

118TH CONGRESS  
2D SESSION

# H. R. 4681

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IN THE SENATE OF THE UNITED STATES

APRIL 17, 2024

Received; read twice and referred to the Committee on Foreign Relations

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## AN ACT

To provide for the imposition of sanctions with respect to  
illicit captagon trafficking.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Illicit Captagon Traf-  
3 ficking Suppression Act of 2023”.

4 **SEC. 2. FINDINGS.**

5       Congress finds the following:

6           (1) Industrial scale production of the amphet-  
7 amine-type stimulant also known as captagon, and  
8 the illicit production of precursor chemicals, in terri-  
9 tories held by the regime of President Bashar al  
10 Assad in Syria are becoming more sophisticated and  
11 pose a severe challenge to regional and international  
12 security.

13           (2) Elements of the Government of Syria are  
14 key drivers of illicit trafficking in captagon, with  
15 ministerial-level complicity in production and smug-  
16 gling, using other armed groups such as Hizballah  
17 for technical and logistical support in captagon pro-  
18 duction and trafficking.

19           (3) As affiliates of the Government of Syria and  
20 other actors seek to export captagon, they under-  
21 mine regional security by empowering a broad range  
22 of criminal networks, militant groups, mafia syn-  
23 dicates, and autocratic governments.

24 **SEC. 3. STATEMENT OF POLICY.**

25       It is the policy of the United States to target individ-  
26 uals, entities, and networks associated with the Govern-

1 ment of Syria to dismantle and degrade the transnational  
2 criminal organizations, including narcotics trafficking net-  
3 works, associated with the regime of President Bashar al  
4 Assad in Syria and Hizballah.

5 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO IL-**  
6 **LICIT CAPTAGON TRAFFICKING.**

7 (a) IN GENERAL.—The sanctions described in sub-  
8 section (b) shall be imposed with respect to any foreign  
9 person the President determines, on or after the date of  
10 enactment of this Act—

11 (1) engages in, or attempts to engage in, activi-  
12 ties or transactions that have materially contributed  
13 to, or pose a significant risk of materially contrib-  
14 uting to, the illicit production and international il-  
15 licit proliferation of captagon; or

16 (2) knowingly receives any property or interest  
17 in property that the foreign person knows—

18 (A) constitutes or is derived from proceeds  
19 of activities or transactions that have materially  
20 contributed to, or pose a significant risk of ma-  
21 terially contributing to, the illicit production  
22 and international illicit proliferation of  
23 captagon; or

24 (B) was used or intended to be used to  
25 commit or to facilitate activities or transactions

1           that have materially contributed to, or pose a  
2           significant risk of materially contributing to,  
3           the illicit production and international illicit  
4           proliferation of captagon.

5           (b) SANCTIONS DESCRIBED.—The sanctions de-  
6       scribed in this subsection are the following:

7           (1) BLOCKING OF PROPERTY.—The President  
8       shall exercise all authorities granted under the Inter-  
9       national Emergency Economic Powers Act (50  
10      U.S.C. 1701 et seq.) to the extent necessary to block  
11      and prohibit all transactions in property and inter-  
12      ests in property of the foreign person if such prop-  
13      erty and interests in property are in the United  
14      States, come within the United States, or come with-  
15      in the possession or control of a United States per-  
16      son.

17          (2) INELIGIBILITY FOR VISAS, ADMISSION, OR  
18      PAROLE.—

19           (A) VISAS, ADMISSION, OR PAROLE.—An  
20      alien described in subsection (a) shall be—

21                   (i) inadmissible to the United States;

22                   (ii) ineligible to receive a visa or other

23                   documentation to enter the United States;

24                   and

1 (iii) otherwise ineligible to be admitted  
2 or paroled into the United States or to re-  
3 ceive any other benefit under the Immigra-  
4 tion and Nationality Act (8 U.S.C. 1101 et  
5 seq.).

6 (B) CURRENT VISAS REVOKED.—

7 (i) IN GENERAL.—The visa or other  
8 entry documentation of any alien described  
9 in subsection (a) is subject to revocation  
10 regardless of the issue date of the visa or  
11 other entry documentation.

