

108TH CONGRESS
1ST SESSION

S. 1900

To amend the African Growth and Opportunity Act to expand certain trade benefits to eligible sub-Saharan African countries, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2003

Mr. LUGAR introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the African Growth and Opportunity Act to expand certain trade benefits to eligible sub-Saharan African countries, and for other purposes.

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 “United States-Africa
5 Partnership Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) the African Growth and Opportunity Act (in
9 this section referred to as “the Act”) has helped to
10 spur economic growth and bolster economic reforms

1 in the countries of sub-Saharan Africa and has fos-
2 tered stronger economic ties between the countries of
3 sub-Saharan Africa and the United States; as a re-
4 sult, exports from the United States to sub-Saharan
5 Africa reached record levels after the enactment of
6 the Act, while exports from sub-Saharan Africa to
7 the United States have increased considerably;

8 (2) the Act's eligibility requirements have rein-
9 forced democratic values and the rule of law, and
10 have strengthened adherence to core labor standards
11 in eligible sub-Saharan African countries;

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

17 (4) as a result of the Agreement on Textiles
18 and Apparel of the World Trade Organization, under
19 which quotas maintained by WTO member countries
20 on textile and apparel products end on January 1,
21 2005, sub-Saharan Africa's textile and apparel in-
22 dustry will be severely challenged by countries whose
23 industries are more developed and have greater ca-
24 pacity, economies of scale, and better infrastructure;

1 (5) the underdeveloped physical and financial
2 infrastructure in sub-Saharan Africa continues to
3 discourage investment in the region; and

4 (6) regional integration establishes a foundation
5 on which sub-Saharan African countries can coordi-
6 nate and pursue policies grounded in African inter-
7 ests and history to achieve sustainable development.

8 **TITLE I—TRADE BENEFITS**

9 **SEC. 101. ENHANCED BENEFITS UNDER GENERALIZED SYS-** 10 **TEM OF PREFERENCES.**

11 (a) REMOVAL OF IMPORT SENSITIVITY REQUIRE-
12 MENT.—Section 506A(b)(1) of the Trade Act of 1974 (19
13 U.S.C. 2466a(b)(1)) is amended to read as follows:

14 “(1) IN GENERAL.—The President shall provide
15 duty-free treatment for any article described in sec-
16 tion 503(b)(1)(B) through (G) that is the growth,
17 product, or manufacture of a beneficiary sub-Saha-
18 ran African country described in subsection (a).”.

19 (b) TERMINATION DATE.—Section 506B of the
20 Trade Act of 1974 (19 U.S.C. 2466b) is amended by strik-
21 ing “2008” and inserting “2015”.

22 **SEC. 102. APPAREL TRADE BENEFITS.**

23 (a) PRODUCTS COVERED.—Section 112(b) of the Af-
24 rican Growth and Opportunity Act (19 U.S.C. 3721(b))
25 is amended—

(1) by striking paragraphs (1) through (3) and inserting the following:

“(1) APPAREL ARTICLES ASSEMBLED IN BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES.—Apparel articles sewn or otherwise assembled in one or more beneficiary sub-Saharan African countries for which classification under the Harmonized Tariff Schedule of the United States is determined by a component which is—

“(A) formed from fabrics formed and cut in the United States, from yarns formed in the United States (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the Harmonized Tariff Schedule of the United States and are formed and cut in the United States);

“(B) knit-to-shape in the United States from yarns formed in the United States;

“(C) formed from fabrics formed in the United States, from yarns formed in the United States (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 or 5603 of the Harmonized Tariff Schedule of the United States and are formed in the United States) and cut in one or

1 more beneficiary sub-Saharan African coun-
2 tries;

3 “(D) formed from fabrics formed in one or
4 more beneficiary sub-Saharan African countries
5 from yarns originating either in the United
6 States or in one or more beneficiary sub-Saha-
7 ran African countries (including fabrics not
8 formed from yarns, if such fabrics are classifi-
9 able under heading 5602 or 5603 of the Har-
10 monized Tariff Schedule of the United States
11 and are formed and cut in one or more bene-
12 ficiary sub-Saharan African countries), without
13 regard to where the fabric is cut;

