

118TH CONGRESS  
1ST SESSION

# H. R. 4659

To promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2023

Mr. SMITH of New Jersey (for himself and Mrs. TRAHAN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, and for other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Cambodia Democracy  
5       and Human Rights Act of 2023”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) On October 23, 1991, Cambodia and 18  
2 other countries signed the Comprehensive Cam-  
3 bodian Peace Agreement (commonly referred to as  
4 the “Paris Peace Agreements”), which committed  
5 Cambodia to a democratic system of governance pro-  
6 tected by a constitution and free and fair elections  
7 and stated that the people of Cambodia “shall enjoy  
8 the rights and freedoms embodied in the Universal  
9 Declaration of Human Rights and other relevant  
10 international human rights instruments”.

11           (2) Prime Minister Hun Sen has been in power  
12 in Cambodia since 1985 and is the longest-serving  
13 leader in Southeast Asia. Despite decades of inter-  
14 national attention and assistance to promote a plu-  
15 ralist, multi-party democratic system in Cambodia,  
16 the Government of Cambodia continues to be  
17 undemocratically dominated by the ruling Cam-  
18 bodian People’s Party.

19           (3) In 2015, the Cambodian People’s Party-  
20 controlled National Assembly adopted the Law on  
21 Associations and Non-Governmental Organizations,  
22 which gave the Government of Cambodia sweeping  
23 powers to revoke the registration of nongovern-  
24 mental organizations in the name of “national

1       unity”, and which the government has used to re-  
2       strict the legitimate work of civil society.

3               (4) On August 23, 2017, Cambodia’s Ministry  
4       of Foreign Affairs ordered the closure of the Na-  
5       tional Democratic Institute office in Cambodia and  
6       the expulsion of its foreign staff. On September 15,  
7       2017, Prime Minister Hun Sen called for the with-  
8       drawal of all volunteers from the United States  
9       Peace Corps, which has operated in Cambodia since  
10      2006 with approximately 500 United States volun-  
11     teers providing English language and healthcare  
12     training.

13              (5) The Government of Cambodia has taken  
14      several measures to restrict its media environment,  
15      especially through politicized tax investigations  
16      against independent media outlets that resulted in  
17      the closure of The Cambodia Daily and Radio Free  
18      Asia in early September 2017. Additionally, the Gov-  
19      ernment of Cambodia ordered several radio stations  
20      to stop the broadcasting of Radio Free Asia and  
21      Voice of America programming.

22              (6) Cambodia’s small number of independent  
23      trade unions and workers have the right to strike,  
24      but many face retribution for doing so, according to  
25      Freedom House.

1           (7) Each of the 6 elections that have taken  
2 place in Cambodia since 1991 was conducted in cir-  
3 cumstances that were not free and fair, and were  
4 marked, to varying degrees, by fraud, intimidation,  
5 violence, and the misuse by the Government of Cam-  
6 bodia of legal mechanisms to weaken opposition can-  
7 didates and parties. The 2017 local elections were  
8 marked by fewer reported irregularities, however,  
9 which helped the opposition Cambodia National Res-  
10 cue Party (in this section referred to as the  
11 “CNRP”). Hun Sen responded to those improve-  
12 ments in elections, resulting in part from inter-  
13 national assistance and observers, by banning the  
14 CNRP, the primary opposition party, which was  
15 growing in popularity, on November 16, 2017.

16           (8) On September 3, 2017, Kem Sokha, the  
17 President of the CNRP, was arrested on politically  
18 motivated charges, including treason and conspiring  
19 to overthrow the Government of Cambodia. While he  
20 was released on bail, he has been tried in a Cam-  
21 bodian court and is facing a 27-year sentence.

22           (9) In the most recent general election in July  
23 2018, following the dissolution of the CNRP, the  
24 Cambodian People’s Party secured every parliamen-  
25 tary seat, an electoral victory that the White House

1 Press Secretary stated was “neither free nor fair  
2 and failed to represent the will of the Cambodian  
3 people”.

4 (10) In the 2022 local elections, the Candlelight  
5 Party, founded in 1995 as the Khmer Nation Party  
6 and renamed the Sam Rainsy Party in 1997, won  
7 22 percent of seats. The United Nations Human  
8 Rights Office reported pre-election threats, intimidat-  
9 tion, and obstruction, including the imprisonment of  
10 some candidates. In February 2023, the government  
11 charged several Candlelight Party leaders with defa-  
12 mation and writing bad checks, which some analysts  
13 view as politically motivated in advance of the 2023  
14 national elections.

