



Manager's Substitute Amendment

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.**

**S. 3052**

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

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. MARKEY

Viz:

1 Strike all after the enacting clause and insert the following:  
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cambodia Democracy  
5 and Human Rights Act of 2022”.

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-  
10 bodian Peace Agreement (commonly referred to as  
11 the “Paris Peace Agreements”), which committed

1 Cambodia to a democratic system of governance pro-  
2 tected by a constitution and free and fair elections  
3 and stated that the people of Cambodia “shall enjoy  
4 the rights and freedoms embodied in the Universal  
5 Declaration of Human Rights and other relevant  
6 international human rights instruments”.

7 (2) Prime Minister Hun Sen has been in power  
8 in Cambodia since 1984 and is the longest-serving  
9 leader in Southeast Asia. Despite decades of inter-  
10 national attention and assistance to promote a plu-  
11 ralistic, multi-party democratic system in Cambodia,  
12 the Government of Cambodia continues to be  
13 undemocratically dominated by the ruling Cam-  
14 bodian People’s Party.

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

23 (4) On August 23, 2017, Cambodia’s Ministry  
24 of Foreign Affairs ordered the closure of the Na-  
25 tional Democratic Institute office in Cambodia and

1 the expulsion of its foreign staff. On September 15,  
2 2017, Prime Minister Hun Sen called for the with-  
3 drawal of all volunteers from the United States  
4 Peace Corps, which has operated in Cambodia since  
5 2006 with approximately 500 United States volun-  
6 teers providing English language and healthcare  
7 training.

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

17 (6) Cambodia's small number of independent  
18 trade unions and workers have the right to strike,  
19 but many face retribution for doing so, according to  
20 Freedom House.

21 (7) Each of the 6 elections that have taken  
22 place in Cambodia since 1991 was conducted in cir-  
23 cumstances that were not free and fair, and were  
24 marked, to varying degrees, by fraud, intimidation,  
25 violence, and the misuse by the Government of Cam-

1 bodia of legal mechanisms to weaken opposition can-  
2 didates and parties. The 2017 local elections were  
3 marked by fewer reported irregularities, however,  
4 which helped the opposition Cambodia National Res-  
5 cue Party (in this section referred to as the  
6 “CNRP”). Hun Sen responded to those improve-  
7 ments in elections, resulting in part from inter-  
8 national assistance and observers, by banning the  
9 CNRP, the primary opposition party, on November  
10 16, 2017.

11 (8) On September 3, 2017, Kem Sokha, the  
12 President of the CNRP, was arrested on politically  
13 motivated charges, including treason and conspiring  
14 to overthrow the Government of Cambodia. While he  
15 was released on bail, he faces up to 30 years in pris-  
16 on.

17 (9) In the most recent general election in July  
18 2018, following the dissolution of the CNRP, the  
19 Cambodian People’s Party secured every parliamen-  
20 tary seat, an electoral victory that the White House  
21 Press Secretary stated was “neither free nor fair  
22 and failed to represent the will of the Cambodian  
23 people”.

24 (10) The widespread crackdown by the Govern-  
25 ment of Cambodia on the political opposition and

1 other independent voices has caused many CNRP  
2 leaders to flee abroad. On March 12, 2019, a court  
3 criminally charged and issued arrest warrants for 8  
4 leading members of the CNRP, including former  
5 CNRP leader Sam Rainsy, who had left Cambodia  
6 ahead of the July 2018 election, as well as Mu  
7 Sochua, Ou Chanrith, Eng Chhai Eang, Men  
8 Sothavarin, Long Ry, Tob Van Chan, and Ho Vann.

9 (11) The Government of Cambodia has arrested  
10 many opposition party members and democracy ac-  
11 tivists who remained in Cambodia. More than 80 op-  
12 position party supporters and activists were arrested  
13 in 2019 and were released on bail with charges still  
14 pending and could face re-arrest any time.

15 (12) In November 2019, Sam Rainsy made a  
16 failed attempt to return to Cambodia to partake in  
17 mass pro-democracy protests. Approximately 150  
18 CNRP activists were put on trial in 2020 and 2021  
19 for treason for calling for his return.

