

108TH CONGRESS
2D SESSION

S. 2529

To extend and modify the trade benefits under the African Growth and Opportunity Act.

IN THE SENATE OF THE UNITED STATES

JUNE 16, 2004

Mr. GRASSLEY (for himself, Mr. BAUCUS, Mr. FRIST, Mr. DASCHLE, Mr. LUGAR, Mr. LIEBERMAN, Mr. SANTORUM, Mrs. MURRAY, Mr. MCCAIN, Mr. SUNUNU, Mr. FITZGERALD, Mr. DEWINE, Mr. LAUTENBERG, Ms. CANTWELL, Mr. INHOFE, and Mr. CORZINE) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To extend and modify the trade benefits under the African Growth and Opportunity Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “AGOA Acceleration
5 Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The African Growth and Opportunity Act
9 (in this section and section 3 referred to as “the

1 Act”) has helped to spur economic growth and bol-
2 ster economic reforms in the countries of sub-Saha-
3 ran Africa and has fostered stronger economic ties
4 between the countries of sub-Saharan Africa and the
5 United States; as a result, exports from the United
6 States to sub-Saharan Africa reached record levels
7 after the enactment of the Act, while exports from
8 sub-Saharan Africa to the United States have in-
9 creased considerably.

10 (2) The Act’s eligibility requirements have rein-
11 forced democratic values and the rule of law, and
12 have strengthened adherence to internationally rec-
13 ognized worker rights in eligible sub-Saharan Afri-
14 can countries.

15 (3) The Act has helped to bring about substan-
16 tial increases in foreign investment in sub-Saharan
17 Africa, especially in the textile and apparel sectors,
18 where tens of thousands of new jobs have been cre-
19 ated.

20 (4) As a result of the Agreement on Textiles
21 and Apparel of the World Trade Organization, under
22 which quotas maintained by WTO member countries
23 on textile and apparel products end on January 1,
24 2005, sub-Saharan Africa’s textile and apparel in-
25 dustry will be severely challenged by countries whose

1 industries are more developed and have greater ca-
2 pacity, economies of scale, and better infrastructure.

3 (5) The underdeveloped physical and financial
4 infrastructure in sub-Saharan Africa continues to
5 discourage investment in the region.

6 (6) Regional integration establishes a founda-
7 tion on which sub-Saharan African countries can co-
8 ordinate and pursue policies grounded in African in-
9 terests and history to achieve sustainable develop-
10 ment.

11 (7) Expanded trade because of the Act has im-
12 proved fundamental economic conditions within sub-
13 Saharan Africa. The Act has helped to create jobs
14 in the poorest region of the world, and most sub-Sa-
15 haran African countries have sought to take advan-
16 tage of the opportunities provided by the Act.

17 (8) Agricultural biotechnology holds promise for
18 helping solve global food security and human health
19 crises in Africa and, according to recent studies, has
20 made contributions to the protection of the environ-
21 ment by reducing the application of pesticides, re-
22 ducing soil erosion, and creating an environment
23 more hospitable to wildlife.

24 (9) (A) One of the greatest challenges facing
25 African countries continues to be the HIV/AIDS epi-

1 demic, which has infected as many as one out of
2 every four people in some countries, creating tre-
3 mendous social, political, and economic costs. Afri-
4 can countries need continued United States financial
5 and technical assistance to combat this epidemic.

6 (B) More awareness and involvement by govern-
7 ments are necessary. Countries like Uganda, recog-
8 nizing the threat of HIV/AIDS, have boldly attacked
9 it through a combination of education, public aware-
10 ness, enhanced medical infrastructure and resources,
11 and greater access to medical treatment. An effec-
12 tive HIV/AIDS prevention and treatment strategy
13 involves all of these steps.

14 (10) African countries continue to need trade
15 capacity assistance to establish viable economic ca-
16 pacity, a well-grounded rule of law, and efficient
17 government practices.

