

1 **Subtitle E—Tibetan Policy and**
2 **Support Act of 2020**

3 **SEC. 341. MODIFICATIONS TO AND REAUTHORIZATION OF**
4 **TIBETAN POLICY ACT OF 2020.**

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

8 (1) in subsection (a)—

9 (A) in paragraph (1)—

10 (i) by inserting “without pre-
11 conditions” after “a dialogue”;

12 (ii) by inserting “or democratically-
13 elected leaders of the Tibetan community”
14 after “his representatives”; and

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

19 (B) by redesignating paragraph (2) as
20 paragraph (3); and

21 (C) by inserting after paragraph (1) the
22 following new paragraph:

23 “(2) POLICY COMMUNICATION.—The Secretary
24 of State shall ensure that, in accordance with this
25 Act, United States policy on Tibet, as coordinated

1 by the United States Special Coordinator for Ti-
2 betan Issues, is communicated to all Federal depart-
3 ments and agencies in contact with the Government
4 of the People's Republic of China.”;

5 (2) in subsection (b)—

6 (A) in the matter preceding paragraph

7 (1)—

8 (i) by striking “until December 31,
9 2021” and inserting “until December 31,
10 2031”; and

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

15 (B) in paragraph (1), by striking “; and”
16 and inserting a semicolon;

17 (C) in paragraph (2), by striking the pe-
18 riod at the end and inserting “; and” ; and

19 (D) by adding at the end the following new
20 paragraph:

21 “(3) the steps taken by the United States Gov-
22 ernment to promote the human rights and distinct
23 religious, cultural, linguistic, and historical identity
24 of the Tibetan people, including the right of the Ti-
25 betan people to select, educate, and venerate their

2625

1 own religious leaders in accordance with their estab-
2 lished religious practice and system.”.

3 (b) TIBET PROJECT PRINCIPLES.—Section 616 of
4 such Act (22 U.S.C. 6901 note) is amended—

5 (1) in subsection (d)—

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

8 (B) in paragraph (8), by striking “; and”
9 and inserting a semicolon;

10 (C) in paragraph (9)—

11 (i) by inserting “involuntary or co-
12 erced” after “nor facilitate the”; and

13 (ii) by striking the period at the end
14 and inserting “; and”; and

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

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

21 (2) by adding at the end the following new sub-
22 sections:

23 “(e) UNITED STATES ASSISTANCE.—

24 “(1) IN GENERAL.—The President is author-
25 ized to provide assistance to nongovernmental orga-

1 nizations to support inclusive economic growth, resil-
2 ience, global health, education, environmental stew-
3 ardship, and cultural and historical preservation for
4 Tibetan communities in Tibet, in accordance with
5 the principles specified in subsection (d).

6 “(2) COORDINATION.—Assistance authorized
7 under paragraph (1) shall be carried out in coordi-
8 nation with the United States Special Coordinator
9 for Tibetan Issues in accordance with section
10 621(d).

11 “(f) PRIVATE SECTOR INVESTMENT.—The Secretary
12 of State, in coordination with the Secretary of Commerce,
13 should—

14 “(1) encourage United States businesses and
15 individuals that are engaged in commerce or invest-
16 ing in enterprises in Tibet to be guided by the prin-
17 ciples specified in subsection (d) and the United Na-
18 tions Guiding Principles on Business and Human
19 Rights; and

20 “(2) hold regular consultations with businesses
21 and individuals that are engaged in commerce or are
22 investing in enterprises in Tibet about the principles
23 referenced in paragraph (1) and the business prac-
24 tices of such businesses and individuals in Tibet.”.

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

4 **“SEC. 618. DIPLOMATIC REPRESENTATION RELATING TO**
5 **TIBET.**

6 “(a) UNITED STATES CONSULATE IN LHASA,
7 TIBET.—The Secretary should seek to establish a United
8 States consulate in Lhasa, Tibet—

9 “(1) to provide consular services to United
10 States citizens traveling in Tibet; and

11 “(2) to monitor political, economic, and cultural
12 developments in Tibet.

