

116TH CONGRESS
1ST SESSION

H. R. 4331

To modify and reauthorize the Tibetan Policy Act of 2002, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2019

Mr. MCGOVERN (for himself, Mr. SMITH of New Jersey, Ms. KAPTUR, Mr. SHERMAN, Mr. MEADOWS, Mr. SUOZZI, Mr. MALINOWSKI, and Mr. MCADAMS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modify and reauthorize the Tibetan Policy Act of 2002,
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 “Tibetan Policy and
5 Support Act of 2019”.

1 **SEC. 2. MODIFICATIONS TO AND REAUTHORIZATION OF TI-**
2 **BETAN POLICY ACT OF 2002.**

3 (a) TIBETAN NEGOTIATIONS.—Section 613 of the Ti-
4 betan Policy Act of 2002 (22 U.S.C. 6901 note) is amend-
5 ed—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) by inserting “without pre-
9 conditions” after “a dialogue”;

10 (ii) by inserting “or Central Tibetan
11 Administration representatives” after “his
12 representatives”; and

13 (iii) by adding at the end before the
14 period the following: “and should coordi-
15 nate with other governments in multilat-
16 eral efforts toward this goal”;

17 (B) by redesignating paragraph (2) as
18 paragraph (3); and

19 (C) by inserting after paragraph (1) the
20 following:

21 “(2) POLICY COMMUNICATION.—The President
22 shall direct the Secretary of State to ensure that, in
23 accordance with this Act, United States policy on
24 Tibet, as coordinated by the United States Special
25 Coordinator for Tibetan Issues, is communicated to

all Federal departments and agencies in contact with
the Government of the People’s Republic of China.”;

(2) in subsection (b)—

(A) in the matter preceding paragraph
(1)—

(i) by striking “until December 31,
2021”; and

(ii) by inserting “and direct the De-
partment of State to make public on its
website” after “appropriate congressional
committees”;

(B) in paragraph (1), by striking “and” at
the end;

(C) in paragraph (2), by striking the pe-
riod at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the steps taken by the United States Gov-
ernment to promote the human rights and genuine
cultural, religious, linguistic, and national identity of
the Tibetan people, including the right of the Ti-
betan people to choose their own religious leaders in
accordance with their established religious practice
and system; and

“(4) an analysis of United States business ac-
tivities in Tibet, whether those activities employ Ti-

1 betans and how many, whether those activities are
2 consistent with the protection of the environment
3 and Tibetan cultural traditions, and whether those
4 activities contribute to or support, through goods or
5 services, the surveillance of the people of Tibet.”.

6 (b) ECONOMIC DEVELOPMENT IN TIBET.—Section
7 616 of such Act (22 U.S.C. 6901 note) is amended—

8 (1) in subsection (d)—

9 (A) in paragraph (5), by inserting “human
10 rights” after “respect Tibetan”;

11 (B) in paragraph (8), by striking “and” at
12 the end;

13 (C) in paragraph (9), by striking the pe-
14 riod at the end and inserting “; and”; and

15 (D) by adding at the end the following:

16 “(10) neither provide incentive for, nor facili-
17 tate the involuntary or coerced relocation of, Tibetan
18 nomads from their traditional pasturelands into con-
19 centrated settlements.”; and

20 (2) by adding at the end the following:

21 “(e) PRIVATE SECTOR INVESTMENT.—The Secretary
22 of State, in coordination with the Secretary of Commerce,
23 should—

24 “(1) encourage United States businesses and
25 individuals that are engaged in commerce or invest-

1 ing in enterprises in Tibet to abide by the principles
2 contained in subsection (d) and the United Nations
3 Guiding Principles on Business and Human Rights;
4 and

5 “(2) request that such businesses and individ-
6 uals provide to the Department of State periodic re-
7 ports on their adherence to such principles.