18 **SEC. 3. STATEMENT OF POLICY.**

19 The Congress supports—

20 (1) a continued commitment to increase trade
21 between the United States and sub-Saharan Africa
22 and increase investment in sub-Saharan Africa to
23 the benefit of workers, businesses, and farmers in
24 the United States and in sub-Saharan Africa, in-
25 cluding by developing innovative approaches to en-

1 courage development and investment in sub-Saharan
2 Africa;

3 (2) a reduction of tariff and nontariff barriers
4 and other obstacles to trade between the countries of
5 sub-Saharan Africa and the United States, with par-
6 ticular emphasis on reducing barriers to trade in
7 emerging sectors of the economy that have the
8 greatest potential for development;

9 (3) development of sub-Saharan Africa's phys-
10 ical and financial infrastructure;

11 (4) international efforts to fight HIV/AIDS,
12 malaria, tuberculosis, other infectious diseases, and
13 serious public health problems;

14 (5) many of the aims of the New Partnership
15 for African Development (NEPAD), which include—

16 (A) reducing poverty and increasing eco-
17 nomic growth;

18 (B) promoting peace, democracy, security,
19 and human rights;

20 (C) promoting African integration by deep-
21 ening linkages between African countries and
22 by accelerating Africa's economic and political
23 integration into the rest of the world;

24 (D) attracting investment, debt relief, and
25 development assistance;

1 (E) promoting trade and economic diver-
2 sification;

3 (F) broadening global market access for
4 United States and African exports;

5 (G) improving transparency, good govern-
6 ance, and political accountability;

7 (H) expanding access to social services,
8 education, and health services with a high pri-
9 ority given to addressing HIV/AIDS, malaria,
10 tuberculosis, other infectious diseases, and
11 other public health problems;

12 (I) promoting the role of women in social
13 and economic development by reinforcing edu-
14 cation and training and by assuring their par-
15 ticipation in political and economic arenas; and

16 (J) building the capacity of governments in
17 sub-Saharan Africa to set and enforce a legal
18 framework, as well as to enforce the rule of law;

19 (6) negotiation of reciprocal trade agreements
20 between the United States and sub-Saharan African
21 countries, with the overall goal of expanding trade
22 across all of sub-Saharan Africa;

23 (7) the President seeking to negotiate, with in-
24 terested eligible sub-Saharan African countries, bi-
25 lateral trade agreements that provide investment op-

1 portunities, in accordance with section 2102(b)(3) of
2 the Trade Act of 2002 (19 U.S.C. 3802(b)(3));

3 (8) efforts by the President to negotiate with
4 the member countries of the Southern African Cus-
5 toms Union in order to provide the opportunity to
6 deepen and make permanent the benefits of the Act
7 while giving the United States access to the markets
8 of these African countries for United States goods
9 and services, by reducing tariffs and non-tariff bar-
10 riers, strengthening intellectual property protection,
11 improving transparency, establishing general dispute
12 settlement mechanisms, and investor-state and state-
13 to-state dispute settlement mechanisms in invest-
14 ment;

15 (9) a comprehensive and ambitious trade agree-
16 ment with the Southern African Customs Union,
17 covering all products and sectors, in order to mature
18 the economic relationship between sub-Saharan Afri-
19 can countries and the United States and because
20 such an agreement would deepen United States eco-
21 nomic and political ties to the region, lend momen-
22 tum to United States development efforts, encourage
23 greater United States investment, and promote re-
24 gional integration and economic growth;

1 (10) regional integration among sub-Saharan
2 African countries and business partnerships between
3 United States and African firms; and

4 (11) economic diversification in sub-Saharan
5 African countries and expansion of trade beyond tex-
6 tiles and apparel.

