

# US Visa Policy

## Introduction

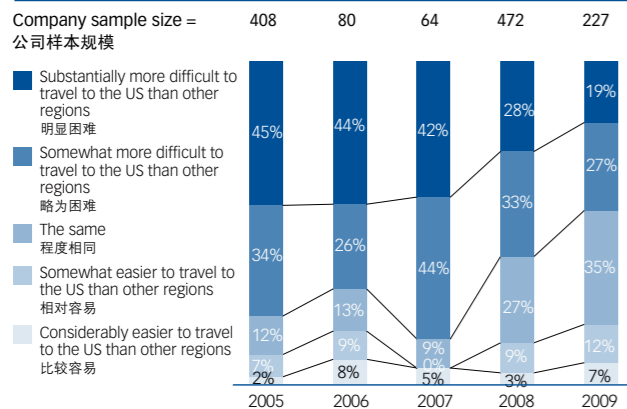
It is often said that the US-China relationship is the most important bilateral relationship of the 21st century. Facilitating travel between the two countries is crucial to the success of this relationship. Most immediately, issuance of visas to qualified travelers between the two countries is essential to sustaining the flow of international trade necessary to climb out of the global economic crisis.

The good news is that during 2008, the US Consular Mission in China received a record number of visa applications. This growth was driven by China's increasing population, wealth and freedom to travel abroad, as well as the continued desirability of the United States as a travel destination. A few of the additional factors that influenced last year's growth include:

- The US and China signed a memorandum of understanding to facilitate group leisure travel to the US. The US Consular Mission in China is implementing that agreement to encourage group travel.
- A new US Embassy opened in Beijing with an enlarged visa section.
- Corporate visa programs operated collaboratively between consular posts; AmCham-China continued to successfully economize on consular resources while expediting member companies' visa applications.

### How difficult was it for the Chinese citizens you work with (employees, customers, and suppliers) to travel to the United States, relative to other regions?

与您接触的中国公民(雇员、客户、供应商)在赴美国与赴其它地区旅行的难易程度比较



Source: 2005-09 AmCham-China Business Climate Surveys  
资料来源: 2005-09年中国美国商会商务环境调查

The AmCham-China 2009 *Business Climate Survey* revealed significant improvements in the visa application process compared to previous years. Compared to 2008, 15 percent fewer members believe that it is harder for Chinese to travel to the US than other regions (Figure 26). Moreover, fewer companies indicated having lost sales to non-US firms or intentionally avoided arranging meetings in the US for employees, customers, and suppliers because of US visa concerns (Figures 27 and 28).

To further encourage and facilitate travel between China and the US, AmCham-China's recommendations this year focus on reducing the extreme delays associated with Visas Mantis Security Advisory Opinions (SAO) that disproportionately harm the competitiveness of US high-tech industries; increasing Congressional funding and resources for consulates; pushing forward negotiations between the US and Chinese governments to increase visa validity; adding customer service initiatives; and encouraging diplomatic efforts to normalize travel between China and the US.

## Significant Developments

### Visa Demand Continues to Grow

Fiscal year 2008 witnessed an 11 percent increase in short-term tourist and business visas issued in China over the previous year and a slight reduction in the percentage of refusals.

### Non-immigrant Visa Issuances Fiscal Year 2008

Citizenship	Visa Type	Total Visas Issued	Issuance rate
PRC citizens	B1, B2, B1/B2	2008: 333,426	82.7 %
		2007: 299,889	81.3 %
		2006: 265,971	78.6 %
Worldwide	All non-immigrant visas	2008: 455,279	81.7 %
		2007: 401,331	79.7 %
		2006: 347,832	77.6 %
Worldwide	B1, B2, B1/B2	2008: 3,945,629	79.0 %
		2007: 3,736,487	78.1 %
		2006: 3,415,733	77.2 %
Worldwide	All non-immigrant visas	2008: 6,603,044	80.8 %
		2007: 6,444,285	79.6 %
		2006: 5,836,718	79.6 %

Source: US Embassy

# 美国签证政策

人们常说, 中美关系是21世纪最为重要的双边关系, 而促进两国之间人员往来交流对成功发展这一关系至关重要。当前, 在两国间向相关适宜人员颁发签证对推进国际贸易流通, 摆脱全球经济危机尤为必要。

