

117TH CONGRESS
1ST SESSION

H. R. 4281

To impose sanctions on persons who are knowingly responsible for or complicit in, or have directly or indirectly engaged in, supporting the illegal occupation of Tibet, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2021

Mr. PERRY (for himself, Mr. TIFFANY, and Mr. DESJARLAIS) 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

A BILL

To impose sanctions on persons who are knowingly responsible for or complicit in, or have directly or indirectly engaged in, supporting the illegal occupation of Tibet, 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 “Tibet Independence
5 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Congress listed Tibet as a separate country
4 from the People's Republic of China in the Export-
5 Import Bank Act Amendments of 1986.

6 (2) The Foreign Relations Authorization Act,
7 Fiscal Years 1992 and 1993 declares that Congress
8 views Tibet as an "occupied country", and that Chi-
9 na's control of Tibet remains illegal under inter-
10 national law.

11 (3) The Foreign Relations Authorization Act,
12 Fiscal Years 1992 and 1993 further establishes that
13 "it is the policy of the United States to oppose ag-
14 gression and other illegal uses of force by one coun-
15 try against the sovereignty of another as a manner
16 of acquiring territory, and to condemn violations of
17 international law, including the illegal occupation of
18 one country by another".

19 (4) The Foreign Relations Authorization Act,
20 Fiscal Years 1994 and 1995 conveyed the Sense of
21 Congress that "the United States should seek to es-
22 tablish a dialogue with those recognized by Congress
23 as the true representatives of the Tibetan people, the
24 Dalai Lama, his representatives and the Tibetan
25 Government in Exile".

1 (5) On November 18, 2020, the United States
2 House of Representatives approved without objection
3 H. Res. 697, which “affirms the cultural and reli-
4 gious significance of the goal of genuine autonomy
5 for the people of Tibet and the deep bond between
6 the American and Tibetan people”.

7 (6) In 1951, the People’s Republic of China co-
8 erced Tibetan representatives to sign, under duress,
9 an unlawful settlement known as the Seventeen
10 Point Agreement. This agreement states that “the
11 Tibetan people have the right to exercise national re-
12 gional autonomy under the unified leadership of the
13 Central People’s Government” and additionally, that
14 “the central authorities will not alter the existing po-
15 litical system in Tibet”.

16 (7) The establishment of the independent state
17 of Tibet predates the 1951 Seventeen Point Agree-
18 ment by many hundreds of years.

19 (8) In rejecting the seven-decade long illegal oc-
20 cupation of Tibet by the forces of the Chinese Com-
21 munist Party, the United States of America would
22 provide relief to a long-suffering people and reinforce
23 its reputation as a strident defender of global human
24 rights.

1 (9) It would benefit the national security of the
2 United States to recognize Tibet, which comprises
3 the original three Tibetan provinces of Amdo, Kham,
4 and U-Tsang, as a separate, independent country.

5 **SEC. 3. STATEMENT OF POLICY; AUTHORIZATION; SENSE**
6 **OF CONGRESS.**

7 (a) It is the policy of the United States to—

8 (1) acknowledge that Tibet was an independent
9 country prior to the People's Republic of China's il-
10 legal occupation of Tibet's sovereign territory in
11 1951;

12 (2) affirm that all territorial claims by the Peo-
13 ple's Republic of China over the area known as
14 Tibet, which comprises the original three Tibetan
15 provinces of Amdo, Kham, and U-Tsang, are invalid
16 and without merit; and

17 (3) recognize that the democratically elected
18 government of Tibet, presently named as the Central
19 Tibetan Administration, is the only governing au-
20 thority of Tibet.

21 (b) **AUTHORIZATION.**—The President is authorized to
22 recognize Tibet, which comprises the original Tibetan
23 provinces of Amdo, Kham, and U-Tsang, as a separate,
24 independent country, in accordance with subsection (a),
25 immediately upon enactment of this Act.

1 (c) SENSE OF CONGRESS.—The President of the
2 United States should invite the incumbent Sikyong (Presi-
3 dent) of Tibet to the United States for an official state
4 visit no later than 1 year after the date of the enactment
5 of this Act.

6 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO THE**
7 **CONTINUED ILLEGAL OCCUPATION OF TIBET.**

8 (a) IMPOSITION OF SANCTIONS.—The President shall
9 impose the sanctions described in subsection (c) with re-
10 spect to each foreign person included in the most recent
11 list submitted pursuant to subsection (b).

