

**Suspend the Rules and Pass the Bill, H.R. 4331, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4331

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

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## 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

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## 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 democratically-  
11 elected leaders of the Tibetan community”  
12 after “his 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

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

3 (2) in subsection (b)—

4 (A) in the matter preceding paragraph  
5 (1)—

6 (i) by striking “until December 31,  
7 2021”; and

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

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

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

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

17 “(3) the steps taken by the United States Gov-  
18 ernment to promote the human rights and distinct  
19 religious, cultural, linguistic, and historical identity  
20 of the Tibetan people, including the right of the Ti-  
21 betan people to select, educate, and venerate their  
22 own religious leaders in accordance with their estab-  
23 lished religious practice and system.”.

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

1           (1) in subsection (d), by striking paragraphs  
2           (1) through (9) and inserting the following:

3           “(1) neither provide incentive for, nor facilitate  
4           the migration and settlement of, non-Tibetans into  
5           Tibet;

6           “(2) neither provide incentive for, nor facilitate  
7           the transfer of ownership of, Tibetan land or natural  
8           resources to non-Tibetans;

9           “(3) neither provide incentive for, nor facilitate  
10          the involuntary or coerced relocation of, Tibetan no-  
11          mads from their traditional pasture lands into con-  
12          centrated settlements;

13          “(4) be implemented in consultation with the  
14          Tibetan people and, as appropriate, after the con-  
15          duct of cultural and environmental impact assess-  
16          ments;

17          “(5) foster self-sufficiency and self-reliance of  
18          Tibetans;

19          “(6) respect human rights and Tibetan culture  
20          and traditions;

21          “(7) be subject to ongoing monitoring and eval-  
22          uation; and

23          “(8) be conducted, as much as possible, in the  
24          Tibetan language.”; and

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



1 (d) RELIGIOUS PERSECUTION IN TIBET.—Section  
2 620(b) of such Act (22 U.S.C. 6901 note) is amended by  
3 adding at the end before the period the following: “, in-  
4 cluding with respect to the reincarnation system of Ti-  
5 betan Buddhism”.

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

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

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

12 “(1) promote substantive dialogue without pre-  
13 conditions between the Government of the People’s  
14 Republic of China and the Dalai Lama or his rep-  
15 resentatives or democratically-elected leaders of the  
16 Tibetan community leading to a negotiated agree-  
17 ment on Tibet and coordinate with other govern-  
18 ments in multilateral efforts toward this goal;

19 “(2) encourage the Government of the People’s  
20 Republic of China to address the aspirations of the  
21 Tibetan people with regard to their distinct histor-  
22 ical, cultural, religious, and linguistic identity;

23 “(3) promote the human rights of the Tibetan  
24 people;

1           “(4) promote activities to preserve environment  
2           and water resources of the Tibetan plateau;

3           “(5) encourage sustainable development in ac-  
4           cordance with section 616(d), cultural and historical  
5           preservation, health care, education, and environ-  
6           mental sustainability projects for Tibetan commu-  
7           nities in Tibet; and

8           “(6) promote access to Tibet in accordance with  
9           the Reciprocal Access to Tibet Act of 2018 (Public  
10          Law 115–330).”;

11          (2) in subsection (d)—

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

14                 (B) by redesignating paragraph (6) as  
15                 paragraph (8); and

16                 (C) by inserting after paragraph (5) the  
17                 following:

18           “(6) provide concurrence with respect to all  
19           projects carried out pursuant to assistance provided  
20           under section 616(e);

21           “(7) seek to establish international diplomatic  
22           coalitions to—

23                 “(A) oppose any effort by the Government  
24                 of the People’s Republic of China to select, edu-  
25                 cate, and venerate Tibetan Buddhist religious

1 leaders in a manner inconsistent with Tibetan  
2 Buddhism in which the succession or identifica-  
3 tion of Tibetan Buddhist lamas, including the  
4 Dalai Lama, should occur without interference,  
5 in a manner consistent with Tibetan Buddhists'  
6 beliefs; and

7 “(B) ensure that the identification and in-  
8 stallation of Tibetan Buddhist religious leaders,  
9 including any future Dalai Lama, is determined  
10 solely within the Tibetan Buddhist faith com-  
11 munity, in accordance with the universally-rec-  
12 ognized right to religious freedom; and”;

13 (3) by adding at the end the following:

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

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

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

22 (1) Notwithstanding that Tibetan Buddhism is  
23 practiced in many countries including Bhutan, India,  
24 Mongolia, Nepal, the People’s Republic of China, the  
25 Russian Federation, and the United States, the Gov-



1       ernment of the People’s Republic of China has re-  
2       peatedly insisted on its role in managing the selec-  
3       tion of Tibet’s next spiritual leader, the Dalai Lama,  
4       through actions such as those described in the  
5       “Measures on the Management of the Reincarnation  
6       of Living Buddhas” in 2007.

