

Suspend the Rules and Pass the Bill, H. R. 533, With an Amendment

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

118TH CONGRESS
2D SESSION

H. R. 533

To amend the Tibetan Policy Act of 2002 to modify certain provisions of that Act.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2023

Mr. MCGOVERN (for himself and Mr. MCCAUL) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Tibetan Policy Act of 2002 to modify certain provisions of that Act.

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 “Promoting a Resolu-
5 tion to the Tibet-China Dispute Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) It has been the long-standing policy of the
2 United States to encourage meaningful and direct
3 dialogue between representatives of the People's Re-
4 public of China and the Dalai Lama, his or her rep-
5 resentatives, or democratically elected leaders of the
6 Tibetan community, without preconditions, to seek a
7 settlement that resolves differences.

8 (2) Nine rounds of dialogue held between 2002
9 and 2010 between the People's Republic of China
10 authorities and the 14th Dalai Lama's representa-
11 tives failed to produce a settlement that resolved dif-
12 ferences, and the two sides have held no formal dia-
13 logue since January 2010.

14 (3) An obstacle to further dialogue is that the
15 Government of the People's Republic of China con-
16 tinues to impose conditions on substantive dialogue
17 with the Dalai Lama, including a demand that he
18 say that Tibet has been part of China since ancient
19 times, which the Dalai Lama has refused to do be-
20 cause it is inaccurate.

21 (4) Article 1 of the International Covenant on
22 Civil and Political Rights and Article 1 of the Inter-
23 national Covenant on Economic, Social and Cultural
24 Rights provide that "All peoples have the right of
25 self-determination. By virtue of that right they freely

1 determine their political status and freely pursue
2 their economic, social and cultural development.”.

3 (5) The United States Government has never
4 taken the position that Tibet was a part of China
5 since ancient times.

6 (6) China signed the International Covenant on
7 Civil and Political Rights on October 5, 1998, and
8 ratified the International Covenant on Economic,
9 Social and Cultural Rights on March 27, 2001.

10 (7) Under international law, including United
11 Nations General Assembly Resolution 2625, the
12 right to self-determination is the right of a people to
13 determine its own destiny and the exercise of this
14 right can result in a variety of outcomes ranging
15 from independence, federation, protection, some
16 form of autonomy or full integration within a State.

17 (8) United Nations General Assembly Resolu-
18 tion 1723, adopted on December 20, 1961, called for
19 the “cessation of practices which deprive the Tibetan
20 people of their fundamental human rights and free-
21 doms, including their right to self-determination.”.

22 (9) Secretary of State Antony Blinken, in a
23 May 26, 2022, speech entitled “The Administra-
24 tion’s Approach to the People’s Republic of China,”
25 said that the rules-based international order’s

1 “founding documents include the UN Charter and
2 the Universal Declaration of Human Rights, which
3 enshrined concepts like self-determination, sov-
4 ereignty, the peaceful settlement of disputes. These
5 are not Western constructs. They are reflections of
6 the world’s shared aspirations.”.

7 (10) The Tibetan Policy Act of 2002 (22
8 U.S.C. 6901 note), as amended by the Tibetan Pol-
9 icy and Support Act of 2020, in directing the United
10 States Government “to promote the human rights
11 and distinct religious, cultural, linguistic, and histor-
12 ical identity of the Tibetan people” acknowledges
13 that the Tibetan people possess a distinct religious,
14 cultural, linguistic, and historical identity.

15 (11) Department of State reports on human
16 rights and religious freedom have consistently docu-
17 mented systematic repression by the authorities of
18 the People’s Republic of China against Tibetans as
19 well as acts of defiance and resistance by Tibetan
20 people against the People’s Republic of China poli-
21 cies.

22 (12) The Tibetan Policy Act of 2002 (22
23 U.S.C. 6901 note), as amended by the Tibetan Pol-
24 icy and Support Act of 2020, specifies that the cen-
25 tral objective of the United States Special Coordi-

1 nator for Tibetan Issues is to promote substantive
2 dialogue between the Government of the People's
3 Republic of China and the Dalai Lama, his or her
4 representatives, or democratically elected leaders of
5 the Tibetan community.

6 **SEC. 3. STATEMENT OF POLICY.**

7 It is the policy of the United States—

8 (1) that the Tibetan people are a people with a
9 distinct religious, cultural, linguistic and historical
10 identity;

11 (2) that the dispute between Tibet and the Peo-
12 ple's Republic of China must be resolved in accord-
13 ance with international law, including the United
14 Nations Charter, by peaceful means, through dia-
15 logue without preconditions;

16 (3) that the People's Republic of China should
17 cease its propagation of disinformation about the
18 history of Tibet, the Tibetan people, and Tibetan in-
19 stitutions, including that of the Dalai Lama;

20 (4) to encourage the People's Republic of China
21 to uphold all its commitments under the Inter-
22 national Covenant on Civil and Political Rights and
23 the International Covenant on Economic, Social, and
24 Cultural Rights; and

1 (5) in accordance with the Tibetan Policy and
2 Support Act of 2020—

3 (A) to promote substantive dialogue with-
4 out pre-conditions, between the Government of
5 the People's Republic of China and the Dalai
6 Lama, his or her representatives, or democrat-
7 ically elected leaders of the Tibetan community,
8 or explore activities to improve prospects for
9 dialogue, that leads to a negotiated agreement
10 on Tibet;

11 (B) to coordinate with other governments
12 in multilateral efforts towards the goal of a ne-
13 gotiated agreement on Tibet; and

14 (C) to encourage the Government of the
15 People's Republic of China to address the aspi-
16 rations of the Tibetan people with regard to
17 their distinct historical, cultural, religious, and
18 linguistic identity.