令人欣喜的是, 2008年美国驻华领事机构受理的签证申请数量创历史新高。这一趋势得益于中国人口的增长、财富水平和境外旅行自由程度的不断提高, 及美国继续成为热门旅游地等原因。其它因素还包括:

- 中美两国政府签署了推动赴美团体旅游的谅解备忘录。美国驻华领事机构正在执行该协议以鼓励团体旅游。
- 美国在北京启用新的驻华使馆, 签证处规模得以扩大。
- 与领馆之间合作开展商务签证计划。中国美国商会在继续加快会员公司签证申请的同时, 有效地节省了领馆资源。

中国美国商会2009年商务环境调查显示, 签证申请程序较往年有了明显改善。与2008年相比, 仅有占15%的少数会员企业认为中国公民赴美相比去其它地区更难(图26)。此外, 有少数会员企业指出, 由于考虑赴美签证问题, 他们的销售机会旁落于非美国公司, 而且他们尽量避免在美国为雇员、消费者和客户安排会议(图27和28)。

为进一步鼓励和推动中美之间旅游, 中国美国商会今年的建议主要集中于以下几点: 减少因采用“签证安全建议”而造成的过长延误, 这将会一定程度地损害美国高科技产业的竞争力; 国会应加大对领事机构的资金及资源投入; 推进中美两国政府之间关于延长签证有效期的谈判; 增加客户服务举措; 鼓励中美之间旅游正常化的外交努力。

## 重大进展

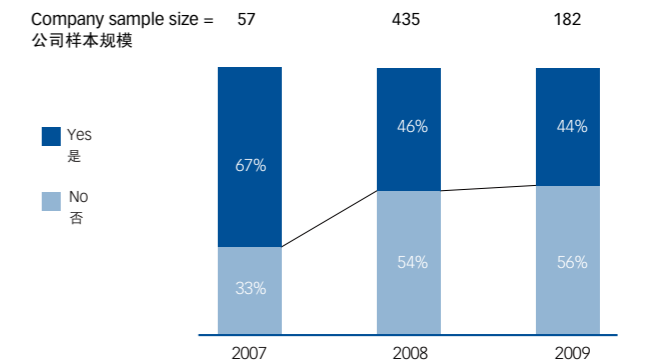
### 签证申请数量继续增长

2008财政年度, 在中国颁发的短期旅游和商务签证比上年增加11%, 拒签率略有下降。

2009财政年度, 由于受全球经济危机的影响, 在中国颁发的签证数量可能会与去年持平。尽管如此, 长期而言, 根据美国国务院的预测, 从2005年至2020年中国赴美签证申请量将增长2.32倍。中国将是所有国家中赴美签证申请数量增长率最高的国家, 也是申请总人数增长居第二位的国家(墨西哥第一)。

### Do you intentionally avoid arranging meetings in the US for suppliers, customers, employees because of concerns about obtaining visas?

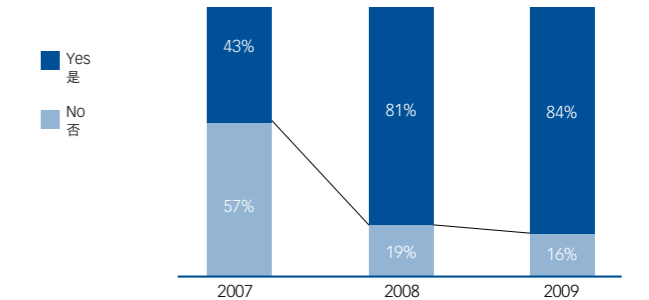
企业是否因签证问题而尽量避免将美国安排为与雇员、消费者及供应商的会面地?



Source: 2007-09 AmCham-China Business Climate Surveys  
资料来源: 2007-09年中国美国商会商务环境调查

### Have you lost significant sales or business relationships to non-US competition because your customers either refuse to apply for visas to the US or have been rejected for visas? Enterprise sales lost due to customer visa issues?

企业是否曾因客户遭到拒签或拒绝申请美国签证而导致巨大销售损失, 并使其所建立的商业关系转向非美国竞争对手?



Source: 2007-09 AmCham-China Business Climate Surveys  
资料来源: 2007-09年中国美国商会商务环境调查

During fiscal year 2009, due to the global economic crisis, visa issuance may be flat in China. Still, in the long run, the State Department projects that visa applications in China will grow 232 percent between 2005 and 2020. This represents the highest growth rate of any of the countries studied and the second-highest growth in the number of applications (behind Mexico).