20 (13) In March 2021, a Cambodian court con-  
21 victed and sentenced Sam Rainsy in absentia to 25  
22 years in prison and 8 other opposition figures living  
23 in exile, including Rainsy's wife Tioulong Saumura,  
24 as well as Mu Sochua, Eng Chhay Eang, Men

1 Sothavarin, Ou Chanrith, Ho Vann, Long Ry, and  
2 Nuth Romduol, to between 20 and 22 years.

3 (14) On June 14, 2022, the Government of  
4 Cambodia convicted 51 opposition politicians and ac-  
5 tivists in a mass trial, many of whom were convicted  
6 in abstentia on charges of “incitement” and “con-  
7 spiracy” for supporting the development of democ-  
8 racy in Cambodia. Sentences ranged from 5-year  
9 suspended jail terms to 8 years in prison and serve  
10 to further intimidate potential political opponents of  
11 the regime of Prime Minister Hun Sen.

12 (15) Prime Minister Hun Sen has used the  
13 coronavirus disease 2019 (commonly known as  
14 “COVID–19”) pandemic as justification to further  
15 consolidate power and the Cambodia People’s Party-  
16 controlled National Assembly passed new laws to  
17 further curtail the rights to freedom of expression,  
18 peaceful assembly, and association.

19 (16) According to Human Rights Watch, under  
20 the guise of the pandemic, authorities—

21 (A) banned protests organized by youth  
22 and environmental activists;

23 (B) detained and interrogated at least 30  
24 people for Facebook posts related to the pan-  
25 demic; and

1 (C) charged one journalist for pandemic-  
2 related reporting.

3 (17) 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 (18) In August 2020, 14 youth and environ-  
11 mental activists were detained by Cambodian au-  
12 thorities. In May 2021, 3 environmental activists  
13 were convicted on charges of "incitement to commit  
14 a felony or disturb social order", related to peaceful  
15 protests against authorities. In June 2021, a Cam-  
16 bodian court charged 3 environmental activists with  
17 "plotting against the government and insulting the  
18 king". The 2020 Country Reports on Human Rights  
19 Practices of the Department of State reported "at  
20 least 40 political prisoners or detainees" in Cam-  
21 bodia.

22 (19) Beginning in December 2021, the Govern-  
23 ment of Cambodia has restricted the labor rights of  
24 workers protesting working conditions and illegal  
25 dismissals at the NagaWorld Casino, including using

1 the COVID–19 pandemic as an excuse to limit the  
2 ability of workers to protest. In February 2022, offi-  
3 cials of the Government of Cambodia arrested 6  
4 workers of the casino after leaving a COVID–19  
5 testing center, claiming that they had obstructed  
6 testing.

7 (20) In 2019, the Wall Street Journal reported  
8 that Cambodia had signed a deal with the Govern-  
9 ment of the People’s Republic of China to allow that  
10 Government access to and use of the Ream Naval  
11 Base on the Gulf of Thailand, even though the Con-  
12 stitution of Cambodia prohibits the establishment of  
13 foreign military bases.

14 (21) In 2019, the New York Times reported  
15 that a company described by the Department of the  
16 Treasury as being a state-owned company of the  
17 People’s Republic of China had secured a 99-year  
18 lease to build an airport capable of supporting mili-  
19 tary aircraft at Dara Sakor, raising concerns that  
20 Beijing intends to use this dual-use facility for its  
21 military, despite the prohibition against the estab-  
22 lishment of foreign military bases in the Constitu-  
23 tion of Cambodia.

24 (22) In section 401 of the Asia Reassurance  
25 Initiative Act of 2018 (Public Law 115–409; 132



1 Stat. 5407), Congress expressed serious concerns  
2 with the rule of law and civil liberties in Cambodia  
3 and made the finding that the promotion of human  
4 rights and respect for democratic values in the Indo-  
5 Pacific region is in the United States national secu-  
6 rity interest.

7 (23) The 2020 Country Reports on Human  
8 Rights Practices of the Department of State stated,  
9 of Cambodia, “Corruption was endemic throughout  
10 society and government. There were reports police,  
11 prosecutors, investigating judges, and presiding  
12 judges took bribes from owners of both legal and il-  
13 legal businesses. Citizens frequently and publicly  
14 complained about corruption. Meager salaries con-  
15 tributed to ‘survival corruption’ among low-level  
16 public servants, while a culture of impunity enabled  
17 corruption to flourish among senior officials.”.

18 (24) Section 7043(b) of the Department of  
19 State, Foreign Operations, and Related Programs  
20 Appropriations Act, 2022 (division K of Public Law  
21 117–103; 136 Stat. 645) restricts assistance to the  
22 Government of Cambodia until “the Secretary of  
23 State certifies and reports to the Committees on Ap-  
24 propriations that such Government is taking effec-  
25 tive steps to—

1           “(i) strengthen regional security and sta-  
2           bility, particularly regarding territorial disputes  
3           in the South China Sea and the enforcement of  
4           international sanctions with respect to North  
5           Korea;

6           “(ii) assert its sovereignty against inter-  
7           ference by the People’s Republic of China, in-  
8           cluding by verifiably maintaining the neutrality  
9           of Ream Naval Base, other military installa-  
10          tions in Cambodia, and dual use facilities such  
11          as the Dara Sakor development project;

12          “(iii) cease violence, threats, and harass-  
13          ment against civil society and the political oppo-  
14          sition in Cambodia, and dismiss any politically  
15          motivated criminal charges against critics of the  
16          government; and

17          “(iv) respect the rights, freedoms, and re-  
18          sponsibilities enshrined in the Constitution of  
19          the Kingdom of Cambodia as enacted in  
20          1993.”.

21          (25) Section 201(f) of the Asia Reassurance  
22          Initiative Act of 2018 (Public Law 115–409; 132  
23          Stat. 5392) restricts assistance to Cambodia until  
24          the Government of Cambodia takes effective steps  
25          to—

1 (A) strengthen regional security and sta-  
2 bility, particularly regarding territorial disputes  
3 in the South China Sea and the enforcement of  
4 international sanctions with respect to North  
5 Korea; and

6 (B) respect the rights and responsibilities  
7 enshrined in the Constitution of the Kingdom  
8 of Cambodia as enacted in 1993, including  
9 through the—

10 (i) restoration of the civil and political  
11 rights of the opposition Cambodia National  
12 Rescue Party, media, and civil society or-  
13 ganizations;

14 (ii) restoration of all elected officials  
15 to their elected offices; and

16 (iii) release of all political prisoners,  
17 including journalists, civil society activists,  
18 and members of the opposition political  
19 party.

20 (26) On December 9, 2019, the Department of  
21 the Treasury imposed sanctions under the Global  
22 Magnitsky Human Rights Accountability Act (22  
23 U.S.C. 10101 et seq.) with respect to certain corrupt  
24 Cambodian actors and their networks.

1           (27) In February 2019, the European Union  
2 began intense scrutiny of Cambodia’s eligibility to  
3 for preferential trade access in light of the deteriora-  
4 tion of democracy, the rule of law, and the protec-  
5 tion of human rights in Cambodia. In February  
6 2020, the European Union, Cambodia’s largest ex-  
7 port market, partially suspended trade preferences  
8 for Cambodia under its “Everything but Arms”  
9 trade program, in response to Cambodia’s violations  
10 of civil and political rights.

11           (28) 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           (29) In 2022, the governments of the People’s  
17 Republic of China and Cambodia held a  
18 groundbreaking ceremony for a new upgrade to the  
19 Ream Naval Base, which, according to the Wash-  
20 ington Post, would allow the People’s Liberation  
21 Army to have “exclusive use of the northern portion  
22 of the base, while their presence would remain con-  
23 cealed”.

24           (30) On June 8, 2022, in the groundbreaking  
25 ceremony for constructing new facilities of the Ream

1 Naval Base, the Ambassador of the People’s Repub-  
2 lic of China to Cambodia, Wang Wentian, declared  
3 that the base would be a monument to “the ironclad  
4 friendship and cooperation between the two mili-  
5 taries” of the People’s Republic of China and Cam-  
6 bodia.

7 **SEC. 3. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

9 (1) the United States is committed to pro-  
10 moting democracy, human rights, and the rule of  
11 law in Cambodia, as laid out in the 1991 Paris  
12 Peace Agreements;

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

16 (A) release all political prisoners;

17 (B) drop all politically motivated charges  
18 and vacate convictions against members of the  
19 Cambodia National Rescue Party, journalists,  
20 and civil society activists; and

21 (C) restore full political rights to the Cam-  
22 bodia National Rescue Party and other political  
23 parties;

24 (3) the United States Government should urge  
25 the Government of Cambodia—

1 (A) to reverse the policies and actions that  
2 have resulted in the dismantling of democracy,  
3 the blatant disregard of fundamental human  
4 rights, and the breakdown of rule of law in  
5 Cambodia;

6 (B) to immediately discontinue the impris-  
7 onment and judicial harassment of journalists,  
8 political dissidents, and activists, and drop po-  
9 litically motivated charges;

10 (C) to stop arrests and intimidation of civil  
11 society members, including human rights activ-  
12 ists, environmental defenders, and labor leaders,  
13 and promote a flourishing civil society that sup-  
14 ports the political and economic development of  
15 Cambodia;

16 (D) to halt the threat of mass arrests and  
17 violence if and when Cambodia National Rescue  
18 Party members currently overseas return to  
19 Cambodia;

20 (E) to reinstate the political status of the  
21 Cambodia National Rescue Party and other op-  
22 position parties, restore the Cambodia National  
23 Rescue Party's elected seats in the National As-  
24 sembly, and support electoral reform efforts in

1 Cambodia with free and fair elections monitored  
2 by international observers;

3 (F) to ensure that media outlets are able  
4 to operate freely and without interference, in-  
5 cluding having the ability to apply for and re-  
6 ceive licenses to operate within Cambodia;

7 (G) to consider how allowing the People's  
8 Liberation Army to conduct activities, gain ac-  
9 cess, or establish a presence in Cambodia would  
10 harm Cambodia's relationships with its neigh-  
11 bors, partners, and allies, and could violate the  
12 Constitution of Cambodia; and

13 (H) to cease providing support to authori-  
14 tarian regimes and undermining democratic ac-  
15 tivists in the region, especially through its ties  
16 to the Burmese military that seized power in a  
17 coup d'état on February 1, 2021, and instead  
18 play a constructive role in multilateral organiza-  
19 tions like the Association of Southeast Asian  
20 Nations to promote peace and democracy in the  
21 region;

22 (4) Prime Minister Hun Sen is directly respon-  
23 sible, and should be held accountable, for the safety,  
24 health, and welfare of exiled Cambodia National

1 Rescue Party leaders and their supporters upon  
2 their return to Cambodia;

3 (5) other governments throughout the Indo-Pa-  
4 cific region should—

5 (A) urge the Government of Cambodia to  
6 allow the peaceful return of exiled Cambodia  
7 National Rescue Party leaders and their sup-  
8 porters;

9 (B) refrain from illegally restricting the  
10 rights of Cambodia National Rescue Party  
11 members to travel to and through their coun-  
12 tries as they return; and

13 (C) press the Government of Cambodia not  
14 to allow the People's Liberation Army to use  
15 Cambodia's military facilities or establish a  
16 presence within Cambodia;

17 (6) in the absence of systemic democratic re-  
18 forms on the part of the Government of Cambodia,  
19 there is need for additional measures by the United  
20 States Government, including through the enactment  
21 of legislation and executive action; and

22 (7) the presence of the People's Liberation  
23 Army will further enable Prime Minister Hun Sen's  
24 authoritarian crackdown, including oppression of op-



1 position parties, independent civil society, and free  
2 media in Cambodia.

3 **SEC. 4. SANCTIONS RELATING TO UNDERMINING DEMOC-**  
4 **RACY IN CAMBODIA.**

5 (a) IDENTIFICATION OF PERSONS RESPONSIBLE FOR  
6 UNDERMINING DEMOCRACY IN CAMBODIA.—

7 (1) IN GENERAL.—Not later than 180 days  
8 after the date of the enactment of this Act, the  
9 President shall submit to the appropriate congress-  
10 sional committees a list of—

11 (A) any current or former official of the  
12 Government of Cambodia or the military or se-  
13 curity forces of Cambodian, or any other for-  
14 eign person, that the President determines  
15 knowingly—

16 (i) directly and substantially under-  
17 mines democracy in Cambodia;

18 (ii) engages in or is responsible for se-  
19 rious human rights abuses;

20 (iii) engages in or is responsible for  
21 significant corruption associated with un-  
22 dermining democracy in Cambodia; or

23 (iv) engages in or supports the estab-  
24 lishment of installations or facilities that  
25 could be used by the People's Liberation

1           Army or entities tied to the People’s Lib-  
2           eration Army in Cambodia, which could in-  
3           clude persons identified under paragraph  
4           (1) of section 5 in the report required by  
5           that section;

6           (B) any person that the President deter-  
7           mines is acting for or on behalf of a person de-  
8           scribed in subparagraph (A) related to conduct  
9           described in that subparagraph; and

10          (C) any person that the President deter-  
11          mines is owned or controlled by a person de-  
12          scribed in subparagraph (A) and is involved in  
13          conduct described in that subparagraph.