13 “(b) POLICY.—The Secretary may not authorize the
14 establishment in the United States of any additional con-
15 sulate of the People’s Republic of China until such time
16 as a United States consulate in Lhasa, Tibet, is estab-
17 lished under subsection (a).

18 “(c) WAIVER.—The Secretary may waive the require-
19 ment under subsection (b), notwithstanding the lack of a
20 United States consulate in Lhasa, not less than 30 days
21 after the Secretary determines and reports to the appro-
22 priate congressional committees that it is in the national
23 security interests of the United States to waive such re-
24 quirements and submits to the appropriate congressional
25 committees a report including—

1 “(1) a specific and detailed rationale for the de-
2 termination that the waiver is in the national secu-
3 rity interests of the United States; and

4 “(2) a description of the efforts by the Depart-
5 ment of State to seek the establishment of a United
6 States consulate in Lhasa.”.

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

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

15 (1) by amending subsection (c) to read as fol-
16 lows:

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, his or her
22 representatives, or democratically elected leaders of
23 the Tibetan community, or explore activities to im-
24 prove prospects for dialogue, that leads to a nego-
25 tiated agreement on Tibet;

1 “(2) coordinate with other governments in mul-
2 tilateral efforts towards the goal of a negotiated
3 agreement on Tibet;

4 “(3) encourage the Government of the People’s
5 Republic of China to address the aspirations of the
6 Tibetan people with regard to their distinct histor-
7 ical, cultural, religious, and linguistic identity;

8 “(4) promote the human rights of the Tibetan
9 people;

10 “(5) promote activities to preserve environment
11 and water resources of the Tibetan plateau;

12 “(6) encourage that any initiatives or activities
13 for Tibetan communities in the Tibet Autonomous
14 Region are conducted in accordance with the prin-
15 ciples espoused in section 616(d); and

16 “(7) 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”
21 and inserting a semicolon;

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

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

2630

1 “(6) provide guidance with respect to all
2 projects carried out pursuant to assistance provided
3 under section 616(e);

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 select, edu-
8 cate, and venerate Tibetan Buddhist religious
9 leaders in a manner inconsistent with the prin-
10 ciple that the succession or identification of Ti-
11 betan Buddhist lamas, including the Dalai
12 Lama, should occur without interference, in a
13 manner consistent with traditional practice; and

14 “(B) ensure that the identification and in-
15 stallation of Tibetan Buddhist religious leaders,
16 including any future Dalai Lama, is determined
17 solely within the Tibetan Buddhist faith com-
18 munity, in accordance with the internationally-
19 recognized right to religious freedom; and”;

20 (3) by adding at the end the following new sub-
21 section:

22 “(e) PERSONNEL.—The Secretary shall ensure that
23 the Office of the Special Coordinator is adequately staffed
24 at all times to assist in the management of the responsibil-
25 ities of this section.”.

2631

1 **SEC. 342. STATEMENT OF POLICY REGARDING THE SUC-**
2 **CESSION OR REINCARNATION OF THE DALAI**
3 **LAMA.**

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

5 (1) Tibetan Buddhism is practiced in many
6 countries including Bhutan, India, Mongolia, Nepal,
7 the People’s Republic of China, the Russian Federa-
8 tion, and the United States, yet the Government of
9 the People’s Republic of China has repeatedly in-
10 sisted on its role in managing the selection of Tibet’s
11 next spiritual leader, the Dalai Lama, through ac-
12 tions such as those described in the “Measures on
13 the Management of the Reincarnation of Living
14 Buddhas” in 2007.

15 (2) On March 19, 2019, Chinese Ministry of
16 Affairs spokesperson reiterated that the “reincarna-
17 tion of living Buddhas including the Dalai Lama
18 must comply with Chinese laws and regulations and
19 follow religious rituals and historical conventions”.

20 (3) The Government of the People’s Republic of
21 China has interfered in the process of recognizing a
22 successor or reincarnation of Tibetan Buddhist lead-
23 ers, including in 1995 by arbitrarily detaining
24 Gedhun Choekyi Nyima, a 6-year old boy who was
25 identified as the 11th Panchen Lama, and pur-

1 porting to install its own candidate as the Panchen
2 Lama.