### Group Leisure Travel Is Being Encouraged

A Memorandum of Understanding signed December 11, 2007, during the third round of the Strategic Economic Dialogue, facilitates group leisure travel from China to the US. China has agreed to allow travel agencies designated by China National Tourism Administration (CNTA) to advertise group leisure travel to the US. Such advertising was previously prohibited. In addition, China has authorized US travel destinations to market themselves in China. The US Consular Mission in China now makes group visa appointments and accepts visa applications submitted directly by designated travel agencies.

The group leisure travel program was implemented on June 1, 2008. Waits for most group appointments are under 10 days. The program covers applicants residing in Beijing and Tianjin municipalities and Hubei, Hebei, Hunan, Shanghai, Zhejiang, Jiangsu and Guangdong provinces.

The US government is awaiting CNTA's lists of designated travel agencies in other provinces, at which time the US government hopes to include residents of those provinces in the group leisure travel program.

Outbound leisure and holiday travel by Chinese nationals is a rapidly growing market, and the US is well positioned to capture a sizeable share of it. Chinese tourism to the US reduces the growing US-China trade deficit, and the tourism industry overall creates one in eight American jobs.

In 2007, China ranked as the 16th largest international market for the US, with 397,405 Chinese visitors to the US. Chinese visitors spent a record US \$2.6 billion (RMB 17.8 billion) in the US in 2007, with an average expenditure of over US \$6,000 (RMB 41,100) per person. With the implementation of the group leisure travel program, Chinese visitation to the US is forecasted to reach 579,000 Chinese travelers by 2011, not only increasing tourism expenditures in the US, but also tourism-related exports.

Tourist Visa Issuances to Chinese Citizens

Post	Number of Visas Issued through Group Leisure Travel Channel June 1 - Oct. 30, 2008
Beijing	1,097
Shanghai	1,035
Guangzhou	334

Source: US Embassy

### AmCham-China Corporate Visa Programs

AmCham-China cooperates with the US consular posts in Beijing, Shanghai, Guangzhou and Chengdu to facilitate visas for employees of AmCham-China member companies. These corporate visa programs (CVPs) continue to benefit our membership by reducing visa appointment wait times and time spent waiting at the visa section on the interview day. These programs also benefit the posts because the participating companies are screened to verify that they are legitimate businesses, a key individual at each company verifies the applicant's legitimate need to travel, and AmCham-China screens the application materials to ensure they are complete before they are passed to the consulate. AmCham-China appreciates the spirit of cooperation that posts have consistently displayed with respect to the CVPs.

AmCham-China CVP

Post	Number of Visa Issued through AmCham-China Channel in Fiscal Year 2008
Beijing	11,718
Shanghai	12,759
Guangzhou	2,676

### Specific Issues

#### Reduce Wait for Visas Mantis Security Advisory Opinions

Last year, AmCham-China reported three to four-week visa issuance delays due to Visas Mantis SAOs, now known as administrative processing, for employees of high-tech industries, harming American competitiveness. Unfortunately, this year, the problem has been compounded: as of March 2009, the process seems to have become more cumbersome and inflexible with processing taking as long as 16 to 17 weeks.

As background, the law requires that a visa be refused if the consular officer has reason to believe the applicant intends to violate US laws prohibiting export of sensitive technology. SAOs are a mandatory component of the process to make this determination. The criteria officers use to decide whether administrative processing is required are considered sensitive national security information and, therefore, are not released to the public.

In our experience, 50 percent or more of the employees, customers and partners of high-tech companies, such as aerospace and semiconductor companies, may be subject to an SAO. The SAO involves review of the case by the State Department's Bureau of International Security and Non-proliferation and other government agencies.

Delays of up to 17 weeks mean that customer meetings, project meetings and training sessions often need to be postponed or cancelled, putting US companies at a disadvantage since customers and partners may

地点	签证种类	签证数量	签证率
中国	B1, B2, B1/B2	2008: 333,426	82.7 %
		2007: 299,889	81.3 %
		2006: 265,971	78.6 %
中国	所有非移民签证	2008: 455,279	81.7 %
		2007: 401,331	79.7 %
		2006: 347,832	77.6 %
全球	B1, B2, B1/B2	2008: 3,945,629	79.0 %
		2007: 3,736,487	78.1 %
		2006: 3,415,733	77.2 %
全球	所有非移民签证	2008: 6,603,044	80.8 %
		2007: 6,444,285	79.6 %
		2006: 5,836,718	79.6 %

