

118TH CONGRESS
2D SESSION

S. 4110

To reauthorize the African Growth and Opportunity Act.

IN THE SENATE OF THE UNITED STATES

APRIL 11 (legislative day, APRIL 10), 2024

Mr. COONS (for himself, Mr. RISCH, Mr. YOUNG, Mr. BENNET, Mr. VAN HOLLEN, Mr. ROUNDS, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To reauthorize 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “AGOA Renewal and Improvement Act of 2024”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension of African Growth and Opportunity Act.
- Sec. 3. Review, enforcement, and reporting requirements.
- Sec. 4. Support for regional supply chains in Africa.
- Sec. 5. Graduation of beneficiary sub-Saharan African countries.
- Sec. 6. Modification of eligibility requirements.
- Sec. 7. Report on enforcement of prohibition on importation of goods made with forced labor.
- Sec. 8. Improving utilization of African Growth and Opportunity Act.

- Sec. 9. Reports on implementation and potential trade agreements.
 Sec. 10. United States International Trade Commission report on expanding
 articles covered by African Growth and Opportunity Act.
 Sec. 11. African Growth and Opportunity Act forum and other updates.
 Sec. 12. Updating protections against transshipment of certain textiles and ap-
 parel articles.
 Sec. 13. Technical corrections.

1 **SEC. 2. EXTENSION OF AFRICAN GROWTH AND OPPOR-**
 2 **TUNITY ACT.**

3 (a) IN GENERAL.—Section 506B of the Trade Act
 4 of 1974 (19 U.S.C. 2466b) is amended by striking “Sep-
 5 tember 30, 2025” and inserting “September 30, 2041”.

6 (b) AFRICAN GROWTH AND OPPORTUNITY ACT.—

7 (1) IN GENERAL.—Section 112(g) of the Afri-
 8 can Growth and Opportunity Act (19 U.S.C.
 9 3721(g)) is amended by striking “September 30,
 10 2025” and inserting “September 30, 2041”.

11 (2) EXTENSION OF REGIONAL APPAREL ARTI-
 12 CLE PROGRAM.—Section 112(b)(3)(A) of the African
 13 Growth and Opportunity Act (19 U.S.C.
 14 3721(b)(3)(A)) is amended—

15 (A) in clause (i), by striking “21 suc-
 16 ceeding” and inserting “37 succeeding”; and

17 (B) in clause (ii)(II), by striking “Sep-
 18 tember 30, 2025” and inserting “September 30,
 19 2041”.

20 (3) EXTENSION OF THIRD-COUNTRY FABRIC
 21 PROGRAM.—Section 112(c)(1) of the African Growth

1 and Opportunity Act (19 U.S.C. 3721(c)(1)) is
 2 amended—

3 (A) in the paragraph heading, by striking
 4 “SEPTEMBER 30, 2025” and inserting “SEP-
 5 TEMBER 30, 2041”;

6 (B) in subparagraph (A), by striking “Sep-
 7 tember 30, 2025” and inserting “September 30,
 8 2041”; and

9 (C) in subparagraph (B)(ii), by striking
 10 “September 30, 2025” and inserting “Sep-
 11 tember 30, 2041”.

12 **SEC. 3. REVIEW, ENFORCEMENT, AND REPORTING RE-**
 13 **QUIREMENTS.**

14 (a) MANDATORY DESIGNATION.—Section 506A(a)(1)
 15 of the Trade Act of 1974 (19 U.S.C. 2466a(a)(1)) is
 16 amended by striking “is authorized to” and inserting
 17 “shall”.

18 (b) REVIEWS, ENFORCEMENT, AND REPORTING.—
 19 Section 506A(a) of the Trade Act of 1974 (19 U.S.C.
 20 2466a(a)) is amended by striking paragraphs (2) and (3)
 21 and inserting the following:

22 “(2) MONITORING AND REVIEW OF CERTAIN
 23 COUNTRIES.—

24 “(A) BIENNIAL REVIEW.—

1 “(i) IN GENERAL.—Not less fre-
2 quently than once every 2 years, the Presi-
3 dent shall monitor, review, and report to
4 Congress on the progress of each country
5 listed in section 107 of the African Growth
6 and Opportunity Act (19 U.S.C. 3706) in
7 meeting the requirements described in
8 paragraph (1) in order to determine the
9 current or potential eligibility of the coun-
10 try to be designated as a beneficiary sub-
11 Saharan African country for purposes of
12 this section.

13 “(ii) REPORTING.—The President’s
14 determinations, and explanations of such
15 determinations, with specific analysis of
16 the eligibility requirements described in
17 paragraph (1)(A), shall be included in the
18 biennial report required by section
19 106(a)(1).