12 (b) LIST OF PERSONS.—

13 (1) Not later than 180 days after the date of
14 the enactment of this Act, the President shall sub-
15 mit to the appropriate congressional committees a
16 list of foreign persons, including senior government
17 officials, military leaders, and other persons, who the
18 President determines are knowingly responsible for
19 or complicit in, or have directly or indirectly engaged
20 in, supporting the Chinese Communist Party’s illegal
21 occupation of Tibet.

22 (2) UPDATES OF LISTS.—The President shall
23 submit to the appropriate congressional committees
24 an updated list under paragraph (1)—

1 (A) not later than 180 days after the date
2 of the enactment of this Act and annually
3 thereafter for 5 years; or

4 (B) as new information becomes available.

5 (3) FORM.—The list required by paragraph (1)
6 shall be submitted in unclassified form, but may in-
7 clude a classified annex.

8 (c) SANCTIONS DESCRIBED.—The sanctions de-
9 scribed in this subsection are the following:

10 (1) BLOCKING OF PROPERTY.—The President
11 shall exercise all of the powers granted to the Presi-
12 dent by the International Emergency Economic
13 Powers Act (50 U.S.C. 1701 et seq.) (except that
14 the requirements of section 202 of such Act (50
15 U.S.C. 1701) shall not apply) to the extent nec-
16 essary to block and prohibit all transactions in prop-
17 erty and interests in property of the person if such
18 property and interests in property are in the United
19 States, come within the United States, or are or
20 come within the possession or control of a United
21 States person.

22 (2) INADMISSIBILITY OF CERTAIN INDIVID-
23 UALS.—

24 (A) INELIGIBILITY FOR VISAS, ADMISSION,
25 OR PAROLE.—A foreign person included in the

1 most recent list submitted pursuant to sub-
2 section (b) is—

3 (i) inadmissible to the United States;

4 (ii) ineligible to receive a visa or other
5 documentation to enter the United States;

6 and

7 (iii) otherwise ineligible to be admitted
8 or paroled into the United States or to re-
9 ceive any other benefit under the Immigra-
10 tion and Nationality Act (8 U.S.C. 1101 et
11 seq.).

12 (B) CURRENT VISAS REVOKED.—A foreign
13 person described in subparagraph (A) is also
14 subject to the following:

15 (i) Revocation of any visa or other
16 entry documentation regardless of when
17 the visa or other entry documentation is or
18 was issued.

19 (ii) A revocation under clause (i) shall
20 take effect immediately and automatically
21 cancel any other valid visa or entry docu-
22 mentation that is in the foreign person's
23 possession.

24 (3) EXCEPTION.—Sanctions under paragraph

25 (2) shall not apply to an alien if admitting or parol-

1 ing the alien into the United States is necessary to
2 permit the United States to comply with the Agree-
3 ment regarding the Headquarters of the United Na-
4 tions, signed at Lake Success June 26, 1947, and
5 entered into force November 21, 1947, between the
6 United Nations and the United States, or other ap-
7 plicable international obligations of the United
8 States.

9 (d) PENALTIES.—The penalties provided for in sub-
10 sections (b) and (c) of section 206 of the International
11 Emergency Economic Powers Act (50 U.S.C. 1705) shall
12 apply to a person who violates, attempts to violate, con-
13 spires to violate, or causes a violation of regulations pro-
14 mulgated to carry out subsection (a) to the same extent
15 that such penalties apply to a person who commits an un-
16 lawful act described in section 206(a) of that Act.

17 (e) EXCEPTION TO COMPLY WITH NATIONAL SECUR-
18 ITY.—The following activities shall be exempt from sanc-
19 tions under this section:

20 (1) Activities subject to the reporting require-
21 ments under title V of the National Security Act of
22 1947 (50 U.S.C. 3091 et seq.).

23 (2) Any authorized intelligence or law enforce-
24 ment activities of the United States.

25 (f) WAIVER.—

1 (1) IN GENERAL.—The President may waive,
2 for one or more periods not to exceed 90 days, the
3 application of sanctions imposed on a foreign person
4 under this section if the President—

5 (A) determines that such a waiver is in the
6 national interest of the United States; and

7 (B) not later than the date on which such
8 waiver will take effect, submits to the appro-
9 priate congressional committees a notice of and
10 justification for such waiver.

11 **SEC. 5. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
12 **FINED.**

13 In this Act, the term “appropriate congressional com-
14 mittees” means—

15 (1) the Committee on Foreign Affairs and the
16 Committee on Financial Services of the House of
17 Representatives; and

18 (2) the Committee on Foreign Relations and
19 the Committee on Banking, Housing, and Urban Af-
20 fairs of the Senate.

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