

116TH CONGRESS
1ST SESSION

S. 2539

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2019

Mr. RUBIO (for himself, Mr. CARDIN, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. COTTON, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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”.

6 **SEC. 2. MODIFICATIONS TO AND REAUTHORIZATION OF**
7 **THE TIBETAN POLICY ACT OF 2002.**

8 (a) TIBET NEGOTIATIONS.—Section 613 of the Ti-
9 betan Policy Act of 2002 (subtitle B of title VI of division

1 A of Public law 107–228; 22 U.S.C. 6901 note) is amend-
2 ed—

3 (1) in subsection (a)—

4 (A) in paragraph (1)—

5 (i) by inserting “without pre-
6 conditions” after “a dialogue”;

7 (ii) by inserting “or Central Tibetan
8 Administration representatives” after “his
9 representatives”; and

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

14 (B) by redesignating paragraph (2) as
15 paragraph (3); and

16 (C) by inserting after paragraph (1) the
17 following new paragraph:

18 “(2) POLICY COMMUNICATION.—The President
19 shall direct the Secretary of State to ensure that, in
20 accordance with this Act, United States policy on
21 Tibet, as coordinated by the United States Special
22 Coordinator for Tibetan Issues, is communicated to
23 all Federal departments and agencies in contact with
24 the Government of the People’s Republic of China.”;
25 and

1 (2) in subsection (b)—

2 (A) in the matter preceding paragraph

3 (1)—

4 (i) by striking “until December 31,
5 2021”; and

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

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

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

14 (D) by adding at the end the following new
15 paragraphs:

16 “(3) the steps taken by the United States Gov-
17 ernment to promote and protect the human rights
18 and the distinct religious, cultural, linguistic, and
19 national identity of the Tibetan people, including the
20 right of the Tibetan people to choose their own reli-
21 gious leaders in accordance with their established re-
22 ligious practice and system; and

23 “(4) an analysis of United States business ac-
24 tivities in Tibet, whether those activities employ Ti-
25 betans and how many, whether those activities are

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

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

7 (1) in subsection (d)—

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

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

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

14 (D) by adding at the end the following new
15 paragraph:

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 new sub-
21 sections:

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

1 “(1) encourage United States businesses and
2 individuals that are engaged in commerce or invest-
3 ing in enterprises in Tibet to abide by the principles
4 specified in subsection (d) and the United Nations
5 Guiding Principles on Business and Human Rights;
6 and

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

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

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

1 **“SEC. 618. DIPLOMATIC REPRESENTATION RELATING TO**
 2 **TIBET.**

3 “(a) UNITED STATES CONSULATE IN LHASA,
 4 TIBET.—

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

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

16 “(b) TIBET SECTION IN UNITED STATES EMBASSY
 17 IN BEIJING, CHINA.—

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

24 “(2) DUTIES.—The Tibet section established
 25 under paragraph (1) shall have the primary respon-
 26 sibility of reporting on human rights issues and ac-

1 cess to Tibet by United States Government officials,
 2 journalists, nongovernmental organizations, and the
 3 Tibetan diaspora and shall work in close cooperation
 4 with the United States Special Coordinator for Ti-
 5 betan Issues.

6 “(c) POLICY.—The Secretary shall not authorize the
 7 establishment in the United States of any additional con-
 8 sulate of the People’s Republic of China until such time
 9 as a United States consulate in Lhasa, Tibet, is estab-
 10 lished under subsection (a).”.

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

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

19 (1) by amending subsection (c) to read as fol-
 20 lows:

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

23 “(1) promote substantive dialogue without pre-
 24 conditions between the Government of the People’s
 25 Republic of China and the Dalai Lama or his rep-

1 representatives or Central Tibetan Administration rep-
 2 resentatives leading to a negotiated agreement on
 3 Tibet;

4 “(2) encourage the Government of the People’s
 5 Republic of China to address the aspirations of the
 6 Tibetan people regarding their cultural, religious,
 7 linguistic, and national identity;

8 “(3) promote the human rights and religious
 9 freedoms of the Tibetan people, including women’s
 10 human rights;