15 (11) The widespread crackdown by the Govern-  
16 ment of Cambodia on the political opposition and  
17 other independent voices has caused many CNRP  
18 leaders to flee abroad.

19 (12) Since 2021, Cambodian courts have con-  
20 victed more than 115 former CNRP politicians and  
21 opposition activists, including Sam Rainsy (in  
22 absentia) and Cambodian-American lawyer Theary  
23 Seng (jailed in Cambodia), of crimes against the  
24 state. Other convicted opposition figures living in  
25 exile include Rainsy’s wife, Tioulong Saumura, Mu

1 Sochua, Eng Chhay Eang, Men Sothavarin, Ou  
2 Chanrith, Ho Vann, Long Ry, and Nuth Romduol.

3 (13) According to Freedom House, Hun Sen  
4 uses the police and armed forces as instruments of  
5 repression. The military has stood firmly behind  
6 Hun Sen and his crackdown on opposition groups  
7 and Hun Sen has built a personal bodyguard unit in  
8 the armed forces that he reportedly uses to harass  
9 and abuse Cambodian People’s Party opponents.

10 (14) Beginning in December 2021, the Govern-  
11 ment of Cambodia has restricted the labor rights of  
12 workers protesting working conditions and illegal  
13 dismissals at the NagaWorld Casino, including using  
14 the COVID–19 pandemic as an excuse to limit the  
15 ability of workers to protest. In February 2022, offi-  
16 cials of the Government of Cambodia arrested 6  
17 workers of the casino after leaving a COVID–19  
18 testing center, claiming that they had obstructed  
19 testing.

20 (15) In 2019, the Wall Street Journal reported  
21 that Cambodia had signed a deal with the Govern-  
22 ment of the People’s Republic of China to allow that  
23 Government access to and use of the Ream Naval  
24 Base on the Gulf of Thailand, even though the Con-

1       stitution of Cambodia prohibits the establishment of  
2       foreign military bases.

3           (16) In 2019, the New York Times reported  
4       that a company described by the Department of the  
5       Treasury as being a state-owned company of the  
6       People’s Republic of China had secured a 99-year  
7       lease to build an airport capable of supporting mili-  
8       tary aircraft at Dara Sakor, raising concerns that  
9       Beijing intends to use this facility for its military,  
10      despite the prohibition against the establishment of  
11      foreign military bases contained in the Constitution  
12      of Cambodia.

13          (17) In section 401 of the Asia Reassurance  
14      Initiative Act of 2018 (Public Law 115–409; 132  
15      Stat. 5407), Congress expressed serious concerns  
16      with the rule of law and civil liberties in Cambodia  
17      and made the finding that the promotion of human  
18      rights and respect for democratic values in the Indo-  
19      Pacific region is in the United States national secu-  
20      rity interest.

21          (18) The 2022 Country Reports on Human  
22      Rights Practices of the Department of State stated,  
23      of Cambodia, “Corruption was endemic throughout  
24      society and government. There were reports police,  
25      prosecutors, investigating judges, and presiding

1 judges took bribes from owners of both legal and il-  
2 legal businesses . . . Citizens frequently and pub-  
3 licly complained about corruption. Meager salaries  
4 contributed to ‘survival corruption’ among low-level  
5 public servants, while a culture of impunity enabled  
6 corruption to flourish among senior officials.”.

7 (19) Cambodia currently occupies a Tier 3  
8 ranking on the Department of State’s Annual Traf-  
9 ficking in Persons Report, indicating that Cambodia  
10 does not meet the minimum standards for pre-  
11 venting trafficking in persons and is not making sig-  
12 nificant efforts to do so. Human trafficking is ramp-  
13 ant across a number of industries in Cambodia and  
14 is often linked to Chinese-organized crime networks.  
15 For many years, members of the ruling elite, includ-  
16 ing personal family members and advisors of the  
17 Prime Minister, have been individually linked to  
18 businesses implicated in trafficking in persons into  
19 Cambodia. Many of the trafficked persons are forced  
20 to work in scamming operations that target United  
21 States citizens.

