

109TH CONGRESS
2^D SESSION

S. 2749

To update the Silk Road Strategy Act of 1999 to modify targeting of assistance in order to support the economic and political independence of the countries of Central Asia and the South Caucasus in recognition of political and economic changes in these regions since enactment of the original legislation.

IN THE SENATE OF THE UNITED STATES

MAY 4, 2006

Mr. BROWNBACK (for himself, Mr. KYL, and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To update the Silk Road Strategy Act of 1999 to modify targeting of assistance in order to support the economic and political independence of the countries of Central Asia and the South Caucasus in recognition of political and economic changes in these regions since enactment of the original legislation.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Silk Road Strategy Act of 2006”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.

TITLE I—UNITED STATES POLICY TOWARD COUNTRIES IN
 CENTRAL ASIA AND THE SOUTH CAUCASUS

Sec. 101. Relationship between the United States and the countries of Central
 Asia and the South Caucasus.
 Sec. 102. Protecting United States business abroad.

TITLE II—PROTECTION AND PROMOTION OF UNITED STATES
 INTERESTS IN CENTRAL ASIA AND THE SOUTH CAUCASUS

Sec. 201. Relationships between the United States and the countries of Central
 Asia and the South Caucasus since passage of the Silk Road
 Strategy Act of 1999.
 Sec. 202. United States interests in the countries of Central Asia and the
 South Caucasus.
 Sec. 203. Sense of Congress on safeguarding of United States interests in the
 countries of Central Asia and the South Caucasus.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) CENTRAL ASIA AND THE SOUTH
 6 CAUCASUS.—The term “Central Asia and the South
 7 Caucasus” means the area including the countries of
 8 Afghanistan, Armenia, Azerbaijan, Georgia,
 9 Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan,
 10 and Uzbekistan.

1 **TITLE I—UNITED STATES POL-**
2 **ICY TOWARD COUNTRIES IN**
3 **CENTRAL ASIA AND THE**
4 **SOUTH CAUCASUS**

5 **SEC. 101. RELATIONSHIP BETWEEN THE UNITED STATES**
6 **AND THE COUNTRIES OF CENTRAL ASIA AND**
7 **THE SOUTH CAUCASUS.**

8 (a) IN GENERAL.—The United States has significant
9 long-term interests in the countries of Central Asia and
10 the South Caucasus. These interests concern security, eco-
11 nomic development, energy, and human rights. Accord-
12 ingly, it is the policy of the United States to seek political
13 and economic stability in the social development of, and
14 cooperative relationships with, the countries of Central
15 Asia and the South Caucasus, including by providing as-
16 sistance in accordance with the Foreign Assistance Act of
17 1961 (22 U.S.C. 2151 et seq.).

18 (b) DEMOCRACY, TOLERANCE, AND THE DEVELOP-
19 MENT OF CIVIL SOCIETY.—It is the policy of the United
20 States to promote independent, democratic government
21 and the protection of human rights, tolerance, and plu-
22 ralism in Central Asia and the South Caucasus within the
23 overall framework of United States national interests, in-
24 cluding the global war on terrorism, counterproliferation

1 efforts, the fight against extremism and ethnic and reli-
2 gious fanaticism, and energy security.

3 (c) CONFLICT RESOLUTION.—It is the policy of the
4 United States to aid in the resolution of ethnic, religious,
5 interstate, and intraregional conflicts and to support polit-
6 ical, economic, and security cooperation in Central Asia
7 and the South Caucasus in the interest of fostering re-
8 gional stability, development of the rule of law, coopera-
9 tion based on free markets supported by strong institu-
10 tions, and economic interdependence.

11 (d) ECONOMIC ASSISTANCE.—It is the policy of the
12 United States to reduce poverty in Central Asia and the
13 South Caucasus through economic growth, promoting sus-
14 tainable development through private investment in all
15 economic sectors, including agriculture, education, private
16 sector development, and capacity-building.

17 (e) DEVELOPMENT OF INFRASTRUCTURE.—It is the
18 policy of the United States to aid in the development of
19 infrastructure in Central Asia and the South Caucasus for
20 energy and energy transit, communications, transpor-
21 tation, and health and human services.