7 **SEC. 4. SENSE OF CONGRESS ON RECIPROCITY AND RE-**
8 **GIONAL ECONOMIC INTEGRATION.**

9 It is the sense of the Congress that—

10 (1) the preferential market access opportunities
11 for eligible sub-Saharan African countries will be
12 complemented and enhanced if those countries are
13 implementing actively and fully, consistent with any
14 remaining applicable phase-in periods, their obliga-
15 tions under the World Trade Organization, including
16 obligations under the Agreement on Trade-Related
17 Aspects of Intellectual Property, the Agreement on
18 the Application of Sanitary and Phytosanitary Meas-
19 ures, and the Agreement on Trade-Related Invest-
20 ment Measures, as well as the other agreements de-
21 scribed in section 101(d) of the Uruguay Round
22 Agreements Act (19 U.S.C. 3511(d));

23 (2) eligible sub-Saharan African countries
24 should participate in and support mutual trade liber-
25 alization in ongoing negotiations under the auspices

1 of the World Trade Organization, including by mak-
2 ing reciprocal commitments with respect to improv-
3 ing market access for industrial and agricultural
4 goods, and for services, recognizing that such com-
5 mitments may need to reflect special and differential
6 treatment for developing countries;

7 (3) some of the most pernicious trade barriers
8 against exports by developing countries are the trade
9 barriers maintained by other developing countries;
10 therefore, eligible sub-Saharan African countries will
11 benefit from the reduction of trade barriers in other
12 developing countries, especially in developing coun-
13 tries that represent some of the greatest potential
14 markets for African goods and services; and

15 (4) all countries should make sanitary and
16 phytosanitary decisions on the basis of sound
17 science.

18 **SEC. 5. SENSE OF CONGRESS ON INTERPRETATION OF TEX-**

19 **TILE AND APPAREL PROVISIONS OF AGOA.**

20 It is the sense of the Congress that the executive
21 branch, particularly the Committee for the Implementa-
22 tion of Textile Agreements (CITA), the Bureau of Cus-
23 toms and Border Protection of the Department of Home-
24 land Security, and the Department of Commerce, should
25 interpret, implement, and enforce the provisions of section

1 112 of the African Growth and Opportunity Act, relating
 2 to preferential treatment of textile and apparel articles,
 3 broadly in order to expand trade by maximizing opportuni-
 4 ties for imports of such articles from eligible sub-Saharan
 5 African countries.

6 **SEC. 6. DEFINITION.**

7 In this Act, the term “eligible sub-Saharan African
 8 country” means an eligible sub-Saharan African country
 9 under the African Growth and Opportunity Act.

10 **SEC. 7. EXTENSION OF AFRICAN GROWTH AND OPPOR-**
 11 **TUNITY ACT.**

12 (a) GENERALIZED SYSTEM OF PREFERENCES.—

13 (1) EXTENSION OF PROGRAM.—Section 506B
 14 of the Trade Act of 1974 (19 U.S.C. 2466b) is
 15 amended by striking “2008” and inserting “2015”.

16 (2) INPUTS FROM FORMER BENEFICIARY COUN-
 17 TRIES.—Section 506A of the Trade Act of 1974 (19
 18 U.S.C. 2466a) is amended—

19 (A) in subsection (b)(2)(B), by inserting
 20 “or former beneficiary sub-Saharan African
 21 countries” after “countries”; and

22 (B) in subsection (c)—

23 (i) by striking “title, the terms” and
 24 inserting “title—

25 “(1) the terms”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(2) the term ‘former beneficiary sub-Saharan
4 African country’ means a country that, after being
5 designated as a beneficiary sub-Saharan African
6 country under the African Growth and Opportunity
7 Act, ceased to be designated as such a country by
8 reason of its entering into a free trade agreement
9 with the United States.”.

10 (b) APPAREL ARTICLES.—(1) Section 112(b)(1) of
11 the African Growth and Opportunity Act (19 U.S.C.
12 3721(b)(1)) is amended by striking “(including” and in-
13 serting “or both (including”.

