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Accurately Reflecting the Threat of Americans Unjustly Held in China

Executive Summary

For almost three decades, China has unjustly held Americans, either through imprisonment or coercive exit bans. Despite China's pattern of leveraging our people for illegitimate purposes, the State Department's travel advisory system assigns China a Level 2 – "Exercise Increased Caution" label. Although the State Department revised the content of this travel advisory earlier this month to specify the threat of wrongful detentions and unjust exit bans, that warning is not properly reflected in the assigned advisory level. Congress should urge the State Department to reassess the current travel advisory level. Additionally, given China's pattern of wrongfully detaining Americans, including the two current cases of Dr. Youlin Chen and Min Zin, Congress should encourage Secretary of State Marco Rubio to evaluate whether China should also be designated as a State Sponsor of Wrongful Detention.

China's Use of Wrongful Detentions & Exit Bans

The Foley Foundation systematically tracks reports of wrongful detention of U.S. nationals globally. China has consistently been a top perpetrator of this heinous practice. Over the course of almost three decades, China has unjustly held at least 41 Americans, either through unjust detentions or coercive exit bans.¹ Currently, at least 12 Americans are unjustly held in China, either through unlawful imprisonment or wrongful exit bans.² Two of these Americans, Dr. Youlin Chen and Min Zin, have been designated as "wrongfully detained" by Secretary of State Marco Rubio. These designations are significant, because they indicate the U.S. government's assessment that these detentions are not legitimate, and commit resources to secure the releases of Chen and Zin.

Reflecting the Threat

Despite China's history of unjustly holding Americans, the State Department's current travel advisory for China is Level 2 – "Exercise Increased Caution."³ The advisory also lacks the "D" indicator, a special marker that signifies a high risk for wrongful detention.⁴ For comparison,

¹ This number is based off independent case assessments by the Foley Foundation using the factors outline in the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act; this number includes exit ban cases

² Foley Foundation Database

³ U.S. Department of State. (2026, September 6). *China travel advisory*. U.S. Department of State.

<https://travel.state.gov/en/international-travel/travel-advisories/china.html>

⁴ Overseas Security Advisory Council. (2022, July 22). What does it mean? The new travel advisory "D" indicator. U.S. Department of State. <https://www.osac.gov/Content/Report/bf207741-6ca3-4831-ad10-1f097907f81c>

other nations known for unjustly holding Americans, such as Russia, are listed as Level 4 – “Do Not Travel.”⁵

However, the State Department has recently taken steps to better inform the American people of the risks associated with travel to China. The Department revised the language of its travel warning for China at the start of this month.⁶ The current travel advisory explicitly identifies the threat to Americans from unjust detention and coercive exit bans, stating, for example, “The Secretary of State has determined that China is wrongfully detaining some U.S. citizens.”⁷ Prior to this change, the last time the State Department’s travel advisory for China was revised was November 27, 2024.⁸ On that date, the travel advisory was changed from Level 3 – “Reconsider Travel” to its current posture as Level 2. The “D” indicator was also removed. The timing of that advisory change aligns with the last release of Americans designated as wrongfully detained in China.⁹

Recommendations

China has consistently wrongfully detained or otherwise unjustly held U.S. nationals. The State Department should be clear about the dangers posed to U.S. nationals traveling to China. The revised language on the travel advisory page is a commendable step in the right direction; however, the travel advisory level also needs to be adjusted to be consistent with the warning and to accurately reflect the risk. The “D” indicator should be added back to the travel advisory. These actions are not symbolic; they would provide clear and consistent information to the American people on the risks of travel to China. Finally, if China continues to wrongfully imprison Chen and Zin, two innocent American academics, Congress should encourage Secretary Rubio to weigh the use of the State Sponsor of Wrongful Detention designation against China.

⁵ U.S. Department of State. (2025, December 29). Russia travel advisory. U.S. Department of State. <https://travel.state.gov/en/international-travel/travel-advisories/russia.html>

⁶ U.S. Department of State Department. (2026, September 6). *China travel advisory*. U.S. Department of State. <https://travel.state.gov/en/international-travel/travel-advisories/china.html>

⁷ Ibid.

⁸ Ibid.

⁹ Jett, J. (2024, November 28). *U.S. eases China travel advisory after 3 detained Americans are released*. NBC News. <https://www.nbcnews.com/news/world/us-eases-china-travel-advisory-americans-released-rcna182116>