14 “(E) knit-to-shape in one or more bene-
15 ficiary sub-Saharan African countries from
16 yarns originating either in the United States or
17 one or more beneficiary sub-Saharan African
18 countries; or

19 “(F)(i) cut in the United States and one
20 or more beneficiary sub-Saharan African coun-
21 tries from fabric formed in the United States
22 from yarns formed in the United States;

23 “(ii) knit-to-shape in the United States
24 and one or more beneficiary sub-Saharan Afri-

1 can countries from yarns formed in the United
2 States; or

3 “(iii) both cut as described in clause (i)
4 and knit-to-shape as described in clause (ii) (in-
5 cluding from fabrics not formed from yarns, if
6 such fabrics are classifiable under heading 5602
7 or 5603 of the Harmonized Tariff Schedule of
8 the United States).

9 “(2) APPAREL ARTICLES FROM NONORIGI-
10 NATING FABRIC OR YARN.—Apparel articles that are
11 both cut (or knit-to-shape) and sewn or otherwise
12 assembled in one or more beneficiary sub-Saharan
13 African countries—

14 “(A) from fabric or yarn which need not be
15 originating under General Note 12(t) of the
16 Harmonized Tariff Schedule of the United
17 States for the apparel article to qualify as origi-
18 nating under that Note; or

19 “(B) from fabric or yarn which is not com-
20 mercially available and which the President pro-
21 claims as eligible for use under this paragraph
22 without regard to where the fabric or yarn is
23 formed pursuant to the procedures set forth in
24 paragraph (5).

1 “(3) SPECIAL RULE FOR LESSER DEVELOPED
2 COUNTRIES.—

3 “(A) IN GENERAL.—Preferential treatment
4 under paragraphs (1)(D) and (1)(E) shall be
5 extended through September 30, 2008, for ap-
6 parel articles assembled in one or more lesser
7 developed beneficiary sub-Saharan African
8 countries regardless of the country of origin of
9 the yarn or fabric used to make such apparel
10 articles.

11 “(B) LESSER DEVELOPED BENEFICIARY
12 SUB-SAHARAN AFRICAN COUNTRY.—For pur-
13 poses of this paragraph, the term ‘lesser devel-
14 oped beneficiary sub-Saharan African country’
15 means—

16 “(i) a beneficiary sub-Saharan African
17 country that had a per capita gross na-
18 tional product of less than \$1,500 a year
19 in 1998, as measured by the International
20 Bank for Reconstruction and Development;

21 “(ii) Botswana; and

22 “(iii) Namibia.”;

23 (2) by striking paragraph (5) and inserting the
24 following:

1 “(5) PROCEDURES FOR DESIGNATING FABRICS
2 OR YARNS ELIGIBLE UNDER PARAGRAPH (2)(B).—At
3 the request of any interested party and subject to
4 the following requirements, the President is author-
5 ized to proclaim fabrics or yarns as not commercially
6 available and thus eligible for use in the production
7 of cut components or knit-to-shape components de-
8 scribed in paragraph (2)(B) if—

9 “(A) the President determines that such
10 yarns or fabrics cannot be supplied by the do-
11 mestic industry in commercial quantities in a
12 timely manner;

13 “(B) the President has obtained advice re-
14 garding the proposed action from the appro-
15 priate advisory committee established under
16 section 2155 of this title and the United States
17 International Trade Commission;

18 “(C) within 60 calendar days after the re-
19 quest, the President has submitted a report to
20 the Committee on Ways and Means of the
21 House of Representatives and the Committee
22 on Finance of the Senate that sets forth—

23 “(i) the action proposed to be pro-
24 claimed and the reasons for such action;
25 and

1 “(ii) the advice obtained under sub-
2 paragraph (B);

3 “(D) a period of 60 calendar days, begin-
4 ning with the first day on which the President
5 has met the requirements of clauses (i) and (ii)
6 of subparagraph (C), has expired; and

7 “(E) the President has consulted with such
8 committees regarding the proposed action dur-
9 ing the period referred to in subparagraph
10 (C).”;

11 (3) by striking paragraph (6) and inserting the
12 following:

