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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To require a determination regarding atrocities in Tibet, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of New Jersey (for himself and Mr. SUOZZI) introduced the following bill; which was referred to the Committee on

A BILL

To require a determination regarding atrocities in 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 Atrocities Deter-
5 mination Act”.

6 **SEC. 2. MANDATE FOR DETERMINATION.**

7 (a) DETERMINATION DEADLINE.—Not later than one
8 year after the date of the enactment of this Act, the Sec-

1 retary of State shall submit to the appropriate congres-
2 sional committees a determination as to whether acts car-
3 ried out by officials or agents of the People’s Republic of
4 China against Tibetans in Tibet constitute either—

5 (1) an ongoing genocide against the Tibetan
6 people, consistent with, but not limited to, the Geno-
7 cide Convention Implementation Act of 1987 (the
8 Proxmire Act) (18 U.S.C. 1091 et seq.); or

9 (2) crimes against humanity.

10 (b) DEFINITIONS OF CRIMES AGAINST HUMANITY
11 AND GENOCIDE INDICATORS.—For purposes of this Act,
12 the Secretary shall specifically consider, among other fac-
13 tors—

14 (1) systematic killing, including intentional, re-
15 peated acts leading to the death of Tibetan individ-
16 uals or groups;

17 (2) serious bodily or psychological harm, includ-
18 ing physical violence, torture, psychological intimidat-
19 ion, forced indoctrination, or other actions causing
20 severe suffering;

21 (3) life conditions calculated to destroy, includ-
22 ing forced displacement, mass detentions, systemic
23 deprivation of food, water, medical care, or shelter,
24 and policies with foreseeable fatal consequences for
25 the Tibetan population;

1 (4) measures intended to prevent births, includ-
2 ing enforced sterilization or coercive abortion prac-
3 tices;

4 (5) forced transfer of children, including the re-
5 moval of Tibetan children from their families or
6 communities, including through China’s “colonial
7 boarding school system”; and

8 (6) any other factors deemed relevant by the
9 Secretary.

10 **SEC. 3. SCOPE OF DETERMINATION.**

11 (a) IN GENERAL.—The Secretary shall, concurrent
12 with the determination described in section 2, submit to
13 the appropriate congressional committees a written report
14 that includes—

15 (1) the evidentiary basis for the determination,
16 including documentation of specific acts and policies;

17 (2) a review of actions and statements by the
18 Government of the People’s Republic of China in-
19 tended to sinicize Tibetan Buddhism or repress Ti-
20 betan language and culture that contribute to poli-
21 cies resulting in genocide or crimes against human-
22 ity against the Tibetan people;

23 (3) findings from Department of State reports
24 and credible third-party analyses; and

1 (4) recommendations for United States policy
2 responses, including potential sanctions, including,
3 but not limited to, visa restrictions and diplomatic
4 actions.

5 (b) CONSULTATION REQUIREMENTS.—The Secretary
6 may consult with—

7 (1) experts in Tibetan culture, religion, and
8 internationally recognized human rights;

9 (2) nongovernmental organizations, including
10 Tibetan advocacy groups; and

11 (3) members of the Tibetan diaspora.

12 (c) FORM.—This report shall be submitted in unclas-
13 sified form, but may contain a classified annex.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means the Committee on Foreign Relations
19 of the Senate and the Committee on Foreign Affairs
20 of the House of Representatives.

21 (2) TIBET.—The term “Tibet” means the tra-
22 ditional Tibetan provinces of Amdo, Kham, and U-
23 Tsang within the People’s Republic of China.