22 (20) Section 7043(b) of the Department of  
23 State, Foreign Operations, and Related Programs  
24 Appropriations Act, 2023 (division K of Public Law  
25 117–328) restricts assistance to the Government of



1 Cambodia until “the Secretary of State certifies and  
2 reports to the Committees on Appropriations that  
3 such Government is taking effective steps to—

4 “(i) strengthen regional security and  
5 stability, particularly regarding territorial  
6 disputes in the South China Sea and the  
7 enforcement of international sanctions with  
8 respect to North Korea;

9 “(ii) assert its sovereignty against in-  
10 terference by the People’s Republic of  
11 China, including by verifiably maintaining  
12 the neutrality of Ream Naval Base, other  
13 military installations in Cambodia, and  
14 dual use facilities such as the runway at  
15 the Dara Sakor development project;

16 “(iii) cease violence, threats, and har-  
17 assment against civil society and the polit-  
18 ical opposition in Cambodia, and dismiss  
19 any politically motivated criminal charges  
20 against critics of the government; and

21 “(iv) respect the rights, freedoms, and  
22 responsibilities enshrined in the Constitu-  
23 tion of the Kingdom of Cambodia as en-  
24 acted in 1993.”.

1           (21) Section 201(f) of the Asia Reassurance  
2 Initiative Act of 2018 (Public Law 115–409; 132  
3 Stat. 5392) restricts assistance to Cambodia until  
4 the Government of Cambodia takes effective steps  
5 to—

6           (A) strengthen regional security and sta-  
7 bility, particularly regarding territorial disputes  
8 in the South China Sea and the enforcement of  
9 international sanctions with respect to North  
10 Korea; and

11           (B) respect the rights and responsibilities  
12 enshrined in the Constitution of the Kingdom  
13 of Cambodia as enacted in 1993, including  
14 through the—

15           (i) restoration of the civil and political  
16 rights of the opposition Cambodia National  
17 Rescue Party, media, and civil society or-  
18 ganizations;

19           (ii) restoration of all elected officials  
20 to their elected offices; and

21           (iii) release of all political prisoners,  
22 including journalists, civil society activists,  
23 and members of the opposition political  
24 party.

1           (22) On December 9, 2019, the Department of  
2           the Treasury imposed sanctions under the Global  
3           Magnitsky Human Rights Accountability Act (22  
4           U.S.C. 10101 et seq.) with respect to certain corrupt  
5           Cambodian actors and their networks.

6           (23) In February 2020, the European Union,  
7           Cambodia’s largest export market, partially sus-  
8           pended trade preferences for Cambodia under its  
9           “Everything but Arms” trade program, in response  
10          to Cambodia’s violations of civil and political rights.

11          (24) In 2021, the Joint Vietnamese Friendship  
12          building, a facility built by the Government of Viet-  
13          nam, was relocated off the Ream Naval Base, re-  
14          portedly to avert conflicts with military personnel of  
15          the People’s Republic of China.

16          (25) On June 8, 2022, in the groundbreaking  
17          ceremony for constructing new facilities of the Ream  
18          Naval Base, which, according to the Washington  
19          Post, would allow the People’s Liberation Army to  
20          have “exclusive use of the northern portion of the  
21          base”, the Ambassador of the People’s Republic of  
22          China to Cambodia, Wang Wentian, declared that  
23          the base would be a monument to “the ironclad  
24          friendship and cooperation between the two mili-

1       taries” of the People’s Republic of China and Cam-  
2       bodia.

3               (26) In June 2018, the United States imposed  
4       sanctions with respect to Hun Sen’s chief body-  
5       guard, Hing Bun Hieng, for “being the leader of an  
6       entity involved in serious human rights abuse”, ac-  
7       cording to the Department of the Treasury. In  
8       March 2020, a French court issued arrest warrants  
9       for Hing Bun Hieng and Huy Piseth, the former  
10      deputy chief of Hun Sen’s bodyguard unit, for tak-  
11      ing part in a grenade attack against the opposition  
12      party in 1997.