### 鼓励团体旅游

在2007年12月11日举行的第三轮战略经济对话中, 美中两国政府签署了促进中国公民赴美团体旅游的谅解备忘录。中国已同意允许中国旅游局指定的旅行社就赴美团体旅游进行推介宣传, 而这类活动此前是被禁止的。此外, 中国还授权美国旅行目的地在华开展推介业务。美国驻华领事机构现在受理团体签证预约, 并接受指定旅行社直接提交的签证申请。

团体旅游计划于2008年6月1日开始实施。大部分团体预约等候时间在10天以内。该计划适用于居住在北京、天津、湖北、河北、湖南、上海、浙江、江苏及广东的申请者。

美国政府希望中国旅游局尽早提供其它省份指定旅行社的名单, 届时这些省份的公民也可以参与团体旅游计划。

中国公民境外休闲和假日旅游的市场增长迅速, 美国有很好的优势获得较大的市场份额。同时中国居民赴美旅游有助于减少不断增长的美中贸易逆差。旅游业也为美国创造大量就业机会。实际上, 美国国内每八个工作岗位中就有一个与旅游业有关。

2007年, 有39.7405万中国游客赴美旅游, 中国成为了美国第16大国际市场。同年, 中国游客在美国创记录地消费了26亿美元(合178亿元人民币), 人均消费超过6000美元(合41,100元人民币)。随着团体旅游计划的实施, 预计到2011年, 中国赴美总人数将达57.9万。这不仅会增加在美旅游消费, 同时还可推动旅游相关出口。

领事机构	2008年6月1日 - 10月30日通过团体旅游渠道颁发的签证数量
北京	1,097
上海	1,035
广州	334

### 中国美国商会商务签证服务

中国美国商会与驻北京、上海、广州和成都的领事机构合作, 为商会会员提供商务签证服务。该项服务帮助会员减少了签证预约及面谈当日的等候时间, 也使领事机构从中获益, 因为申请签证公司是已经被筛选审查过的合法公司, 公司的主要负责人也已核对了旅行的必要性, 同时由商会把关, 以保证申请资料在递交领事馆前已准备齐全。中国美国商会对各领馆在落实该项计划过程中所表现出的合作精神表示赞赏。

领事机构 2008财政年度通过中国美国商会颁发的签证数量

北京	11,718
上海	12,759
广州	2,676

### 具体问题

#### 缩短“签证安全建议”等待时间

去年, 在中国美国商会的报告中提到, 由于“签证安全建议”(现已成为行政处理程序)造成高科技行业人员的签证迟发三到四个星期, 影响了美国的竞争力。而今年, 这一问题变得更加复杂: 截至2009年3月, “签证安全建议”审批程序已长达16至17周, 令该程序愈加繁杂僵化。

造成这一现象的背景是, 根据美国法律规定, 若领事馆官员有足够理由认为申请者可能会违反美国禁止出口敏感技术的法律规定, 则可以拒绝签证。“签证安全建议”是做出这一决定过程中所必须执行的一个环节。领事馆人员在决定是否有必要采取行政处理时所遵循的标准, 通常被视为涉及敏感的国家安全信息, 因此不便于公布。

依据我们的经验, 半数以上的航空、半导体高科技公司雇员、客户及合作伙伴需要通过“签证安全建议”审查。“签证安全建议”包括了美国国务院国际安全暨防核武扩散局和其它政府机构的案件审核。

长达17周的拖延意味着客户会议、项目会议及培训通常会被推迟或取消, 这将使美国公司处于不利的地位, 因为其客户或合作伙伴可能会因此而选择到其它国家开展业务或举行会议。由于签证的延误可能会严重影响到公司与中国政府机构及各省级政府的关系, 因此当美国采取措施以帮助其公司吸引国外合作伙伴到美国开展业务时, 这些拖延实际上妨碍了商务活动的展开。

中国美国商会承认出于国家安全考虑适用“签证安全建议”的必要性, 但同时也希望国务院能够设法减少不必

choose to do business and plan conferences in other countries. Furthermore, by severely jeopardizing corporate relations with Chinese government agencies and provincial governments, these delays hamper business activities at a time when the US should be taking steps to ease the way for American businesses to bring foreign partners to the US to conduct business.