8 “(f) UNITED STATES ASSISTANCE.—The President
9 shall provide grants to nongovernmental organizations to
10 support sustainable economic development, cultural and
11 historical preservation, health care, education, and envi-
12 ronmental sustainability projects for Tibetan communities
13 in Tibet, in accordance with the principles specified in sub-
14 section (d) and subject to the review and approval of the
15 United States Special Coordinator for Tibetan Issues
16 under section 621(d) or, if the Coordinator has not been
17 appointed, the Assistant Secretary of State for Democ-
18 racy, Human Rights, and Labor.”.

19 (c) DIPLOMATIC REPRESENTATION RELATING TO
20 TIBET.—Section 618 of such Act (22 U.S.C. 6901 note)
21 is amended to read as follows:

22 **“SEC. 618. DIPLOMATIC REPRESENTATION RELATING TO**
23 **TIBET.**

24 “(a) UNITED STATES CONSULATE IN LHASA,
25 TIBET.—

1 “(1) IN GENERAL.—The Secretary shall seek to
2 establish a United States consulate in Lhasa, Tibet,
3 to provide consular services to United States citizens
4 traveling in Tibet and to monitor political, economic,
5 and cultural developments in Tibet.

6 “(2) CONSULAR DISTRICTS.—The Secretary
7 should organize the United States Embassy’s con-
8 sular districts within the People’s Republic of China
9 so that all areas designated as autonomous for Ti-
10 betans are contained within the same consular dis-
11 trict.

12 “(b) TIBET SECTION IN UNITED STATES EMBASSY
13 IN BEIJING, CHINA.—

14 “(1) IN GENERAL.—The Secretary shall estab-
15 lish a Tibet section within the United States Em-
16 bassy in Beijing, China, to follow political, economic,
17 and social developments in Tibet until such time as
18 a United States consulate in Lhasa, Tibet, is estab-
19 lished under subsection (a).

20 “(2) DUTIES.—The Tibet section established
21 under paragraph (1) shall have the primary respon-
22 sibility of reporting on human rights issues and ac-
23 cess to Tibet by United States Government officials,
24 journalists, non-governmental organizations, and the
25 Tibetan diaspora and shall work in close cooperation

1 with the United States Special Coordinator for Ti-
2 betan Issues.

3 “(c) POLICY.—The Secretary should not authorize
4 the establishment in the United States of any additional
5 consulate of the People’s Republic of China until such
6 time as a United States consulate in Lhasa, Tibet, is es-
7 tablished under subsection (a).”.

8 (d) RELIGIOUS PERSECUTION IN TIBET.—Section
9 620(b) of such Act (22 U.S.C. 6901 note) is amended by
10 adding at the end before the period the following: “, in-
11 cluding with respect to the reincarnation system of Ti-
12 betan Buddhism”.

13 (e) UNITED STATES SPECIAL COORDINATOR FOR TI-
14 BETAN ISSUES.—Section 621 of such Act (22 U.S.C. 6901
15 note) is amended—

16 (1) in subsection (c) to read as follows:

17 “(c) OBJECTIVES.—The objectives of the Special Co-
18 ordinator are to—

19 “(1) promote substantive dialogue without pre-
20 conditions between the Government of the People’s
21 Republic of China and the Dalai Lama or his rep-
22 resentatives or Central Tibetan Administration rep-
23 resentatives leading to a negotiated agreement on
24 Tibet;

1 “(2) encourage the Government of the People’s
2 Republic of China to address the aspirations of the
3 Tibetan people with regard to their cultural, reli-
4 gious, linguistic, and national identity;

5 “(3) promote the human rights and religious
6 freedoms of the Tibetan people, including women’s
7 human rights;

8 “(4) promote activities to preserve the distinct
9 environment and water resources of the Tibetan pla-
10 teau;

11 “(5) promote economic development as enumer-
12 ated in section 616(e) of this Act; and

13 “(6) promote access to Tibet in accordance with
14 the Reciprocal Access to Tibet Act of 2018.”;

15 (2) in subsection (d)—

16 (A) in paragraph (5), by striking “and” at
17 the end;

18 (B) by redesignating paragraph (6) as
19 paragraph (8); and

20 (C) by inserting after paragraph (5) the
21 following:

22 “(6) review and approve all projects carried out
23 pursuant to section 616(f) and section 7(b) of the
24 Tibetan Policy and Support Act of 2019;