13 “(6) HANDLOOMED, HANDMADE, FOLKLORE
14 ARTICLES AND ETHNIC PRINTED FABRICS.—

15 “(A) IN GENERAL.—A handloomed, hand-
16 made, folklore article or an ethnic printed fab-
17 ric of a beneficiary sub-Saharan African coun-
18 try or countries that is certified as such by the
19 competent authority of such beneficiary country
20 or countries. For purposes of this section, the
21 President, after consultation with the bene-
22 ficiary country or countries concerned, shall de-
23 termine which, if any particular textile and ap-
24 parel goods of the country (or countries) shall

1 be treated as being handloomed, handmade, or
 2 folklore articles or an ethnic printed fabric—

3 “(B) REQUIREMENTS FOR ETHNIC PRINT-
 4 ED FABRIC.—Ethnic printed fabrics qualified
 5 under this paragraph are—

6 “(i) fabrics containing a selvedge on
 7 both edges, having a width of less than 50
 8 inches, classifiable under the heading
 9 5208.52.30 or 5208.52.40 of the Har-
 10 monized Tariff Schedule of the United
 11 States;

12 “(ii) of the type that contains designs,
 13 symbols, and other characteristics of Afri-
 14 can prints—

15 “(I) normally produced for and
 16 sold on the indigenous African mar-
 17 ket; and

18 “(II) normally sold in Africa by
 19 the piece as opposed to being tailored
 20 into garments before being sold in in-
 21 digenous African markets;

22 “(iii) printed, including waxed, in one
 23 or more eligible beneficiary sub-Saharan
 24 countries; and

1 “(iv) fabrics wholly formed in the
2 United States, from yarns wholly formed
3 in the United States, or from fabric wholly
4 formed in one or more beneficiary sub-Sa-
5 haran African country from yarn origi-
6 nating in either the United States or one
7 or more beneficiary sub-Saharan African
8 country.”; and

9 (4) by striking paragraph (7) and inserting the
10 following:

11 “(7) SURGE MECHANISM.—

12 “(A) IMPORT MONITORING.—The Sec-
13 retary of Commerce shall monitor imports of
14 articles to which this paragraph applies on a
15 monthly basis to determine if there has been a
16 surge in imports of such articles. In order to
17 permit public access to preliminary inter-
18 national trade data and to facilitate the early
19 identification of potentially disruptive import
20 surges, the Director of the Office of Manage-
21 ment and Budget may grant an exception to
22 the publication dates established for the release
23 of data on United States international trade in
24 covered articles, if the Director notifies Con-
25 gress of the early release of the data.

1 “(B) DETERMINATION OF DAMAGE OR
2 THREAT THEREOF.—Whenever the Secretary of
3 Commerce determines, based on the data de-
4 scribed in subparagraph (A), or pursuant to a
5 written request made by an interested party,
6 that there has been a surge in imports of an ar-
7 ticle to which this paragraph applies from a
8 beneficiary sub-Saharan African country, the
9 Secretary shall determine whether such article
10 from such country is being imported in such in-
11 creased quantities as to cause serious damage,
12 or threat thereof, to the domestic industry pro-
13 ducing a like or directly competitive article. If
14 the Secretary’s determination is affirmative, the
15 President shall suspend the duty-free treatment
16 provided for such article under this paragraph.
17 If the inquiry is initiated at the request of an
18 interested party, the Secretary shall make the
19 determination within 60 days after the date of
20 the request.

21 “(C) FACTORS TO CONSIDER.—In deter-
22 mining whether a domestic industry has been
23 seriously damaged, or is threatened with serious
24 damage, the Secretary shall examine the effect
25 of the imports on relevant economic indicators

1 such as domestic production, sales, market
2 share, capacity utilization, inventories, employ-
3 ment, profits, exports, prices, and investment.

4 “(D) PROCEDURE.—

5 “(i) INITIATION.—The Secretary of
6 Commerce shall initiate an inquiry within
7 10 days after receiving a written request
8 and supporting information for an inquiry
9 from an interested party. Notice of initi-
10 ation of an inquiry shall be published in
11 the Federal Register.