11 “(4) promote activities to preserve the distinct
 12 environment and water resources of the Tibetan pla-
 13 teau;

14 “(5) promote economic development as enumer-
 15 ated in section 616(e); and

16 “(6) promote access to Tibet in accordance with
 17 the Reciprocal Access to Tibet Act of 2018 (Public
 18 law 115–330).”;

19 (2) in subsection (d)—

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

22 (B) by redesignating paragraph (6) as
 23 paragraph (8); and

24 (C) by inserting after paragraph (5) the
 25 following new paragraphs:

1 “(6) review and approve all projects carried out
2 pursuant to section 616(f) of this Act and section
3 7(b) of the Tibetan Policy and Support Act of 2019;

4 “(7) seek to establish international diplomatic
5 coalitions to—

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

12 “(B) ensure that the identification and in-
13 stallation of Tibetan Buddhist religious leaders,
14 including a future 15th Dalai Lama, is deter-
15 mined solely within the Tibetan Buddhist faith
16 community, in accordance with the universally
17 recognized right to religious freedom; and”;

18 (3) by adding at the end the following new sub-
19 section:

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

1 (f) GEOGRAPHIC DEFINITION OF TIBET.—Such Act
 2 (22 U.S.C. 6901 note), as so amended, is further amended
 3 by adding at the end the following new section:

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

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

8 “(1) the Tibet Autonomous Region; and

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

11 **SEC. 3. STATEMENT OF POLICY REGARDING THE SUCCESSION OR REINCARNATION OF THE DALAI**
 12 **LAMA.**

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

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

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

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

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

6 (5) The 14th Dalai Lama, Tenzin Gyatso,
 7 issued a statement on September 24, 2011, explain-
 8 ing the traditions and spiritual precepts of the selec-
 9 tion of Dalai Lamas, setting forth his views on the
 10 considerations and process for selecting his suc-
 11 cessor, and providing a response to the claims of the
 12 Government of the People's Republic of China that
 13 only that Government has the ultimate authority in
 14 the selection process of the Dalai Lama.

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

21 (7) Since 2011, the 14th Dalai Lama has reit-
 22 erated publicly on numerous occasions that decisions
 23 on the succession or reincarnation of the next Dalai
 24 Lama belong to the Tibetan Buddhist faith commu-
 25 nity alone.

1 (8) The Government of the People’s Republic of
2 China has interfered in the process of recognizing a
3 successor or reincarnation of Tibetan Buddhist lead-
4 ers, including in 1995 by arbitrarily detaining
5 Gedhun Choekyi Nyima, a 6-year-old boy who was
6 identified as the 11th Panchen Lama, and pur-
7 porting to install its own candidate as the Panchen
8 Lama.

9 (9) During his confirmation hearings to be Sec-
10 retary of State, Michael Pompeo testified to the
11 Committee on Foreign Relations of the Senate, “If
12 confirmed, I will press the Chinese government to
13 respect the legitimacy of Tibetan Buddhists’ reli-
14 gious practices. This includes the decisions of Ti-
15 betan Buddhists in selecting, educating, and vener-
16 ating the lamas who lead the faith, such as the
17 Dalai Lama.”.

18 (10) The Department of State’s Report on
19 International Religious Freedom for 2017 reported
20 on policies and efforts of the Government of the
21 People’s Republic of China to exert control over the
22 selection of Tibetan Buddhist religious leaders, in-
23 cluding reincarnate lamas, and stated that “U.S. of-
24 ficials underscored that decisions on the reincarna-

1 tion of the Dalai Lama should be made solely by
2 faith leaders”.

3 (11) In July 2015, Under Secretary of State
4 for Civilian Security, Democracy, and Human
5 Rights, Sarah Sewall, serving concurrently as United
6 States Special Coordinator for Tibetan Issues, testi-
7 fied to Congress that “the basic and universally rec-
8 ognized right of religious freedom demands that any
9 decision on the next Dalai Lama be reserved to the
10 current Dalai Lama, Tibetan Buddhist leaders, and
11 the Tibetan people”.

