

118TH CONGRESS  
2D SESSION

# S. 138

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting a Resolu-  
3 tion to the Tibet-China Dispute Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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

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

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

1           (4) Article 1 of the International Covenant on  
2 Civil and Political Rights and Article 1 of the Inter-  
3 national Covenant on Economic, Social and Cultural  
4 Rights provide, “All peoples have the right of self-  
5 determination. By virtue of that right they freely de-  
6 termine their political status and freely pursue their  
7 economic, social and cultural development.”.

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

11           (6) China signed the International Covenant on  
12 Civil and Political Rights on October 5, 1998, and  
13 ratified the International Covenant on Economic,  
14 Social and Cultural Rights on March 27, 2001.

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

22           (8) United Nations General Assembly Resolu-  
23 tion 1723, adopted on December 20, 1961, called for  
24 the “cessation of practices which deprive the Tibetan

1 people of their fundamental human rights and free-  
2 doms, including their right to self-determination”.

3 (9) Secretary of State Antony Blinken, in a  
4 May 26, 2022, speech entitled “The Administra-  
5 tion’s Approach to the People’s Republic of China”,  
6 said that the rules-based international order’s  
7 “founding documents include the UN Charter and  
8 the Universal Declaration of Human Rights, which  
9 enshrined concepts like self-determination, sov-  
10 ereignty, the peaceful settlement of disputes. These  
11 are not Western constructs. They are reflections of  
12 the world’s shared aspirations.”.

13 (10) The Tibetan Policy Act of 2002 (22  
14 U.S.C. 6901 note), as amended by the Tibetan Pol-  
15 icy and Support Act of 2020 (subtitle E of title III  
16 of division FF of Public Law 116–260), in directing  
17 the United States Government “to promote the  
18 human rights and distinct religious, cultural, lin-  
19 guistic, and historical identity of the Tibetan people”  
20 acknowledges that the Tibetan people possess a dis-  
21 tinct religious, cultural, linguistic, and historical  
22 identity.

23 (11) Department of State reports on human  
24 rights and religious freedom have consistently docu-  
25 mented systematic repression by the authorities of

1 the People’s Republic of China against Tibetans as  
2 well as acts of defiance and resistance by Tibetan  
3 people against the People’s Republic of China poli-  
4 cies.

5 (12) The Tibetan Policy Act of 2002 (22  
6 U.S.C. 6901 note) specifies that the central objective  
7 of the United States Special Coordinator for Tibetan  
8 Issues is to promote substantive dialogue between  
9 the Government of the People’s Republic of China  
10 and the Dalai Lama, his or her representatives, or  
11 democratically elected leaders of the Tibetan com-  
12 munity.

13 **SEC. 3. STATEMENT OF POLICY.**

14 It is the policy of the United States—

15 (1) that the Tibetan people are a people with a  
16 distinct religious, cultural, linguistic, and historical  
17 identity;

18 (2) that the dispute between Tibet and the Peo-  
19 ple’s Republic of China must be resolved in accord-  
20 ance with international law, including the United  
21 Nations Charter, by peaceful means, through dia-  
22 logue without preconditions;

23 (3) that the People’s Republic of China should  
24 cease its propagation of disinformation about the

1 history of Tibet, the Tibetan people, and Tibetan in-  
2 stitutions, including that of the Dalai Lama;

3 (4) to encourage the People’s Republic of China  
4 to ratify the International Covenant on Civil and Po-  
5 litical Rights and uphold all its commitments under  
6 the International Covenant on Economic, Social and  
7 Cultural Rights; and

8 (5) in accordance with the Tibetan Policy and  
9 Support Act of 2020—

10 (A) to promote substantive dialogue with-  
11 out pre-conditions, between the Government of  
12 the People’s Republic of China and the Dalai  
13 Lama, his or her representatives, or democrat-  
14 ically elected leaders of the Tibetan community,  
15 or explore activities to improve prospects for  
16 dialogue, that leads to a negotiated agreement  
17 on Tibet;

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

21 (C) to encourage the Government of the  
22 People’s Republic of China to address the aspi-  
23 rations of the Tibetan people with regard to  
24 their distinct historical, cultural, religious, and  
25 linguistic identity.

