

112TH CONGRESS
1ST SESSION

S. 537

To require the Secretary of the Treasury to instruct the United States Executive Directors of the World Bank and the Asian Development Bank to use the voice and vote of the United States to oppose the provision of any loan or financial or technical assistance for a project for the construction of hydroelectric dams or electricity transmission systems in the Mekong River Basin unless the Secretary makes certain assurances with respect to the project, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 9, 2011

Mr. WEBB introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the Secretary of the Treasury to instruct the United States Executive Directors of the World Bank and the Asian Development Bank to use the voice and vote of the United States to oppose the provision of any loan or financial or technical assistance for a project for the construction of hydroelectric dams or electricity transmission systems in the Mekong River Basin unless the Secretary makes certain assurances with respect to the project, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mekong River Protec-
3 tion Act of 2011”.

4 **SEC. 2. OPPOSITION OF THE UNITED STATES TO LOANS**
5 **AND ASSISTANCE FROM THE WORLD BANK**
6 **AND THE ASIAN DEVELOPMENT BANK WITH**
7 **RESPECT TO THE CONSTRUCTION OF HYDRO-**
8 **ELECTRIC DAMS AND ELECTRICITY TRANS-**
9 **MISSION SYSTEMS IN THE MEKONG RIVER**
10 **BASIN.**

11 (a) **IN GENERAL.**—The Secretary of the Treasury
12 shall instruct the United States Executive Directors of the
13 World Bank and the Asian Development Bank to use the
14 voice and vote of the United States to oppose the provision
15 of any loan or financial or technical assistance for a
16 project for the construction of hydroelectric dams or elec-
17 tricity transmission systems in the Mekong River Basin
18 unless, not later than 21 days before a vote to provide
19 such a loan or such assistance, the Secretary of the Treas-
20 ury submits the report described in subsection (b) to the
21 committees specified in subsection (c).

22 (b) **REPORT DESCRIBED.**—The report described in
23 this subsection is a report that, based on information pro-
24 vided by the Bank considering providing a loan or other
25 assistance with respect to a project described in subsection

1 (a), provides the following assurances with respect to the
2 project:

3 (1) The project will be carried out in a manner
4 that adheres to the safeguard policies of the Bank
5 with respect to protecting the environment, ensuring
6 the safety of dams, the involuntary resettlement of
7 people displaced by dams, indigenous peoples, and
8 the reduction of poverty.

9 (2) The project will not result in significant ad-
10 verse effects on—

11 (A) water flows along the Mekong River
12 mainstream and its tributaries or the seasonal
13 changes in the flow of the river; or

14 (B) local or regional public health, food se-
15 curity, or the environment.

16 (3) The project includes a plan to incorporate
17 the benefits gained by the generation of electricity
18 and irrigation projects into the local and national
19 economies in the area surrounding the site of the
20 project.

21 (4) The project includes a contingency plan to
22 address the effects on income and food insecurity
23 that might arise from disruptions along the Mekong
24 River during the construction phase of the project.

1 (5) The project was developed taking into con-
2 sideration assessments of the environmental and so-
3 cioeconomic impact of the project on the Mekong
4 River Basin region and the results of those assess-
5 ments have been made available to all countries
6 along the Mekong River.

7 (6) The development of the project included
8 consultations with the governments of the countries
9 along the Mekong River and appropriate regional
10 multilateral institutions and community organiza-
11 tions.

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

14 (1) the Committee on Foreign Relations and
15 the Committee on Appropriations of the Senate; and

16 (2) the Committee on Financial Services and
17 the Committee on Appropriations of the House of
18 Representatives.

19 (d) WORLD BANK DEFINED.—In this section, the
20 term “World Bank” means the International Bank for Re-
21 construction and Development and the International De-
22 velopment Association.

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