13              (27) In 2015, 2 CNRP lawmakers were vi-  
14      ciously attacked while they were leaving the National  
15      Assembly. Three men were arrested and tried for the  
16      attack. All 3 men are members of Hun Sen’s per-  
17      sonal bodyguard unit.

18 **SEC. 3. SENSE OF CONGRESS.**

19       It is the sense of Congress that—

20              (1) the United States is committed to pro-  
21      moting democracy, human rights, and the rule of  
22      law in Cambodia, as laid out in the 1991 Paris  
23      Peace Agreements;

1           (2) the United States Government, through di-  
2           plomacy and assistance, should urge the Government  
3           of Cambodia to—

4                   (A) release all political prisoners;

5                   (B) drop all politically motivated charges  
6                   and vacate convictions against members of the  
7                   Cambodia National Rescue Party, journalists,  
8                   and civil society activists;

9                   (C) restore full political rights to the Cam-  
10                  bodia National Rescue Party and other political  
11                  parties;

12                  (D) reverse the policies and actions that  
13                  have resulted in the dismantling of democracy,  
14                  the blatant disregard of fundamental human  
15                  rights, and the breakdown of rule of law in  
16                  Cambodia;

17                  (E) immediately discontinue the imprison-  
18                  ment and judicial harassment of journalists, po-  
19                  litical dissidents, and activists, drop politically  
20                  motivated charges, and unconditionally release  
21                  all political prisoners;

22                  (F) stop arrests and intimidation of civil  
23                  society members, including human rights activ-  
24                  ists, environmental defenders, and labor leaders,  
25                  and promote a flourishing civil society that sup-

1 ports the political and economic development of  
2 Cambodia;

3 (G) halt the threat of mass arrests and vi-  
4 olence if and when Cambodia National Rescue  
5 Party members currently overseas return to  
6 Cambodia;

7 (H) reinstate the political status of the  
8 Cambodia National Rescue Party and other op-  
9 position parties, restore the Cambodia National  
10 Rescue Party's elected seats in the National As-  
11 sembly, and support electoral reform efforts in  
12 Cambodia with free and fair elections monitored  
13 by international observers;

14 (I) ensure that media outlets are able to  
15 operate freely and without interference, includ-  
16 ing having the ability to apply for and receive  
17 licenses to operate within Cambodia;

18 (J) consider how allowing the People's Lib-  
19 eration Army to conduct activities, gain access,  
20 or establish a presence in Cambodia would  
21 harm Cambodia's relationships with its neigh-  
22 bors, partners, and allies, and could violate the  
23 Constitution of Cambodia; and

24 (K) cease providing support to authori-  
25 tarian regimes and undermining democratic ac-

1           tivists in the region, especially through its ties  
2           to the Burmese military that seized power in a  
3           coup d'état on February 1, 2021, and instead  
4           play a constructive role in multilateral organiza-  
5           tions like the Association of Southeast Asian  
6           Nations to promote peace and democracy in the  
7           region;

8           (3) Prime Minister Hun Sen is directly respon-  
9           sible, and should be held accountable, for the safety,  
10          health, and welfare of exiled Cambodia National  
11          Rescue Party leaders and their supporters upon  
12          their return to Cambodia;

13          (4) other governments throughout the Indo-Pa-  
14          cific region should—

15                 (A) urge the Government of Cambodia to  
16                 allow the peaceful return of exiled Cambodia  
17                 National Rescue Party leaders and their sup-  
18                 porters;

19                 (B) refrain from illegally restricting the  
20                 rights of Cambodia National Rescue Party  
21                 members to travel to and through their coun-  
22                 tries as they return; and

23                 (C) press the Government of Cambodia not  
24                 to allow the People's Liberation Army to use

1 Cambodia's military facilities or establish a  
2 presence within Cambodia;

3 (5) in the absence of systemic democratic re-  
4 forms on the part of the Government of Cambodia,  
5 there is need for additional measures by the United  
6 States Government, including through the enactment  
7 of legislation and executive action; and

8 (6) the presence of the People's Liberation  
9 Army will further enable Prime Minister Hun Sen's  
10 authoritarian crackdown, including oppression of op-  
11 position parties, independent civil society, and free  
12 media in Cambodia.