1 **SEC. 4. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) claims made by officials of the People’s Re-  
4 public of China and the Chinese Communist Party  
5 that Tibet has been a part of China since ancient  
6 times are historically inaccurate;

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

11 (3) the Government of the People’s Republic of  
12 China is failing to meet the expectations of the  
13 United States to engage in meaningful dialogue with  
14 the Dalai Lama or his representatives or to reach a  
15 negotiated resolution that includes the aspirations of  
16 the Tibetan people; and

17 (4) United States public diplomacy efforts  
18 should counter disinformation about Tibet from the  
19 Government of the People’s Republic of China and  
20 the Chinese Communist Party, including  
21 disinformation about the history of Tibet, the Ti-  
22 betan people, and Tibetan institutions, including  
23 that of the Dalai Lama.

1 **SEC. 5. MODIFICATIONS TO THE TIBETAN POLICY ACT OF**  
2 **2002.**

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

6 (1) in paragraph (2), by striking “; and” and  
7 inserting a semicolon;

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

10 (3) by adding at the end the following new  
11 paragraph:

12 “(4) efforts to counter disinformation about  
13 Tibet from the Government of the People’s Republic  
14 of China and the Chinese Communist Party, includ-  
15 ing disinformation about the history of Tibet, the  
16 Tibetan people, and Tibetan institutions, including  
17 that of the Dalai Lama.”.

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

21 (1) by redesignating paragraphs (6), (7), and  
22 (8) as paragraphs (7), (8), and (9), respectively; and

23 (2) by inserting after paragraph (5) the fol-  
24 lowing new paragraph:

25 “(6) work with relevant bureaus of the Depart-  
26 ment of State and the United States Agency for



1 International Development to ensure that United  
2 States Government statements and documents  
3 counter, as appropriate, disinformation about Tibet  
4 from the Government of the People’s Republic of  
5 China and the Chinese Communist Party, including  
6 disinformation about the history of Tibet, the Ti-  
7 betan people, and Tibetan institutions, including  
8 that of the Dalai Lama;”.

9 (c) DEFINITION.—The Tibetan Policy Act of 2002  
10 (22 U.S.C. 6901 note) is amended by adding at the end  
11 the following new section:

12 **“SEC. 622. DEFINITION.**

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

15 “(1) The Tibet Autonomous Region.

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

19 “(A) Kanlho (Gannan) Tibetan Autono-  
20 mous Prefecture, and Pari (Tianzhu) Tibetan  
21 Autonomous County located in Gansu Province.

22 “(B) Golog (Guoluo) Tibetan Autonomous  
23 Prefecture, Malho (Huangnan) Tibetan Autono-  
24 mous Prefecture, Tsojang (Haibei) Tibetan Au-  
25 tonomous Prefecture, Tsolho (Hainan) Tibetan

1 Autonomous Prefecture, Tsonub (Haixi) Mon-  
2 golian and Tibetan Autonomous Prefecture, and  
3 Yulshul (Yushu) Tibetan Autonomous Prefec-  
4 ture, located in Qinghai Province.

5 “(C) Garze (Ganzi) Tibetan Autonomous  
6 Prefecture, Ngawa (Aba) Tibetan and Qiang  
7 Autonomous Prefecture, and Muli (Mili) Ti-  
8 betan Autonomous County, located in Sichuan  
9 Province.

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

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

14 Amounts authorized to be appropriated or otherwise  
15 made available under section 346 of the Tibetan Policy  
16 and Support Act of 2020 (subtitle E of title III of division  
17 FF of Public Law 116–260) are authorized to be made  
18 available to counter disinformation about Tibet from the  
19 Government of the People’s Republic of China and the  
20 Chinese Communist Party, including disinformation about

- 1 the history of Tibet, the Tibetan people, and Tibetan insti-
- 2 tutions, including that of the Dalai Lama.

Passed the Senate May 23, 2024.

Attest:

*Secretary.*

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2<sup>D</sup> SESSION

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