AmCham-China acknowledges the national security justification for SAOs, but implores the State Department to find ways to reduce unnecessary delays. We appreciate that the US Embassy has brought some of these concerns to the State Department's attention. We have several specific recommendations.

First, we recommend that a review of the Visas Mantis SAO process be conducted to identify ways that the pool of applicants subject to SAOs can be narrowed. Investigative resources should be focused on those few individuals who may pose a legitimate threat, so that delays are reduced for legitimate business travelers who pose no threat. This should involve narrowing the list of fields on the Technology Alert List. This should also involve sharing with consular officers up-to-date profiles of applicants that may pose a threat while allowing officers to apply their discretion to waive SAOs for applicants who do not fit the profile.

Second, in tandem with the State Department's announced plan to allow submission of an electronic visa application prior to the interview beginning in 2010, AmCham-China recommends that the State Department collect all necessary data and begin the SAO before the interview.

Third, we recommend that the visa validity of persons subject to SAOs be increased. Currently, a Chinese national subject to an SAO is eligible for a B visa valid only for single entry over a period of three months. We see no reason that a person who has already received a clearance that covers two trips should not receive a single visa allowing for both trips.

Fourth, we recommend that the US Congress and federal agencies involved in the SAO process direct sufficient resources so as to reduce the extreme waiting times.

Fifth, we recommend that the US Embassy carefully review the facts of individual visa applications to determine whether an SAO is really necessary under the State Department's guidelines.

AmCham-China thanks the US Embassy for adopting the recommendation in last year's *White Paper* that the Embassy provide a written notice to applicants subject to SAOs. This notice, along with an oral explanation by the consular officer, alleviates the problem that some applicants previously did not understand the status of their visa applications.

### Meet Growing US Consular Resource Demands

A new US Embassy in Beijing opened in 2008. The visa section has 23 customer windows, up from 13

windows at the old Embassy. Visa section staffing increased significantly, but remains insufficient to meet demand during peak travel seasons.

Continued vigilance by the US Congress and State Department is necessary to ensure sufficient resources and staffing are allocated to the US Consular Mission in China so that it can deal with the increasing demand for visas. Although there was marginal improvement on the quality of visa processing at certain US consular posts, many of the posts' limited resources still pose a challenge and contribute to long wait times for visa appointments (Figure 29). Visa appointment wait time refers to the period from when an applicant first contacts a consular post to schedule an interview until the time an interview is held. Long wait times for appointments—which can exceed 45 days during peak summer and winter travel periods—remain a serious concern.

### Further Customer Service Initiatives

Initiatives to improve customer service can go a long way towards improving customer experiences and perceptions of the difficulty of applying for US visas.

Some common frustrations with the visa application process are due to Congressional mandates, including the personal interview requirement, the finger scan requirement and the statutory presumption that applicants are immigrants ineligible for visas until they prove otherwise. Other frustrations can be resolved at the Embassy level.

AmCham-China recognizes the Embassy for its successful customer service initiatives such as the larger waiting room in the new Embassy's visa section, outreach to students, the virtual presence posts program and the visa re-issuance program, effective January 2008, under which certain persons with prior visas that have expired within one year may reapply for a visa in the same category without the need to visit a consular post for a new interview or finger scan.

Two further areas where AmCham-China would encourage additional customer service initiatives are waiting times at the visa section and the appointment system. Last year, upon learning from the Embassy that waiting times at the visa section had not been tracked, AmCham-China suggested that this is a key customer service indicator worth measuring. The Embassy informed us that they conducted two in 2008, both showing that waits average under three hours. These studies are a step in the right direction, and we encourage the Embassy to take steps to reduce waits in the visa section.

Last year's *White Paper* mentioned that callers to the Visa Information Call Center occasionally have been told that there are no appointments available. This continues to happen sporadically. The Embassy reports that usually more appointments slots are allocated within a couple hours of learning from the call center that they are needed. However, there was at least one period this past year when some callers were

要的延误。我们十分赞赏美国大使馆将我们在此方面的关注提请至国务院。以下是我们几点具体建议。

第一，我们建议通过对“签证安全建议”的程序进行评估，设法缩小接受“签证安全建议”审查的申请者范围。应着重审查可能对美国安全构成威胁的个别人，从而减少对合法商务旅行者造成的延误。因此这就需要缩小敏感技术列表所列专业的范围；同时将那些可能造成潜在威胁的申请者最新情况与领事机构共享，以便于其工作人员能够自行判断，是否可对不构成威胁的申请者取消“签证安全建议”审查。

