

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 1348
OFFERED BY MR. MCCORMICK OF GEORGIA**

Strike the preamble and insert the following:

Whereas Tigran Gambaryan is a citizen of the United States, a resident of Georgia, and a former Federal agent;

Whereas Tigran Gambaryan worked for the Internal Revenue Service for over 10 years, investigating highly public crimes and seizing over \$4,000,000,000 in illicit funds on behalf of the United States Government;

Whereas Tigran Gambaryan, on the date of his detainment, was employed by Binance Holdings Limited (Binance) as the Head of Financial Crime Compliance;

Whereas, on February 26, 2024, Tigran Gambaryan traveled to the Federal Republic of Nigeria at the invitation of the Nigerian Government for high-level meetings regarding Binance's compliance issues with the country;

Whereas the meetings became increasingly hostile, and Tigran Gambaryan was escorted by armed guards to his hotel room where he was forced to pack his belongings and surrender his passport;

Whereas Tigran Gambaryan was then moved to a Nigerian Government-owned house, known as the "Guest House" where he was detained for 5 days without the ability to inform his family, company, attorneys, or the Department of State of his situation;

Whereas, on March 12, 2024, the court order that had been obtained by the Nigerian authorities to detain Tigran Gambaryan for 14 days had expired;

Whereas, on March 20, 2024, the Chief Court 1 of the Magistrate Court of the Federal Capital Territory (Abuja, Nigeria) stated that “the remand order has not been extended”, despite adjourning to April 5, 2024, for a ruling;

Whereas, from March 12, 2024, to April 5, 2024, there was no Nigerian legal basis for the continued detention of Tigran Gambaryan;

Whereas, on April 5, 2024, Tigran Gambaryan was charged with several crimes, including tax evasion and money laundering, along with his employer, Binance, and was subsequently transferred to the notorious Kuje Prison, which is known for its harsh conditions and also holds members of the terrorist group Boko Haram;

Whereas the Department of State released a 2023 report on the human rights situation, including prison conditions, in Nigeria, that highlighted credible reports of significant human rights abuses, including the “inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary”;

Whereas, on May 14, 2024, Tigran Gambaryan was denied bail after lengthy delays and stalling tactics by the prosecution;

Whereas during Tigran Gambaryan’s detainment, he has been unable to speak privately with his attorneys, family, or the embassy staff of the United States;

Whereas the Government of Nigeria's detention of Tigran Gambaryan, in order to extort Binance, appears to meet criteria described in section 302(a) of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741(a));

Whereas the Nigerian Information Minister Mohammed Idris was quoted in a telephone interview as saying, "they [Binance] have committed a crime";

Whereas the Government of Nigeria has admitted openly in court that Tigran Gambaryan is being tried in lieu of pursuing legal action against his employer;

Whereas, on April 24, 2024, the Nigerian Government pleaded with the judge to deny bail, stating, "The 1st defendant (Binance) is operating virtually. The only thing we have to hold on to is this defendant (Tigran). So, we pray, My Lord, to refuse bail to the defendant.";

Whereas Tigran Gambaryan's health has been declining during his detention in Kuje Prison and repeated requests for doctor visits have been slow to be fulfilled, and when a doctor did visit, Tigran was referred to a specialist rather than be treated by that doctor;

Whereas, on May 22, 2024, Tigran Gambaryan was absent from a court hearing and neither the court, the prosecutors, nor his defense team were aware of his whereabouts or conditions;

Whereas the court received no response from the prison and was forced to postpone his hearing;

Whereas, on May 23, 2024, Tigran Gambaryan appeared in court for a hearing and was slumped over in his chair and when called to step forward, Tigran could not stand on his own and collapsed to the floor;

Whereas Tigran Gambaryan tested positive for malaria and has been unable to receive proper treatment as his requests for hospital treatment were delayed despite a May 23, 2024, order by the judge that he be released from Kuje Prison and admitted to a hospital for proper medical care;

Whereas, on June 4, 2024, Tigran Gambaryan was transferred to a private hospital for 5 hours to receive treatment and was immediately returned to Kuje Prison;

Whereas Tigran Gambaryan's case at the Federal Inland Revenue Service was closed and all tax-related charges were dropped;

Whereas the court determined that Tigran Gambaryan was not a representative of Binance and all orders requiring service of court processes be nullified;