1 “(7) seek to establish international diplomatic
2 coalitions to—

3 “(A) oppose any effort by the Government
4 of the People’s Republic of China to identify or
5 install Tibetan Buddhist religious leaders in a
6 manner inconsistent with the established reli-
7 gious practice and system of Tibetan Bud-
8 dhism; and

9 “(B) ensure that the identification and in-
10 stallation of Tibetan Buddhist religious leaders,
11 including a future 15th Dalai Lama, is deter-
12 mined solely within the Tibetan Buddhist faith
13 community, in accordance with the universally-
14 recognized right to religious freedom; and”; and
15 (3) by adding at the end the following:

16 “(e) PERSONNEL.—The Secretary shall assign not
17 less than three individuals to the Office of the Special Co-
18 ordinator to assist in the management of the responsibil-
19 ities of this section.”.

20 (f) GEOGRAPHIC DEFINITION OF TIBET.—Such Act
21 (22 U.S.C. 6901 note), as so amended, is further amended
22 by adding at the end the following:

1 **“SEC. 622. GEOGRAPHIC DEFINITION OF TIBET.**

2 “In this Act and in implementing policies relating to
3 the Tibetan people under other provisions of law, the term
4 ‘Tibet’, unless otherwise specified, means—

5 “(1) the Tibet Autonomous Region; and

6 “(2) the Tibetan areas of Qinghai, Sichuan,
7 Gansu, and Yunnan provinces.”.

8 **SEC. 3. STATEMENT OF POLICY REGARDING THE SUCCES-**
9 **SION OR REINCARNATION OF THE DALAI**
10 **LAMA.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) Tibetan Buddhism is practiced in many
13 countries including the People’s Republic of China,
14 Bhutan, Nepal, Mongolia, India, the Russian Fed-
15 eration, and the United States.

16 (2) No single political entity encompasses the
17 territory in which Tibetan Buddhism is practiced.

18 (3) The Dalai Lama is widely revered by Ti-
19 betan Buddhists and those who practice Tibetan
20 Buddhism around the world, including those in the
21 United States, as their spiritual leader.

22 (4) Under the Tibetan Buddhist belief system,
23 there have been 14 persons recognized as the Dalai
24 Lama, each a manifestation of the Bodhisattva of
25 Compassion, selected according to the spiritual tra-
26 ditions and practices of Tibetan Buddhism.

1 (5) The 14th Dalai Lama, Tenzin Gyatso,
2 issued a statement on September 24, 2011, explain-
3 ing the traditions and spiritual precepts of the selec-
4 tion of Dalai Lamas, setting forth his views on the
5 considerations and process for selecting his suc-
6 cessor, and providing a response to the Chinese gov-
7 ernment's claims that only the Chinese government
8 has the ultimate authority in the selection process of
9 the Dalai Lama.

10 (6) The 14th Dalai Lama said in his statement
11 that if a decision to continue the institution of the
12 Dalai Lama is made, that the responsibility shall
13 primarily rest with the Dalai Lama's Gaden
14 Phodrang Trust, who will be informed by the written
15 instructions of the 14th Dalai Lama.

16 (7) Since 2011, the 14th Dalai Lama has reit-
17 erated publicly on numerous occasions that decisions
18 on the succession or reincarnation of the next Dalai
19 Lama belongs to the Tibetan Buddhist faith commu-
20 nity alone.

21 (8) The Government of the People's Republic of
22 China has interfered in the process of recognizing a
23 successor or reincarnation of Tibetan Buddhist lead-
24 ers, including in 1995 by arbitrarily detaining
25 Gedhun Choekyi Nyima, a 6-year old boy who was

1 identified as the 11th Panchen Lama, and pur-
2 porting to install its own candidate as the Panchen
3 Lama.

4 (9) During his confirmation hearings to be Sec-
5 retary of State, Michael Pompeo testified to the Sen-
6 ate Foreign Relations Committee that “If confirmed,
7 I will press the Chinese government to respect the
8 legitimacy of Tibetan Buddhists’ religious practices.
9 This includes the decisions of Tibetan Buddhists in
10 selecting, educating, and venerating the lamas who
11 lead the faith, such as the Dalai Lama.”.

