

**MEMORANDUM OF COOPERATION
BETWEEN
THE NATIONAL DEVELOPMENT AND REFORM
COMMISSION OF THE PEOPLE'S REPUBLIC OF CHINA
AND
THE ENVIRONMENTAL PROTECTION AGENCY OF THE
UNITED STATES OF AMERICA
TO BUILD CAPACITY TO ADDRESS CLIMATE CHANGE**

The National Development and Reform Commission of the People's Republic of China (NDRC) and the Environmental Protection Agency of the United States of America (EPA), hereinafter referred to as the "Participants," in order to support the implementation of the *Memorandum of Understanding to Enhance Cooperation on Climate Change, Energy and Environment*, concluded at Washington, D.C., July 28, 2009 and formally signed in November 2009, hereinafter referred to as the "MOU," have reached the following understandings.

Section 1

In order to implement the policy dialogue and cooperation on climate change in the MOU, the Participants intend to conduct cooperative activities set forth in Section 2 below, in accordance with the *United Nations Framework Convention on Climate Change* (UNFCCC) and in support of the objectives of the MOU.

Section 2

The cooperative activities undertaken pursuant to this Memorandum of Cooperation, hereinafter referred to as the "MOC", may involve the following areas:

1. Capacity building for developing greenhouse gas inventories;
2. Education and public awareness of climate change;
3. The impacts of climate change to economic development, human health and ecological system, as well as research on corresponding countermeasures; and
4. Other areas as determined by the Participants.

Section 3

Cooperation under this MOC may include the following forms:

1. Joint organization of symposia, seminars, workshops and training;
2. Study tours, exchanges, and short-term training programs between the Participants;
3. Development and/or translation of technical and informational materials, as needed;
4. Joint scientific publications;
5. Cooperative research on subjects of mutual interest; and
6. Other forms of cooperation as may be determined by the Participants.

Section 4

1. Each Participant may designate a Senior Coordinator. For NDRC, the Senior Coordinator is to be the Director General of the Department of Climate Change or his assignee; for EPA, the Senior Coordinator is to be the Assistant Administrator for International Affairs or her assignee.

Under this MOC, the Senior Coordinators are to serve as points of contact for their respective Participants.

2. As part of the cooperative activities under this MOC, Participants may designate and facilitate government agencies, research institutes, corporations or industries, universities and other organizations to provide technical support.

Section 5

1. Participants intend to develop, as needed, detailed work plans according to the cooperation themes and forms intended in this MOC, including key activities and outputs of cooperative projects, scheduling, budget and organizational arrangements, etc.
2. In principle, subject to Section 6.1, EPA intends to support cooperative projects through the provision of needed technical assistance and NDRC or the organization designated by NDRC will provide needed in-kind support.

Section 6

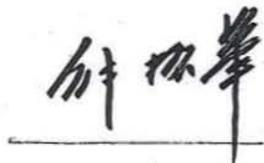
1. All activities undertaken pursuant to this MOC are subject to applicable laws and regulations and the availability of appropriated funds, personnel, and other resources of each Participant.
2. Nothing in this MOC, or related project agreements, strategies, or work plans, is intended to obligate the Participants to expend appropriations or enter into any contract, assistance agreement, or interagency agreement, or to give rise to rights or obligations under domestic or international law.

Section 7

1. This MOC is to commence upon the signature of the Participants and continue for a period of five (5) years. Either Participant may discontinue this MOC at any time, but should provide the other Participant at least six (6) months' written notification, through diplomatic channels, of its intent to do so. The Participants are to consult regarding the effect of discontinuation on the implementation of ongoing programs and activities under this MOC prior to the date on which notice of discontinuation is given.
2. Either Participant may request in writing, through diplomatic channels, to modify this MOC. This MOC may be modified, in writing, by the mutual consent of both Participants.

This MOC is signed respectively in Beijing, China on November ____, 2009, and in Washington D.C., the United States on November 17, 2009, in duplicate in the English and Chinese languages, both texts being equally authentic.

For the National Development
and Reform Commission of
the People's Republic of China



A handwritten signature in Chinese characters, consisting of three main characters: '解', '振', and '华'. The signature is written in black ink and is positioned above a horizontal line.

For the Environmental
Protection Agency of the
United States of America



A handwritten signature in English, written in black ink. The signature is cursive and appears to read 'L. J. ...'. It is positioned to the right of the Chinese signature.