

*The following articles were written by Daniel Meylor*

### **Final Rule on Intern Amendments to Australia – U.S. Free Trade Agreement**

U.S. Customs and Broder Protection has issued A Federal Register Notice that adopts the interim amendments to the Australia-U.S. Trade agreement that were proposed in February of 2015 with the exception of one change.

The FRN can be found at:

<https://www.gpo.gov/fdsys/pkg/FR-2016-01-15/pdf/2016-00628.pdf>

The FRN from February of 2015 with the original proposed rules can be found at:

<https://www.gpo.gov/fdsys/pkg/FR-2015-02-10/pdf/2015-02720.pdf> .

### **President Obama May Partially Suspend South Africa from AGOA**

President Obama has issued a Presidential Proclamation that South Africa is not meeting the requirements under the African Growth an Opportunity Act (AGOA). South Africa has restrictions on U.S. Farm exports and in particular U.S. exports of poultry. South Africa is concerned that an outbreak of avian flu could pose animal and human health risks that would negatively affect its economy. The U.S. has denied that there are health risks from U.S. poultry.

The President has decide that suspending the application of duty free treatment on certain products would be more effective than terminating the designation of South Africa as an AGOA participant. As of March 15, AGOA treatment will be suspend on all AGOA eligible products in the agriculture sector. It is hopeful that a deal may be struck before the March deadline. A copy of the proclamation can be found at:

<https://www.whitehouse.gov/the-press-office/2016/01/11/presidential-proclamation-take-certain-actions-under-african-growth-and>

### **Businesses Push DOT to Measure Port Performances**

Over 100 business groups joined together in signing a letter to the Department of Transportation (DOT) recommending measurements of port performances. The Fixing America's Surface Transportation bill (FAST) which recently passed, authorizes highway infrastructure improvements. Within this bill there is a provision that requires DOT to collect and annually report performance measures for the country's top 25 ports. The coalition of businesses, led by the National Retail Federation, in its letter make suggestion on what to measure. The suggestions include:

- Berth Productivity with the number of containers moved to or from a ship and the number of days.
- Yard productivity covering the container dwell time.
- Truck Gate Operations for turn times, chassis availability, and the impact of trouble tickets processing.
- On dock rail operations and how quickly trains are turned around.

The legislation and the coalition's letter are tied to the recent port congestion problems that brought cargo to a slow crawl on the west coast. The coalition hopes that DOT will define correct key performance indicators to measure real improvement. Information on the letter can be found at the National Retail Federation's website at:

<https://nrf.com/media/press-releases/retailers-say-port-statistics-bill-would-help-avoid-repeat-of-west-coast>



Todd Boice, President