

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1002

Mr. MCKINLEY. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 1002, a bill originally introduced by Representative DENT of Pennsylvania, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

#### CAMBODIA DEMOCRACY ACT OF 2018

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs and the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 5754) to promote free and fair elections, political freedoms, and human rights in Cambodia, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

H.R. 5754

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Cambodia Democracy Act of 2018”.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) Cambodia’s present political system was established in 1991, after decades of internal conflict, by the United Nations-brokered Paris Peace Accords. The first national elections under this system were administered by the United Nations in 1993. Hun Sen, the current Prime Minister of Cambodia, has been in power in Cambodia since before this time, serving as premier from 1985 to 1993, and as Prime Minister thereafter. Hun Sen has used his position to cling to the pinnacle of power in Cambodia for 32 years, through tactics including coup d’état, irregular election procedures, and the silencing of opposition voices.

(2) In Cambodia’s most recent general elections in 2013, Hun Sen’s Cambodian People’s Party (CPP) maintained its parliamentary majority by the smallest margin to date, while a unified opposition Cambodia National Rescue Party (CNRP) made substantial gains. The Department of State’s Country Reports on Human Rights Practices for 2016 described Cambodia’s 2013 elections as “largely free of intimidation, in contrast to previous national elections”, yet also “fraught with irregularities”. Subsequent local elections marked similar setbacks for the ruling CPP.

(3) Cambodia’s next general elections will occur in June 2018. According to the 2017 Freedom in the World Report issued by Freedom House, in the intervening period Hun Sen has overseen “a decisive crackdown on the country’s beleaguered opposition and press corps as his [CPP] prepared for national elections”. Regional experts have reached a general consensus that Hun Sen

and the CPP have undertaken this crackdown to consolidate power ahead of an election that may have ended their grip on power.

(4) Hun Sen’s actions in late 2017 pushed Cambodia further away from democracy. In late August 2017, the regime shut down the National Democratic Institute and expelled its entire foreign staff from the country within a week. Less than a week later, radio stations carrying Radio Free Asia and Voice of America were also shut down by the regime. On September 3, 2017, authorities arrested Kem Sokha, the leader of the CNRP, and charged him with treason, allegedly for participating in an American plot to undermine Hun Sen’s regime. Kem Sokha remains in detention. On November 16, 2017, Cambodia’s Supreme Court dissolved the CNRP, eliminating the most popular and viable challenger to Hun Sen’s regime. Subsequent actions by Hun Sen have aimed to “cement total control over Cambodian government and business”, according to Human Rights Watch.

(5) Since the dissolution of the CNRP, both the Department of State and the White House have issued statements condemning the Hun Sen regime’s actions to undermine democracy and calling for Kem Sokha’s release. On November 16, 2017, the White House announced that the United States would terminate support for Cambodia’s National Election Committee. On December 6, 2017, the Department of State began implementing visa restrictions for officials responsible for undermining Cambodian democracy. On February 27, 2018, the White House announced further assistance reductions following Cambodian Senate elections on February 25 which did not represent the genuine will of the Cambodian people.

#### SEC. 3. SANCTIONS RELATING TO UNDERMINING DEMOCRACY IN CAMBODIA.

(a) DESIGNATION OF PERSONS RESPONSIBLE FOR UNDERMINING DEMOCRACY IN CAMBODIA.—Not later than 180 days after the date of enactment of this Act, the President shall apply the sanctions described in subsection (b) on—

(1) each senior official of the Government, military, or security forces of Cambodia that the President determines has directly and substantially undermined democracy in Cambodia; and

(2) each senior official of the Government, military, or security forces of Cambodia that the President determines has committed or directed serious human rights violations associated with undermining democracy in Cambodia.

(b) SANCTIONS DESCRIBED.—

(1) ASSET BLOCKING.—The President shall exercise all of the powers granted to the President 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 a person designated under subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) VISA RESTRICTIONS.—

(A) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall continue to implement the policy announced by the Department of State on December 6, 2017, to restrict entry into the United States of person involved in undermining democracy in Cambodia, including any person designated under subsection (a).

(B) EXCEPTION FOR MULTILATERAL ACTIVITIES.—Persons otherwise restricted from entry into the United States under this section may be admitted if such admission is

necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations of the United States.

(3) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(e) LIST OF DESIGNATED PERSONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a list of persons designated under subsection (a).

(2) UPDATES.—The President shall transmit to the appropriate congressional committees updated lists under paragraph (1) as new information becomes available.

(f) 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.

(g) WAIVER.—The President may waive the application of sanctions described in subsection (b) with respect to a person described in subsection (a) if the President determines and certifies to the appropriate congressional committees that such waiver is in the national interest of the United States.

#### SEC. 4. SUSPENSION AND TERMINATION OF SANCTIONS.

(a) SUSPENSION.—The sanctions described in section 3 may be suspended for up to one year upon certification by the President to the appropriate congressional committees that Cambodia is making meaningful progress toward the following:

(1) Ending government efforts to undermine democracy.

(2) Ending human rights violations associated with undermining democracy.

(3) Conducting free and fair elections which allow for the active participation of credible opposition candidates.

(b) RENEWAL OF SUSPENSION.—The suspension described in subsection (a) may be renewed for additional, consecutive 180-day periods if the President certifies to the appropriate congressional committees that Cambodia is continuing to make meaningful progress towards satisfying the conditions described in such subsection during the previous year.

#### SEC. 5. SUNSET.

This Act shall terminate on the date that is five years after the date of the enactment of this Act.

#### SEC. 6. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives, and the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction of