

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To support the successful implementation of the 1991 Paris Peace Agreement in Cambodia, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. GRAHAM (for himself, Mr. DURBIN, Mr. CRUZ, Mr. CARDIN, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To support the successful implementation of the 1991 Paris Peace Agreement 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 Account-  
5 ability and Return on Investment Act of 2018”.

6 **SEC. 2. DEMOCRACY PROMOTION IN CAMBODIA.**

7 (a) CONDITIONS OF ASSISTANCE TO CAMBODIA.—

8 (1) IN GENERAL.—No funds authorized to be  
9 appropriated for assistance for the Government of  
10 Cambodia may be made available for that purpose

1 unless the Secretary of State makes the certification  
2 described in paragraph (2).

3 (2) CERTIFICATION DESCRIBED.—The certifi-  
4 cation described in this paragraph is a certification  
5 to the appropriate congressional committees that the  
6 Government of Cambodia is taking effective steps  
7 to—

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

13 (B) respect the rights and responsibilities  
14 enshrined in the Constitution of the Kingdom  
15 of Cambodia, including through the full and im-  
16 mediate—

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

21 (ii) restoration of all elected officials  
22 to their elected offices; and

23 (iii) release of all political prisoners,  
24 including journalists, civil society activists,

1                   and members of the opposition political  
2                   party.

3           (b) INADMISSIBILITY OF INDIVIDUALS WHO UNDER-  
4 MINE DEMOCRACY IN CAMBODIA.—

5                   (1) POLICY.—

6                   (A) IN GENERAL.—The Secretary of State,  
7                   in consultation with the Secretary of Homeland  
8                   Security, shall continue to implement the policy  
9                   announced by the Department of State on De-  
10                  cember 6, 2017, to restrict entry into the  
11                  United States of individuals involved in under-  
12                  mining democracy in Cambodia, including—

13                           (i) senior officials of the Government  
14                           of Cambodia, including the military, gen-  
15                           darmerie, police, and judiciary;

16                           (ii) officers and employees of entities,  
17                           including international commercial  
18                           facilitators and offshore entities, owned or  
19                           controlled by such officials; and

20                           (iii) immediate family members of  
21                           such officials.

22                   (B) DURATION.—The entry restriction pol-  
23                   icy described in subparagraph (A) shall remain  
24                   in effect until the Secretary of State determines  
25                   and reports to the appropriate congressional

1 committees that free and fair parliamentary  
2 elections have taken place in Cambodia that in-  
3 clude the full and unimpeded participation of  
4 the Cambodia National Rescue Party and mem-  
5 bers of that Party.

6 (2) REPORT REQUIRED.—

7 (A) IN GENERAL.—Not later than 30 days  
8 after the date of the enactment of this Act, and  
9 every 90 days thereafter until December 31,  
10 2020, the Secretary of State shall submit to the  
11 appropriate congressional committees a report  
12 that—

13 (i) describes the measures taken to  
14 implement the entry restriction policy de-  
15 scribed in paragraph (1)(A); and

16 (ii) includes a comprehensive list of  
17 the individuals subject to the policy.

18 (B) FORM OF REPORT.—Each report re-  
19 quired by subparagraph (A) shall be submitted  
20 in unclassified form but may include a classified  
21 annex.

22 (c) BLOCKING OF PROPERTY OF INDIVIDUALS WHO  
23 UNDERMINE DEMOCRACY IN CAMBODIA.—

24 (1) REPORTS TO OFFICE OF FOREIGN ASSETS  
25 CONTROL.—Not later than 60 days after the date of

1 the enactment of this Act, the President shall take  
2 such action as is necessary to direct, including  
3 through the promulgation of regulations, that any  
4 United States financial institution holding, man-  
5 aging, or transferring property or interests in prop-  
6 erty of an individual described in subsection  
7 (b)(1)(A), shall promptly report such property or in-  
8 terests in property to the Office of Foreign Assets  
9 Control of the Department of the Treasury.

10 (2) BLOCKING OF PROPERTY.—The President  
11 may, pursuant to the International Emergency Eco-  
12 nomic Powers Act (50 U.S.C. 1701 et seq.) and sub-  
13 ject to such regulations as the President may pre-  
14 scribe, block and prohibit all transactions in all  
15 property and interests in property of an individual  
16 described in subsection (b)(1)(A), if such property  
17 and interests in property are in the United States,  
18 come within the United States, or are or come with-  
19 in the possession or control of a United States per-  
20 son.

21 (3) PENALTIES.—A person that violates, at-  
22 tempts to violate, conspires to violate, or causes a  
23 violation of this subsection or any regulation, license,  
24 or order issued to carry out this subsection shall be  
25 subject to the penalties set forth in subsections (b)

1 and (c) of section 206 of the International Emer-  
2 gency Economic Powers Act (50 U.S.C. 1705) to the  
3 same extent as a person that commits an unlawful  
4 act described in subsection (a) of that section.

5 (d) OPPOSITION TO LOANS AND ASSISTANCE BY  
6 INTERNATIONAL FINANCIAL INSTITUTIONS.—The Sec-  
7 retary of the Treasury shall instruct the United States ex-  
8 ecutive director to each international financial institution  
9 to use the voice and vote of the United States to oppose  
10 the extension by that institution of any loan or financial  
11 or technical assistance for the Government of Cambodia,  
12 other than to meet basic human needs, until such time  
13 as the entry restriction policy described in subparagraph  
14 (A) of subsection (b)(1) terminates in accordance with  
15 subparagraph (B) of that subsection.

16 (e) ONLINE INFORMATION PROGRAMS.—There are  
17 authorized to be appropriated such sums as may be nec-  
18 essary for Khmer-language programs to be broadcast on  
19 the Internet that inform and educate the people of Cam-  
20 bodia on the role of—

21 (1) the Government of the People's Republic of  
22 China in supporting the Communist Party of  
23 Kampuchea and the Democratic Kampuchea regime  
24 of Pol Pot;

1           (2) the international community, particularly  
2           the United States, in supporting implementation of  
3           the Agreement on a Comprehensive Political Settle-  
4           ment of the Cambodia Conflict, signed October 23,  
5           1991 (commonly known as the “1991 Paris Peace  
6           Agreement”) and providing assistance for the devel-  
7           opment of Cambodia from 1991 to 2017, consistent  
8           with the letter and spirit of that Agreement; and

9           (3) the Government of Cambodia in imple-  
10          menting that Agreement.

11          (f) PROHIBITION ON DEBT RELIEF.—The Secretary  
12          of State may not negotiate for or establish a program of  
13          debt relief for the Government of Cambodia until such  
14          time as the entry restriction policy described in subpara-  
15          graph (A) of subsection (b)(1) terminates in accordance  
16          with subparagraph (B) of that subsection.

17          (g) DEFINITIONS.—In this section:

18           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
19           TEES.—The term “appropriate congressional com-  
20           mittees” means—

21           (A) the Committee on Appropriations, the  
22           Committee on Banking, Housing, and Urban  
23           Affairs, and the Committee on Foreign Rela-  
24           tions of the Senate; and

1           (B) the Committee on Appropriations, the  
2           Committee on Financial Services, and the Com-  
3           mittee on Foreign Affairs of the House of Rep-  
4           resentatives.

5           (2) INTERNATIONAL FINANCIAL INSTITU-  
6           TION.—The term “international financial institu-  
7           tion” has the meaning given that term in section  
8           1701(c) of the International Financial Institutions  
9           Act (22 U.S.C. 262r(c)).

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

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

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