13 **SEC. 4. SANCTIONS RELATING TO SUPPRESSING DEMO-**  
14 **CRATIC INSTITUTIONS, POLITICAL FREE-**  
15 **DOMS, AND HUMAN RIGHTS IN CAMBODIA.**

16 (a) IDENTIFICATION OF PERSONS RESPONSIBLE FOR  
17 SUPPRESSING DEMOCRATIC INSTITUTIONS, POLITICAL  
18 FREEDOMS, AND HUMAN RIGHTS IN CAMBODIA.—

19 (1) IN GENERAL.—Not later than 180 days  
20 after the date of the enactment of this Act, the  
21 President shall submit to the appropriate congres-  
22 sional committees a list of—

23 (A) any current or former official of the  
24 Government of Cambodia or the military or se-  
25 curity forces of Cambodia, or any other foreign



1 person, that the President determines know-  
2 ingly—

3 (i) directly and substantially prevents  
4 members of opposition parties and groups,  
5 the media, and civil society organizations  
6 from exercising their civil and political  
7 rights;

8 (ii) engages in or is responsible for  
9 any acts for which sanctions may be im-  
10 posed under the Global Magnitsky Human  
11 Rights Accountability Act (22 U.S.C.  
12 10101 et seq.); or

13 (iii) engages in or supports the estab-  
14 lishment of installations or facilities that  
15 could be used by the People’s Liberation  
16 Army or entities tied to the People’s Lib-  
17 eration Army in Cambodia, which could in-  
18 clude persons identified under paragraph  
19 (1) of section 5(a) in the report required  
20 by that section;

21 (B) any person that the President deter-  
22 mines is acting for or on behalf of a person de-  
23 scribed in subparagraph (A) related to conduct  
24 described in that subparagraph; and

1           (C) any person that the President deter-  
2           mines is owned or controlled by a person de-  
3           scribed in subparagraph (A) and is involved in  
4           conduct described in that subparagraph.

5           (2) UPDATES.—The President shall submit to  
6           the appropriate congressional committees updated  
7           lists under paragraph (1) as new information be-  
8           comes available.

9           (b) IMPOSITION OF SANCTIONS.—The President shall  
10          impose the following sanctions with respect to each foreign  
11          person on the list required by subsection (a):

12           (1) ASSET BLOCKING.—The President shall ex-  
13          ercise all of the powers granted to the President  
14          under the International Emergency Economic Pow-  
15          ers Act (50 U.S.C. 1701 et seq.) (except that the re-  
16          quirements of section 202 of such Act (50 U.S.C.  
17          1701) shall not apply) to the extent necessary to  
18          block and prohibit all transactions in property and  
19          interests in property of the person if such property  
20          and interests in property are in the United States,  
21          come within the United States, or are or come with-  
22          in the possession or control of a United States per-  
23          son.

24           (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-  
25          SION, OR PAROLE.—

1 (A) VISAS, ADMISSION, OR PAROLE.—In  
2 the case of an individual, that individual is—

3 (i) inadmissible to the United States;

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

6 and

7 (iii) otherwise ineligible to be admitted  
8 or paroled into the United States or to re-  
9 ceive any other benefit under the Immigra-  
10 tion and Nationality Act (8 U.S.C. 1101 et  
11 seq.).

12 (B) CURRENT VISAS REVOKED.—

13 (i) IN GENERAL.—The visa or other  
14 entry documentation of the individual shall  
15 be revoked in accordance with section  
16 221(i) of the Immigration and Nationality  
17 Act (8 U.S.C. 1201(i)), regardless of when  
18 such visa or other entry documentation is  
19 or was issued.

20 (ii) IMMEDIATE EFFECT.—A revoca-  
21 tion under clause (i) shall—

22 (I) take effect immediately; and

23 (II) automatically cancel any  
24 other valid visa or entry documenta-

1                   tion that is in the individual’s posses-  
2                   sion.

3           (c) IMPLEMENTATION; PENALTIES.—

4               (1) IMPLEMENTATION.—The President may ex-  
5           ercise all authorities provided under sections 203  
6           and 205 of the International Emergency Economic  
7           Powers Act (50 U.S.C. 1702 and 1704) to carry out  
8           this section.

