

**Memorandum of Understanding
Between the Government of the People's Republic of China
and the Government of the United States of America
to Facilitate Outbound Tourist Group Travel from China to the United States**

The government of the People's Republic of China and the government of the United States of America (referred to together as "Participants")

Desiring that Chinese outbound tourist group travel to the United States make positive contributions to the tourism cooperation between China and the United States;

Willing to facilitate Chinese outbound tourist group travel to the United States and facilitate advertising of U.S. tourism products in China according to relevant laws and regulations;

Affirming that this Memorandum of Understanding (MOU) is to be applied in a manner consistent with the laws and regulations of each country and recognizing the following:

The United States welcomes Chinese nationals to visit the United States without limitations on the number of visas;

The United States has in place a mechanism to schedule interviews and process visa applications for individuals engaging in group travel;

Marketing and communications are a key factor in increasing market demand for travel between China and the United States;

Have reached the following understanding on organizing Chinese outbound tourist group travel to the United States:

**Article 1
Definitions**

For the purpose of this MOU:

1. "Chinese national" refers to any person who is entitled to hold a passport issued by the People's Republic of China.
2. "Territory of the United States" (hereinafter referred to as "the United States") refers to the continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States of America.
3. "Members of a tourist group" or "Chinese tourist group" refers to tourists from China to the United States included on the "Name List of Outbound Tourists" designed by China

National Tourism Administration (CNTA). The name list includes names, passport numbers and other identifying information that is retained by CNTA and other Chinese government agencies.

Article 2
Purpose and Scope of Understanding

1. This MOU applies to the travel to the United States of Chinese tourist groups that are organized by travel agencies designated by China National Tourism Administration (CNTA).
2. Such travel of Chinese tourist groups to the United States is to be organized in accordance with the provisions set out in this MOU.

Article 3
Visa Procedure

1. Only CNTA-designated travel agencies may, with the concurrence of consular chiefs of the U.S. Embassy or a U.S. Consulate in China, make exclusive group interview appointments via the visa information call center for visa applications of Chinese nationals traveling in groups to the United States according to the procedures of this MOU.
2. Visa applications of members of Chinese tourist groups should be submitted at the U.S. Embassy or a U.S. Consulate in China, and should include information and documentation specified by U.S. law and regulation. CNTA-designated travel agencies recognized by consular chiefs may submit visa applications at the U.S. Embassy or a U.S. Consulate in China on behalf of members of their tourist groups.
3. The U.S. Embassy and Consulates in China are to process the visa applications of members of Chinese tourist groups in accordance with U.S. law, regulation, and procedures.
4. The visas of the members of the tourist group may be collected by the CNTA-approved couriers of the designated travel agencies at the repository designated by the U.S. Embassy or Consulates.

Article 4
Tourist Groups

1. Travel Agencies and Inbound Tour Operators

(i) CNTA-designated travel agencies

CNTA should provide the U.S. Embassy or U.S. Consulates in China with a list of travel agencies designated by CNTA, including the names, addresses, telephone

numbers, fax numbers, e-mail addresses and contact persons of the designated travel agencies.

(ii) U.S. inbound tour operators

U.S. inbound tour operators include those that are legally incorporated or otherwise established in the United States and are in good standing, and conduct legitimate business with CNTA-designated travel agencies for the purposes of implementing this MOU. The relevant travel industry associations of the United States should provide CNTA with a regularly updated list of U.S. inbound tour operators in the United States. The list should include the names, addresses, telephone numbers, fax numbers, e-mail addresses and contact persons, etc. of the inbound tour operators.

The CNTA-designated travel agencies and U.S. inbound tour operators should select their business partners from each other's lists and conclude business contracts with them.

CNTA and the relevant U.S. travel industry associations should inform each other in writing of any changes made to their lists.

2. Protection of Chinese tourists' rights and interests

Relevant laws and regulations in China and the United States apply to Chinese citizens and their legitimate rights and interests while traveling from China to and within the territory of the United States under this MOU.

3. Tour Leaders and Tour Guides

CNTA-designated travel agencies should appoint a tour leader for each Chinese tourist group traveling under this MOU.

U.S. inbound tour operators should provide tour guides for Chinese tourist groups for the duration of stay in the United States. These tour guides should accompany the group from the time it enters to the time it leaves the United States, and endeavor to solve any problems that may arise in the tour in consultation with the Chinese tour leaders.

Article 5
Advertising and Marketing Activities

1. CNTA and the U.S. Department of Commerce wish to work together to facilitate, pursuant to the laws of China and the United States, the establishment of not-for-profit representative offices in China for U.S. state and local travel and tourism boards and organizations that wish to promote U.S. tourist destinations to the Chinese public.
2. Travel destination boards and tourism organizations, industry associations, and private companies may carry out advertising and marketing activities in accordance with

relevant laws and regulations. Permitted activities may include, but are not limited to, creating tourism products for travel to the United States with Chinese operators, presenting at trade shows, and advertising in all media, including print and electronic.

Article 6
The Exchange of Information

1. In order to ensure the smooth and orderly organization of Chinese tourist groups traveling to the United States, the related authorities of the Participants should work through the JCCT Tourism Working Group to exchange information and data on a timely basis and work together with a view to improving the organization of group travel of Chinese nationals to the United States.
2. Either Participant may request consultations with the other Participant and resolve any disputes arising from implementation of this Memorandum of Understanding.

Article 7
Entry into Effect, Implementation and Discontinuation of Participation

1. This Memorandum of Understanding enters into effect as of the date of its signature.
2. The Government of the People's Republic of China designates China National Tourism Administration and the Government of the United States designates the Department of Commerce as the agencies responsible for monitoring and implementing this Memorandum of Understanding.
3. Each Participant may discontinue participation in this Memorandum of Understanding by giving written notice to the other Participant. This Memorandum of Understanding ceases to apply three months after the date of such notification.

Signed in duplicate, both in the English and Chinese languages, in Beijing on December 11, 2007, both texts being equally authentic.

For the Government of the
People's Republic of China

For the Government of the
United States of America