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

12 (5) The 14th Dalai Lama said in his statement
13 that the person who reincarnates has sole legitimate
14 authority over where and how he or she takes re-
15 birth and how that reincarnation is to be recognized
16 and if there is a need for a 15th Dalai Lama to be
17 recognized, then the responsibility shall primarily
18 rest with the officers of the Dalai Lama's Gaden
19 Phodrang Trust, who will be informed by the written
20 instructions of the 14th Dalai Lama.

21 (6) Since 2011, the 14th Dalai Lama has reit-
22 erated publicly on numerous occasions that decisions
23 on the successions, emanations, or reincarnations of
24 the Dalai Lama belongs to the Tibetan Buddhist
25 faith community alone.

1 (7) On June 8, 2015, the United States House
2 of Representatives unanimously approved House
3 Resolution 337 which calls on the United States
4 Government to “underscore that government inter-
5 ference in the Tibetan reincarnation process is a vio-
6 lation of the internationally recognized right to reli-
7 gious freedom . . . and to highlight the fact that
8 other countries besides China have long Tibetan
9 Buddhist traditions, and that matters related to re-
10 incarnations in Tibetan Buddhism are of keen inter-
11 est to Tibetan Buddhist populations worldwide”.

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

20 (9) The Department of State’s Report on Inter-
21 national Religious Freedom for 2018 reported on
22 policies and efforts of the Government of the Peo-
23 ple’s Republic of China to exert control over the se-
24 lection of Tibetan Buddhist religious leaders, includ-
25 ing reincarnate lamas, and stated that “[United

2634

1 States] officials underscored that decisions on the
2 reincarnation of the Dalai Lama should be made
3 solely by faith leaders.”.

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

6 (1) decisions regarding the selection, education,
7 and veneration of Tibetan Buddhist religious leaders
8 are exclusively spiritual matters that should be made
9 by the appropriate religious authorities within the
10 Tibetan Buddhist tradition and in the context of the
11 will of practitioners of Tibetan Buddhism;

12 (2) the wishes of the 14th Dalai Lama, includ-
13 ing any written instructions, should play a key role
14 in the selection, education, and veneration of a fu-
15 ture 15th Dalai Lama; and

16 (3) 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 14th Dalai Lama and any future Dalai
20 Lamas would represent a clear abuse of the right to
21 religious freedom of Tibetan Buddhists and the Ti-
22 betan people.

23 (c) HOLDING CHINESE OFFICIALS RESPONSIBLE
24 FOR RELIGIOUS FREEDOM ABUSES TARGETING TIBETAN
25 BUDDHISTS.—It is the policy of the United States to take

2635

1 all appropriate measures to hold accountable senior offi-
2 cials of the Government of the People's Republic of China
3 or the Chinese Communist Party who directly interfere
4 with the identification and installation of the future 15th
5 Dalai Lama of Tibetan Buddhism, successor to the 14th
6 Dalai Lama, including by—

7 (1) imposing sanctions pursuant to the Global
8 Magnitsky Human Rights Accountability Act (22
9 U.S.C. 2656 note); and

10 (2) prohibiting admission to the United States
11 under section 212(a)(2)(G) of the Immigration and
12 Nationality Act (8 U.S.C. 1182(a)(2)(G)).

13 (d) DEPARTMENT OF STATE PROGRAMMING TO PRO-
14 MOTE RELIGIOUS FREEDOM FOR TIBETAN BUDDHISTS.—
15 Consistent with section 401 of the Frank R. Wolf Inter-
16 national Religious Freedom Act (Public Law 114–281;
17 130 Stat. 1436), the Ambassador-at-Large for Inter-
18 national Religious Freedom should support efforts to pro-
19 tect and promote international religious freedom in China
20 and for programs to protect Tibetan Buddhism in China
21 and elsewhere.