12 (ii) IMMEDIATE EFFECT.—A revoca-  
13 tion under clause (i) shall, in accordance  
14 with section 221(i) of the Immigration and  
15 Nationality Act (8 U.S.C. 1201(i))—

16 (I) take effect immediately; and

17 (II) cancel any other valid visa or  
18 entry documentation that is in the  
19 possession of the alien.

20 (c) PENALTIES.—Any person that violates, or at-  
21 tempts to violate, subsection (b) or any regulation, license,  
22 or order issued pursuant to that subsection, shall be sub-  
23 ject to the penalties set forth in subsections (b) and (c)  
24 of section 206 of the International Emergency Economic  
25 Powers Act (50 U.S.C. 1705) to the same extent as a per-

1 son that commits an unlawful act described in subsection  
2 (a) of that section.

3 (d) WAIVER.—

4 (1) IN GENERAL.—The President may waive  
5 the application of sanctions under this section with  
6 respect to a foreign person only if, not later than 15  
7 days prior to the date on which the waiver is to take  
8 effect, the President submits to the appropriate con-  
9 gressional committees a written determination and  
10 justification that the waiver is important to the na-  
11 tional security interests of the United States.

12 (2) BRIEFING.—Not later than 60 days after  
13 the issuance of a waiver under paragraph (1), and  
14 every 180 days thereafter while the waiver remains  
15 in effect, the President shall brief the appropriate  
16 congressional committees on the reasons for the  
17 waiver.

18 (e) HUMANITARIAN WAIVER.—

19 (1) IN GENERAL.—The President may waive,  
20 for renewable periods not to exceed 2 years, the ap-  
21 plication of sanctions with respect to a nongovern-  
22 mental organization providing humanitarian assist-  
23 ance if the President certifies to the appropriate  
24 congressional committees that such a waiver is im-  
25 portant to address a humanitarian need and is con-

1       sistent with the national security interests of the  
2       United States.

3           (2) BRIEFING.—Not later than 90 days after  
4       the issuance of a waiver under paragraph (1), and  
5       every 180 days thereafter while the waiver remains  
6       in effect, the President shall brief the appropriate  
7       congressional committees on the reasons for the  
8       waiver.

9           (f) IMPLEMENTATION.—The President may exercise  
10      all authorities provided under sections 203 and 205 of the  
11      International Emergency Economic Powers Act (50  
12      U.S.C. 1702 and 1704) to carry out this section.

13          (g) REGULATIONS.—

14           (1) IN GENERAL.—The President shall, not  
15      later than 120 days after the date of the enactment  
16      of this Act, promulgate regulations as necessary for  
17      the implementation of this section.

18           (2) NOTIFICATION TO CONGRESS.—Not later  
19      than 10 days before the promulgation of regulations  
20      under this subsection, the President shall notify the  
21      appropriate congressional committees of the pro-  
22      posed regulations and the provisions of this section  
23      that the regulations are implementing.

24          (h) EXCEPTIONS.—

1           (1) EXCEPTION FOR INTELLIGENCE ACTIVI-  
2 TIES.—Sanctions under this section shall not apply  
3 to any activity subject to the reporting requirements  
4 under title V of the National Security Act of 1947  
5 (50 U.S.C. 3091 et seq.) or any authorized intel-  
6 ligence activities of the United States.

7           (2) EXCEPTION TO COMPLY WITH INTER-  
8 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-  
9 MENT ACTIVITIES.—Sanctions under this section  
10 shall not apply with respect to an alien if admitting  
11 or paroling the alien into the United States is nec-  
12 essary—

13                 (A) to permit the United States to comply  
14 with the Agreement regarding the Head-  
15 quarters of the United Nations, signed at Lake  
16 Success June 26, 1947, and entered into force  
17 November 21, 1947, between the United Na-  
18 tions and the United States, or other applicable  
19 international obligations; or

20                 (B) to carry out or assist authorized law  
21 enforcement activity in the United States.

22           (i) EXCEPTION RELATING TO THE IMPORTATION OF  
23 GOODS.—

24                 (1) IN GENERAL.—The authorities and require-  
25 ments under this section shall not include the au-



1       thority or a requirement to impose sanctions on the  
2       importation of goods.

3               (2) GOOD DEFINED.—In this section, the term  
4       “good” means any article, natural or manmade sub-  
5       stance, material, supply, or manufactured product,  
6       including inspection and test equipment, and exclud-  
7       ing technical data.

