

Subject to Legal Review for Accuracy, Clarity and Consistency

[DATE]

The Honorable Andrew Robb
Minister for Trade and Investment
Department of Foreign Affairs and Trade
Canberra, Australia

Dear Minister Robb:

In connection with the signing on this date of the Trans-Pacific Partnership Agreement (TPP Agreement), I have the honor to confirm the following agreement reached between representatives of the Government of Australia and the Government of the United States of America during the course of the negotiations of the TPP Agreement:

Upon entry into force of the TPP Agreement as between the United States and Australia, and continuing for as long as the TPP Agreement remains in force between the United States and Australia:

1. The United States shall suspend the tariff-rate quotas set forth in paragraphs 4, 6, 7, 8, 10, 12, 14, 16, 18, 19 and 21 of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States – Australia Free Trade Agreement and shall not permit the importation of any quantity of goods into the United States pursuant to those tariff-rate quotas. Instead, the tariff-rate quotas set forth in paragraphs 7 through 13 of Appendix A to the General Notes to the Tariff Schedule of the United States to the TPP Agreement shall apply as set out in Appendix A.
2. The United States shall suspend the agricultural safeguard set forth in Section C of Annex 3-A to the United States – Australia Free Trade Agreement and shall not apply any agricultural safeguard measure pursuant to Section C on beef imported into the United States from Australia.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between the United States and Australia, subject to dispute settlement under Chapter 28 of the TPP Agreement, which shall enter into force on the first date on which the TPP Agreement is in force for both the United States and Australia.

Sincerely,

Ambassador Michael B.G. Froman

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[DATE]

Ambassador Michael Froman
United States Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Dear Ambassador Froman:

I am pleased to acknowledge your letter of this date, which reads as follows:

In connection with the signing on this date of the Trans-Pacific Partnership Agreement (TPP Agreement), I have the honor to confirm the following agreement reached between representatives of the Government of Australia and the Government of the United States of America during the course of the negotiations of the TPP Agreement:

Upon entry into force of the TPP Agreement as between the United States and Australia, and continuing for as long as the TPP Agreement remains in force between the United States and Australia:

1. The United States shall suspend the tariff-rate quotas set forth in paragraphs 4, 6, 7, 8, 10, 12, 14, 16, 18, 19 and 21 of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States – Australia Free Trade Agreement and shall not permit the importation of any quantity of goods into the United States pursuant to those tariff-rate quotas. Instead, the tariff-rate quotas set forth in paragraphs 7 through 13 of Appendix A to the General Notes to the Tariff Schedule of the United States to the TPP Agreement shall apply as set out in Appendix A.
2. The United States shall suspend the agricultural safeguard set forth in Section C of Annex 3-A to the Australia-United States Free Trade Agreement and shall not apply any agricultural safeguard measure pursuant to Section C on beef imported into the United States from Australia.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between the United States and Australia, subject to dispute settlement under Chapter 28 of the TPP Agreement, which shall enter into force on the first date on which the TPP Agreement is in force for both the United States and Australia.

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I have the honour to confirm that my Government shares this understanding, and that your letter and this reply shall constitute an agreement between the United States and Australia, subject to dispute settlement under Chapter 28 of the TPP Agreement, which shall enter into force on the first date on which the TPP Agreement is in force for both the United States and Australia.

Sincerely,

Andrew Robb
Minister for Trade and Investment