Whereas Tigran Gambaryan remains the subject of charges filed against him by the Economic and Financial Crimes Commission despite concerns for his health and requests to release him on humanitarian grounds;

Whereas a congressional delegation visited Tigran Gambaryan on June 20, 2024, and remains concerned about his treatment;

Whereas, on June 21, 2024, Tigran Gambaryan's lawyer informed the court that the Turkish Hospital where Tigran was treated refused to obey the court order to release Tigran's medical report and the judge again directed that Tigran's medical record be released;

Whereas the court took an annual recess starting in mid-July leaving Tigran Gambaryan to remain in detention until the next scheduled court appearance in October 2024;

Whereas protests in Abuja resulted in the closure of Kuje prison to all outside visitors for at least two weeks in late July and early August at which time Tigran Gambaryan was unable to be visited by Embassy consular officials or his lawyers;

Whereas the judge in Tigran Gambaryan's case was granted special permission to resume his next hearing earlier than October 2024, and conducted a hearing on September 2, 2024;

Whereas when Tigran Gambaryan's lawyers went to visit Tigran at Kuje prison to prepare for the earlier court date, they were denied access to him multiple times and were told that Tigran was unable to walk to the meeting room on his own;

Whereas Tigran Gambaryan requested the use of a wheelchair due to two herniated disks hindering his ability to walk to meet with his lawyers, the prison director, doctors, and to attend his trial hearings which has only been granted on a sporadic basis;

Whereas at the September 2, 2024 court appearance, Tigran Gambaryan's lawyers once again appealed for bail on health grounds which was denied;

Whereas on September 4, 2024, further proceedings in Tigran Gambaryan's case were adjourned until October 11, 2024;

Whereas during his detainment, Tigran Gambaryan has been diagnosed with double pneumonia, tonsillitis, malaria and requires surgery to resolve his spinal injury;

Whereas for months, United States Embassy consular officials, the judge assigned to Tigran Gambaryan's case, and Tigran's lawyers have demanded the release of

Tigran's medical records, which has been continuously delayed, stalled, and only partially released;

Whereas the United States Embassy in Abuja has requested Tigran Gambaryan's release on humanitarian grounds multiple times which has yet to be granted despite Tigran's detainment since February of 2024 while his health and treatment continues to deteriorate; and

Whereas the Nigerian Government claims that it is undergoing its legal judicial process, yet repeated instances of a failure to adhere to its legal processes severely undercut that claim, including the refusal to comply with judicial orders, the lack of privacy in discussions with his lawyers, and the inability of the prison to address Tigran's healthcare needs: Now, therefore, be it

Strike all after the resolved clause and insert the following:

1 That the House of Representatives—

2 (1) urges the Government of Nigeria to immediately
3 release Tigran Gambaryan from imprisonment;
4

5 (2) urges the United States Government to utilize
6 all resources available to secure the release of
7 Tigran Gambaryan, and to raise the case of Tigran
8 and press for his immediate release in all interactions
9 with the Government of Nigeria;

10 (3) urges the U.S. State Department to expediently
11 make a determination regarding Tigran

1 Gambaryan as a “U.S. citizen wrongfully detained
2 by a foreign government” pursuant to section 302(a)
3 of the Robert Levinson Hostage Recovery and Hos-
4 tage-Taking Accountability 15 Act (22 U.S.C.
5 1741(a));

6 (4) urges the Government of Nigeria to provide
7 full, unfettered, and consistent consular access, in
8 accordance with its international obligations, to
9 Tigran Gambaryan while he remains in detention;

10 (5) urges the Government of Nigeria to provide
11 unrestricted medical access to Tigran Gambaryan
12 and ensure he is swiftly provided all medical care,
13 including prescriptions and antimalarials, as needed;

14 (6) calls on the Government of Nigeria to pro-
15 vide Tigran Gambaryan and all other political pris-
16 oners their constitutionally afforded due process
17 rights and universally recognized human rights; and

18 (7) expresses sympathy for and solidarity with
19 Tigran Gambaryan’s wife, Yuki Gambaryan, his en-
20 tire family, and all other citizens of the United
21 States and lawful permanent residents wrongfully
22 detained abroad for the personal hardship experi-
23 enced as a result of the arbitrary and baseless arrest
24 and detention of their loved ones.