8   **SEC. 5. DETERMINATIONS WITH RESPECT TO THE GOVERN-**  
9                   **MENT OF SYRIA, HIZBALLAH, AND NETWORKS**  
10                  **AFFILIATED WITH THE GOVERNMENT OF**  
11                  **SYRIA OR HIZBALLAH.**

12       (a) IN GENERAL.—Not later than 180 days after the  
13       date of the enactment of this Act, the President shall—

14               (1) determine whether each foreign person de-  
15       scribed in subsection (b) meets the criteria for sanc-  
16       tions under this Act; and

17               (2) submit to the appropriate congressional  
18       committees a report containing—

19                   (A) a list of all foreign persons described  
20       in subsection (b) that meet the criteria for im-  
21       position of sanctions under this Act;

22                   (B) for each foreign person identified pur-  
23       suant to subparagraph (A), a statement of  
24       whether sanctions have been imposed or will be

1 imposed within 30 days of the submission of the  
2 report; and

3 (C) with respect to any person identified  
4 pursuant to subparagraph (A) for whom sanc-  
5 tions have not been imposed and will not be im-  
6 posed within 30 days of the submission of the  
7 report, the specific authority under which other-  
8 wise applicable sanctions are being waived, have  
9 otherwise been determined not to apply, or are  
10 not being imposed and a complete justification  
11 of the decision to waive or otherwise not apply  
12 such sanctions.

13 (b) FOREIGN PERSONS DESCRIBED.—The foreign  
14 persons described in this subsection are the following:

15 (1) Maher Al Assad.

16 (2) Imad Abu Zureiq.

17 (3) Amer Taysir Khiti.

18 (4) Taher al-Kayyali.

19 (5) Raji Falhout.

20 (6) Mohammed Asif Issa Shalish.

21 (7) Abdellatif Hamid.

22 (8) Mustafa Al Masalmeh.

23 **SEC. 6. DEFINITIONS.**

24 In this Act:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2       TEES.—The term “appropriate congressional com-  
3       mittees” means—

4           (A) the Committee on Foreign Affairs and  
5       the Committee on the Judiciary of the House of  
6       Representatives; and

7           (B) the Committee on Foreign Relations,  
8       the Committee on Banking, Housing, and  
9       Urban Affairs, and the Committee on the Judi-  
10      ciary of the Senate.

11          (2) CAPTAGON.—The term “captagon” means  
12      any compound, mixture, or preparation which con-  
13      tains any quantity of a stimulant in schedule I or II  
14      of section 202 of the Controlled Substances Act (21  
15      U.S.C. 812), including—

16           (A) amphetamine, methamphetamine, and  
17      fenethylline;

18           (B) any immediate precursor or controlled  
19      substance analogue of such a stimulant, as de-  
20      fined in section 102 of the Controlled Sub-  
21      stances Act (21 U.S.C. 802); and

22           (C) any isomers, esters, ethers, salts, and  
23      salts of isomers, esters, and ethers of such a  
24      stimulant, whenever the existence of such iso-

1 mers, esters, ethers, and salts is possible within  
2 the specific chemical designation.

3 (3) FOREIGN PERSON.—The term “foreign per-  
4 son”—

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

7 (B) includes a foreign state (as such term  
8 is defined in section 1603 of title 28, United  
9 States Code).

10 (4) ILLICIT PROLIFERATION.—The term “illicit  
11 proliferation” refers to any illicit activity to produce,  
12 manufacture, distribute, sell, or knowingly finance or  
13 transport.

14 (5) KNOWINGLY.—The term “knowingly” has  
15 the meaning given that term in section 14 of the  
16 Iran Sanctions Act of 1996 (Public Law 104–172;  
17 50 U.S.C. 1701 note).

18 (6) UNITED STATES PERSON.—The term  
19 “United States person” means—

20 (A) a United States citizen;

21 (B) a permanent resident alien of the  
22 United States;

23 (C) an entity organized under the laws of  
24 the United States or of any jurisdiction within

1           the United States, including a foreign branch of  
2           such an entity; or

3 (D) a person in the United States.

Passed the House of Representatives April 16, 2024.

Attest: KEVIN F. MCCUMBER,  
Clerk.