12 (10) The Department of State’s Report on
13 International Religious Freedom for 2017 reported
14 on policies and efforts of the Government of the
15 People’s Republic of China to exert control over the
16 selection of Tibetan Buddhist religious leaders, in-
17 cluding reincarnate lamas, and stated that “U.S. of-
18 ficials underscored that decisions on the reincarna-
19 tion of the Dalai Lama should be made solely by
20 faith leaders.”.

21 (11) In July 2015, Under Secretary of State
22 for Civilian Security, Democracy and Human
23 Rights, Sarah Sewall, serving concurrently as United
24 States Special Coordinator for Tibetan Issues, testi-
25 fied to Congress that “the basic and universally rec-

1 ognized right of religious freedom demands that any
2 decision on the next Dalai Lama be reserved to the
3 current Dalai Lama, Tibetan Buddhist leaders, and
4 the Tibetan people”.

5 (12) On June 8, 2015, the United States
6 House of Representatives unanimously approved
7 House Resolution 337 which calls on the United
8 States Government to “underscore that government
9 interference in the Tibetan reincarnation process is
10 a violation of the internationally recognized right to
11 religious freedom, and that matters related to rein-
12 carnations in Tibetan Buddhism are of keen interest
13 to Tibetan Buddhist populations worldwide”.

14 (13) On April 25, 2018, the United States Sen-
15 ate unanimously approved Senate Resolution 429
16 which “expresses its sense that the identification
17 and installation of Tibetan Buddhist religious lead-
18 ers, including a future 15th Dalai Lama, is a matter
19 that should be determined solely within the Tibetan
20 Buddhist faith community, in accordance with the
21 inalienable right to religious freedom”.

22 (b) STATEMENT OF POLICY.—It is the policy of the
23 United States that—

24 (1) decisions regarding the identification and
25 installation of Tibetan Buddhist religious leaders, in-

1 including a future 15th Dalai Lama, are exclusively
2 spiritual matters that should be made by the appro-
3 priate religious authorities within the Tibetan Bud-
4 dhist tradition and in the context of the will of reli-
5 gious practitioners and the instructions of the 14th
6 Dalai Lama; and

7 (2) interference by the Government of the Peo-
8 ple's Republic of China or any other government in
9 the process of recognizing a successor or reincarna-
10 tion of the Dalai Lama would represent a clear vio-
11 lation of the fundamental religious freedoms of Ti-
12 betan Buddhists and the Tibetan people.

13 (c) AMENDMENTS TO FOREIGN RELATIONS AUTHOR-
14 IZATION ACT, FISCAL YEARS 1990 AND 1991.—Section
15 901(b) of the Foreign Relations Authorization Act, Fiscal
16 Years 1990 and 1991 (Public Law 101–246; 104 Stat.
17 80) is amended—

18 (1) by redesignating paragraphs (7), (8), and
19 (9) as paragraphs (8), (9), and (10), respectively;
20 and

21 (2) by inserting after paragraph (6) the fol-
22 lowing:

23 “(7) protecting the internationally recognized
24 right to the freedom of religion and belief, including
25 ensuring that the identification and installation of

1 Tibetan Buddhist religious leaders, including a fu-
2 ture 15th Dalai Lama, is a matter determined solely
3 within the Tibetan Buddhist faith community, based
4 on instructions of the 14th Dalai Lama, without in-
5 terference by the Government of the People’s Repub-
6 lic of China;”.