22 (f) DEFENSE AND BORDER CONTROL ASSISTANCE.—
23 It is the policy of the United States to assist the countries
24 of Central Asia and the South Caucasus in developing in-
25 digenous defense capabilities, securing borders, and imple-

1 menting effective controls to prevent the proliferation of
2 materials related to weapons of mass destruction and traf-
3 ficking in conventional weapons, persons, and narcotics.

4 **SEC. 102. PROTECTING UNITED STATES BUSINESS ABROAD.**

5 Consistent with the purposes of the Overseas Private
6 Investment Corporation, it is the policy of the United
7 States to promote and protect the interests of United
8 States businesses and investments in Central Asia and the
9 South Caucasus.

10 **TITLE II—PROTECTION AND**
11 **PROMOTION OF UNITED**
12 **STATES INTERESTS IN CEN-**
13 **TRAL ASIA AND THE SOUTH**
14 **CAUCASUS**

15 **SEC. 201. RELATIONSHIPS BETWEEN THE UNITED STATES**
16 **AND THE COUNTRIES OF CENTRAL ASIA AND**
17 **THE SOUTH CAUCASUS SINCE PASSAGE OF**
18 **THE SILK ROAD STRATEGY ACT OF 1999.**

19 (a) IN GENERAL.—Since the enactment of the Silk
20 Road Strategy Act of 1999 (22 U.S.C. 2296 et seq.), sig-
21 nificant changes have occurred to the political, economic,
22 and security conditions in Central Asia and the South
23 Caucasus, requiring modifications to United States policy
24 toward the countries in the region in order to protect and
25 promote United States interests.

1 (b) FINDINGS.—Congress makes the following find-
2 ings:

3 (1) Since September 11, 2001, the need for mu-
4 tually beneficial security cooperation between the
5 United States and the countries of Central Asia and
6 the South Caucasus has grown, while the United
7 States has come to view democratization of the
8 countries in the region as essential to enhanced se-
9 curity.

10 (2) Such development features popular sov-
11 ereignty, institutional checks and balances, and a vi-
12 brant civil society. These in turn require a civil ad-
13 ministration that is competent, honest, respectful of
14 citizens' rights, and sensitive to the needs of a mar-
15 ket economy.

16 (3) The liberation of Afghanistan from Taliban
17 misrule and the new course in Afghanistan toward
18 political and economic openness make possible the
19 country's reintegration into Central Asia.

20 (4) The ouster of the Taliban from Afghanistan
21 has diminished threats to that country's neighbors
22 in Central Asia, allowing for accelerated progress to-
23 ward democracy, open economies, and the rule of
24 law across the region. Afghanistan's embrace of pop-

1 ular sovereignty and political pluralism demonstrates
2 the universal applicability of these values.

3 (5) The Governments of Azerbaijan and
4 Kazakhstan, which have contributed to United
5 States military deployments in Iraq, Afghanistan,
6 and Kosovo, are key United States partners in diver-
7 sification of energy sources and transportation
8 routes, enhancing and contributing to United States
9 energy and security interests.

10 (6) In recognition of global and regional threats
11 to stability, prosperity, and democracy in Afghani-
12 stan, including terrorism, political-religious extre-
13 mism, and production and trafficking of narcotics,
14 and in recognition of Afghanistan's geographic loca-
15 tion and cultural and historical identity, Afghanistan
16 should be considered to be among the countries of
17 Central Asia, and not separate from them.

18 (7) In recognition of security cooperation from
19 the Government of Kazakhstan, including deploy-
20 ment of the Kazakhstan contingent in Iraq, progress
21 toward a market economy, United States business
22 participation in energy and infrastructure develop-
23 ment in Kazakhstan, and an ongoing Government of
24 Kazakhstan policy of ethnic and religious tolerance,

1 a relationship with Kazakhstan is of high impor-
2 tance to the United States.