14 (2) Section 112(b)(3) of the African Growth and Op-
15 portunity Act (19 U.S.C. 3721 (b)(3)) is amended—

16 (A) in the matter preceding subparagraph
17 (A)—

18 (i) by striking “either in the United States
19 or one or more beneficiary sub-Saharan African
20 countries” each place it appears and inserting
21 “in the United States or one or more bene-
22 ficiary sub-Saharan African countries or former
23 beneficiary sub-Saharan African countries, or
24 both”; and

1 (ii) by striking “subject to the following:”
2 and inserting “whether or not the apparel arti-
3 cles are also made from any of the fabrics, fab-
4 ric components formed, or components knit-to-
5 shape described in paragraph (1) or (2) (unless
6 the apparel articles are made exclusively from
7 any of the fabrics, fabric components formed, or
8 components knit-to-shape described in para-
9 graph (1) or (2)), subject to the following:”;
10 and

11 (B) by striking subparagraphs (A) and (B) and
12 inserting the following:

13 “(A) LIMITATIONS ON BENEFITS.—

14 “(i) IN GENERAL.—Preferential treat-
15 ment under this paragraph shall be ex-
16 tended in the 1-year period beginning Oc-
17 tober 1, 2003, and in each of the 11 suc-
18 ceeding 1-year periods, to imports of ap-
19 parel articles in an amount not to exceed
20 the applicable percentage of the aggregate
21 square meter equivalents of all apparel ar-
22 ticles imported into the United States in
23 the preceding 12-month period for which
24 data are available.

1 “(ii) APPLICABLE PERCENTAGE.—For
2 purposes of this subparagraph, the term
3 ‘applicable percentage’ means—

4 “(I) 4.747 percent for the 1-year
5 period beginning October 1, 2003, in-
6 creased in each of the 5 succeeding 1-
7 year periods by equal increments, so
8 that for the 1-year period beginning
9 October 1, 2007, the applicable per-
10 centage does not exceed 7 percent;
11 and

12 “(II) for each succeeding 1-year
13 period until September 30, 2015, not
14 to exceed 7 percent.

15 “(B) SPECIAL RULE FOR LESSER DEVEL-
16 OPED COUNTRIES.—

17 “(i) IN GENERAL.—Preferential treat-
18 ment under this paragraph shall be ex-
19 tended though September 30, 2007, for ap-
20 parel articles wholly assembled, or knit-to-
21 shape and wholly assembled, or both, in
22 one or more lesser developed beneficiary
23 sub-Saharan African countries, regardless
24 of the country of origin of the fabric or the
25 yarn used to make such articles, in an

1 amount not to exceed the applicable per-
2 centage of the aggregate square meter
3 equivalents of all apparel articles imported
4 into the United States in the preceding 12-
5 month period for which data are available.

6 “(ii) APPLICABLE PERCENTAGE.—For
7 purposes of the subparagraph, the term
8 ‘applicable percentage’ means—

9 “(I) 2.3571 percent for the 1-
10 year period beginning October 1,
11 2003;

12 “(II) 2.6428 percent for the 1-
13 year period beginning October 1,
14 2004;

15 “(III) 2.9285 percent for the 1-
16 year period beginning October 1,
17 2005; and

18 “(IV) 1.6071 percent for the 1-
19 year period beginning October 1,
20 2006.

21 “(iii) LESSER DEVELOPED BENE-
22 FICIARY SUB-SAHARAN AFRICAN COUN-
23 TRY.—For purposes of this subparagraph,
24 the term ‘lesser developed beneficiary sub-
25 Saharan African country’ means—

1 “(I) a beneficiary sub-Saharan
2 African country that had a per capita
3 gross national product of less than
4 \$1,500 in 1998, as measured by the
5 International Bank for Reconstruction
6 and Development;

7 “(II) Botswana; and

8 “(III) Namibia.”.

9 (3) Section 112(b)(5)(A) of the African Growth and
10 Opportunity Act (19 U.S.C. 3721(b)(5)(A)) is amended
11 to read as follows:

12 “(A) IN GENERAL.—Apparel articles that
13 are both cut (or knit-to-shape) and sewn or oth-
14 erwise assembled in one or more beneficiary
15 sub-Saharan African countries, to the extent
16 that apparel articles of such fabrics or yarns
17 would be eligible for preferential treatment,
18 without regard to the source of the fabrics or
19 yarns, under Annex 401 to the NAFTA.”.