20 “(B) OUT OF CYCLE REVIEW.—The Presi-
21 dent may, at any time, initiate an out-of-cycle
22 review of whether a beneficiary sub-Saharan Af-
23 rican country is making continual progress in
24 meeting the requirements described in para-
25 graph (1). The President shall give due consid-

1 eration to petitions received under subsection
2 (d)(3) in determining whether to initiate an
3 out-of-cycle review under this subparagraph.

4 “(C) INITIATION OF OUT-OF-CYCLE RE-
5 VIEWS BY CONGRESS.—If the chairperson and
6 ranking member of one of the appropriate con-
7 gressional committees jointly submit a request
8 for an out-of-cycle review of a beneficiary sub-
9 Saharan African country based on the assertion
10 that the country is not making continual
11 progress in meeting the requirements described
12 in paragraph (1), the President shall—

13 “(i) not later than 15 days after re-
14 ceiving the request, initiate an out-of-cycle
15 review of whether the country is making
16 continual progress in meeting those re-
17 quirements; and

18 “(ii) not later than 45 days after re-
19 ceiving the request, submit a classified or
20 unclassified report to the appropriate con-
21 gressional committees on the review that
22 includes—

23 “(I) the determination of the
24 President, pursuant to the review, of
25 whether or not the country is making

1 continual progress in meeting the re-
2 quirements described in paragraph
3 (1);

4 “(II) a description of the consid-
5 erations entering into that determina-
6 tion, including a specific analysis of
7 the requirements described in para-
8 graph (1); and

9 “(III) if the President determines
10 that the country is not making con-
11 tinual progress in meeting those re-
12 quirements, the matters described in
13 clauses (ii) through (iv) of paragraph
14 (4)(B).

15 “(D) DELEGATION.—If the President dele-
16 gates responsibility for conducting reviews
17 under subparagraphs (A), (B), and (C), the
18 President shall delegate that responsibility
19 jointly to—

20 “(i) the United States Trade Rep-
21 resentative or a designee of the Trade Rep-
22 resentative serving in a position to which
23 the designee was appointed by the Presi-
24 dent by and with the advice and consent of
25 the Senate; and

1 “(ii) the Secretary of State or a des-
2 ignee of the Secretary serving in a position
3 to which the designee was appointed by the
4 President by and with the advice and con-
5 sent of the Senate.

6 “(3) CONTINUING COMPLIANCE.—

7 “(A) IN GENERAL.—If, pursuant to a re-
8 view conducted under paragraph (2), the Presi-
9 dent determines that a beneficiary sub-Saharan
10 African country is not making continual
11 progress in meeting the requirements described
12 in paragraph (1), the President shall, subject to
13 paragraph (4)—

14 “(i) terminate the designation of that
15 country as a beneficiary sub-Saharan Afri-
16 can country for purposes of this section;

17 “(ii) withdraw, suspend, or limit the
18 application of duty-free treatment to any
19 article of the country that is described in
20 subsection (b)(1) or section 112 of the Af-
21 rican Growth and Opportunity Act (19
22 U.S.C. 3721);

23 “(iii) issue a warning letter to the
24 country detailing concerns with the lack of
25 progress of the country in meeting the re-

quirements described in paragraph (1) and providing notice that, if corrective action is not taken before the next review of the country under paragraph (2), the President may take action under clause (i) or (ii) based on the results of that review; or “(iv) take no action under clause (i), (ii), or (iii) if the President determines that—

“(I) the compliance of the country with the requirements described in paragraph (1) will be most effectively promoted by other means; or

“(II) the economic and foreign policy interests of the United States will be most effectively advanced by taking no action.

“(B) EFFECTIVE DATE.—An action taken under subparagraph (A) shall be effective with respect to a country—

“(i) for biennial reviews conducted under paragraph (2)(A), on January 1 of the year following the year in which the determination that the country is not making continual progress in meeting the re-

1 requirements described in paragraph (1) is
2 made;

3 “(ii) for out-of-cycle reviews conducted
4 under subparagraph (B) or (C) of para-
5 graph (2), not later than 90 days after
6 such a determination is made.

7 “(4) NOTIFICATION, REPORTING, AND BRIEF-
8 ING.—

9 “(A) NOTIFICATION.—If, pursuant to a re-
10 view conducted under paragraph (2), the Presi-
11 dent determines that a beneficiary sub-Saharan
12 African country is not making continual
13 progress in meeting the requirements described
14 in paragraph (1), the President shall notify the
15 appropriate congressional committees and the
16 government of the country of the President’s
17 determination and any action the President is
18 considering taking not less than 60 days before
19 taking any action with respect to the country
20 under paragraph (3)(A) or determining to take
21 no action as described in clause (iv) of that
22 paragraph.