22 **SEC. 343. POLICY REGARDING THE ENVIRONMENT AND**
23 **WATER RESOURCES ON THE TIBETAN PLA-**
24 **TEAU.**

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

1 (1) The Tibetan Plateau contains glaciers, riv-
2 ers, grasslands, and other geographical and ecologi-
3 cal features that are crucial for supporting vegeta-
4 tion growth and biodiversity and regulating water
5 flow and supply for an estimated 1,800,000,000 peo-
6 ple. Environmental changes threaten the glaciers in
7 Tibet that feed the major rivers of South and East
8 Asia, which supply freshwater to an estimated
9 1,800,000,000 people.

10 (2) Several factors, including temperature
11 changes, large government-backed infrastructure
12 projects, and resettlement of Tibetan nomads, are
13 likely to result in variable water flows in the future.

14 (3) The grasslands of Tibet play a significant
15 role in carbon production and sequestration and Ti-
16 bet's rivers support wetlands that play a key role in
17 water storage, water quality, and the regulation of
18 water flow, support biodiversity, foster vegetation
19 growth, and act as carbon sinks.

20 (4) Traditional Tibetan grassland stewardship
21 practices, which can be key to mitigating the nega-
22 tive effects of environmental changes on the Tibetan
23 Plateau, are undermined by the resettlement of no-
24 mads from Tibetan grasslands.

1 (5) The People's Republic of China has ap-
2 proximately 20 percent of the world's population but
3 only around 7 percent of the world's water supply,
4 while many countries in South and Southeast Asia
5 rely on the rivers flowing from the Himalayas of the
6 Tibetan Plateau.

7 (6) The People's Republic of China has already
8 completed water transfer programs diverting billions
9 of cubic meters of water yearly and has plans to di-
10 vert more waters from the Tibetan plateau in China.

11 (b) WATER RESOURCES IN TIBET AND THE TIBETAN
12 WATERSHED.—The Secretary of State, in coordination
13 with relevant agencies of the United States Government,
14 should—

15 (1) pursue collaborative efforts with Chinese
16 and international scientific institutions, as appro-
17 priate, to monitor the environment on the Tibetan
18 Plateau, including glacial retreat, temperature rise,
19 and carbon levels, in order to promote a greater un-
20 derstanding of the effects on permafrost, river flows,
21 grasslands and desertification, and the monsoon
22 cycle;

23 (2) engage with the Government of the People's
24 Republic of China, the Tibetan people, and non-
25 governmental organizations to encourage the partici-

1 pation of Tibetan nomads and other Tibetan stake-
2 holders in the development and implementation of
3 grassland management policies, in order to utilize
4 their indigenous experience in mitigation and stew-
5 ardship of the land and to assess policies on the
6 forced resettlement of nomads; and

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

15 **SEC. 344. DEMOCRACY IN THE TIBETAN EXILE COMMUNITY.**

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

17 (1) The 14th Dalai Lama advocates the Middle
18 Way Approach, which seeks genuine autonomy for
19 the 6,000,000 Tibetans in Tibet.

20 (2) The 14th Dalai Lama has overseen a proc-
21 ess of democratization within the Tibetan polity and
22 devolved his political responsibilities to the elected
23 representatives of the Tibetan people in exile in
24 2011.

1 (3) In 2011 and again in 2016, members of the
2 Tibetan exile community across some 30 countries
3 held free and fair elections to select political leaders
4 to serve in the Central Tibetan Administration par-
5 liament and as chief executive.

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

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

13 (1) Tibetan exile communities around the world
14 should be commended for the adoption of a system
15 of self-governance with democratic institutions to
16 choose their leaders;

17 (2) the Dalai Lama should be commended for
18 his decision to devolve political authority to elected
19 leaders in accordance with democratic principles;

20 (3) as of the date of the enactment of this Act,
21 the Central Tibetan Administration is the institution
22 that represents and reflects, to the greatest extent,
23 the aspirations of the Tibetan diaspora around the
24 world, and the Sikyong is the President of the Cen-
25 tral Tibetan Administration; and

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

7 **SEC. 345. SUSTAINABILITY IN TIBETAN COMMUNITIES**
8 **SEEKING TO PRESERVE THEIR CULTURE, RE-**
9 **LIGION, AND LANGUAGE.**

10 The Secretary of State should urge the Government
11 of Nepal to honor the Gentleman's Agreement with the
12 United Nations High Commissioner for Refugees and the
13 Government of India, which commits the Government of
14 Nepal to respect the principle of non-refoulement by con-
15 tinuing to give Tibetan new arrivals access to the territory
16 of Nepal and allowing them safe passage through Nepal
17 to India.