12 (12) On June 8, 2015, the United States
13 House of Representatives unanimously approved
14 House Resolution 337 (114th Congress) which calls
15 on the United States Government to “underscore
16 that government interference in the Tibetan reincar-
17 nation process is a violation of the internationally
18 recognized right to religious freedom, and that mat-
19 ters related to reincarnations in Tibetan Buddhism
20 are of keen interest to Tibetan Buddhist populations
21 worldwide”.

22 (13) On April 25, 2018, the United States Sen-
23 ate unanimously approved Senate Resolution 429
24 (115th Congress), which “expresses its sense that
25 the identification and installation of Tibetan Bud-

1 dhist religious leaders, including a future 15th Dalai
 2 Lama, is a matter that should be determined solely
 3 within the Tibetan Buddhist faith community, in ac-
 4 cordance with the inalienable right to religious free-
 5 dom”.

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

8 (1) decisions regarding the identification and
 9 installation of Tibetan Buddhist religious leaders, in-
 10 cluding a future 15th Dalai Lama, are exclusively
 11 spiritual matters that should be made by the appro-
 12 priate religious authorities within the Tibetan Bud-
 13 dhist tradition and in the context of the will of reli-
 14 gious practitioners and the instructions of the 14th
 15 Dalai Lama; and

16 (2) interference by the Government of the Peo-
 17 ple’s Republic of China or any other government in
 18 the process of recognizing a successor or reincarna-
 19 tion of the Dalai Lama would represent a clear vio-
 20 lation of the fundamental religious freedoms of Ti-
 21 betan Buddhists and the Tibetan people.

22 (c) AMENDMENTS TO FOREIGN RELATIONS AUTHOR-
 23 IZATION ACT, FISCAL YEARS 1990 AND 1991.—Section
 24 901(a) of the Foreign Relations Authorization Act, Fiscal

1 Years 1990 and 1991 (Public Law 101–246; 104 Stat.
2 80) is amended—

3 (1) by redesignating paragraphs (7), (8), and
4 (9) as paragraphs (8), (9), and (10), respectively;
5 and

6 (2) by inserting after paragraph (6) the fol-
7 lowing new paragraph:

8 “(7) protecting the internationally recognized
9 right to the freedom of religion and belief, including
10 ensuring that the identification and installation of
11 Tibetan Buddhist religious leaders, including a fu-
12 ture 15th Dalai Lama, is a matter determined solely
13 within the Tibetan Buddhist faith community, based
14 on instructions of the 14th Dalai Lama, without in-
15 terference by the Government of the People’s Repub-
16 lic of China;”.

17 (d) HOLDING CHINESE OFFICIALS RESPONSIBLE
18 FOR RELIGIOUS FREEDOM ABUSES TARGETING TIBETAN
19 BUDDHISTS.—It is the policy of the United States—

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

24 (A) a serious human rights abuse as such
25 term is used in Executive Order No. 13818 (re-

1 lating to blocking the property of persons in-
 2 volved in serious human rights abuse or corrup-
 3 tion); and

4 (B) a particularly severe violation of reli-
 5 gious freedom for purposes of applying section
 6 212(a)(2)(G) of the Immigration and Nation-
 7 ality Act (8 U.S.C. 1182(a)(2)(G)); and

8 (2) to consider any official of the Government
 9 of the People's Republic of China determined to be
 10 complicit in identifying or installing a government-
 11 approved candidate as the future 15th Dalai Lama,
 12 contrary to the instructions provided by the 14th
 13 Dalai Lama, and one not recognized by the faith
 14 community of Tibetan Buddhists globally, to be sub-
 15 ject to sanctions described in Executive Order No.
 16 13818 and to inadmissibility into the United States
 17 under section 212(a)(2)(G) of the Immigration and
 18 Nationality Act (8 U.S.C. 1182(a)(2)).

