

Southern Cross Group E-Bulletin to Members

17 December 2002

Movement of Persons: US-Australia Free Trade Agreement

Dear Expatriate Australians and Friends,

The Australian Department of Foreign Affairs and Trade has invited public submissions and comment on issues relevant to the negotiations for a Free Trade Agreement (FTA) between Australia and the United States.

For further information about the proposed FTA see:

http://www.dfat.gov.au/media/releases/department/d018_02.html

The Southern Cross Group will be making a submission to DFAT on issues concerning the movement of persons between Australia and the United States and how these might be improved in the FTA. In our view, bilateral free trade in goods and services would be greatly enhanced if nationals of Australia and the US could move more freely between our two countries.

We would like to hear your views, and would appreciate your feedback by Friday 10 January 2003, to info@southern-cross-group.org

Note that many Australians visit the US under the US Visa Waiver Scheme. This allows entry for up to 90 days, and is generally suitable for tourists and short business trips. But the Scheme does have its limitations and is of course not designed for those who want to establish themselves in the US, i.e. live and work/study there longer-term. See further:

<http://www.ins.usdoj.gov/graphics/lawenfor/bmgmt/inspect/vwpp.htm>

If you are an Australian currently living in the United States, or if you have had experience in the past entering the US to do business or to study, whether for a brief period, or to live and work for a longer period, your thoughts on the following points would help us in formulating our submission:

If you are an Australian currently living in the US, what sort of US visa do you hold? e.g. H1B, J1, etc. Does your visa place any limitations on your professional or business activities while in the US?

If you are currently on a US non-immigrant visa, do you intend to apply for an immigrant visa, i.e. permanent residency, in the future?

If you are a US Greencard holder, how long have you had permanent residency, and on what sort of visa did you originally enter the US?

If your spouse/partner and/or children are with you, have they been disadvantaged under the US visa you are on - e.g. has your spouse been prohibited from working?

What have your experiences been generally with the US Immigration and Naturalization Service?

How, in your opinion, might US immigration processes/visa options be improved to

facilitate increased trade between Australia and the US?

Do you think that special arrangements on the temporary entrance of business persons such as those in Chapter 16 of NAFTA (North American Free Trade Agreement) should be included in the Australia - US FTA? For more information on the NAFTA arrangements, see http://travel.state.gov/tn_visas.html or http://www.dfait-maeci.gc.ca/nafta-alena/temp_entry-en.asp

Do you think that an understanding similar to the Trans-Tasman Travel Arrangement between Australia and New Zealand has merit (or is feasible) in future between Australia and the United States? Under the Trans-Tasman Travel Arrangement, Australians and New Zealanders can move, live and work freely without visas between their two countries. See further <http://www.mft.govt.nz/foreign/regions/australia/working/transtasmantravel.html>

If you hold the citizenship of one European Union country, what benefits have you enjoyed in other EU countries as a result of the EU-wide free movement of persons rules which could perhaps be transposed into an Australian-US bilateral context? Alternatively, if you live in the EU and do not hold the citizenship of an EU country - how have you been disadvantaged vis-à-vis EU nationals?

Many thanks for taking the time to send us your input. We hope that by contributing to the negotiation process on behalf of expatriate Australians on these issues, we will be able to play a part in facilitating free movement between Australia and the US for the benefit of both countries in the future.

Please forward this message on to any other individual or organisation that may have something to contribute.

Best regards,

The Southern Cross Group Committee
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www.southern-cross-group.org