第二，国务院宣布，自2010年起允许在预约签证面谈前提交电子签证申请。根据该计划，中国美国商会建议国务院收集所有必要数据，并在预约签证面谈前开始“签证安全建议”审查。

第三，我们建议延长适用“签证安全建议”规定申请者的签证有效期。目前接受“签证安全建议”审查的中国公民只能获得三个月一次有效B类签证。若某个人已经得到两次赴美签证证明，则没有理由不向其签发一张允许其两次赴美的签证。

第四，我们建议美国国会及与“签证安全建议”审查程序相关的联邦机构应配备足够的资源，以减少过长的签证等待时间。

第五，我们建议美国大使馆仔细审核个人签证申请者提供的情况，确定是否有按国务院规定执行“签证安全建议”审查的必要。

在去年的《白皮书》中，我们建议应向接受“签证安全建议”审查的申请者提出书面通知。美国大使馆采纳了该建议，我们对此表示感谢。通过该书而通知和使馆官员作出的口头解释，缓解了部分申请者以前不了解其签证申请状况的问题。

### 满足不断增长的美国领事资源需求

在北京新建的美国大使馆于2008年正式启用。签证处从原来的13个办事窗口扩充至23个。尽管签证处工作人员明显增加，但仍无法满足旅游高峰时期的需要。

对此美国国会及国务院应继续保持关注，以确保为美国驻华领事机构配备足够的人力和资源，来满足不断增长的签证需求。

尽管某些美国领事馆签证受理质量有了很大提高，但许多领事馆仍然由于资源的限制而面临着挑战，并致使签

证预约等候时间过长(图29)。签证预约等候时间是指从申请者初次与领事官员联系预约面谈时间，到实际面谈之间的时间段。等候时间长仍是一个严重问题—— 冬夏旅游高峰期可能超过45天。

### 继续实施客户服务计划

改进客户服务的举措需要经过很长一段时间才能改善签证申请者的感受，使申请者感受到赴美签证申请并非那么困难。

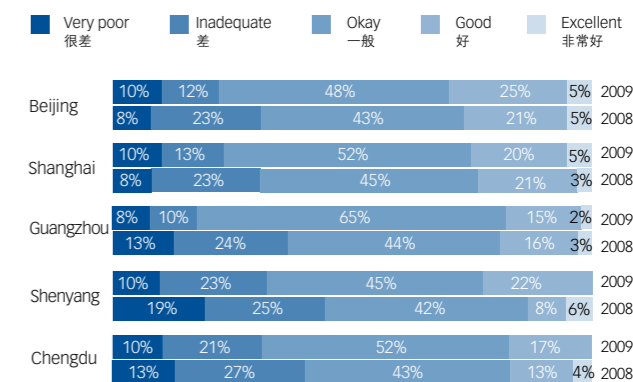
签证申请过程中，由于国会制定的某些强制性程序导致了一些令申请者头痛的常见问题，包括接受面谈、扫描指纹及对申请者作出有移民倾向的法定推定(除非他们能够证明自己没有移民倾向)。其它问题大多可以在大使馆层面解决。

中国美国商会赞赏大使馆成功实施了一系列客户服务计划，如在新建大使馆的签证处设立更宽敞的休息室、为学生提供便利服务、虚拟签证点计划及2008年1月启动的二次签证计划。根据此计划，持有签证过期时间不到一年的人员可以重新申请同一类别签证，而无需再次前往领事馆进行面谈或指纹扫描。

中国美国商会还鼓励在签证处等候时间、预约系统方面出台更多的客户服务计划。去年，当获悉驻华使馆未对签证处等待时间进行跟踪后，中国美国商会建议将其做为一项值得衡量的关键性客户服务指标。商会从使馆获知，2008年进行的两次跟踪调查均显示平均等待时间在

### Please rate the quality of the visa processing in the following locations 对下述地区签证办理工作质量的比较

Company sample size = 217 (2009) 413 (2008)  
公司样本规模



Source: 2008-09 AmCham-China Business Climate Surveys  
资料来源: 2008-09年中国美国商会商务环境调查

unable to book any appointments despite repeated calls. Applicants are particularly sensitive to this problem because they must pay for each call at a rate of RMB 54 (US \$7.90) for 12 minutes.

