accountability
18 Act (22 U.S.C. 1741e(2)).

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