7 (d) HOLDING CHINESE OFFICIALS RESPONSIBLE
8 FOR RELIGIOUS FREEDOM ABUSES TARGETING TIBETAN
9 BUDDHISTS.—It is the policy of the United States—

10 (1) to consider any effort by the Government of
11 the People’s Republic of China to identify or install
12 its own candidate as the future 15th Dalai Lama of
13 Tibetan Buddhism to be—

14 (A) a serious human rights abuse as such
15 term is used in Executive Order 13818 (2017);
16 and

17 (B) a particularly severe violation of reli-
18 gious freedom for purposes of applying section
19 212(a)(2)(G) of the Immigration and Nation-
20 ality Act (8 U.S.C. 1182(a)(2)(G)); and

21 (2) to consider any official of the Government
22 of the People’s Republic of China determined to be
23 complicit in identifying or installing a government-
24 approved candidate as the future 15th Dalai Lama,
25 contrary to the instructions provided by the 14th

1 Dalai Lama, and one not recognized by the faith
 2 community of Tibetan Buddhists globally to be sub-
 3 ject to sanctions described in Executive Order 13818
 4 (2017) and to inadmissibility into the United States
 5 under section 212(a)(2)(G) of the Immigration and
 6 Nationality Act (8 U.S.C. 1182(a)(2)).

7 (e) DEPARTMENT OF STATE PROGRAMMING TO PRO-
 8 MOTE RELIGIOUS FREEDOM FOR TIBETAN BUDDHISTS.—
 9 Consistent with section 401 of the Frank R. Wolf Inter-
 10 national Religious Freedom Act (Public Law 114–281;
 11 130 Stat. 1436), of the funds available to the Department
 12 of State for international religious freedom programs, the
 13 Ambassador-at-Large for International Religious Freedom
 14 should provide funding to vigorously protect and promote
 15 international religious freedom in China and for programs
 16 to protect Tibetan Buddhism in China and elsewhere.

17 **SEC. 4. REPORTING ON TIBET UNDER THE INTERNATIONAL**
 18 **RELIGIOUS FREEDOM ACT OF 1998.**

19 Section 102(b)(1) of the International Religious
 20 Freedom Act of 1998 (22 U.S.C. 6412(b)(1)) is amend-
 21 ed—

22 (1) in subparagraph (B), by striking “, includ-
 23 ing policies” and inserting “, including interference
 24 in the right of religious communities to choose their
 25 leaders, policies”; and

1 (2) by adding at the end the following:

2 “(H) CHINA.—Because matters relating to
3 religious freedom in China are complex in scope
4 and intensity and often vary by ethnicity and
5 geographic or administrative region, each chap-
6 ter on China in the Annual Report shall include
7 separate sections on—

8 “(i) Tibet;

9 “(ii) the Xinjiang Uyghur Autono-
10 mous Region;

11 “(iii) Hong Kong and Macau;

12 “(iv) unrecognized or independent
13 Catholics and Protestant ‘house churches’;
14 and

15 “(v) Falun Gong and other faith-
16 based or new religious movements.”.

17 **SEC. 5. POLICY REGARDING THE ENVIRONMENT AND**
18 **WATER RESOURCES ON THE TIBETAN PLA-**
19 **TEAU.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) Glaciers in Tibet feed ten of the major riv-
22 ers of South and East Asia, which supply freshwater
23 to an estimated 1.8 billion people.

24 (2) Chinese scientists have reported that since
25 1960 the Tibetan Plateau’s annual average tempera-

1 ture has increased at twice the global average, caus-
2 ing melting of the glaciers, which will result in vari-
3 able water flows in the future.

4 (3) Tibet's rivers support wetlands that play a
5 key role in water storage, water quality, and the reg-
6 ulation of water flow, and support biodiversity, fos-
7 ter vegetation growth, and act as carbon sinks.

8 (4) The grasslands of Tibet play a significant
9 role in carbon production and sequestration.

10 (5) Changes in permafrost levels, caused by ris-
11 ing temperatures and intensifying evaporation, can
12 affect the water supply, cause desertification, and
13 destabilize infrastructure on the Tibetan Plateau
14 and beyond.

15 (6) The warming of the Tibetan plateau may
16 cause changes in the monsoon cycle in South and
17 Southeast Asia, which could lead to droughts or
18 floods that overwhelm infrastructure and damage
19 crops.

20 (7) The resettlement of nomads from Tibetan
21 grasslands undermines the application of traditional
22 stewardship practices developed though centuries of
23 pastoral practices, which can be key to mitigating
24 the negative effects of warming on the Tibetan Pla-
25 teau.