3 (8) The 2003 Rose Revolution in Georgia, the
4 2004 Orange Revolution in Ukraine, and the 2005
5 Tulip Revolution in Kyrgyzstan demonstrate the es-
6 sentialness of steady progress toward democracy and
7 the rule of law. While these revolutions resulted in
8 the ouster of corrupt and ineffective regimes by
9 largely peaceful protest movements, the long-term
10 interests of security, stability, good governance, and
11 economic growth are better served by evolutionary
12 democratization.

13 (9) Relations between the United States and
14 the Republic of Kyrgyzstan are of great importance,
15 in particular in view of the democratic developments
16 in that country and in light of the location of a
17 United States military base at the Manas Airport
18 near Bishkek, Kyrgyzstan.

19 (10) The President of Turkmenistan,
20 Saparmurat Niyazov, engages in persistent gross
21 violations of human rights, including the suppression
22 of democratic and religious freedoms, brutality, and
23 leads a government that lacks accountability and re-
24 jects the rule of law.

1 (1) The economic and political stability of the
2 countries of Central Asia and the South Caucasus
3 has a direct impact on United States interests.

4 (2) Stability, democratic development, protec-
5 tion of property rights, including mineral rights, and
6 rule of law in countries with valuable energy re-
7 sources and infrastructure, including Kazakhstan,
8 Azerbaijan, and Turkmenistan, are important to
9 safeguard United States energy security.

10 (3) Preventing any other country from estab-
11 lishing a monopoly on energy resources or energy
12 transport infrastructure in the countries of Central
13 Asia and the South Caucasus that may restrict
14 United States access to energy resources is impor-
15 tant to the energy security of the United States and
16 other consumers of energy in the developed and de-
17 veloping world.

18 (4) Extensive trade relations with the energy-
19 producing and energy-transporting states of Central
20 Asia and the South Caucasus will enhance United
21 States access to diversified energy resources, thereby
22 strengthening United States energy security, as well
23 as that of energy consumers in developed and devel-
24 oping countries.

1 (5) Stability in the countries of Central Asia
2 and the South Caucasus is important to the security
3 interests of the United States.

4 (6) In order for the United States to maintain
5 bases for its troops in the proximity of the military
6 conflicts in Afghanistan and Iraq, the United States
7 should seek to maintain good relations with the
8 countries of Central Asia and the South Caucasus.

9 (7) It is in the interest of the United States
10 and the global war on terror for the United States
11 to maintain friendly relations with Muslim states in
12 Central Asia and the South Caucasus that promote
13 democracy, open economies, and the rule of law in
14 the region.

15 (8) It is in the interest of the United States to
16 make any and all efforts to prevent the proliferation
17 of materials for weapons of mass destruction and
18 the trafficking in narcotics and persons, much of
19 which can be attributed to porous borders and insuf-
20 ficient security between the countries of Central Asia
21 and the South Caucasus.

1 **SEC. 203. SENSE OF CONGRESS ON SAFEGUARDING OF**
2 **UNITED STATES INTERESTS IN THE COUN-**
3 **TRIES OF CENTRAL ASIA AND THE SOUTH**
4 **CAUCASUS.**

5 (a) PROMOTION OF DEMOCRACY, TOLERANCE, AND
6 THE DEVELOPMENT OF CIVIL SOCIETY.—It is the sense
7 of Congress that political legitimacy is founded upon pop-
8 ular sovereignty and is critical to stability, that key com-
9 ponents of political legitimacy are regular elections, and
10 that the United States Government should engage in the
11 following programs and activities designed to promote de-
12 mocracy, tolerance, and the development of civil society
13 in Central Asia and the South Caucasus:

14 (1) Support for free and fair elections, includ-
15 ing the formation of election bodies that are broadly
16 representative of the political spectrum and the
17 maintenance of equal conditions for candidates and
18 parties.

19 (2) Instruct the United States delegation to the
20 Organisation for Security and Cooperation in Eu-
21 rope (OSCE) and to other international bodies to re-
22 sist efforts by some member states to undercut the
23 role of OSCE election monitoring conducted by the
24 Office for Democratic Institutions and Human
25 Rights (ODIHR) and to aggressively promote the
26 role of independent and local election monitors.