20 (c) HANDLOOMED, HANDMADE, FOLKLORE ARTI-
21 CLES AND ETHNIC PRINTED FABRICS.—Section
22 112(b)(6) of the African Growth and Opportunity Act (19
23 U.S.C. 3721(b)(6)) is amended to read as follows:

24 “(6) HANDLOOMED, HANDMADE, FOLKLORE
25 ARTICLES AND ETHNIC PRINTED FABRICS.—

1 “(A) IN GENERAL.—A handloomed, hand-
2 made, folklore article or an ethnic printed fab-
3 ric of a beneficiary sub-Saharan African coun-
4 try or countries that is certified as such by the
5 competent authority of such beneficiary country
6 or countries. For purposes of this section, the
7 President, after consultation with the bene-
8 ficiary sub-Saharan African country or coun-
9 tries concerned, shall determine which, if any,
10 particular textile and apparel goods of the coun-
11 try (or countries) shall be treated as being
12 handloomed, handmade, or folklore articles or
13 an ethic printed fabric.

14 “(B) REQUIREMENTS FOR ETHNIC PRINT-
15 ED FABRIC.—Ethnic printed fabrics qualified
16 under this paragraph are—

17 “(i) fabrics containing a selvedge on
18 both edges, having a width of less than 50
19 inches, classifiable under subheading
20 5208.52.30 or 5208.52.40 of the Har-
21 monized Tariff Schedule of the United
22 States;

23 “(ii) of the type that contains designs,
24 symbols, and other characteristics of Afri-
25 can prints—

1 “(I) normally produced for and
2 sold on the indigenous African mar-
3 ket; and

4 “(II) normally sold in Africa by
5 the piece as opposed to being tailored
6 into garments before being sold in in-
7 digenous African markets;

8 “(iii) printed, including waxed, in one
9 or more eligible beneficiary sub-Saharan
10 countries; and

11 “(iv) fabrics formed in the United
12 States, from yarns formed in the United
13 States, or from fabric formed in one or
14 more beneficiary sub-Saharan African
15 country from yarn originating in either the
16 United States or one or more beneficiary
17 sub-Saharan African countries.”.

18 (d) REGIONAL AND U.S. SOURCES.—Section
19 112(b)(7) of the African Growth and Opportunity Act (19
20 U.S.C. 3721(b)(7)) is amended by inserting “or former
21 beneficiary sub-Saharan African countries” after “and one
22 or more beneficiary sub-Saharan African countries” each
23 place it appears.

24 (e) SPECIAL RULES.—

1 (1) CERTAIN COMPONENTS.—Section 112(d) of
2 the African Growth and Opportunity Act (19 U.S.C.
3 3721(d)) is amended by adding at the end the fol-
4 lowing:

5 “(3) CERTAIN COMPONENTS.—An article other-
6 wise eligible for preferential treatment under this
7 section will not be ineligible for such treatment be-
8 cause the article contains—

9 “(A) any collars or cuffs (cut or knit-to-
10 shape),

11 “(B) drawstrings,

12 “(C) shoulder pads or other padding,

13 “(D) waistbands,

14 “(E) belt attached to the article,

15 “(F) straps containing elastic, or

16 “(G) elbow patches,

17 that do not meet the requirements set forth in sub-
18 section (b), regardless of the country of origin of the
19 item referred to in the applicable subparagraph of
20 this paragraph.”.

21 (2) DE MINIMIS RULE.—Section 112(d)(2) of
22 the African Growth and Opportunity Act (19 U.S.C.
23 3721(d)(2)) is amended—

1 (A) by inserting “or former beneficiary
2 sub-Saharan African countries” after “coun-
3 tries”; and

4 (B) by striking “7 percent” and inserting
5 “10 percent”.

6 (f) DEFINITIONS.—Section 112(e) of the African
7 Growth and Opportunity Act (19 U.S.C. 3721(e)) is
8 amended by adding at the end the following:

9 “(4) FORMER SUB-SAHARAN AFRICAN COUN-
10 TRY.—The term ‘former sub-Saharan African coun-
11 try’ means a country that, after being designated as
12 a beneficiary sub-Saharan African country under
13 this Act, ceased to be designated as such a bene-
14 ficiary sub-Saharan country by reason of its entering
15 into a free trade agreement with the United
16 States.”.