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

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

20              (4) The 14th Dalai Lama, Tenzin Gyatso,  
21      issued a statement on September 24, 2011, explain-  
22      ing the traditions and spiritual precepts of the selec-  
23      tion of Dalai Lamas, setting forth his views on the  
24      considerations and process for selecting his suc-  
25      cessor, and providing a response to the Chinese gov-

1       ernment’s claims that only the Chinese government  
2       has the ultimate authority in the selection process of  
3       the Dalai Lama.

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

13              (6) Since 2011, the 14th Dalai Lama has reit-  
14      erated publicly on numerous occasions that decisions  
15      on the successions, emanations, or reincarnations of  
16      the Dalai Lama belongs to the Tibetan Buddhist  
17      faith community alone.

18              (7) On June 8, 2015, the United States House  
19      of Representatives unanimously approved House  
20      Resolution 337 which calls on the United States  
21      Government to “underscore that government inter-  
22      ference in the Tibetan reincarnation process is a vio-  
23      lation of the internationally recognized right to reli-  
24      gious freedom . . . and to highlight the fact that  
25      other countries besides China have long Tibetan

1 Buddhist traditions and that matters related to rein-  
2 carnations in Tibetan Buddhism are of keen interest  
3 to Tibetan Buddhist populations worldwide”.

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

12 (9) The Department of State’s Report on Inter-  
13 national Religious Freedom for 2018 reported on  
14 policies and efforts of the Government of the Peo-  
15 ple’s Republic of China to exert control over the se-  
16 lection of Tibetan Buddhist religious leaders, includ-  
17 ing reincarnate lamas, and stated that “U.S. offi-  
18 cials underscored that decisions on the reincarnation  
19 of the Dalai Lama should be made solely by faith  
20 leaders.”.

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

23 (1) decisions regarding the selection, education,  
24 and veneration of Tibetan Buddhist religious leaders  
25 are exclusively spiritual matters that should be made

1 by the appropriate religious authorities within the  
2 Tibetan Buddhist tradition and in the context of the  
3 will of practitioners of Tibetan Buddhism;

4 (2) the wishes of the 14th Dalai Lama, includ-  
5 ing any written instructions, should play a deter-  
6 minative role in the selection, education, and veneration of a future 15th Dalai Lama; and

8 (3) interference by the Government of the Peo-  
9 ple's Republic of China or any other government in  
10 the process of recognizing a successor or reincarna-  
11 tion of the 14th Dalai Lama and any future Dalai  
12 Lamas would represent a clear violation of the fun-  
13 damental religious freedoms of Tibetan Buddhists  
14 and the Tibetan people.

15 (c) HOLDING CHINESE OFFICIALS RESPONSIBLE  
16 FOR RELIGIOUS FREEDOM ABUSES TARGETING TIBETAN  
17 BUDDHISTS.—It is the policy of the United States to con-  
18 sider senior officials of the Government of the People's  
19 Republic of China who are responsible for, complicit in,  
20 or have directly or indirectly engaged in the identification  
21 or installation of a candidate chosen by China as the fu-  
22 ture 15th Dalai Lama of Tibetan Buddhism to have com-  
23 mitted—

24 (1) a gross violation of internationally recog-  
25 nized human rights for purposes of imposing sanc-

1 tions with respect to such officials under the Global  
2 Magnitsky Human Rights Accountability Act (22  
3 U.S.C. 2656 note); and

4 (2) a particularly severe violation of religious  
5 freedom for purposes of applying section  
6 212(a)(2)(G) of the Immigration and Nationality  
7 Act (8 U.S.C. 1182(a)(2)(G)) with respect to such  
8 officials.

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

19 **SEC. 4. POLICY REGARDING THE ENVIRONMENT AND**  
20 **WATER RESOURCES ON THE TIBETAN PLA-**  
21 **TEAU.**

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

23 (1) The Tibetan Plateau contains glaciers, riv-  
24 ers, grasslands, and other geographical and ecologi-  
25 cal features that are crucial for supporting vegeta-

1       tion growth and biodiversity, regulating water flow  
2       and supply for an estimated 1.8 billion people. Glob-  
3       al warming threatens the glaciers in Tibet that feed  
4       the major rivers of South and East Asia, which sup-  
5       ply freshwater to an estimated 1.8 billion people.