### Visa Validity Should Be Extended

AmCham-China strongly advocates that visas be issued for longer periods of validity. This is convenient for travelers and conserves consular resources. The US government sets visa validity on a reciprocal basis with foreign governments. Currently, for Chinese nationals B-1/B-2 visas are only valid for up to one year, as opposed to 10 years for many nationalities. H-1B visas are only valid for up to three months, as opposed to three years for many nationalities. We urge the US and Chinese governments to pursue negotiations with the goal of extending visa validity.

### Increase Passport Validity

AmCham-China encourages the US and Chinese governments to recognize each other's passports as automatically extended for six months beyond the expiration date shown on the identification page. The US has reached such agreements with over 100 countries, but we understand that China has rebuffed US offers to enter into such an agreement. Without this agreement, numerous Chinese travelers are inconvenienced because, under US law, an individual may only be admitted as a non-immigrant for a period ending six months before the passport's expiration date. As a result, individuals may have to procure a new passport to obtain their visas—or their trips may be cut short—because their passports do not have a sufficient period of validity.

### Benefits from Treaty Investor Visas

During the fourth meeting of the Strategic Economic Dialogue in 2008, the US and China agreed to launch negotiations of a bilateral investment treaty (BIT). The great majority of BITs entered into by the US have included provisions allowing investors from each country to qualify for visas to administer their investments in the other country. Under US law, these are known as E-2 treaty investor visas, and they are available to nationals of more than 70 countries. AmCham-China believes this should be a key provision of the US-China BIT.

Foreign direct investment (FDI) plays a major role in the US economy, both as a key driver of the economy and as an important source of innovation, exports, and jobs. The US Department of Commerce believes that availability of visas for investors is “one of the more important issues facing those interested in investing in the United States,” as well as a “key indicator of how easy it will be to make or administer an investment.”

A treaty investor visa provision in the BIT will encourage FDI in the US and guarantee Americans' ability to obtain visas to administer their investments in China.

### China Should Cooperate in the Return of Deportees

The US Department of Homeland Security (DHS) has expressed concern that the Chinese government fails to cooperate sufficiently in the removal of Chinese nationals ordered deported from the US. As of last year, there were about 50,000 Chinese nationals with final orders of deportation that DHS was unable to remove because the Chinese government had not issued the required travel documents. This lack of cooperation has been cited by the US government as a reason for various restrictions on Chinese travel to the US. For example, the US government cites this as a sticking point in negotiations over extending visa validity. For the same reason, DHS recently has refused to allow issuance to Chinese of H-2A temporary agricultural worker visas, H-2B temporary non-agricultural worker visas, and visa waivers for temporary visits for business or pleasure to Guam and the Commonwealth of Northern Marianas Islands. Cooperation in this area is crucial to ease travel between the two countries.

### Recommendations

- **Reduce current delays of up to 14 weeks for US visa issuance for certain applicants by: (a) conducting a review of the SAO process to identify ways to focus investigative resources on those few individuals who may pose a legitimate threat and to avoid delaying legitimate business travelers who pose no threat; (b) beginning processing SAOs prior to the interview as soon as the State Department is able to begin accepting electronic visa applications, (c) increasing the visa validity of persons subject to SAOs; (d) directing sufficient resources (from Congress and federal agencies involved in the SAO process) to the SAO process to reduce the waiting times; and (e) the Embassy carefully reviewing the facts of individual visa applications to determine whether under the State Department's guidelines on SAO is really necessary.**
- Congress and the State Department should allocate sufficient resources and staffing to the US Consular Mission in China to keep waits for visa appointments reasonable.
- The US Consular Mission in China should continue to emphasize customer service initiatives, including efforts to minimize day-of-interview waits in the visa section.
- Make the following diplomatic efforts to further ease travel between the two countries: (a) US and China should increase visa validity periods on a reciprocal basis; (b) Include investor visa provisions in the bilateral investment treaty under negotiation; (c) US and China should recognize each others' passports as valid for six months beyond the date shown; and (d) China should cooperate in the return of deportees.