17 **SEC. 8. ENTRIES OF CERTAIN APPAREL ARTICLES PURSU-**
18 **ANT TO THE AFRICAN GROWTH AND OPPOR-**
19 **TUNITY ACT.**

20 (a) IN GENERAL.—Notwithstanding section 514 of
21 the Tariff Act of 1930 (19 U.S.C. 1514) or any other pro-
22 vision of law, the Secretary of the Treasury shall liquidate
23 or reliquidate as free of duty and free of any quantitative
24 restrictions, limitations, or consultation levels entries of
25 articles described in subsection (d) made on or after Octo-

ber 1, 2000, and before the date of the enactment of this Act.

(b) REQUESTS.—Liquidation or reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Secretary of the Treasury within 90 days after the date of the enactment of this Act and the request contains sufficient information to enable the Secretary to locate the entry or reconstruct the entry if it cannot be located.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of any entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(d) ENTRIES.—The entries referred to in subsection (a) are entries of apparel articles that meet the requirements of section 112(b) of the African Growth and Opportunity Act, as amended by section 3108 of the Trade Act of 2002 and this Act.

SEC. 9. DEVELOPMENT STUDY AND CAPACITY BUILDING.

(a) REPORTS.—The President shall, by not later than 1 year after the date of the enactment of this Act, conduct a study on each eligible sub-Saharan African country, that—

1 in order to enjoy and appreciate nature (and
2 any accompanying cultural features, both past
3 and present) and animals, including species
4 that are rare or endangered,

5 (B) promotion of conservation and provi-
6 sion for beneficial involvement of local popu-
7 lations, and

8 (C) visitation designed to have low negative
9 impact upon the environment,

10 is expected to expand 30 percent globally over the
11 next decade.

12 (2) Ecotourism will increase trade capacity by
13 sustaining otherwise unsustainable infrastructure,
14 such as road, port, water, energy, and telecommuni-
15 cation development.

16 (3) According to the United States Department
17 of State and the United Nations Environment Pro-
18 gramme, sustainable tourism, such as ecotourism,
19 can be an important part of the economic develop-
20 ment of a region, especially a region with natural
21 and cultural protected areas.

22 (4) Sub-Saharan Africa enjoys an international
23 comparative advantage in ecotourism because it fea-
24 tures extensive protected areas that host a variety of

1 ecosystems and traditional cultures that are major
2 attractions for nature-oriented tourism.

3 (5) National parks and reserves in sub-Saharan
4 Africa should be considered a basis for regional de-
5 velopment, involving communities living within and
6 adjacent to them and, given their strong inter-
7 national recognition, provide an advantage in
8 ecotourism marketing and promotion.

9 (6) Desert areas in sub-Saharan Africa rep-
10 resent complex ecotourism attractions, showcasing
11 natural, geological, and archaeological features, and
12 nomad and other cultures and traditions.

13 (7) Many natural zones in sub-Saharan Africa
14 cross the political borders of several countries; there-
15 fore, transboundary cooperation is fundamental for
16 all types of ecotourism development.

17 (8) The commercial viability of ecotourism is
18 enhanced when small and medium enterprises, par-
19 ticularly microenterprises, successfully engage with
20 the tourism industry in sub-Saharan Africa.

21 (9) Adequate capacity building is an essential
22 component of ecotourism development if local com-
23 munities are to be real stakeholders that can sustain
24 an equitable approach to ecotourism management.

1 (10) Ecotourism needs to generate local com-
2 munity benefits by utilizing sub-Saharan Africa’s
3 natural heritage, parks, wildlife reserves, and other
4 protected areas that can play a significant role in
5 encouraging local economic development by sourcing
6 food and other locally produced resources.