6           (2) Rising global temperatures—especially in  
7       the Tibetan Plateau where the average temperature  
8       has increased at twice the global average—will result  
9       in variable water flows in the future.

10          (3) The construction in Tibet of large hydro-  
11       electric power dams intended to be used in part to  
12       transmit power to Chinese provinces outside of  
13       Tibet, as well as other infrastructure projects, in-  
14       cluding the Sichuan-Tibet railroad, may also lead to  
15       the resettlement of thousands of Tibetans and trans-  
16       form the environment.

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

23          (5) Rising temperatures and intensifying evapo-  
24       ration, can affect the water supply, cause

1 desertification, and destabilize infrastructure on the  
2 Tibetan Plateau and beyond.

3 (6) Traditional Tibetan grassland stewardship  
4 practices, which can be key to mitigating the nega-  
5 tive effects of warming on the Tibetan Plateau, are  
6 undermined by the resettlement of nomads from Ti-  
7 betan grasslands.

8 (7) The People's Republic of China has ap-  
9 proximately 20 percent of the world's population but  
10 only around 7 percent of the world's water supply,  
11 while many countries in South and Southeast Asia  
12 rely on the rivers flowing from the Himalayas of the  
13 Tibetan Plateau.

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

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

22 (1) pursue collaborative efforts with Chinese  
23 and international scientific institutions, as appro-  
24 priate, to monitor the environment on the Tibetan  
25 Plateau, including glacial retreat, temperature rise,

1 and carbon levels, in order to promote a greater un-  
2 derstanding of the effects on permafrost, river flows,  
3 grasslands and desertification, and the monsoon  
4 cycle;

5 (2) engage with the Government of the People's  
6 Republic of China, the Tibetan people, and non-  
7 governmental organizations to encourage the partici-  
8 pation of Tibetan nomads and other Tibetan stake-  
9 holders in the development and implementation of  
10 grassland management policies, in order to utilize  
11 their indigenous experience in mitigation and stew-  
12 ardship of the land and to assess policies on the  
13 forced resettlement of nomads; and

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

22 **SEC. 5. DEMOCRACY IN THE TIBETAN EXILE COMMUNITY.**

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



1           (1) The 14th Dalai Lama advocates the Middle  
2           Way Approach, which seeks genuine autonomy for  
3           the six million Tibetans in Tibet.

4           (2) The 14th Dalai Lama has overseen a proc-  
5           ess of democratization within the Tibetan polity, be-  
6           ginning in Tibet in the 1950s and continuing in exile  
7           from the 1960s to the present and to address the  
8           needs of the Tibetan people until such time as gen-  
9           uine autonomy in Tibet is realized, the 14th Dalai  
10          Lama devolved his political responsibilities to the  
11          elected representatives of the Tibetan people in exile  
12          in 2011.

13          (3) In 2011 and again in 2016, members of the  
14          Tibetan exile community across some 30 countries  
15          held elections to select political leaders to serve in  
16          the Central Tibetan Administration parliament and  
17          as chief executive, elections which were monitored by  
18          international observers and assessed to be free and  
19          fair.

20          (4) 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) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that—

3 (1) Tibetan exile communities around the world  
4 should be commended for the adoption of a system  
5 of self-governance with democratic institutions to  
6 choose their leaders;

7 (2) the Dalai Lama should be commended for  
8 his decision to devolve political authority to elected  
9 leaders in accordance with democratic principles;  
10 and

11 (3) as consistent with section 621(d)(3) of the  
12 Tibetan Policy Act of 2002 (22 U.S.C. 6901 note),  
13 the United States Special Coordinator for Tibetan  
14 Issues should continue to maintain close contact  
15 with the religious, cultural, and political leaders of  
16 the Tibetan people.