9               (2) PENALTIES.—A person that violates, at-  
10          tempts to violate, conspires to violate, or causes a  
11          violation of subsection (b)(1) or any regulation, li-  
12          cense, or order issued to carry out that subsection  
13          shall be subject to the penalties set forth in sub-  
14          sections (b) and (c) of section 206 of the Inter-  
15          national Emergency Economic Powers Act (50  
16          U.S.C. 1705) to the same extent as a person that  
17          commits an unlawful act described in subsection (a)  
18          of that section.

19          (d) EXCEPTIONS.—

20               (1) EXCEPTION FOR INTELLIGENCE AND LAW  
21          ENFORCEMENT ACTIVITIES.—Sanctions under this  
22          section shall not apply with respect to—

23                   (A) any activity subject to the reporting  
24                  requirements under title V of the National Se-  
25                  curity Act of 1947 (50 U.S.C. 3091 et seq.); or

1 (B) any authorized intelligence or law en-  
2 forcement activities of the United States.

3 (2) EXCEPTION TO COMPLY WITH INTER-  
4 NATIONAL OBLIGATIONS.—Sanctions under sub-  
5 section (b)(2) shall not apply with respect to the ad-  
6 mission or parole of an individual if admitting or pa-  
7 roling the individual into the United States is nec-  
8 essary to permit the United States to comply with  
9 the Agreement regarding the Headquarters of the  
10 United Nations, signed at Lake Success June 26,  
11 1947, and entered into force November 21, 1947,  
12 between the United Nations and the United States,  
13 or other applicable international obligations.

14 (3) EXCEPTION RELATING TO IMPORTATION OF  
15 GOODS.—

16 (A) IN GENERAL.—The authorities and re-  
17 quirements to impose sanctions authorized  
18 under subsection (b)(1) shall not include the  
19 authority or requirement to impose sanctions on  
20 the importation of goods.

21 (B) GOOD DEFINED.—In this paragraph,  
22 the term “good” means any article, natural or  
23 manmade substance, material, supply or manu-  
24 factured product, including inspection and test  
25 equipment, and excluding technical data.

1 (e) WAIVER.—The President may waive the applica-  
2 tion of sanctions under subsection (b) with respect to a  
3 foreign person on the list required by subsection (a) if the  
4 President determines and certifies to the appropriate con-  
5 gressional committees that such a waiver is in the national  
6 interest of the United States.

7 (f) SUSPENSION OF SANCTIONS.—

8 (1) SUSPENSION.—The requirement to impose  
9 sanctions under this section may be suspended for  
10 an initial period of not more than one year if the  
11 President determines and certifies to the appropriate  
12 congressional committees that Cambodia is making  
13 meaningful progress toward the following:

14 (A) Ending government efforts to suppress  
15 democratic institutions and political freedoms  
16 and rights.

17 (B) Ending gross violations of internation-  
18 ally recognized human rights and acts of sig-  
19 nificant corruption.

20 (C) Releasing all political prisoners.

21 (D) Dropping all politically motivated  
22 charges and vacating convictions from any such  
23 charges against members of the Cambodia Na-  
24 tional Rescue Party, journalists, and civil soci-  
25 ety activists.

1           (E) Conducting free and fair elections that  
2           allow for the active participation of credible op-  
3           position candidates.

4           (2) RENEWAL OF SUSPENSION.—The suspen-  
5           sion of sanctions under paragraph (1) may be re-  
6           newed for additional, consecutive one-year periods if  
7           the President determines and certifies to the appro-  
8           priate congressional committees that Cambodia con-  
9           tinued to make meaningful progress toward satis-  
10          fying the conditions described in that paragraph  
11          during the year preceding the certification.

12          (g) SUNSET.—This section shall terminate on the  
13          date that is 5 years after the date of the enactment of  
14          this Act.