14          (2) UPDATES.—The President shall submit to  
15          the appropriate congressional committees updated  
16          lists under paragraph (1) as new information be-  
17          comes available.

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

21                (1) ASSET BLOCKING.—The President shall ex-  
22                ercise all of the powers granted to the President  
23                under the International Emergency Economic Pow-  
24                ers Act (50 U.S.C. 1701 et seq.) (except that the re-  
25                quirements of section 202 of such Act (50 U.S.C.

1 1701) shall not apply) to the extent necessary to  
2 block and prohibit all transactions in property and  
3 interests in property of the person if such property  
4 and interests in property are in the United States,  
5 come within the United States, or are or come with-  
6 in the possession or control of a United States per-  
7 son.

8 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-  
9 SION, OR PAROLE.—

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

12 (i) inadmissible to the United States;

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

15 and

16 (iii) otherwise ineligible to be admitted  
17 or paroled into the United States or to re-  
18 ceive any other benefit under the Immigra-  
19 tion and Nationality Act (8 U.S.C. 1101 et  
20 seq.).

21 (B) CURRENT VISAS REVOKED.—

22 (i) IN GENERAL.—The visa or other  
23 entry documentation of the individual shall  
24 be revoked in accordance with section  
25 221(i) of the Immigration and Nationality

1 Act (8 U.S.C. 1201(i)), regardless of when  
2 such visa or other entry documentation is  
3 or was issued.

4 (ii) IMMEDIATE EFFECT.—A revoca-  
5 tion under clause (i) shall—

6 (I) take effect immediately; and

7 (II) automatically cancel any  
8 other valid visa or entry documenta-  
9 tion that is in the individual's posses-  
10 sion.

11 (c) IMPLEMENTATION; PENALTIES.—

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

17 (2) PENALTIES.—A person that violates, at-  
18 tempts to violate, conspires to violate, or causes a  
19 violation of subsection (b)(1) or any regulation, li-  
20 cense, or order issued to carry out that subsection  
21 shall be subject to the penalties set forth in sub-  
22 sections (b) and (c) of section 206 of the Inter-  
23 national Emergency Economic Powers Act (50  
24 U.S.C. 1705) to the same extent as a person that

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

3 (d) EXCEPTIONS.—

4 (1) EXCEPTION FOR INTELLIGENCE AND LAW  
5 ENFORCEMENT ACTIVITIES.—Sanctions under this  
6 section shall not apply with respect to—

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

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

12 (2) EXCEPTION TO COMPLY WITH INTER-  
13 NATIONAL OBLIGATIONS.—Sanctions under sub-  
14 section (b)(2) shall not apply with respect to the ad-  
15 mission or parole of an individual if admitting or pa-  
16 roling the individual into the United States is nec-  
17 essary to permit the United States to comply with  
18 the Agreement regarding the Headquarters of the  
19 United Nations, signed at Lake Success June 26,  
20 1947, and entered into force November 21,1947, be-  
21 tween the United Nations and the United States, or  
22 other applicable international obligations.

23 (3) EXCEPTION RELATING TO IMPORTATION OF  
24 GOODS.—

1           (A) IN GENERAL.—The authorities and re-  
2           quirements to impose sanctions authorized  
3           under subsection (b)(1) shall not include the  
4           authority or requirement to impose sanctions on  
5           the importation of goods.

6           (B) GOOD DEFINED.—In this paragraph,  
7           the term “good” means any article, natural or  
8           manmade substance, material, supply or manu-  
9           factured product, including inspection and test  
10          equipment, and excluding technical data.

11          (e) WAIVER.—The President may waive the applica-  
12          tion of sanctions under subsection (b) with respect to a  
13          foreign person on the list required by subsection (a) if the  
14          President determines and certifies to the appropriate con-  
15          gressional committees that such a waiver is in the national  
16          interest of the United States.

17          (f) SUSPENSION OF SANCTIONS.—

18               (1) SUSPENSION.—The requirement to impose  
19               sanctions under this section may be suspended for  
20               an initial period of not more than one year if the  
21               President determines and certifies to the appropriate  
22               congressional committees that Cambodia is making  
23               meaningful progress toward the following:

24                       (A) Ending government efforts to under-  
25                       mine democracy.