1 (8) The construction of large hydroelectric
2 power dams in Tibet, planned to be used in part to
3 transmit power to Chinese provinces outside of
4 Tibet, as well as other infrastructure projects, in-
5 cluding the Sichuan-Tibet railroad may also lead to
6 the resettlement of thousands of Tibetans and trans-
7 form the environment.

8 (9) Cambodia, Laos, Thailand, and Vietnam are
9 members of the Mekong River Commission, which
10 promotes sustainable management and development
11 of water and related resources among member na-
12 tions.

13 (10) The People's Republic of China is not a
14 full party to the Mekong River Commission.

15 (11) The People's Republic of China has ap-
16 proximately 20 percent of the world's population but
17 only around 7 percent of the world's water supply,
18 with India and the rest of South and Southeast Asia
19 also relying on the rivers flowing from the
20 Himalayas of the Tibetan Plateau.

21 (12) The People's Republic of China has al-
22 ready completed water transfer programs diverting
23 billions of cubic meters of water yearly and there are
24 plans to divert more waters from the Tibetan pla-
25 teau in China.

1 (b) WATER RESOURCES IN TIBET AND THE TIBETAN
2 WATERSHED.—The Secretary of State, in coordination
3 with relevant agencies of the United States Government,
4 shall—

5 (1) pursue collaborative efforts with Chinese
6 and international scientific institutions to monitor
7 the environment on the Tibetan Plateau, including
8 glacial retreat, temperature rise, and carbon levels,
9 in order to promote a greater understanding of the
10 effects on permafrost, river flows, grasslands and
11 desertification, and the monsoon cycle;

12 (2) engage with the Government of the People's
13 Republic of China and nongovernmental organiza-
14 tions to encourage the participation of Tibetan no-
15 mads and other Tibetan stakeholders in the develop-
16 ment and implementation of grassland management
17 policies, in order to utilize their indigenous experi-
18 ence in mitigation and stewardship of the land and
19 to assess policies on the forced resettlement of no-
20 mads; and

21 (3) encourage a regional framework on water
22 security, or use existing frameworks, such as the
23 Lower Mekong Initiative, to facilitate cooperative
24 agreements among all riparian nations that would
25 promote transparency, sharing of information, pollu-

1 tion regulation, and arrangements on impounding
2 and diversion of waters that originate on the Ti-
3 betan Plateau.

4 (c) TIBETAN WATER RESOURCES AND NATIONAL SE-
5 CURITY.—Section 1202(b) of the National Defense Au-
6 thorization Act of 2000 (Public Law 106–65; 10 U.S.C.
7 113 note) is amended by adding at the end the following:

8 “(29) Tibet’s strategic importance and the stra-
9 tegic importance of water resources from the Ti-
10 betan Plateau in regional and territorial disputes.”.

11 **SEC. 6. DEMOCRACY IN THE TIBETAN EXILE COMMUNITY.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) The 14th Dalai Lama has overseen a proc-
14 ess of democratization within the Tibetan polity, be-
15 ginning in Tibet in the 1950s and continuing in exile
16 from the 1960s to the present.

17 (2) The first representative body in Tibetan his-
18 tory, formed on September 2, 1960, was the pre-
19 cursor of the Tibetan Parliament in Exile, the legis-
20 lative branch within the Central Tibetan Administra-
21 tion.

22 (3) The first direct election for the chief execu-
23 tive of the Central Tibetan Administration was held
24 on July 29, 2001, with the election of Professor
25 Samdhong Rinpoche.

1 (4) On March 10, 2011, the 14th Dalai Lama
2 announced that he would relinquish his political re-
3 sponsibilities and on August 8, 2011, he transferred
4 full political power to the elected leadership of the
5 Central Tibetan Administration.

6 (5) On March 20, 2011, members of the Ti-
7 betan exile community across some 30 countries held
8 elections, monitored by international observers and
9 assessed to be free and fair, to select the next par-
10 liament and chief executive.