23 “(B) REPORT REQUIRED.—Not later than
24 15 days after providing notification under sub-
25 paragraph (A) with respect to a country, the

1 President shall submit to the appropriate con-
2 gressional committees a classified or unclassi-
3 fied report, informed by the United States
4 Trade Representative and the Secretary of
5 State, that includes—

6 “(i) a description of the consider-
7 ations entering into the determination that
8 the country is not making continual
9 progress in meeting the requirements de-
10 scribed in paragraph (1), including a spe-
11 cific analysis of those requirements;

12 “(ii) an analysis of the expected eco-
13 nomic and political effects of—

14 “(I) the action the President in-
15 tends to take under paragraph (3)(A)
16 with respect to the country; or

17 “(II) taking no action, if the
18 President determines to take no ac-
19 tion as described in clause (iv) of that
20 paragraph;

21 “(iii) an explanation of the role of the
22 action or determination to take no action
23 in the overall strategy of the United States
24 toward the country; and

1 “(iv) an explanation of what actions
 2 by the country would result in the restora-
 3 tion of, as applicable—

4 “(I) the designation of the coun-
 5 try as a beneficiary sub-Saharan Afri-
 6 can country for purposes of this sec-
 7 tion; or

8 “(II) the application of duty-free
 9 treatment to articles of the country.

10 “(C) BRIEFING REQUIRED.—Not later
 11 than 30 days after providing notification under
 12 subparagraph (A), the United States Trade
 13 Representative and the Secretary of State shall
 14 provide briefings to the appropriate congres-
 15 sional committees addressing—

16 “(i) the findings of the review con-
 17 ducted under paragraph (2); and

18 “(ii) the contents of the report re-
 19 quired by subparagraph (B).”.

20 (c) CONFORMING AMENDMENTS.—Title V of the
 21 Trade Act of 1974 (19 U.S.C. 2461 et seq.) is amended—

22 (1) in section 506A (19 U.S.C. 2466a)—

23 (A) by striking subsection (c);

24 (B) in subsection (d), by striking para-
 25 graph (4); and

1 (C) in subsection (e)—

2 (i) by striking “BENEFICIARY SUB-
3 SAHARAN AFRICAN COUNTRIES, ETC.—
4 For purposes of this title—” and inserting
5 “DEFINITIONS.—In this title:”;

6 (ii) by redesignating paragraphs (1)
7 and (2) as paragraphs (2) and (3), respec-
8 tively; and

9 (iii) by inserting before paragraph (2),
10 as so redesignated, the following:

11 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term ‘appropriate congressional com-
13 mittees’ means—

14 “(A) the Committee on Ways and Means
15 and the Committee on Foreign Affairs of the
16 House of Representatives; and

17 “(B) the Committee on Finance and the
18 Committee on Foreign Relations of the Sen-
19 ate.”; and

20 (2) in section 506B (19 U.S.C. 2466b), by
21 striking “section 506A(c)” and inserting “section
22 506A(f)”.

1 **SEC. 4. SUPPORT FOR REGIONAL SUPPLY CHAINS IN AFRI-**
 2 **CA.**

3 (a) IN GENERAL.—Section 506A of the Trade Act
 4 of 1974 (19 U.S.C. 2466a) is amended—

5 (1) in subsection (b)(2), by striking “former
 6 beneficiary sub-Saharan African countries” each
 7 place it appears and inserting “eligible AfCFTA
 8 countries”;

9 (2) by redesignating subsection (e) as sub-
 10 section (f);

11 (3) by inserting after subsection (d) the fol-
 12 lowing:

13 “(e) ELIGIBLE AfCFTA COUNTRIES.—The Presi-
 14 dent is authorized to designate a country as an eligible
 15 AfCFTA country if—

16 “(1) that country has signed and ratified the
 17 African Continental Free Trade Agreement; and

18 “(2) the President determines that the country
 19 meets the eligibility requirements set forth in section
 20 104 of the African Growth and Opportunity Act (19
 21 U.S.C. 3703).”; and

22 (4) in subsection (f), as redesignated by para-
 23 graph (1)—

24 (A) in paragraph (2), as redesignated by
 25 section 3(c)(1)(C)(ii), by striking “the terms”

1 and inserting “BENEFICIARY SUB-SAHARAN AF-
2 RICAN COUNTRY.—The terms”; and

3 (B) by striking paragraph (3), as so redes-
4 ignated, and inserting the following:

5 “(3) ELIGIBLE AFCFTA COUNTRY.—The term
6 ‘eligible AfCFTA country’ means a country that the
7 President has determined is eligible under subsection
8 (e).”.