19 (e) DEPARTMENT OF STATE PROGRAMMING TO PRO-
 20 MOTE RELIGIOUS FREEDOM FOR TIBETAN BUDDHISTS.—
 21 Consistent with section 401 of the Frank R. Wolf Inter-
 22 national Religious Freedom Act (Public Law 114–281;
 23 130 Stat. 1436), using funds available to the Department
 24 of State for international religious freedom programs, the
 25 Ambassador at Large for International Religious Freedom

1 should provide funding to vigorously protect and promote
 2 international religious freedom in China and for programs
 3 to protect Tibetan Buddhism in China and elsewhere.

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

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

9 (1) in subparagraph (B), by striking “, includ-
 10 ing policies” and inserting “, including interference
 11 in the right of religious communities to choose their
 12 leaders, policies”; and

13 (2) by adding at the end the following new sub-
 14 paragraph:

15 “(H) CHINA.—Because matters relating to
 16 religious freedom in China are complex in scope
 17 and intensity and often vary by ethnicity and
 18 geographic or administrative region, each chap-
 19 ter on China in the Annual Report shall include
 20 separate sections on—

21 “(i) Tibet;

22 “(ii) the Xinjiang Uyghur Autono-
 23 mous Region;

24 “(iii) Hong Kong and Macau;

1 “(iv) unrecognized or independent
 2 Catholic and Protestant ‘house churches’;
 3 and
 4 “(v) Falun Gong and faith-based or
 5 new religious movements.”.

6 **SEC. 5. POLICY REGARDING THE ENVIRONMENT AND**
 7 **WATER RESOURCES ON THE TIBETAN PLA-**
 8 **TEAU.**

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

10 (1) Glaciers in Tibet feed 10 of the major rivers
 11 of South and East Asia, which supply fresh water to
 12 an estimated 1,800,000,000 people.

13 (2) Chinese scientists have reported that since
 14 1960 the Tibetan Plateau’s annual average tempera-
 15 ture has increased at twice the global average, caus-
 16 ing melting of the glaciers, which will result in vari-
 17 able water flows in the future.

18 (3) Tibet’s rivers support wetlands that play a
 19 key role in water storage, water quality, and the reg-
 20 ulation of water flow, and support biodiversity, fos-
 21 ter vegetation growth, and act as carbon sinks.

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

1 (5) Changes in permafrost levels can affect the
2 water supply, cause desertification, and destabilize
3 infrastructure on the Tibetan Plateau and beyond.

4 (6) The warming of the Tibetan Plateau may
5 cause changes in the monsoon cycle in South and
6 Southeast Asia, which could lead to droughts or
7 floods that overwhelm infrastructure and damage
8 crops.

9 (7) The resettlement of nomads from Tibetan
10 grasslands undermines the application of traditional
11 stewardship practices developed through centuries of
12 pastoral practices, which can be key to mitigating
13 the negative effects of warming on the Tibetan Pla-
14 teau.

15 (8) The construction of large hydroelectric
16 power dams in Tibet, planned to be used in part to
17 transmit power to Chinese provinces outside of
18 Tibet, as well as other infrastructure projects, in-
19 cluding the Sichuan-Tibet railroad may also lead to
20 the resettlement of thousands of Tibetans and trans-
21 form the environment.

22 (9) Cambodia, Laos, Thailand, and Vietnam are
23 members of the Mekong River Commission, which
24 promotes sustainable management and development

1 of water and related resources among member na-
 2 tions.

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

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

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

16 (b) WATER RESOURCES IN TIBET AND THE TIBETAN
 17 WATERSHED.—The Secretary of State, in coordination
 18 with relevant agencies of the United States Government,
 19 shall—

20 (1) pursue efforts to monitor the environment
 21 on the Tibetan Plateau, including glacial retreat,
 22 temperature rise, and carbon levels, in order to pro-
 23 mote a greater understanding of the effects on per-
 24 mafrost, river flows, grasslands and desertification,
 25 and the monsoon cycle;

1 (2) engage with the Government of the People’s
 2 Republic of China, the Central Tibetan Administra-
 3 tion, and nongovernmental organizations to encour-
 4 age the participation of Tibetan nomads and other
 5 Tibetan stakeholders in the development and imple-
 6 mentation of grassland management policies, in
 7 order to utilize their indigenous experience in mitiga-
 8 tion and stewardship of the land, and to assess poli-
 9 cies on the forced resettlement of nomads; and

10 (3) encourage a regional framework on water
 11 security or use existing frameworks, such as the
 12 Lower Mekong Initiative, to facilitate cooperative
 13 agreements among all riparian nations that would
 14 promote transparency, sharing of information, pollu-
 15 tion regulation, and arrangements on impounding
 16 and diversion of waters that originate on the Ti-
 17 betan Plateau.