18 **SEC. 346. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) OFFICE OF THE UNITED STATES SPECIAL COOR-
20 DINATOR FOR TIBETAN ISSUES.—There is authorized to
21 be appropriated \$1,000,000 for each of the fiscal years
22 2021 through 2025 for the Office of the United States
23 Special Coordinator for Tibetan Issues.

24 (b) TIBETAN SCHOLARSHIP PROGRAM AND
25 NGAWANG CHOEPHEL EXCHANGE PROGRAMS.—

1 (1) TIBETAN SCHOLARSHIP PROGRAM.—There
2 is authorized to be appropriated \$675,000 for each
3 of the fiscal years 2021 through 2025 to carry out
4 the Tibetan scholarship program established under
5 section 103(b)(1) of the Human Rights, Refugee,
6 and Other Foreign Relations Provisions Act of 1996
7 (Public Law 104–319; 22 U.S.C. 2151 note).

8 (2) NGAWANG CHOEPHEL EXCHANGE PRO-
9 GRAMS.—There is authorized to be appropriated
10 \$575,000 for each of the fiscal years 2021 through
11 2025 to carry out the “Ngawang Choephel 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 (Public Law 104–319; 110 Stat. 3865).

18 (c) HUMANITARIAN ASSISTANCE AND SUPPORT TO
19 TIBETAN REFUGEES IN SOUTH ASIA.—Amounts author-
20 ized to be appropriated or otherwise made available to
21 carry out chapter 9 of part I of the Foreign Assistance
22 Act of 1961 (22 U.S.C. 2292 et seq.) and the Migration
23 and Refugee Assistance Act of 1962 (Public Law 87–510)
24 for each of the fiscal years 2021 through 2025 are author-
25 ized to be made available for humanitarian assistance, in-

cluding food, medicine, clothing, and medical and vocational training, for Tibetan refugees in South Asia who have fled facing a credible threat of persecution in the People's Republic of China.

(d) TIBETAN AUTONOMOUS REGION AND TIBETAN COMMUNITIES IN CHINA.—There is authorized to be appropriated \$8,000,000 for each year of the fiscal years 2021 through 2025 under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.) to support activities for Tibetan communities in the Tibet Autonomous Region and in other Tibetan communities in China that are conducted in accordance with subsection 616(d) of the Tibetan Policy Act of 2002 (22 U.S.C. 6901 note).

(e) ASSISTANCE FOR TIBETANS IN INDIA AND NEPAL.—There is authorized to be appropriated \$6,000,000 for each of the fiscal years 2021 through 2025 under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.) for programs to promote and preserve Tibetan culture and language development, and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities.

1 (f) TIBETAN GOVERNANCE.—There is authorized to
2 be appropriated \$3,000,000 for each of the fiscal years
3 2021 through 2025 under chapter 4 of part II of the For-
4 eign Assistance Act of 1961 (22 U.S.C. 2346 et seq.) for
5 programs to strengthen the capacity of Tibetan institu-
6 tions and strengthen democracy, governance, information
7 and international outreach, and research.

8 (g) VOICE OF AMERICA AND RADIO FREE ASIA.—

9 (1) VOICE OF AMERICA.—There is authorized to
10 be appropriated \$3,344,000 for each of the fiscal
11 years 2021 through 2025 to Voice of America for
12 broadcasts described in paragraph (3).

13 (2) RADIO FREE ASIA.—There is authorized to
14 be appropriated \$4,060,000 for each of the fiscal
15 years 2021 through 2025 to Radio Free Asia for
16 broadcasts described in paragraph (3).

17 (3) BROADCASTS DESCRIBED.—Broadcasts de-
18 scribed in this paragraph are broadcasts to provide
19 uncensored news and information in the Tibetan lan-
20 guage to Tibetans, including Tibetans in Tibet.