9 (b) CONFORMING AMENDMENTS TO AFRICAN
10 GROWTH AND OPPORTUNITY ACT.—Section 112 of the
11 African Growth and Opportunity Act (19 U.S.C. 3721)
12 is amended—

13 (1) in subsection (a), by striking “section
14 506A(c)” and inserting “section 506A(f)”; and.

15 (2) in subsection (f)—

16 (A) in paragraph (2), by striking “section
17 506A(c)” and inserting “section 506A(f)”; and

18 (B) by striking paragraph (4) and insert-
19 ing the following:

20 “(4) ELIGIBLE AFCFTA COUNTRY.—The term
21 ‘eligible AfCFTA country’ means a country that the
22 President has determined is eligible under section
23 506A(e) of the Trade Act of 1974.”; and

1 (3) by striking “former beneficiary sub-Saharan
2 African countries” each place it appears and insert-
3 ing “eligible AfCFTA countries”.

4 **SEC. 5. GRADUATION OF BENEFICIARY SUB-SAHARAN AFRI-**
5 **CAN COUNTRIES.**

6 (a) GRADUATION.—Section 506A of the Trade Act
7 of 1974 (19 U.S.C. 2466a) is amended by inserting after
8 subsection (b) the following:

9 “(c) MANDATORY GRADUATION OF HIGH INCOME
10 COUNTRIES.—

11 “(1) IN GENERAL.—Except as provided by
12 paragraph (2), if the President determines that a
13 beneficiary sub-Saharan African country has been
14 classified, under the official statistics of the Inter-
15 national Bank for Reconstruction and Development,
16 as a ‘high income’ country for a period of 5 consecu-
17 tive years, the President shall terminate the designa-
18 tion of the country as a beneficiary sub-Saharan Af-
19 rican country for purposes of this section and as a
20 beneficiary developing country for purposes of this
21 title, effective on January 1 of the second year fol-
22 lowing the year in which that determination is made.

23 “(2) EXCEPTION.—After a country has been
24 designated as ‘high income’ for a period of 5 con-
25 secutive years as described in paragraph (1), the

1 President may elect to maintain the designation of
 2 the country as a beneficiary sub-Saharan African
 3 country for purposes of this section and as a bene-
 4 ficiary developing country for purposes of this title
 5 for not more than an additional 5 years to allow for
 6 the negotiation of a free trade agreement with that
 7 country, in accordance with the policy described in
 8 section 116(a) of the African Growth and Oppor-
 9 tunity Act (19 U.S.C. 3723(a)).”.

10 (b) CONFORMING AMENDMENTS.—Title V of the
 11 Trade Act of 1974 (19 U.S.C. 2461 et seq.) is amended—

12 (1) in section 502(e), by striking “If the Presi-
 13 dent” and inserting “Except as provided by section
 14 506A(c), if the President”; and

15 (2) in section 506A(a)(1)(B)—

16 (A) by striking “subsections (a), (d), and
 17 (e)” and inserting “subsections (a) and (d)”;
 18 and

19 (B) by inserting “(other than subsection
 20 (e) of that section)” after “in section 502”.

21 **SEC. 6. MODIFICATION OF ELIGIBILITY REQUIREMENTS.**

22 (a) MANDATORY DESIGNATION.—Section 104 of the
 23 African Growth and Opportunity Act (19 U.S.C. 3703)
 24 is amended, in the matter preceding paragraph (1), by
 25 striking “is authorized to” and inserting “shall”.

1 (b) MODIFICATION OF REQUIREMENTS.—Section
2 104 of the African Growth and Opportunity Act (19
3 U.S.C. 3703) is amended—

4 (1) in paragraph (1), by amending subpara-
5 graph (E) to read as follows:

6 “(E) the minimum standards for the elimi-
7 nation of corruption described in section
8 5404(a) of the Combating Global Corruption
9 Act (subtitle A of title LIV of Public Law 118–
10 31);”;

11 (2) in paragraph (2), by striking “; and” and
12 inserting a semicolon; and

13 (3) by striking paragraph (3) and inserting the
14 following:

15 “(3) does not engage in gross violations of
16 internationally recognized human rights, including
17 as reflected in the annual Country Reports on
18 Human Rights Practices of the Department of
19 State, and cooperates in international efforts to
20 eliminate human rights violations, including by not
21 having been—

22 “(A) determined to be engaged in a pat-
23 tern of gross violations of internationally recog-
24 nized human rights for purposes of—

1 “(i) section 701 of the International
2 Financial Institutions Act (22 U.S.C.
3 262d); or