18 (c) TIBETAN WATER RESOURCES AND NATIONAL SE-
 19 curity.—Section 1202(b) of the National Defense Au-
 20 thorization Act of 2000 (Public Law 106–65; 10 U.S.C.
 21 113 note) is amended by adding at the end the following:

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

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

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

3 (1) The 14th Dalai Lama has overseen a proc-
4 ess of democratization within the Tibetan policy, be-
5 ginning in Tibet in the 1950s and continuing in exile
6 from the 1960s to the present.

7 (2) The first representative body in Tibetan his-
8 tory, formed on September 2, 1960, was the pre-
9 cursor of the Tibetan Parliament-in-Exile, the legis-
10 lative branch within the Central Tibetan Administra-
11 tion.

12 (3) The first direct election for the chief execu-
13 tive of the Central Tibetan Administration was held
14 on July 29, 2001, with the election of Professor
15 Samdhong Rinpoche.

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

21 (5) On March 20, 2011, members of the Ti-
22 betan exile community across some 30 countries held
23 elections, monitored by international observers and
24 assessed to be free and fair, to select the next par-
25 liament and chief executive.

1 (6) As a result of the codification of the trans-
2 fer of political power from the Dalai Lama, the
3 Kalon Tripa, or Chief of the Cabinet, assumed full
4 executive authority and the Tibetan Parliament-in-
5 Exile assumed full legislative authority within the
6 Central Tibetan Administration.

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

11 (8) Approximately 6,000,000 Tibetans in Tibet
12 do not enjoy a democratic form of government or the
13 ability to elect their political representatives.

14 (9) Section 355 of the Foreign Relations Au-
15 thorization Act, Fiscal Years 1992 and 1993 (Public
16 law 102–138; 105 Stat 713), expressed the sense of
17 Congress that Tibet’s true representatives are the
18 Dalai Lama and the Tibetan government-in-exile as
19 recognized by the Tibetan people and that Tibet has
20 maintained throughout its history a distinctive and
21 sovereign national, cultural, and religious identity
22 separate from that of China and, except during peri-
23 ods of illegal Chinese occupation, has maintained a
24 separate and sovereign political and territorial iden-
25 tity.

1 (10) The Middle Way Approach, the official
2 policy of the Central Tibetan Administration, seeks
3 genuine autonomy for the 6,000,000 Tibetans in
4 Tibet.

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

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

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

14 (3) the Central Tibetan Administration legiti-
15 mately represents and reflects the aspirations of Ti-
16 betan people around the world, and the Sikyong is
17 the President of the Central Tibetan Administration;

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

24 (5) the adoption of democracy within the Ti-
25 betan exile community can serve as an example to

1 other exiled, subnational, or nonsovereign commu-
2 nities around the world.

3 **SEC. 7. SUSTAINABILITY IN TIBETAN COMMUNITIES SEEK-**
4 **ING TO PRESERVE THEIR CULTURE, RELI-**
5 **GION, AND LANGUAGE.**

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

7 (1) Following the flight into exile of the Dalai
8 Lama and tens of thousands of fellow Tibetans, the
9 Government of India graciously granted land on
10 which the Tibetan refugees could settle.

11 (2) Under the leadership of the Dalai Lama,
12 Tibetan refugees established settlements in India,
13 Nepalese, and Bhutanese monastic, cultural, and
14 educational institutions for the purpose of preserving
15 their religion, culture, and language until the time
16 that they could return to Tibet.

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

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

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

6 (6) It is United States policy to promote the
7 human rights of the Tibetan people and the preser-
8 vation of the distinct Tibetan cultural, religious, and
9 linguistic heritage.

