

the United States, or are or come within the possession or control of a United States person.

(c) ENFORCEMENT OF BLOCKING OF PROPERTY.—A person that violates, attempts to violate, conspires to violate, or causes a violation of a sanction described in subsection (b)(2) that is imposed by the President or any regulation, license, or order issued to carry out such a sanction shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) WAIVER.—The President may waive the application of sanctions under this section for renewable periods not to exceed 180 days if the President—

- Determination.
- Deadline.
- (1) determines that such a waiver is in the vital national security interests of the United States; and
- (2) not less than 15 days before the granting of the waiver, submits to the appropriate congressional committees a notice of and justification for the waiver.

(e) TERMINATION AND SUNSET.—
(1) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

- Determination.
- Reports.
- (A) credible information exists that the person did not engage in the activity for which sanctions were imposed;
- (B) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a) in the future; or
- (C) the termination of the sanctions is in the vital national security interests of the United States.

(2) SUNSET.—The requirement to impose sanctions under this section shall terminate on the date that is 4 years after the date of the enactment of this division.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

- (1) the Committee on Foreign Affairs and the Committee on the Judiciary; and
- (2) the Committee on Foreign Relations and the Committee on the Judiciary.

Illicit Captagon
Trafficking
Suppression Act
of 2023.

50 USC 1701
note.

50 USC 1701
note.

**DIVISION P—ILLICIT CAPTAGON
TRAFFICKING SUPPRESSION ACT**

SEC. 1. SHORT TITLE.
This division may be cited as the “Illicit Captagon Trafficking Suppression Act of 2023”.

SEC. 2. FINDINGS.
Congress finds the following:
(1) Industrial scale production of the amphetamine-type stimulant also known as captagon, and the illicit production

of precursor chemicals, in territories held by the regime of President Bashar al Assad in Syria are becoming more sophisticated and pose a severe challenge to regional and international security.

(2) Elements of the Government of Syria are key drivers of illicit trafficking in captagon, with ministerial-level complicity in production and smuggling, using other armed groups such as Hizballah for technical and logistical support in captagon production and trafficking.

(3) As affiliates of the Government of Syria and other actors seek to export captagon, they undermine regional security by empowering a broad range of criminal networks, militant groups, mafia syndicates, and autocratic governments.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to target individuals, entities, and networks associated with the Government of Syria to dismantle and degrade the transnational criminal organizations, including narcotics trafficking networks, associated with the regime of President Bashar al Assad in Syria and Hizballah.

50 USC 1701
note.

SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO ILLICIT CAPTAGON TRAFFICKING.

President.
50 USC 1701
note.
Determination.

(a) IN GENERAL.—The sanctions described in subsection (b) shall be imposed with respect to any foreign person the President determines, on or after the date of enactment of this division—

(1) engages in, or attempts to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the illicit production and international illicit proliferation of captagon; or

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

(A) constitutes or is derived from proceeds of activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the illicit production and international illicit proliferation of captagon; or

(B) was used or intended to be used to commit or to facilitate activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the illicit production and international illicit proliferation of captagon.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The President shall exercise all authorities granted under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or come within the possession or control of a United States person.

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

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

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

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

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i))—

(I) take effect immediately; and

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

(c) PENALTIES.—Any person that violates, or attempts to violate, subsection (b) or any regulation, license, or order issued pursuant to that subsection, shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

Deadlines.
Determination.

(d) WAIVER.—

(1) IN GENERAL.—The President may waive the application of sanctions under this section with respect to a foreign person only if, not later than 15 days prior to the date on which the waiver is to take effect, the President submits to the appropriate congressional committees a written determination and justification that the waiver is important to the national security interests of the United States.

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

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

Deadlines.

(f) REGULATIONS.—

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

(2) NOTIFICATION TO CONGRESS.—Not later than 10 days before the promulgation of regulations under this subsection, the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this section that the regulations are implementing.

(g) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under

this section shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

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

(3) HUMANITARIAN ASSISTANCE.—

(A) IN GENERAL.—Sanctions under this division shall not apply to—

(i) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, humanitarian assistance, or for humanitarian purposes; or

(ii) transactions that are necessary for or related to the activities described in clause (i).

(B) DEFINITIONS.—In this subsection:

(i) AGRICULTURAL COMMODITY.—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(ii) MEDICAL DEVICE.—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(iii) MEDICINE.—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

SEC. 5. DETERMINATIONS WITH RESPECT TO THE GOVERNMENT OF SYRIA, HIZBALLAH, AND NETWORKS AFFILIATED WITH THE GOVERNMENT OF SYRIA OR HIZBALLAH.

50 USC 1701
note.

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

Deadline.
President.

(1) determine whether each foreign person described in subsection (b) meets the criteria for sanctions under this division; and

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

Reports.

(A) a list of all foreign persons described in subsection (b) that meet the criteria for imposition of sanctions under this division;

List.

(B) for each foreign person identified pursuant to subparagraph (A), a statement of whether sanctions have been imposed or will be imposed within 30 days of the submission of the report; and

(C) with respect to any person identified pursuant to subparagraph (A) for whom sanctions have not been imposed and will not be imposed within 30 days of the submission of the report, the specific authority under which otherwise applicable sanctions are being waived, have otherwise been determined not to apply, or are not being imposed and a complete justification of the decision to waive or otherwise not apply such sanctions.

Maher Al Assad.
 Imad Abu Zureiq.
 Amer Taysir
 Khiti.
 Taher al-Kayyali.
 Raji Falhout.
 Mohammed Asif
 Issa Shalish.
 Abdellatif
 Hamid.
 Mustafa Al
 Masalmeh.

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

- (1) Maher Al Assad.
- (2) Imad Abu Zureiq.
- (3) Amer Taysir Khiti.
- (4) Taher al-Kayyali.
- (5) Raji Falhout.
- (6) Mohammed Asif Issa Shalish.
- (7) Abdellatif Hamid.
- (8) Mustafa Al Masalmeh.

50 USC 1701
 note.

SEC. 6. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

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

(A) amphetamine, methamphetamine, and fenethylline;

(B) any immediate precursor or controlled substance analogue of such a stimulant, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

(C) any isomers, esters, ethers, salts, and salts of isomers, esters, and ethers of such a stimulant, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) FOREIGN PERSON.—The term “foreign person”—

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

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

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

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

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

(A) a United States citizen;

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

(C) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(D) a person in the United States.