4 “(ii) section 116 or 502B of the For-
5 eign Assistance Act of 1961 (22 U.S.C.
6 2151n and 2304);

7 “(B) listed under subparagraph (C) of sec-
8 tion 110(b)(1) of the Trafficking Victims Pro-
9 tection Act of 2000 (22 U.S.C. 7107(b)(1))
10 (commonly referred to as ‘tier 3’) in the most
11 recent report on trafficking in persons required
12 under that section (commonly referred to as the
13 ‘Trafficking in Persons Report’);

14 “(C) identified on the list published by the
15 Secretary of State pursuant to section 404(b)
16 of the Child Soldiers Prevention Act of 2008
17 (22 U.S.C. 2370c–1(b)) as a country that re-
18 cruits and uses child soldiers; or

19 “(D) designated as a country of particular
20 concern for religious freedom under section
21 402(b)(1)(A)(ii) of the International Religious
22 Freedom Act of 1998 (22 U.S.C.
23 6442(b)(1)(A)(ii));

24 “(4) does not provide support for acts of inter-
25 national terrorism and cooperates in international

1 efforts to eliminate terrorist activities, including by
 2 not having been determined by the Secretary of
 3 State to have repeatedly provided support for acts of
 4 international terrorism for purposes of—

5 “(A) section 1754(c)(1)(A)(i) of the Ex-
 6 port Control Reform Act of 2018 (50 U.S.C.
 7 4813(c)(1)(A)(i));

8 “(B) section 620A of the Foreign Assist-
 9 ance Act of 1961 (22 U.S.C. 2371);

10 “(C) section 40(d) of the Arms Export
 11 Control Act (22 U.S.C. 2780(d)); or

12 “(D) any other provision of law; and

13 “(5) is not subject to restrictions on the provi-
 14 sion of assistance to a country the duly elected head
 15 of government of which is deposed by a coup d’état
 16 or decree under an Act making appropriations for
 17 the Department of State, foreign operations, and re-
 18 lated programs.”.

19 **SEC. 7. REPORT ON ENFORCEMENT OF PROHIBITION ON**
 20 **IMPORTATION OF GOODS MADE WITH**
 21 **FORCED LABOR.**

22 Section 112 of the African Growth and Opportunity
 23 Act (19 U.S.C. 3721) is amended—

24 (1) by redesignating subsections (f) and (g) as
 25 subsections (g) and (h); and

1 (2) by inserting after subsection (e) the fol-
2 lowing:

3 “(f) REPORT REQUIRED.—

4 “(1) IN GENERAL.—Not later than 90 days
5 after the date of the enactment of the AGOA Re-
6 newal and Improvement Act of 2024, the Secretary
7 of Commerce shall submit to the appropriate con-
8 gressional committees a report on procedures in
9 place to ensure that any country the textile and ap-
10 parel articles of which are receiving preferential
11 treatment under this section is not exporting those
12 articles to the United States in violation of—

13 “(A) section 307 of the Tariff Act of 1930
14 (19 U.S.C. 1307); or

15 “(B) section 3 of the Act entitled ‘An Act
16 to ensure that goods made with forced labor in
17 the Xinjiang Autonomous Region of the Peo-
18 ple’s Republic of China do not enter the United
19 States market, and for other purposes’, ap-
20 proved December 23, 2021 (Public Law 117–
21 78; 22 U.S.C. 6901 note) (commonly referred
22 to as the ‘Uyghur Forced Labor Prevention
23 Act’).

1 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
 2 TEES DEFINED.—In this subsection, the term ‘ap-
 3 propriate congressional committees’ means—

4 “(A) the Committee on Ways and Means
 5 and the Committee on Foreign Affairs of the
 6 House of Representatives; and

7 “(B) the Committee on Finance and the
 8 Committee on Foreign Relations of the Sen-
 9 ate.”.

10 **SEC. 8. IMPROVING UTILIZATION OF AFRICAN GROWTH**
 11 **AND OPPORTUNITY ACT.**

12 (a) IN GENERAL.—Subtitle B of the African Growth
 13 and Opportunity Act (19 U.S.C. 3721 et seq.) is amended
 14 by adding at the end the following:

15 **“SEC. 118. BIENNIAL UTILIZATION STRATEGIES.**

16 “(a) SENSE OF CONGRESS.—

17 “(1) IN GENERAL.—It is the sense of Congress
 18 that—

19 “(A) beneficiary sub-Saharan African
 20 countries should develop utilization strategies
 21 on a biennial basis in order to more effectively
 22 and strategically utilize benefits available under
 23 this Act and section 506A of the Trade Act of
 24 1974 (19 U.S.C. 2466a) (in this section re-
 25 ferred to as ‘AGOA utilization strategies’);

1 “(B) United States trade capacity building
2 agencies should work with, and provide appro-
3 priate resources to, such sub-Saharan African
4 countries to assist in developing and imple-
5 menting biennial AGOA utilization strategies;
6 and

7 “(C) as appropriate, and to encourage
8 greater regional integration, the United States
9 Trade Representative should consider request-
10 ing the Regional Economic Communities to pre-
11 pare biennial AGOA utilization strategies.