15      **SEC. 5. REPORT ON ACTIVITY OF THE PEOPLE'S LIBERA-**  
16                                      **TION ARMY AND GOVERNMENT OF THE PEO-**  
17                                      **PLE'S REPUBLIC OF CHINA IN CAMBODIA.**

18          (a) IN GENERAL.—Not later than 180 days after the  
19          date of the enactment of this Act, the President shall sub-  
20          mit to the committees specified in subsection (c) a report  
21          assessing—

22                 (1) the involvement of the Government of the  
23                 People's Republic of China, the Chinese Communist  
24                 Party, or the People's Liberation Army in upgrading  
25                 existing facilities or constructing new facilities at

1 Ream Naval Base and Dara Sakor Airport in Cam-  
2 bodia;

3 (2) any actual or projected benefits, including  
4 any enhancement of the power projection capabilities  
5 of the People's Liberation Army, that the Govern-  
6 ment of the People's Republic of China, the Chinese  
7 Communist Party, or the People's Liberation Army  
8 may accrue as a result of such upgrades or construc-  
9 tion;

10 (3) the impact that the presence of the People's  
11 Liberation Army in Cambodia may have on the in-  
12 terests, allies, and partners of the United States in  
13 the region;

14 (4) any efforts undertaken by the United States  
15 Government to convey to the Government of Cam-  
16 bodia the concerns relating to the presence of the  
17 People's Liberation Army and the Government of  
18 the People's Republic of China in Cambodia and the  
19 impact that presence could have on security in the  
20 South China Sea and the Indo-Pacific region more  
21 broadly and on adherence to the Constitution of  
22 Cambodia;

23 (5) the impact the presence of the People's Lib-  
24 eration Army in Cambodia, as well as closer govern-  
25 ment-to-government ties between Cambodia and the



1 Government of the People’s Republic of China, in-  
2 cluding through investments under the Belt and  
3 Road Initiative, has had on the deterioration of de-  
4 mocracy and human rights inside Cambodia;

5 (6) any party-to-party training, coordination, or  
6 other links between the Chinese Communist Party  
7 and the Cambodian People’s Party; and

8 (7) any other ongoing activities by the People’s  
9 Liberation Army or any other security services of  
10 the Government of the People’s Republic of China in  
11 Cambodia.

12 (b) FORM OF REPORT.—The report required by sub-  
13 section (a) shall be submitted in unclassified form but may  
14 include a classified annex.

15 (c) COMMITTEES SPECIFIED.—The committees speci-  
16 fied in this subsection are—

17 (1) the Committee on Foreign Relations, the  
18 Committee on Armed Services, and the Select Com-  
19 mittee on Intelligence of the Senate; and

20 (2) the Committee on Foreign Affairs, the  
21 Committee on Armed Services, and the Permanent  
22 Select Committee on Intelligence of the House of  
23 Representatives.

1 **SEC. 6. RULE OF CONSTRUCTION.**

2 Nothing in this Act may be construed to limit the  
3 authority of the President to designate persons for the im-  
4 position of sanctions pursuant to an Executive order  
5 issued under the International Emergency Economic Pow-  
6 ers Act (50 U.S.C. 1701 et seq.) or otherwise pursuant  
7 to that Act.

8 **SEC. 7. DEFINITIONS.**

9 In this Act:

10 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
11 **TEES.**—The term “appropriate congressional com-  
12 mittees” means—

13 (A) the Committee on Foreign Relations  
14 and the Committee on Banking, Housing, and  
15 Urban Affairs of the Senate; and

16 (B) the Committee on Foreign Affairs and  
17 the Committee on Financial Services of the  
18 House of Representatives.

19 (2) **FOREIGN PERSON.**—The term “foreign per-  
20 son” means a person that is not a United States  
21 person.

22 (3) **KNOWINGLY.**—The term “knowingly”, with  
23 respect to conduct, a circumstance, or a result,  
24 means that a person has actual knowledge, or should  
25 have known, of the conduct, the circumstance, or the  
26 result.

1           (4) PEOPLE’S LIBERATION ARMY.—The term  
2           “People’s Liberation Army” means the armed forces  
3           of the People’s Republic of China, including the Peo-  
4           ple’s Liberation Army Navy.

5           (5) PERSON.—The term “person” means an in-  
6           dividual or entity.

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

9                   (A) a United States citizen or an alien law-  
10                  fully admitted for permanent residence to the  
11                  United States;

12                   (B) an entity organized under the laws of  
13                  the United States or of any jurisdiction of the  
14                  United States, including a foreign branch of  
15                  such an entity; or

16                   (C) any person in the United States.

○