1 (3) Support for the development of independent
2 media outlets, including print, radio, television, and
3 Internet, and the provision of authoritative news and
4 a broader range of media options than is currently
5 available.

6 (4) Support for satellite television broadcasting
7 into Uzbekistan, Turkmenistan, and Iran in the na-
8 tive languages of these countries through Radio
9 Freedom/Radio Liberty, Radio Farda, Al Alam, and
10 independent radio and television broadcasters in the
11 United States and Europe, including in the lan-
12 guages of Azerbaijani, Pashtun, Persian, Uzbek, and
13 Turkmen, specifically to inform the populations in
14 those countries of the ideas and values of freedom,
15 democracy, and human rights and development
16 issues relating to their diasporas in the United
17 States.

18 (5) Assistance in the establishment of regional
19 academic programs to train civil servants in modern
20 systems and principles of good governance, including
21 the rule of law, transparency, conduct of elections,
22 respect for citizens' rights, and the needs of a mar-
23 ket economy.

24 (6) Support for the establishment of reputable
25 think tanks, independent public policy research orga-

1 nizations, and centers for strategic and economic
2 studies in the countries of Central Asia and the
3 South Caucasus.

4 (7) Support for the development of separation
5 of powers, specifically the emergence of independent
6 legislative and judicial branches of government.

7 (b) CONFLICT RESOLUTION.—It is the sense of Con-
8 gress that the United States Government should engage
9 in the following programs and activities designed to pro-
10 mote conflict resolution in Central Asia and the South
11 Caucasus:

12 (1) Active assistance in the resolution of re-
13 gional conflicts and the removal of impediments to
14 cross-border commerce.

15 (2) Recognizing that China and Russia are
16 neighbors and regional powers of Central Asia and,
17 in the case of Russia, of the South Caucasus, and
18 that those countries have in the past taken steps at
19 odds with United States security interests, such as
20 in the case of curbing the United States military
21 presence in Uzbekistan, the continuation and expan-
22 sion of a strategic dialogue with Russia and China,
23 including United States participation as an observer
24 in the Shanghai Cooperation Organization (SCO) for

1 the purpose of promoting stability and security in
2 the region.

3 (3) Acknowledgment of the importance of main-
4 taining peace in the Caspian region for the pros-
5 perity and long-term stability of the countries in
6 greater Central Asia, including calling on the Cas-
7 pian littoral nations, including Iran, to step up mari-
8 time border delineation and demilitarization efforts,
9 making the Caspian Sea a zone characterized by
10 peace and cooperation.

11 (4) Encouragement of conflict settlement in the
12 South Caucasus to further increase trade, specifi-
13 cally by supporting the restoration, expansion, and
14 usage of the railroad through the Georgian region of
15 Abkhazia, the highway through the Georgian region
16 of South Ossetia, and the “Road of Peace” through
17 the Azerbaijani region of Nagorno-Karabakh.

18 (5) Calling on the Governments of Azerbaijan
19 and Turkmenistan to resolve the outstanding debt
20 issue, which is hindering cross-border cooperation
21 and development, and to jointly develop the Kyapaz
22 (Serdar) disputed offshore oil field, which would con-
23 tribute to the peace and stability of the Caspian re-
24 gion.

1 (6) Calling on the governments of the five lit-
2 toral states of the Caspian Sea, Russia, Azerbaijan,
3 Iran, Turkmenistan, and Kazakhstan, to establish a
4 legal order demarcating the seabed and its resources
5 based on a national sector regime, one that goes be-
6 yond the Iranian-Soviet treaties of 1921 and 1940,
7 which defined rules for shipping and fishing, but not
8 for oil and gas exploration and development.

9 (7) Assistance in the removal of legal and insti-
10 tutional barriers to continental and regional trade
11 and harmonization of border and tariff regimes, in-
12 cluding improved mechanisms for transit through
13 Pakistan to Afghanistan and other countries in Cen-
14 tral Asia, and the recognition of Turkey as a crucial
15 energy transit and consumer country, vital for the
16 successful development of large-scale energy infra-
17 structure and cross-border projects.