12 “(2) CONTENTS.—It is further the sense of
13 Congress that biennial AGOA utilization strategies
14 should identify strategic needs and priorities to bol-
15 ster utilization of benefits available under this Act.
16 To that end, biennial AGOA utilization strategies
17 should—

18 “(A) review potential exports under this
19 Act and section 506A of the Trade Act of 1974
20 (19 U.S.C. 2466a) and identify opportunities
21 and obstacles to increased trade and investment
22 and enhanced poverty reduction efforts;

23 “(B) identify obstacles to regional integra-
24 tion that inhibit utilization of benefits under

1 this Act and section 506A of the Trade Act of
2 1974;

3 “(C) set out a plan to take advantage of
4 opportunities and address obstacles identified in
5 subparagraphs (A) and (B), improve awareness
6 of this Act as a program that enhances exports
7 to the United States, and utilize United States
8 Agency for International Development regional
9 trade hubs;

10 “(D) set out a strategy to promote small
11 business and entrepreneurship; and

12 “(E) eliminate obstacles to regional trade
13 and promote greater utilization of benefits
14 under this Act and section 506A of the Trade
15 Act of 1974 and establish a plan to promote
16 full regional implementation of the Agreement
17 on Trade Facilitation of the World Trade Orga-
18 nization.

19 “(3) PUBLICATION.—It is further the sense of
20 Congress that—

21 “(A) each beneficiary sub-Saharan African
22 country should publish on an appropriate inter-
23 net website of such country public versions of
24 its AGOA utilization strategy; and

1 “(B) the United States Trade Representa-
2 tive should publish on the internet website of
3 the Office of the United States Trade Rep-
4 resentative public versions of all AGOA utiliza-
5 tion strategies described in subparagraph (A).

6 “(b) ASSISTANCE TO IMPLEMENT UTILIZATION
7 STRATEGIES.—

8 “(1) ELIGIBILITY.—Each beneficiary sub-Saha-
9 ran African country that has published an AGOA
10 utilization strategy as described in paragraph (3) of
11 subsection (a) that meets the criteria described in
12 paragraph (2) of that subsection is eligible for the
13 assistance described in paragraph (2).

14 “(2) TRADE CAPACITY BUILDING ASSIST-
15 ANCE.—The Administrator of the United States
16 Agency for International Development should assist
17 each country that is eligible under paragraph (1) in
18 the implementation of the AGOA utilization strategy
19 of the country, including assistance in—

20 “(A) developing a business environment
21 conducive to international trade and invest-
22 ment;

23 “(B) establishing trade-related infrastruc-
24 ture and industrial zones;

1 “(C) conducting export promotion activi-
2 ties;

3 “(D) modernizing and improving customs
4 operations and procedures;

5 “(E) meeting sanitary and phytosanitary
6 standards;

7 “(F) minimizing technical barriers to
8 trade;

9 “(G) protecting intellectual property
10 rights;

11 “(H) implementing the Agreement on
12 Trade Facilitation of the World Trade Organi-
13 zation;

14 “(I) furthering labor and environmental
15 standards; and

16 “(J) other trade capacity building activi-
17 ties.

18 “(3) AUTHORIZATION OF APPROPRIATIONS.—
19 There is authorized to be appropriated to the United
20 States Agency for International Development for fis-
21 cal year 2025 \$10,000,000 to carry out this sub-
22 section.

23 “(c) BENEFICIARY SUB-SAHARAN AFRICAN COUN-
24 TRY DEFINED.—In this section, the term ‘beneficiary sub-
25 Saharan African country’ has the meaning given that term

1 in section 506A(f) of the Trade Act of 1974 (19 U.S.C.
2 2466a(f)).”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 for the African Growth and Opportunity Act is amended
5 by inserting after the item relating to section 117 the fol-
6 lowing:

“Sec. 118. Biennial utilization strategies.”.

7 (c) CONFORMING REPEAL.—Section 107 of the
8 Trade Preferences Extension Act of 2015 (Public Law
9 114–27; 129 Stat. 368) is repealed.