三小时内。此举正是朝着积极的方向迈进，我们鼓励使馆采取进一步措施减少在签证处等待的时间。

去年的《白皮书》提到，申请者向签证信息话务中心拨打电话时，会被告知无法安排预约面谈时间。这种情况时有发生。从使馆获知的信息是，使馆通常会在得知所分配的预约时间已全部用完后的数小时内，为信息话务中心开放更多的预约时间。但至少在过去的某段时间里，部分申请者即使是反复致电也无法获得预约时间。对这一问题申请者尤为敏感，因为他们必须为每次致电支付54元人民币（7.90美元），才能获得12分钟通话时间。

### 应延长签证有效期

中国美国商会强烈建议延长签证有效期，这不仅方便旅行者，也能节约领事资源。美国政府在签证有效期方面与外国政府实行对等政策。当前，针对中国公民的B-1/B-2签证有效期只有一年，而对许多其它国家公民签证有效期可达十年之久。针对中国公民的H-1B签证有效期仅为三个月，而对许多其它国家公民则达三年。我们敦促美中两国政府就延长签证有效期进行谈判。

### 延长护照有效期

中国美国商会希望，美中两国政府能够互相承认，对方公民的护照到期后可自动延长六个月的有效期。美国与100多个国家达成了此类协议，但据我们了解，中国并未接受美国为达成此类协议的相关提议。在没有该协议的情况下，大批中国赴美旅行者就会遇到不便，因为根据美国法律，个人在持有六个月以上有效期的护照时才能以非移民身份进入美国。这样，因为护照没有足够长的有效期，他们要么必须申请新护照来获得签证，要么缩短旅行时间。

### 条约投资人签证的好处

在2008年举行的第四次战略经济对话期间，美中两国同意启动双边投资协定（BIT）的谈判。美方签署的绝大部分双边投资协议均有这样的条款，即允许各国投资人有资格获得签证，去管理他们在其它国家的投资。根据美国法律，这些签证为E-2条约投资人签证，70多个国家的公民可申请该签证。中国美国商会认为这应成为美中两国双边投资协议的重要条款。

外国直接投资在美国经济中扮演着重要角色，不仅是推动经济的关键力量，也是推动创新、出口及提供工作岗位的重要来源。美国商务部认为，获得投资人签证是“那些有兴趣在美国投资的人面临的重要问题之一”，也是帮助其判断“投资或管理投资难易程度的关键指标”。

双边投资协定中的条约投资人签证条款既能鼓励在美国的外国直接投资，也能保证美国人能够获得签证以管理其在华投资。

### 中国应就被驱逐出境者的处理问题与美方展开合作

美国国土安全部（DHS）对中国政府未能就处理被美国驱逐出境者方面充分合作而感到关切。截至去年，约有5万名中国公民收到美国国土安全部最终驱逐令，但由于中国政府未能颁发所需旅行证件，国土安全部无法遣返这些人员。而这种被美国政府看作是予以合作的作法，成为其对中国赴美公民实施限制的理由。例如，美国政府认为这是使有关延长签证有效期谈判停滞不前的症结所在。出于同样原因，国土安全部近来拒绝向中国公民颁发H-2A临时性农业工人签证、H-2B临时性非农业工人签证，停止对关岛及北马里亚纳群岛自由联邦临时商务或观光签证的免签。在该领域的合作对两国间的往来便利至关重要。

### 建议

- 可采取如下措施，以减少部分申请者目前长达14周的签证延误：(a) 评估“签证安全建议”程序，确定如何将审查资源集中于那些可能对美构成潜在威胁的个别人，避免延误那些并未构成威胁的合法商务旅行者的签证申请；(b) 一旦美国国务院开始接受电子签证申请，则应在预约签证面谈前启动“签证安全建议”审查；(c) 延长适用“签证安全建议”审查人员签证的有效期；(d) 美国国会及那些与“签证安全建议”程序相关的联邦机构应向“签证安全建议”程序投入更为充足的资源，以减少申请者等待时间；(e) 大使馆应仔细审核个人签证申请，确定是否确实需要根据国务院规定进行“签证安全建议”审查。
- 国会及国务院应为美国驻华领事机构分配足够的资源和工作人员，确保签证预约等候时间不至过长。
- 美国驻华领事机构应继续强调客户服务的重要性，包括努力减少签证处面谈等待时间。
- 应通过下列外交努力进一步促进两国之间旅游业的发展：(a) 美中两国应根据对等原则延长签证有效期；(b) 将投资人签证规定纳入正在谈判中的双边投资协议；(c) 美中两国应承认对方公民的护照在到期后的六个月内仍然有效；(d) 中国应就处理被美驱逐出境人员方面与美方合作。