7 (b) ACTION BY THE PRESIDENT.—The President
8 shall develop and implement policies to—

9 (1) encourage the development of infrastructure
10 projects that will help to increase trade capacity and
11 a sustainable ecotourism industry in eligible sub-Sa-
12 haran African countries;

13 (2) encourage and facilitate transboundary co-
14 operation among sub-Saharan African countries in
15 order to facilitate trade;

16 (3) encourage the provision of technical assist-
17 ance to eligible sub-Saharan African countries to es-
18 tablish and sustain adequate trade capacity develop-
19 ment; and

20 (4) encourage micro-, small-, and medium-sized
21 enterprises in eligible sub-Saharan African countries
22 to participate in the ecotourism industry.

1 **SEC. 11. ACTIVITIES IN SUPPORT OF TRANSPORTATION,**
2 **ENERGY, AGRICULTURE, AND TELECOMMUNI-**
3 **CATIONS INFRASTRUCTURE.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) In order to increase exports from, and trade
6 among, eligible sub-Saharan African countries,
7 transportation systems in those countries must be im-
8 proved to increase transport efficiencies and lower
9 transport costs.

10 (2) Vibrant economic growth requires a devel-
11 oped telecommunication and energy infrastructure.

12 (3) Sub-Saharan Africa is rich in exportable ag-
13 ricultural goods, but development of this industry re-
14 mains stymied because of an underdeveloped infra-
15 structure.

16 (b) ACTION BY THE PRESIDENT.—In order to en-
17 hance trade with Africa and to bring the benefits of trade
18 to African countries, the President shall develop and im-
19 plement policies to encourage investment in eligible sub-
20 Saharan African countries, particularly with respect to the
21 following:

22 (1) Infrastructure projects that support, in par-
23 ticular, development of land transport road and rail-
24 road networks and ports, and the continued upgrad-
25 ing and liberalization of the energy and tele-
26 communications sectors.

1 (2) The establishment and expansion of modern
2 information and communication technologies and
3 practices to improve the ability of citizens to re-
4 search and disseminate information relating to,
5 among other things, the economy, education, trade,
6 health, agriculture, the environment, and the media.

7 (3) Agriculture, particularly in processing and
8 capacity enhancement.

9 **SEC. 12. FACILITATION OF TRANSPORTATION.**

10 In order to facilitate and increase trade flows between
11 eligible sub-Saharan African countries and the United
12 States, the President shall foster improved port-to-port
13 and airport-to-airport relationships. These relationships
14 should facilitate—

15 (1) increased coordination between customs
16 services at ports and airports in the United States
17 and such countries in order to reduce time in tran-
18 sit;

19 (2) interaction between customs and technical
20 staff from ports and airports in the United States
21 and such countries in order to increase efficiency
22 and safety procedures and protocols relating to
23 trade;

1 (3) coordination between chambers of com-
2 merce, freight forwarders, customs brokers, and oth-
3 ers involved in consolidating and moving freight; and

4 (4) trade through air service between airports
5 in the United States and such countries by increas-
6 ing frequency and capacity.

7 **SEC. 13. AGRICULTURAL TECHNICAL ASSISTANCE.**

8 (a) IDENTIFICATION OF COUNTRIES.—The President
9 shall identify not fewer than 10 eligible sub-Saharan Afri-
10 can countries as having the greatest potential to increase
11 marketable exports of agricultural products to the United
12 States and the greatest need for technical assistance, par-
13 ticularly with respect to pest risk assessments and com-
14 plying with sanitary and phytosanitary rules of the United
15 States.

16 (b) PERSONNEL.—The President shall assign at least
17 20 full-time personnel for the purpose of providing assist-
18 ance to the countries identified under subsection (a) to
19 ensure that exports of agricultural products from those
20 countries meet the requirements of United States law.

21 **SEC. 14. TRADE ADVISORY COMMITTEE ON AFRICA.**

22 The President shall convene the trade advisory com-
23 mittee on Africa established by Executive Order 11846 of
24 March 27, 1975, under section 135(c) of the Trade Act
25 of 1974, in order to facilitate the goals and objectives of

1 the African Growth and Opportunity Act and this Act, and
2 to maintain ongoing discussions with African trade and
3 agriculture ministries and private sector organizations on
4 issues of mutual concern, including regional and inter-
5 national trade concerns and World Trade Organization
6 issues.

○