18 (c) ECONOMIC COOPERATION AND INTERNATIONAL
19 TRADE.—It is the sense of Congress that the United
20 States Government should engage in the following pro-
21 grams and activities designed to promote economic co-
22 operation and international trade with countries in Cen-
23 tral Asia and the South Caucasus:

24 (1) Assistance in accelerating the broad and eq-
25 uitable privatization of state enterprises in a manner

1 that does not promote oligarchical rule and the de-
2 regulation of national economies in a manner that
3 allows equal access to nonresident companies to pri-
4 vatization procedures.

5 (2) Expansion of activity under the Trade and
6 Investment Framework Agreement (TIFA), includ-
7 ing reducing barriers to trade and investment, pro-
8 tection of workers' and property rights, fostering an
9 environment of transparency and predictability, en-
10 couraging private sector growth and foreign and do-
11 mestic investment, and removing impediments to in-
12 creased intraregional trade and investment, particu-
13 larly with respect to Afghanistan.

14 (3) Support for the completion of the review
15 process of the Export-Import Bank of the eligibility
16 of countries in the region for financing under the
17 Export-Import Bank Act of 1945 (12 U.S.C. 635 et
18 seq.).

19 (4) The facilitation of greater access for Af-
20 ghanistan and other countries of the South
21 Caucasus and Central Asia to loans from the Ex-
22 port-Import Bank.

23 (d) ECONOMIC REFORM.—It is the sense of Congress
24 that the United States Government should engage in the

1 following programs and activities designed to promote eco-
2 nomic reform in Central Asia and the South Caucasus:

3 (1) Promotion of structural reforms in financial
4 and banking institutions that increase transparency
5 and efficiency and enhance macroeconomic stability.

6 (2) Promotion of the development of the Trans-
7 Caspian Oil and Gas Pipelines (TCOP/TCGP), while
8 encouraging the Governments of Azerbaijan,
9 Kazakhstan, and particularly Turkmenistan to im-
10 prove their business climate and investor confidence
11 by fully disclosing their internationally audited hy-
12 drocarbon reserves.

13 (3) In light of greatly increased revenues from
14 energy exports and the related dangers of macro-
15 economic instability and economic overheating, the
16 establishment of a bank, the Caspian Bank of Re-
17 construction and Development (CBRD), where ex-
18 cess revenues can be funneled to infrastructure de-
19 velopment projects in the region, and the tasking of
20 the Export-Import Bank and the Overseas Private
21 Investment Corporation with assisting in setting up
22 and operating the bank.

23 (4) Support for countries in the region seeking
24 qualification for Millennium Challenge Account
25 (MCA) funds, including assistance in achieving nec-

1 essary further reforms, recognizing that while Arme-
2 nia and Georgia have qualified and signed compacts
3 with the Millennium Challenge Corporation, other
4 advanced economies of the region, such as Azer-
5 baijan, Kazakhstan, and Kyrgyzstan, should be
6 aided with more rapid improvement of their
7 rankings to become first “threshold” and then “can-
8 didate” countries for purposes of such assistance.

9 (5) Support for countries in the region seeking
10 accession to the World Trade Organization (WTO),
11 furnishing assistance to facilitate economic reform
12 for countries in the region, and extension of uncon-
13 ditional and permanent nondiscriminatory treatment
14 (permanent normal trade relations treatment) to
15 countries in the region, especially to Azerbaijan and
16 Kazakhstan.

17 (6) Encouraging governments of countries in
18 Central Asia and the South Caucasus and United
19 States businesses operating in the region to adhere
20 to the Extractive Industries Transparency Initiative
21 (EITI), and in recognition that Azerbaijan,
22 Kazakhstan, and Kyrgyzstan have joined the EITI
23 initiative, encouraging other countries of the region
24 to follow suit.

1 (7) In conjunction with increasing transparency
2 of energy-related payments and revenues by the gov-
3 ernments of, and companies in, the Central Asia and
4 South Caucasus region, encouraging geological data
5 on all energy resources and assets in the region to
6 be made available to better understand remaining
7 reserves, which would stabilize the global energy
8 markets.

