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NOTIFICATION OF CHANGES TO EXISTING LAWS TO COMPLY WITH THE U.S.-AUSTRALIA FREE TRADE AGREEMENT

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A DESCRIPTION OF THE CHANGES TO EXISTING LAWS, PREPARED BY THE ADMINISTRATION, THAT WOULD BE REQUIRED TO BRING THE UNITED STATES INTO COMPLIANCE WITH THE UNITED STATES-AUSTRALIA FREE TRADE AGREEMENT, AS SIGNED BY THE UNITED STATES TRADE REPRESENTATIVE ON BEHALF OF THE UNITED STATES ON MAY 18, 2004, PURSUANT TO PUB. L. 107–210, SEC. 2105(a)(1)(B)



JULY 6, 2004.—Referred to the Committee on Ways and Means and ordered to be printed

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THE WHITE HOUSE,
Washington, July 2, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: On May 18, 2004, the United States Trade Representative signed the United States-Australia Free Trade Agreement on behalf of the United States. Consistent with section 2105(a)(1)(B) of the Trade Act of 2002, I am submitting a description of the changes to existing laws, prepared by my Administration, that would be required to bring the United States into compliance with that agreement.

I look forward to working with the Congress in developing legislation to implement this free trade agreement with an important economic partner and close ally.

Sincerely,

GEORGE W. BUSH.

CHANGES TO EXISTING LAW REQUIRED TO BRING THE UNITED STATES INTO COMPLIANCE WITH OBLIGATIONS UNDER THE UNITED STATES-AUSTRALIA FREE TRADE AGREEMENT

The United States must amend section 13031(b) of the Consolidated Omnibus Reconciliation Act of 1985 (19 U.S.C. § 58c(b)). The amendment will exempt imports qualifying as "originating goods" under the United States-Australia Free Trade Agreement ("the Agreement") from certain customs user fees, as required by Article 2.12 of the Agreement.

The United States must amend section 592(c) of the Tariff Act of 1930 (19 U.S.C. § 1592(c)). The amendment will exempt an importer from penalties for an improper claim that a good qualifies as an originating good under the Agreement, provided that the importer voluntarily corrects the improper claim within one year of making it. This amendment is necessary to comply with Article 5.13.4 of the Agreement.

The United States must amend section 308 of the Trade Agreements Act of 1979 (19 U.S.C. 2518). The amendment will permit the President to designate products from Australia as eligible for purposes of waiving discriminatory purchasing requirements under our government procurement law. This amendment is necessary to implement Chapter Fifteen (Government Procurement) of the Agreement.

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