11 (6) As a result of the codification of the trans-
12 fer of political power from the Dalai Lama, the
13 Kalon Tripa, or Chief of the Cabinet, assumed full
14 executive authority and the Tibetan Parliament in
15 Exile assumed full legislative authority within the
16 Central Tibetan Administration.

17 (7) As a result of the 2011 elections, the 15th
18 Tibetan Parliament was seated and Lobsang Sangay
19 was chosen as Kalon Tripa, a title changed to
20 Sikyong in 2012.

21 (8) Approximately six million Tibetans in Tibet
22 do not enjoy a democratic form of government or the
23 ability to elect their political representatives.

24 (9) Section 355 of the Foreign Relations Au-
25 thorization Act, Fiscal Years 1992 and 1993 ex-

1 pressed the sense of Congress that Tibet's true rep-
2 resentatives are the Dalai Lama and the Tibetan
3 government-in-exile as recognized by the Tibetan
4 people and that Tibet has maintained throughout its
5 history a distinctive and sovereign national, cultural,
6 and religious identity separate from that of China
7 and, except during periods of illegal Chinese occupa-
8 tion, has maintained a separate and sovereign polit-
9 ical and territorial identity.

10 (10) The Middle Way Approach, the official
11 policy of the Central Tibetan Administration, seeks
12 genuine autonomy for the six million Tibetans in
13 Tibet.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) Tibetan exile communities around the world
17 should be commended for the successful adoption of
18 a system of self governance with democratic institu-
19 tions and free elections to choose their leaders;

20 (2) the Dalai Lama should be commended for
21 his decision to transfer political authority to elected
22 leaders in accordance with democratic principles;

23 (3) the Central Tibetan Administration legiti-
24 mately represents and reflects the aspirations of Ti-

1 betan people around the world and the Sikyong is
2 the President of the Central Tibetan Administration;

3 (4) as consistent with section 621(d)(3) of the
4 Tibetan Policy Act of 2002 (22 U.S.C. 6901 note),
5 the United States Special Coordinator for Tibetan
6 Issues should continue to maintain close contact
7 with the religious, cultural, and elected leaders of
8 the Tibetan people; and

9 (5) the adoption of democracy within the Ti-
10 betan exile community can serve as an example to
11 other sub-national or non-sovereign communities
12 around the world.

13 **SEC. 7. SUSTAINABILITY IN TIBETAN COMMUNITIES SEEK-**
14 **ING TO PRESERVE THEIR CULTURE, RELI-**
15 **GION, AND LANGUAGE.**

16 (a) FINDINGS.—Congress finds the following:

17 (1) Following the flight into exile of the Dalai
18 Lama and tens of thousands of fellow Tibetans, the
19 Government of India graciously granted land on
20 which the Tibetan refugees could settle.

21 (2) Under the leadership of the Dalai Lama,
22 Tibetan refugees established in settlements in India,
23 Nepal, and Bhutan monastic, cultural, and edu-
24 cational institutions for the purpose of preserving

1 their religion, culture, and language until the time
2 that they could return to Tibet.

3 (3) Many of the Tibetan settlements are more
4 than 50 years old with aging infrastructure, chal-
5 lenging the capacity to absorb new refugees and pro-
6 vide modern services and gainful employment.

7 (4) The threats to Tibetan culture, religion, and
8 language in the People's Republic of China justify
9 support for efforts by Tibetans outside China to pre-
10 serve their heritage.

11 (5) Many long-staying Tibetans in Nepal have
12 not received documentation that would provide legal
13 resident status and allow them fuller access to edu-
14 cational opportunities and sustainable participation
15 in the economy and society of Nepal.

16 (6) It is United States policy to promote the
17 human rights of the Tibetan people and the preser-
18 vation of the distinct Tibetan cultural, religious, and
19 linguistic heritage.

20 (7) The Dalai Lama has said that the Central
21 Tibetan Administration will cease to exist once a ne-
22 gotiated settlement has been achieved that allows Ti-
23 betans to freely enjoy their culture, religion, and lan-
24 guage in Tibet.