19 **SEC. 4. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) claims made by officials of the People's Re-
22 public of China and the Chinese Communist Party
23 that Tibet has been a part of China since ancient
24 times are historically inaccurate;

1 (2) the current policies of the People’s Republic
2 of China are systematically suppressing the ability of
3 the Tibetan people to preserve their religion, culture,
4 language, history, way of life and environment;

5 (3) the Government of the People’s Republic of
6 China is failing to meet the expectations of the
7 United States to engage in meaningful dialogue with
8 the Dalai Lama or his representatives or to reach a
9 negotiated resolution that includes the aspirations of
10 the Tibetan people; and

11 (4) United States public diplomacy efforts
12 should counter disinformation about Tibet from the
13 Government of the People’s Republic of China and
14 the Chinese Communist Party, including
15 disinformation about the history of Tibet, the Ti-
16 betan people, and Tibetan institutions including that
17 of the Dalai Lama.

18 **SEC. 5. MODIFICATIONS TO THE TIBETAN POLICY ACT OF**

19 **2002.**

20 (a) TIBET NEGOTIATIONS.—Section 613(b) of the
21 Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) is
22 amended—

23 (1) in paragraph (2), by striking “and” at the
24 end;

1 (2) in paragraph (3), by striking the period at
2 the end and inserting “; and”; and

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

4 “(4) efforts to counter disinformation about
5 Tibet from the Government of the People’s Republic
6 of China and the Chinese Communist Party, includ-
7 ing disinformation about the history of Tibet, the
8 Tibetan people, and Tibetan institutions including
9 that of the Dalai Lama.”.

10 (b) UNITED STATES SPECIAL COORDINATOR FOR TI-
11 BETAN ISSUES.—Section 621(d) of the Tibetan Policy Act
12 of 2002 (22 U.S.C. 6901 note) is amended—

13 (1) by redesignating paragraphs (6), (7), and
14 (8) as paragraphs (7), (8), and (9), respectively; and

15 (2) by inserting after paragraph (5) the fol-
16 lowing:

17 “(6) work with relevant bureaus of the Depart-
18 ment of State and the United States Agency for
19 International Development to ensure that United
20 States Government statements and documents
21 counter, as appropriate, disinformation about Tibet
22 from the Government of the People’s Republic of
23 China and the Chinese Communist Party, including
24 disinformation about the history of Tibet, the Ti-

1 betan people, and Tibetan institutions including that
2 of the Dalai Lama;”.

3 (c) DEFINITION.—The Tibetan Policy Act of 2002
4 (22 U.S.C. 6901 note) is amended by adding at the end
5 the following:

6 **“SEC. 622. DEFINITION.**

7 “For purposes of this Act, the term ‘Tibet’ refers to
8 the following areas:

9 “(1) The Tibet Autonomous Region.

10 “(2) The areas that the Government of the Peo-
11 ple’s Republic of China designated as Tibetan Au-
12 tonomous, as of 2018, as follows:

13 “(A) Kanlho (Gannan) Tibetan Autono-
14 mous Prefecture, and Pari (Tianzhu) Tibetan
15 Autonomous County located in Gansu Province.

16 “(B) Golog (Guoluo) Tibetan Autonomous
17 Prefecture, Malho (Huangnan) Tibetan Autono-
18 mous Prefecture, Tsojang (Haibei) Tibetan Au-
19 tonomous Prefecture, Tsolho (Hainan) Tibetan
20 Autonomous Prefecture, Tsonub (Haixi) Mon-
21 golian and Tibetan Autonomous Prefecture, and
22 Yulshul (Yushu) Tibetan Autonomous Prefec-
23 ture, located in Qinghai Province.

24 “(C) Garze (Ganzi) Tibetan Autonomous
25 Prefecture, Ngawa (Aba) Tibetan and Qiang

1 Autonomous Prefecture, and Muli (Mili) Ti-
2 betan Autonomous County, located in Sichuan
3 Province.

4 “(D) Dechen (Diqing) Tibetan Autono-
5 mous Prefecture, located in Yunnan Province.”.

6 **SEC. 6. AVAILABILITY OF AMOUNTS TO COUNTER**
7 **DISINFORMATION ABOUT TIBET.**

8 Amounts authorized to be appropriated or otherwise
9 made available to carry out section 201(c) of the Asia Re-
10 assurance Initiative Act of 2018 (22 U.S.C. 2292 et seq.)
11 are authorized to be made available to counter
12 disinformation about Tibet from the Government of the
13 People’s Republic of China and the Chinese Communist
14 Party, including disinformation about the history of Tibet,
15 the Tibetan people, and Tibetan institutions including that
16 of the Dalai Lama.