1                   (B) Ending human rights violations associ-  
2                   ated with undermining democracy.

3                   (C) Releasing all political prisoners.

4                   (D) Dropping all politically motivated  
5                   charges and vacating convictions from any such  
6                   charges against members of the Cambodia Na-  
7                   tional Rescue Party, journalists, and civil soci-  
8                   ety activists.

9                   (E) Conducting free and fair elections that  
10                  allow for the active participation of credible op-  
11                  position candidates.

12                 (2) RENEWAL OF SUSPENSION.—The suspen-  
13                 sion of sanctions under paragraph (1) may be re-  
14                 newed for additional, consecutive one-year periods if  
15                 the President determines and certifies to the appro-  
16                 priate congressional committees that Cambodia con-  
17                 tinued to make meaningful progress toward satis-  
18                 fying the conditions described in that paragraph  
19                 during the year preceding the certification.

20                 (g) SUNSET.—This section shall terminate on the  
21                 date that is 5 years after the date of the enactment of  
22                 this Act.

1 **SEC. 5. REPORT ON ACTIVITY OF THE PEOPLE'S LIBERA-**  
2 **TION ARMY AND GOVERNMENT OF THE PEOP-**  
3 **LE'S REPUBLIC OF CHINA IN CAMBODIA.**

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

8 (1) the involvement of the Government of the  
9 People's Republic of China or the People's Libera-  
10 tion Army in upgrading existing facilities or con-  
11 structing new facilities at Ream Naval Base and  
12 Dara Sakor Airport in Cambodia;

13 (2) any actual or projected benefits, including  
14 any enhancement of the power projection capabilities  
15 of the People's Liberation Army, that the Govern-  
16 ment of the People's Republic of China or the Peo-  
17 ple's Liberation Army may accrue as a result of  
18 such upgrades or construction;

19 (3) the impact that the presence of the People's  
20 Liberation Army in Cambodia may have on the in-  
21 terests, allies, and partners of the United States in  
22 the region;

23 (4) any efforts undertaken by the United States  
24 Government to convey to the Government of Cam-  
25 bodia the concerns relating to the presence of the  
26 People's Liberation Army and the Government of



1 the People's Republic of China in Cambodia and the  
2 impact that presence could have on security in the  
3 South China Sea and the Indo-Pacific region more  
4 broadly and on adherence to the Constitution of  
5 Cambodia;

6 (5) the impact the presence of the People's Lib-  
7 eration Army in Cambodia, as well as closer govern-  
8 ment-to-government ties between Cambodia and the  
9 Government of the People's Republic of China, in-  
10 cluding through investments under the Belt and  
11 Road Initiative, has had on the deterioration of de-  
12 mocracy and human rights inside Cambodia; and

13 (6) any other ongoing activities by the People's  
14 Liberation Army or any other security services of  
15 the Government of the People's Republic of China in  
16 Cambodia.

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

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

22 (1) the Committee on Foreign Relations, the  
23 Committee on Armed Services, and the Select Com-  
24 mittee on Intelligence of the Senate; and

1           (2) the Committee on Foreign Affairs, the  
2           Committee on Armed Services, and the Permanent  
3           Select Committee on Intelligence of the House of  
4           Representatives.

5 **SEC. 6. RULE OF CONSTRUCTION.**

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

12 **SEC. 7. DEFINITIONS.**

13          In this Act:

14           (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
15          **TEES.**—The term “appropriate congressional com-  
16          mittees” means—

17                   (A) the Committee on Foreign Relations  
18                   and the Committee on Banking, Housing, and  
19                   Urban Affairs of the Senate; and

20                   (B) the Committee on Foreign Affairs and  
21                   the Committee on Financial Services of the  
22                   House of Representatives.

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

1           (3) KNOWINGLY.—The term “knowingly”, with  
2           respect to conduct, a circumstance, or a result,  
3           means that a person has actual knowledge, or should  
4           have known, of the conduct, the circumstance, or the  
5           result.

6           (4) PEOPLE’S LIBERATION ARMY.—The term  
7           “People’s Liberation Army” means the armed forces  
8           of the People’s Republic of China.

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

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

13                (A) a United States citizen or an alien law-  
14                fully admitted for permanent residence to the  
15                United States;

16                (B) an entity organized under the laws of  
17                the United States or of any jurisdiction of the  
18                United States, including a foreign branch of  
19                such an entity; or

20                (C) any person in the United States.