17 **SEC. 6. SUSTAINABILITY IN TIBETAN COMMUNITIES SEEK-**  
18 **ING TO PRESERVE THEIR CULTURE, RELI-**  
19 **GION, AND LANGUAGE.**

20 The Secretary of State should urge the Government  
21 of Nepal to honor the Gentleman's Agreement with the  
22 United Nations High Commissioner for Refugees and to  
23 provide legal documentation to long-staying Tibetan resi-  
24 dents in Nepal who fled a credible threat of persecution

1 in Tibet in order to allow them to more fully participate  
2 in the economy and society of Nepal.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) OFFICE OF THE UNITED STATES SPECIAL COOR-  
5 DINATOR FOR TIBETAN ISSUES.—There is authorized to  
6 be appropriated not less than \$1,000,000 for each of the  
7 fiscal years 2021 through 2025 for the Office of the  
8 United States Special Coordinator for Tibetan Issues.

9 (b) TIBETAN SCHOLARSHIP PROGRAM AND  
10 NGAWANG CHOEPHEL EXCHANGE PROGRAMS.—

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

18 (2) NGAWANG CHOEPHEL EXCHANGE PRO-  
19 GRAMS.—There is authorized to be appropriated  
20 \$575,000 for each of the fiscal years 2021 through  
21 2025 to carry out the “Ngwang Choepel Exchange  
22 Programs” (formerly known as “programs of edu-  
23 cational and cultural exchange between the United  
24 States and the people of Tibet”) under section

1       103(a) of the Human Rights, Refugee, and Other  
2       Foreign Relations Provisions Act of 1996.

3       (c) HUMANITARIAN ASSISTANCE AND SUPPORT TO  
4       TIBETAN REFUGEES IN SOUTH ASIA.—Amounts author-  
5       ized to be appropriated to carry out chapter 9 of part I  
6       of the Foreign Assistance Act of 1961 and the Migration  
7       and Refugee Assistance Act of 1962 for each of the fiscal  
8       years 2021 through 2025 are authorized to be made avail-  
9       able for humanitarian assistance, including food, medicine,  
10      clothing, and medical and vocational training, for Tibetan  
11      refugees in South Asia who have fled facing a credible  
12      threat of persecution in the People’s Republic of China.

13      (d) TIBETAN AUTONOMOUS REGION AND TIBETAN  
14      COMMUNITIES IN CHINA.—There is authorized to be ap-  
15      propriated not less than \$8,000,000 for each year of the  
16      fiscal years 2021 through 2025 under chapter 4 of part  
17      II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346  
18      et seq.) to support activities which preserve cultural tradi-  
19      tions and promote sustainable development, education,  
20      and environmental conservation in Tibetan communities  
21      in the Tibet Autonomous Region and in other Tibetan  
22      communities in China.

23      (e) ASSISTANCE FOR TIBETANS IN INDIA AND  
24      NEPAL.—There is authorized to be appropriated not less  
25      than \$6,000,000 for each of the fiscal years 2021 through

1 2025 under part I of the Foreign Assistance Act of 1961  
2 (22 U.S.C. 2151 et seq.) for programs to promote and  
3 preserve Tibetan culture and language development, and  
4 the resilience of Tibetan communities in India and Nepal,  
5 and to assist in the education and development of the next  
6 generation of Tibetan leaders from such communities.

7 (f) TIBETAN GOVERNANCE.—There is authorized to  
8 be appropriated not less than \$3,000,000 for each of the  
9 fiscal years 2021 through 2025 for programs to strength-  
10 en the capacity of Tibetan institutions and strengthen de-  
11 mocracy, governance, information and international out-  
12 reach, and research.

13 (g) VOICE OF AMERICA AND RADIO FREE ASIA.—  
14 (1) VOICE OF AMERICA.—There is authorized to  
15 be appropriated not less than \$3,344,000 for each of  
16 the fiscal years 2021 through 2025 to Voice of  
17 America for broadcasts described in paragraph (3).

18 (2) RADIO FREE ASIA.—There is authorized to  
19 be appropriated not less than \$4,060,000 for each of  
20 the fiscal years 2021 through 2025 to Radio Free  
21 Asia for broadcasts described in paragraph (3).

22 (3) BROADCASTS DESCRIBED.—Broadcasts de-  
23 scribed in this paragraph are broadcasts to provide  
24 uncensored news and information in the Tibetan lan-  
25 guage to Tibetans, including Tibetans in Tibet.

1 **SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.**

2       The budgetary effects of this Act, for the purpose of  
3 complying with the Statutory Pay-As-You-Go Act of 2010,  
4 shall be determined by reference to the latest statement  
5 titled “Budgetary Effects of PAYGO Legislation” for this  
6 Act, submitted for printing in the Congressional Record  
7 by the Chairman of the House Budget Committee, pro-  
8 vided that such statement has been submitted prior to the  
9 vote on passage.