10 **SEC. 9. REPORTS ON IMPLEMENTATION AND POTENTIAL**
11 **TRADE AGREEMENTS.**

12 (a) IN GENERAL.—Section 106 of the African
13 Growth and Opportunity Act (19 U.S.C. 3705) is amend-
14 ed to read as follows:

15 **“SEC. 106. REPORTS.**

16 **“(a) IMPLEMENTATION REPORT.—**

17 **“(1) IN GENERAL.—**Not later than December
18 31, 2024, and biennially thereafter, the President
19 shall submit to Congress a report on the trade and
20 investment relationship between the United States
21 and sub-Saharan African countries and on the im-
22 plementation of this Act and section 506A of the
23 Trade Act of 1974 (19 U.S.C. 2466a).

1 “(2) MATTERS TO BE INCLUDED.—The report
2 required by paragraph (1) shall include the fol-
3 lowing:

4 “(A) A description of the status of trade
5 and investment between the United States and
6 sub-Saharan Africa, including information on
7 leading exports to the United States from sub-
8 Saharan African countries.

9 “(B) Any changes in eligibility of sub-Sa-
10 haran African countries during the period cov-
11 ered by the report.

12 “(C) A detailed analysis of whether each
13 beneficiary sub-Saharan African country is con-
14 tinuing to meet the eligibility requirements set
15 forth in section 104 and the eligibility criteria
16 set forth in section 502 of the Trade Act of
17 1974 (19 U.S.C. 2462).

18 “(D) A description of the status of re-
19 gional integration efforts in sub-Saharan Afri-
20 ca.

21 “(E) A summary of United States trade
22 capacity building efforts.

23 “(F) Any other initiatives related to en-
24 hancing the trade and investment relationship

1 between the United States and sub-Saharan Af-
 2 rican countries.

3 “(b) POTENTIAL TRADE AGREEMENTS REPORT.—
 4 Not later than December 31, 2024, and every 4 years
 5 thereafter, the United States Trade Representative shall
 6 submit to Congress a report that—

7 “(1) identifies sub-Saharan African countries
 8 that have expressed an interest in entering into a
 9 free trade agreement with the United States;

10 “(2) evaluates the viability and progress of such
 11 sub-Saharan African countries and other sub-Saha-
 12 ran African countries toward entering into a free
 13 trade agreement with the United States; and

14 “(3) describes a plan for negotiating and con-
 15 cluding such agreements, which includes the ele-
 16 ments described in subparagraphs (A) through (E)
 17 of section 116(b)(2).

18 “(c) TERMINATION.—The reporting requirements of
 19 this section shall cease to have any force or effect after
 20 September 30, 2041.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
 22 for the African Growth and Opportunity Act is amended
 23 by striking the item relating to section 106 and inserting
 24 the following:

“Sec. 106. Reports.”.

1 (c) CONFORMING REPEAL.—Section 110 of the
 2 AGOA Extension and Enhancement Act of 2015 (Public
 3 Law 114–27; 19 U.S.C. 3705 note) is repealed.

4 **SEC. 10. UNITED STATES INTERNATIONAL TRADE COMMIS-**
 5 **SION REPORT ON EXPANDING ARTICLES COV-**
 6 **ERED BY AFRICAN GROWTH AND OPPOR-**
 7 **TUNITY ACT.**

8 (a) IN GENERAL.—Not later than 1 year after the
 9 date of the enactment of this Act, the United States Inter-
 10 national Trade Commission shall submit to the appro-
 11 priate congressional committees a report evaluating op-
 12 tions for expanding the range of articles eligible for duty-
 13 free treatment under the African Growth and Opportunity
 14 Act (19 U.S.C. 3701 et seq.) and section 506A of the
 15 Trade Act of 1974 (19 U.S.C. 2466a).

16 (b) HEARING.—The Commission shall hold a hearing
 17 to solicit public input on what articles described in sub-
 18 section (a) should be considered in the report required by
 19 that subsection.

20 (c) ELEMENTS.—In preparing the report required by
 21 subsection (a), the Commission shall consider—

22 (1) the extent to which duty-free treatment of
 23 articles described in that subsection could expand
 24 exportation of those articles to the United States;

1 (2) the economic effects of expanded expor-
 2 tation of those articles on the economy of the coun-
 3 try exporting the articles; and

4 (3) the economic effects of expanded imports of
 5 those articles on the economy of the United States.

6 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
 7 DEFINED.—In this section, the term “appropriate con-
 8 gressional committees” means—

9 (1) the Committee on Ways and Means and the
 10 Committee on Foreign Affairs of the House of Rep-
 11 resentatives; and

12 (2) the Committee on Finance and the Com-
 13 mittee on Foreign Relations of the Senate.

