

118TH CONGRESS
1ST SESSION

S. 2331

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

IN THE SENATE OF THE UNITED STATES

JULY 18, 2023

Mr. MARKEY (for himself, Mr. RUBIO, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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:

8 (1) On October 23, 1991, Cambodia and 18
9 other countries signed the Comprehensive Cam-

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

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

17 (3) In 2015, the Cambodian People’s Party-
18 controlled National Assembly adopted the Law on
19 Associations and Non-Governmental Organizations,
20 which gave the Government of Cambodia sweeping
21 powers to revoke the registration of nongovern-
22 mental organizations in the name of “national
23 unity”, and which the government has used to re-
24 strict the legitimate work of civil society.

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

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

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

24 (7) Each of the 6 elections that have taken
25 place in Cambodia since 1991 was conducted in cir-

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

14 (8) On September 3, 2017, Kem Sokha, the
15 President of the CNRP, was arrested on politically
16 motivated charges, including treason and conspiring
17 to overthrow the Government of Cambodia. He has
18 been tried in a Cambodian court and is facing a 27-
19 year prison sentence.

20 (9) In the most recent general election in July
21 2018, following the dissolution of the CNRP, the
22 Cambodian People’s Party secured every parliamen-
23 tary seat, an electoral victory that the White House
24 Press Secretary stated was “neither free nor fair

1 and failed to represent the will of the Cambodian
2 people”.

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

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

18 (12) Since 2021, Cambodian courts have con-
19 victed more than 115 former CNRP politicians and
20 opposition activists, including Sam Rainsy (in
21 absentia) and Cambodian-American lawyer Theary
22 Seng (jailed in Cambodia), of crimes against the
23 state. Other convicted opposition figures living in
24 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 set forth 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 sanc-
4 tioned Hun Sen’s chief bodyguard, Hing Bun Hieng,
5 for “being the leader of an entity involved in serious
6 human rights abuse”, according to the Department
7 of the Treasury. In March 2020, a French court
8 issued arrest warrants for Hing Bun Hieng and Huy
9 Piseth, the former deputy chief of Hun Sen’s body-
10 guard unit, for taking part in a grenade attack
11 against the opposition party in 1997.

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

17 **SEC. 3. SENSE OF CONGRESS.**

18 It is the sense of Congress that—

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

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

1 (A) release all political prisoners;

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

6 (C) restore full political rights to the Cam-
7 bodia National Rescue Party and other political
8 parties;

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

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

19 (F) stop arrests and intimidation of civil
20 society members, including human rights activ-
21 ists, environmental defenders, and labor leaders,
22 and promote a flourishing civil society that sup-
23 ports the political and economic development of
24 Cambodia;

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

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

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

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

22 (K) cease providing support to authori-
23 tarian regimes and undermining democratic ac-
24 tivists in the region, especially through its ties
25 to the Burmese military that seized power in a

1 coup d'état on February 1, 2021, and instead
2 play a constructive role in multilateral organiza-
3 tions like the Association of Southeast Asian
4 Nations to promote peace and democracy in the
5 region;

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

11 (4) other governments throughout the Indo-Pa-
12 cific region should—

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

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

21 (C) press the Government of Cambodia not
22 to allow the People's Liberation Army to use
23 Cambodia's military facilities or establish a
24 presence within Cambodia;

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

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

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

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

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

21 (A) any current or former officials of the
 22 Government of Cambodia or the military or se-
 23 curity forces of Cambodia, and any other for-
 24 eign persons, that the President determines
 25 knowingly—

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

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

11 (iii) engage in or support the estab-
12 lishment of installations or facilities that
13 the People's Liberation Army or entities
14 tied to the People's Liberation Army in
15 Cambodia, which could include persons
16 identified under paragraph (1) of section
17 5(a) in the report required by that section,
18 could use;

19 (B) any persons that the President deter-
20 mines are acting for or on behalf of a person
21 described in subparagraph (A) related to con-
22 duct described in that subparagraph; and

23 (C) any persons that the President deter-
24 mines are owned or controlled by an entity de-

1 scribed in subparagraph (A) and are involved in
2 conduct described in that subparagraph.

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

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

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

22 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
23 SION, OR PAROLE.—

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

1 (i) inadmissible to the United States;

2 (ii) ineligible to receive a visa or other

3 documentation to enter the United States;

4 and

5 (iii) otherwise ineligible to be admitted

6 or paroled into the United States or to re-

7 ceive any other benefit under the Immigra-

8 tion and Nationality Act (8 U.S.C. 1101 et

9 seq.).

10 (B) CURRENT VISAS REVOKED.—

11 (i) IN GENERAL.—The visa or other

12 entry documentation of the individual shall

13 be revoked in accordance with section

14 221(i) of the Immigration and Nationality

15 Act (8 U.S.C. 1201(i)), regardless of when

16 such visa or other entry documentation is

17 or was issued.

18 (ii) IMMEDIATE EFFECT.—A revoca-

19 tion under clause (i) shall—

20 (I) take effect immediately; and

21 (II) automatically cancel any

22 other valid visa or entry documenta-

23 tion that is in the individual's posses-

24 sion.

25 (c) IMPLEMENTATION; PENALTIES.—

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

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

16 (d) EXCEPTIONS.—

17 (1) EXCEPTION FOR INTELLIGENCE AND LAW
18 ENFORCEMENT ACTIVITIES.—Sanctions under this
19 section shall not apply with respect to—

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

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

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

12 (3) EXCEPTION RELATING TO IMPORTATION OF
13 GOODS.—

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

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

24 (e) WAIVER.—The President may waive the applica-
25 tion of sanctions under subsection (b) with respect to a

1 foreign person on the list required by subsection (a) if the
2 President determines and certifies to the appropriate con-
3 gressional committees that such a waiver is in the national
4 interest of the United States.

5 (f) SUSPENSION OF SANCTIONS.—

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

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

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

18 (C) Releasing all political prisoners.

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

○