9 (8) Promotion of antimonopoly initiatives, par-
10 ticularly to diversify transportation routes for hydro-
11 carbon and electric energy, and promotion of com-
12 petition in these sectors.

13 (e) INFRASTRUCTURE DEVELOPMENT.—It is the
14 sense of Congress that the United States Government
15 should engage in the following programs and activities de-
16 signed to promote infrastructure development in Central
17 Asia and the South Caucasus:

18 (1) Assistance in the development of the infra-
19 structure necessary for communications, transpor-
20 tation, education, health, and energy and trade on
21 an east-west axis in order to build strong inter-
22 national relations and commerce between the coun-
23 tries in the South Caucasus and Central Asia region
24 and the Euro-Atlantic community.

1 (2) Support for activities that promote the par-
2 ticipation of United States businesses and investors
3 in the planning, financing, and construction of infra-
4 structure for communications, transportation, and
5 trade, including aviation, highways, railroads, port
6 facilities, shipping, banking, insurance, telecommuni-
7 cations networks, and gas and oil pipelines.

8 (3) Support for the development of physical in-
9 frastructure for continental and regional trade, in-
10 cluding the completion of the crucial core road sys-
11 tem in Afghanistan, the linking of other regional
12 roads with the road system, and working with other
13 donors to complete east-west and north-south trans-
14 port corridors in the region.

15 (4) Support for the addition of a crucial rail
16 link in Kazakhstan from Almaty to the port city of
17 Aktau, which would allow tankers and cargo ships to
18 transport crude oil and other goods across the Cas-
19 pian to Baku, and from there to Europe through
20 Georgia and Turkey; this east-west corridor, which
21 is already partially financially supported by the Eu-
22 ropean Union within the Transport Corridor Eu-
23 rope-Caucasus-Asia (TRACECA) initiative, would
24 greatly increase and accelerate cargo and container

1 traffic across the Caspian Sea and from the greater
2 Central Asian region.

3 (5) Support for the construction of energy tran-
4 sit infrastructure, including the Trans-Caspian Oil
5 Pipeline (TCOP) in Kazakhstan, from Aktau to
6 Baku, which would carry oil from the Karachaganak
7 field, and the Trans-Caspian Gas Pipeline (TCGP),
8 from Turkmenistan or neighboring areas of
9 Kazakhstan to Baku, which would carry natural gas.

10 (f) DEFENSE AND BORDER CONTROL ASSISTANCE.—

11 It is the sense of Congress that the United States Govern-
12 ment should support regionwide initiatives in Central Asia
13 and the South Caucasus to train and coordinate border
14 control, law enforcement, and security forces between con-
15 tiguous countries.

16 (g) ADDITIONAL MECHANISMS FOR IMPLEMENTA-

17 TION OF THIS ACT AND ACHIEVEMENT OF ITS OBJEC-

18 TIVES.—It is the sense of Congress that the United States

19 Government should, for the purpose of further imple-

20 menting, and achieving the objectives of, this Act, promote

21 and support establishment of one or more of the following:

22 (1) A Silk Road Advisory Board, which would

23 include experts with the necessary contacts and ex-

24 pertise in the region in sectors such as sustainable

25 agricultural development, oil and gas extraction, en-

1 energy transportation infrastructure planning and con-
2 struction, democratic development, banking, finance,
3 and legal reform.

4 (2) A specialized private sector energy
5 consultancy, tasked with coordinating business com-
6 munity projects and promoting investment opportu-
7 nities in trade as well as infrastructure for the pro-
8 duction, transportation, and refining of energy and
9 petrochemicals.

10 (3) An annual conference of the sponsors and
11 beneficiaries of assistance provided pursuant to this
12 Act to be held in conjunction with the annual United
13 Nations Economic Council of Europe (UNECE) En-
14 ergy Security Forum, which seeks to promote the se-
15 curity of energy supplies for all members of the Eco-
16 nomic Council of Europe through well-balanced net-
17 works of energy transportation infrastructure, im-
18 provements in sustainable energy technology and ef-
19 ficiency, and through the integration of legal stand-
20 ards for transparent energy extraction, transpor-
21 tation, and pricing.

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