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

15 (b) DEVELOPMENT ASSISTANCE.—Of the amount au-
16 thorized to be appropriated for development assistance for
17 fiscal year 2020, such sums as may be necessary are au-
18 thorized to be available to support the preservation of Ti-
19 betan cultural, religious, and linguistic heritage, as well
20 as the education, skills development, and entrepreneurship
21 of Tibetans residing in settlements in South Asia, subject
22 to review and approval of the United States Special Coor-
23 dinator for Tibetan Issues.

24 (c) STATUS OF TIBETANS IN NEPAL.—The Secretary
25 of State shall urge the Government of Nepal to provide

1 legal documentation to long-staying Tibetan residents in
 2 Nepal who fled a credible threat of persecution in Tibet,
 3 in order to allow them to more fully participate in the
 4 economy and society of Nepal.

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

9 (e) SUNSET.—This section shall terminate on the
 10 date that is one year after the date on which the Secretary
 11 of State certifies to Congress that a negotiated settlement
 12 between the Government of the People’s Republic of China
 13 and the Dalai Lama or his representatives or Central Ti-
 14 betan Administration representatives on Tibet has been
 15 concluded.

16 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) OFFICE OF THE UNITED STATES SPECIAL COOR-
 18 DINATOR FOR TIBETAN ISSUES.—Of the amounts author-
 19 ized to be appropriated to the Department of State for
 20 administration of foreign affairs, not less than \$1,000,000
 21 is authorized to be appropriated for fiscal year 2020 and
 22 each subsequent fiscal year for the Office of the United
 23 States Special Coordinator for Tibetan Issues.

24 (b) TIBETAN SCHOLARSHIP PROGRAM AND
 25 “NGWANG CHOPEL EXCHANGE PROGRAMS”.—Of the

1 amounts authorized to be appropriated for educational
2 and cultural exchange programs for fiscal year 2020 and
3 each subsequent fiscal year—

4 (1) Not less than \$750,000 is authorized to be
5 appropriated to carry out the Tibetan scholarship
6 program established under section 103(b)(1) of the
7 Human Rights, Refugee, and Other Foreign Rela-
8 tions Provisions Act of 1996 (Public Law 104–319;
9 110 Stat. 3865); and

10 (2) Not less than \$650,000 is authorized to be
11 appropriated to carry out the “Ngwang Choepel Ex-
12 change Programs” (formerly known as “programs of
13 educational and cultural exchange between the
14 United States and the people of Tibet”) under sec-
15 tion 103(a) of the Human Rights, Refugee, and
16 Other Foreign Relations Provisions Act of 1996.

17 (c) HUMANITARIAN ASSISTANCE TO TIBETAN REFU-
18 GEES IN SOUTH ASIA.—Of the amounts authorized to be
19 appropriated for migration and refugee assistance for fis-
20 cal year 2020 and each subsequent fiscal year, such sums
21 as may be necessary are authorized to be appropriated for
22 humanitarian assistance, including food, medicine, cloth-
23 ing, and medical and vocational training, to Tibetan refu-
24 gees in South Asia who have fled facing a credible threat
25 of persecution in the People’s Republic of China.

1 (d) DEVELOPMENT ASSISTANCE.—Of the funds ap-
2 propriated under the heading “Economic Support Fund”
3 for fiscal year 2020 and each subsequent fiscal year, not
4 less than \$6,000,000 is authorized for programs to pro-
5 mote and preserve Tibetan culture and language both in
6 the refugee and diaspora Tibetan communities, develop-
7 ment, and the resilience of Tibetan communities and the
8 Central Tibetan Administration in India and Nepal, and
9 to assist in the education and development of the next gen-
10 eration of Tibetan leaders from such communities.

11 (e) TIBETAN GOVERNANCE.—Of the funds appro-
12 priated under the heading “Economic Support Fund” for
13 fiscal year 2020 and each subsequent fiscal year, not less
14 than \$3,000,000 is authorized for programs to strengthen
15 the capacity of the Central Tibetan Administration, insti-
16 tutions and strengthen democracy, governance, informa-
17 tion and international outreach, and research.

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