1 (b) DEVELOPMENT ASSISTANCE.—Of the amount au-
2 thorized to be appropriated for development assistance for
3 fiscal year 2020, such sums as may be necessary are au-
4 thorized to be available to support the preservation of Ti-
5 betan cultural, religious, and linguistic heritage, as well
6 as the education, skills development, and entrepreneurship
7 of Tibetans residing in settlements in South Asia, subject
8 to review and approval of the United States Special Coor-
9 dinator for Tibetan Issues.

10 (c) STATUS OF TIBETANS IN NEPAL.—The Secretary
11 of State shall urge the Government of Nepal to provide
12 legal documentation to long-staying Tibetan residents in
13 Nepal who fled a credible threat of persecution in Tibet
14 in order to allow them to more fully participate in the
15 economy and society of Nepal.

16 (d) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the Office of Tibet in Washington, DC, is the
18 representative office in the United States of the Dalai
19 Lama and the Central Tibetan Administration.

20 (e) SUNSET.—This section shall terminate on the
21 date that is one year after the date on which the Secretary
22 of State certifies to Congress that a negotiated settlement
23 between the Government of the People’s Republic of China
24 and the Dalai Lama or his representatives on Tibet has
25 been concluded.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) OFFICE OF THE UNITED STATES SPECIAL COOR-
3 DINATOR FOR TIBETAN ISSUES.—Of the amounts author-
4 ized to be appropriated to the Department of State for
5 administration of foreign affairs, not less than \$1,000,000
6 is authorized to be appropriated for fiscal year 2020 and
7 each subsequent fiscal year for the Office of the United
8 States Special Coordinator for Tibetan Issues.

9 (b) TIBETAN SCHOLARSHIP PROGRAM AND
10 “NGWANG CHOEPHEL EXCHANGE PROGRAMS”.—Of the
11 amounts authorized to be appropriated for educational
12 and cultural exchange programs for fiscal year 2020 and
13 each subsequent fiscal year—

14 (1) not less than \$750,000 is authorized to be
15 appropriated to carry out the Tibetan scholarship
16 program established under section 103(b)(1) of the
17 Human Rights, Refugee, and Other Foreign Rela-
18 tions Provisions Act of 1996 (Public Law 104–319;
19 22 U.S.C. 2151 note); and

20 (2) not less than \$650,000 is authorized to be
21 appropriated to carry out the “Ngwang Choepel Ex-
22 change Programs” (formerly known as “programs of
23 educational and cultural exchange between the
24 United States and the people of Tibet”) under sec-
25 tion 103(a) of the Human Rights, Refugee, and
26 Other Foreign Relations Provisions Act of 1996.

1 (c) HUMANITARIAN ASSISTANCE TO TIBETAN REFUG-
2 GEES IN SOUTH ASIA.—Of the amounts authorized to be
3 appropriated for migration and refugee assistance for fis-
4 cal year 2020 and each subsequent fiscal year, such sums
5 as may be necessary are authorized to be appropriated for
6 humanitarian assistance, including food, medicine, cloth-
7 ing, and medical and vocational training, to Tibetan refu-
8 gees in South Asia who have fled facing a credible threat
9 of persecution in the People’s Republic of China.

10 (d) DEVELOPMENT ASSISTANCE.—Of the funds ap-
11 propriated under the heading Economic Support Fund for
12 fiscal year 2020 and each subsequent fiscal year, not less
13 than \$6,000,000 is authorized for programs to promote
14 and preserve Tibetan culture and language both in the ref-
15 ugee and diaspora Tibetan communities, development, and
16 the resilience of Tibetan communities and the Central Ti-
17 betan Administration in India and Nepal, and to assist
18 in the education and development of the next generation
19 of Tibetan leaders from such communities.

20 (e) TIBETAN GOVERNANCE.—Of the funds appro-
21 priated under the heading “Economic Support Fund” for
22 fiscal year 2020 and each subsequent fiscal year, not less
23 than \$3,000,000 is authorized for programs to strengthen
24 the capacity of the Central Tibetan Administration, insti-

- 1 tutions and strengthen democracy, governance, informa-
- 2 tion and international outreach, and research.