12 “(ii) PARTICIPATION BY INTERESTED
13 PARTIES.—The Secretary of Commerce
14 shall establish procedures to ensure partici-
15 pation in the inquiry by interested parties.

16 “(iii) NOTICE OF DETERMINATION.—
17 The Secretary shall publish the determina-
18 tion described in subparagraph (B) in the
19 Federal Register.

20 “(iv) INFORMATION AVAILABLE.—If
21 relevant information is not available on the
22 record or any party withholds information
23 that has been requested by the Secretary,
24 the Secretary shall make the determination
25 on the basis of the facts available. When

1 the Secretary relies on information sub-
2 mitted in the inquiry as facts available, the
3 Secretary shall, to the extent practicable,
4 corroborate the information from inde-
5 pendent sources that are reasonably avail-
6 able to the Secretary.

7 “(v) INTERESTED PARTY.—For pur-
8 poses of this subparagraph, the term ‘in-
9 terested party’ means any producer of a
10 like or directly competitive article, a cer-
11 tified union or recognized union or group
12 of workers which is representative of an in-
13 dustry engaged in the manufacture, pro-
14 duction, or sale in the United States of a
15 like or directly competitive article, a trade
16 or business association representing pro-
17 ducers or sellers of like or directly competi-
18 tive articles, producers engaged in the pro-
19 duction of essential inputs for like or di-
20 rectly competitive articles, a certified union
21 or group of workers which is representative
22 of an industry engaged in the manufac-
23 ture, production, or sale of essential inputs
24 for the like or directly competitive article,
25 or a trade or business association rep-

1 resenting companies engaged in the manu-
 2 facture, production, or sale of such essen-
 3 tial inputs.”.

4 (b) FINDINGS AND TRIMMINGS.—Section 112 of the
 5 African Growth and Opportunity Act is amended—

6 (1) by striking subsection (d) and redesignating
 7 subsections (e) and (f) as subsections (d) and (e),
 8 respectively; and

9 (2) in subsection (e), as redesignated, by strik-
 10 ing “2008” and inserting “2015”.

11 (c) CONFORMING AMENDMENTS.—Section 3108 of
 12 the Trade Act of 2002 (Public Law 107–210; 116 Stat.
 13 1038) is amended—

14 (1) by striking “(a) IN GENERAL.—”; and

15 (2) by striking subsection (b).

16 **TITLE II—ENHANCING TRADE IN** 17 **AGRICULTURE**

18 **SEC. 201. AGRICULTURAL TRADE ASSISTANCE.**

19 Section 130 of the African Growth and Opportunity
 20 Act (19 U.S.C. 3740) is amended by adding at the end
 21 the following:

22 “(c) COMPREHENSIVE PLAN.—The Secretary of Ag-
 23 riculture, based on results of the study described in sub-
 24 section (a), shall develop a comprehensive plan to imple-

1 ment public sector policies and incentives for the private
2 sector to—

3 “(1) identify current United States agricultural
4 imports with the potential for competitive production
5 for export in sub-Saharan Africa;

6 “(2) identify current agricultural exports from
7 sub-Saharan Africa;

8 “(3) identify the primary agricultural export
9 products under this Act;

10 “(4) analyze critical constraints to United
11 States-Africa agricultural trade;

12 “(5) identify potential value-added and proc-
13 essed agricultural products that can be exported
14 from sub-Saharan Africa to the United States under
15 this Act;

16 “(6) analyze critical constraints to producing
17 and exporting to the United States such value-added
18 and processed agricultural products;

19 “(7) develop a strategy, with African national
20 public and private sectors, and regional organiza-
21 tions, for removing or ameliorating the critical con-
22 straints identified;

23 “(8) develop a strategy for increasing invest-
24 ments to diversify and add value to agricultural ex-
25 ports under this Act; and

1 “(9) develop a strategy for increasing the
2 tradable volume of agricultural exports from eligible
3 sub-Saharan African countries.

4 “(d) REPORT.—The results of the study and details
5 of the comprehensive plan shall be reported in the annual
6 United States Trade Representative African Growth and
7 Opportunity Act Report.”.