14 **SEC. 11. AFRICAN GROWTH AND OPPORTUNITY ACT FORUM**
 15 **AND OTHER UPDATES.**

16 Section 105 of the African Growth and Opportunity
 17 Act (19 U.S.C. 3704) is amended—

18 (1) in subsection (c)(1), in the first sentence, by
 19 striking “host the first annual meeting” and insert-
 20 ing “host a meeting on or before September 30 of
 21 each year, in the United States or in Sub-Saharan
 22 Africa,”;

23 (2) in subsection (d)—

1 (A) in the subsection heading, by striking
 2 “USIS” and inserting “DEPARTMENT OF COM-
 3 MERCE”; and

4 (B) by striking “United States Informa-
 5 tion Service” and inserting “Department of
 6 Commerce”; and

7 (3) by striking subsection (e).

8 **SEC. 12. UPDATING PROTECTIONS AGAINST TRANS-**
 9 **SHIPMENT OF CERTAIN TEXTILES AND AP-**
 10 **PAREL ARTICLES.**

11 (a) REPEAL OF OUTDATED TEXTILE VISA REQUIRE-
 12 MENTS.—The African Growth and Opportunity Act (19
 13 U.S.C. 3701 et seq.) is amended—

14 (1) in section 112 (19 U.S.C. 3721), as amend-
 15 ed by section 7—

16 (A) by striking subsection (d); and

17 (B) by redesignating subsections (e), (f),
 18 (g), and (h) as subsections (d), (e), (f), and (g)
 19 respectively; and

20 (2) in section 113 (19 U.S.C. 3722)—

21 (A) in subsection (a)(1)—

22 (i) in subparagraph (A), by striking
 23 “an effective visa system, domestic laws,”
 24 and inserting “domestic laws”;

1 (ii) in subparagraph (D), by striking
 2 the semicolon and inserting “; and”;
 3 (iii) in subparagraph (E), by striking
 4 “; and” and inserting a period; and
 5 (iv) by striking subparagraph (F);
 6 (B) in subsection (b)(5), by striking “the
 7 effectiveness of the visa systems and”; and
 8 (C) in subsection (c)(1)(A), by striking
 9 “visa systems, legislation,” and inserting “legis-
 10 lation”.

11 (b) MODIFICATION OF PRODUCTION VERIFICATION
 12 TEAM VISITS.—Section 113(c)(2) of the African Growth
 13 and Opportunity Act (19 U.S.C. 3722(c)(2)) is amended
 14 to read as follows:

15 “(2) send production verification teams to bene-
 16 ficiary sub-Saharan African countries as necessary
 17 to verify compliance with this section; and”.

18 **SEC. 13. TECHNICAL CORRECTIONS.**

19 (a) SUB-SAHARAN AFRICA DEFINED.—Section 107
 20 of the African Growth and Opportunity Act (19 U.S.C.
 21 3706) is amended—

22 (1) inserting after “State of Eritrea (Eritrea).”
 23 the following:
 24 “Kingdom of Eswatini (Eswatini).”;

1 (2) by striking “Ethiopia” and inserting “Fed-
2 eral Democratic Republic of Ethiopia (Ethiopia)”;

3 (3) by striking “Somalia” and inserting “Fed-
4 eral Republic of Somalia (Somalia)”;

5 (4) by striking “Kingdom of Swaziland (Swazi-
6 land).”.

7 (b) NAME OF U.S. CUSTOMS AND BORDER PROTEC-
8 TION.—The African Growth and Opportunity Act (19
9 U.S.C. 3701 et seq.) is amended—

10 (1) in section 112(d) (19 U.S.C. 3721(d)), in
11 the flush text, by striking “The Customs Service”
12 and inserting “U.S. Customs and Border Protec-
13 tion”; and

14 (2) in section 113 (19 U.S.C. 3722)—

15 (A) in subsection (a)(1)—

16 (i) in subparagraph (B), by striking
17 “United States Customs Service” and in-
18 serting “U.S. Customs and Border Protec-
19 tion”; and

20 (ii) by striking “the United States
21 Customs Service” each place it appears
22 and inserting “U.S. Customs and Border
23 Protection”;

24 (B) in subsection (b)(5), by striking “The
25 Customs Service shall monitor and the Commis-

1 sioner of Customs” and inserting “U.S. Cus-
2 toms and Border Protection shall monitor and
3 the Commissioner of U.S. Customs and Border
4 Protection”; and

5 (C) in subsection (c)—

6 (i) in the subsection heading, by strik-
7 ing “CUSTOMS SERVICE” and inserting
8 “U.S. CUSTOMS AND BORDER PROTEC-
9 TION”; and

10 (ii) by striking “The Customs Serv-
11 ice” and inserting “U.S. Customs and Bor-
12 der Protection”.

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