8 **SEC. 202. EXECUTIVE BRANCH INITIATIVES.**

9 Section 122(b)(3) of the African Growth and Oppor-
10 tunity Act (19 U.S.C. 3732(b)(3)) is amended to read as
11 follows:

12 “(3) addressing critical agricultural policy
13 issues, in part, by developing a comprehensive plan,
14 which shall be submitted to the Congress, to—

15 “(A) increase market liberalization;

16 “(B) develop agricultural exports;

17 “(C) increase investment in processing and
18 transporting commodities;

19 “(D) develop and increase capacity by
20 working with farmers and farmer groups;

21 “(E) increase access to vital market infor-
22 mation, including prices, product quality and
23 demand, inputs quality and costs, and customs
24 rules and regulations, for farmers and farmer

1 groups and cooperatives and for relevant gov-
 2 ernment ministries; and

3 “(F) enable public-private partnerships in
 4 eligible sub-Saharan African countries to pro-
 5 mote trade in agricultural products between the
 6 United States and eligible sub-Saharan African
 7 countries.”.

8 **SEC. 203. TECHNICAL ASSISTANCE.**

9 (a) EVALUATION.—The President and the Secretary
 10 of Agriculture shall direct the Animal and Plant Health
 11 Inspection Service (APHIS) to evaluate methods for train-
 12 ing African agricultural producers and for implementing
 13 capacity building programs to help the producers meet
 14 United States food safety standards.

15 (b) APHIS PERSONNEL.—The President shall des-
 16 ignate 20 full-time personnel of APHIS for technical as-
 17 sistance.

18 (1) COUNTRIES OF DESIGNATION.—Such per-
 19 sonnel shall be designated to at least 10 African
 20 Growth and Opportunity Act eligible countries iden-
 21 tified by the President, after consultation with the
 22 Secretary of Agriculture and the APHIS Adminis-
 23 trator, as having the greatest potential to increase
 24 marketable exports of agricultural products to the

1 United States and the greatest need for technical as-
 2 sistance.

3 (2) ASSISTANCE TO BE PROVIDED.—Such Per-
 4 sonnel shall provide technical training and capacity
 5 building in meeting phytosanitary standards in
 6 planting, cultivating, harvesting, and processing ag-
 7 ricultural products for export, with particular atten-
 8 tion to institutions serving smallholder producers,
 9 small-scale rural businesses and cooperatives; and
 10 strengthened agricultural research and extension ca-
 11 pacity to disseminate relevant information on pests
 12 and diseases to African smallholder farmers, as well
 13 as cost-efficient and environmentally sound solu-
 14 tions.

15 **TITLE III—INCREASING** 16 **CERTAINTIES IN INVESTMENT**

17 **SEC. 301. DESIGNATION OF ELIGIBLE COUNTRIES.**

18 Section 104 of the African Growth and Opportunity
 19 Act is amended by striking subsection (b) and inserting
 20 the following:

21 “(b) CONTINUING COMPLIANCE.—If the President
 22 determines that an eligible sub-Saharan African country
 23 no longer meets the criteria set forth in subsection (a),
 24 including by failing to maintain the institutions described
 25 in subparagraphs (A) through (F) of subsection (a)(1),

1 the President may terminate the designation of the coun-
 2 try made pursuant to subsection (a) if—

3 “(1) the President transmits to the Congress
 4 notice of the proposed designation; and

5 “(2) the Congress, within 90 days after receiv-
 6 ing such notice, does not enact a law prohibiting
 7 such termination.”.

8 **SEC. 302. OVERSEAS PRIVATE INVESTMENT CORPORATION.**

9 (a) OPIC INITIATIVES.—Section 123(b)(4) of the Af-
 10 rican Growth and Opportunity Act (19 U.S.C. 3733(b)(4))
 11 is amended to read as follows:

12 “(4) EMPHASIS.—The Corporation shall ensure
 13 that the funds are used to provide support in par-
 14 ticular to women entrepreneurs and to innovative in-
 15 vestments that expand opportunities for women and
 16 maximize employment opportunities for poor individ-
 17 uals, in part by including a focus on investments in
 18 agribusiness, electronics, textiles, and apparel.”.

19 (b) EXCEPTION TO RESTRICTIONS ON OPIC ACTIVI-
 20 TIES.—Section 231 of the Foreign Assistance Act of 1961
 21 (22 U.S.C. 2191) is amended by adding at the end the
 22 following flush sentence: “The prohibitions set forth in
 23 subsections (k)(1) and (l), and the requirement set forth
 24 in subsection (k)(2), shall not apply to any contract of
 25 insurance or reinsurance, guaranty, or agreement to pro-

1 vide financing for an eligible investor’s proposed invest-
 2 ment if the investment is in country designated as a bene-
 3 ficiary sub-Saharan African country under section
 4 506A(a)(1) of the Trade Act of 1974 (19 U.S.C.
 5 2466a(a)(1)).”.

6 (c) SENSE OF CONGRESS.—It is the sense of the Con-
 7 gress that—

8 (1) the Overseas Private Investment Corpora-
 9 tion should be commended for creating the African
 10 Millennium Fund, which will encourage vital invest-
 11 ments in the infrastructure of eligible sub-Saharan
 12 African countries; and

13 (2) it is critically important that the Fund be
 14 fully subscribed and disbursing funds as soon as
 15 possible.

16 **SEC. 303. EXPORT-IMPORT BANK.**

17 Section 2(b)(1)(B) of the Export-Import Bank Act
 18 of 1945 (12 U.S.C. 635(b)(1)(B)) is amended—

19 (1) by inserting “(i)” after “(B)”; and

20 (2) by adding at the end the following:

21 “(ii) The Bank shall implement such regulations and
 22 procedures as may be appropriate to ensure that full con-
 23 sideration is given to the extent to which any loan, guar-
 24 antee, insurance, extension of credit, or participation in
 25 an extension of credit is likely to have a positive effect

1 on industries, including the textile and apparel industry
2 and agricultural production, in countries designated as
3 beneficiary sub-Saharan African countries under section
4 506A(a)(1) of the Trade Act of 1974 (19 U.S.C.
5 2466a(a)(1)). To carry out the purposes of this clause,
6 the Bank shall work with the Administrator of the United
7 States Agency for International Development, the United
8 States Trade Representative, and the Secretary of Com-
9 merce in identifying opportunities to use the resources of
10 the Bank to encourage industrial and agricultural develop-
11 ment in such beneficiary sub-Saharan African countries.”.

12 **SEC. 304. THE FOREIGN AGRICULTURE SERVICE.**

13 The Secretary of Agriculture shall direct the Foreign
14 Agriculture Service (FAS) to work with national African
15 agricultural organizations to identify agricultural equip-
16 ment and supply needs and implement programs that
17 strengthen the ability of members of African agricultural
18 organizations to fulfill these needs in conjunction with ex-
19 port credit guarantee programs.

20 **SEC. 305. TAX POLICY.**

21 (a) SENSE OF THE CONGRESS.—It is the sense of the
22 Congress that the United States Agency for International
23 Development, in cooperation with the United States De-
24 partment of the Treasury, the International Monetary
25 Fund, the International Bank for Reconstruction and De-

1 velopment, and the African Development Bank, should ex-
 2 ercise the authorities it has to continue to provide tech-
 3 nical assistance to eligible sub-Saharan African countries
 4 in the tax policy and revenue administration.

5 (b) DOUBLE TAXATION TREATIES WITH ELIGIBLE
 6 SUB-SAHARAN AFRICAN COUNTRIES.—In order to en-
 7 courage investment in and certainty in the movement of
 8 capital, the Secretary of the Treasury shall seek negotia-
 9 tions with those eligible sub-Saharan African countries
 10 which the Secretary determines will benefit most from an
 11 income tax treaty with the United States.

12 **SEC. 306. DEVELOPMENT STUDY AND CAPACITY BUILDING.**

13 (a) REPORTS.—The Administrator of the United
 14 States Agency for International Development shall, by not
 15 later than 1 year after the date of the enactment of this
 16 Act, conduct a study on each eligible sub-Saharan African
 17 country, that—

18 (1) identifies sectors of the economy of that
 19 country with the greatest potential for growth, in-
 20 cluding through export sales;

21 (2) identifies barriers, both domestically and
 22 internationally, that are impeding growth in such
 23 sectors; and

24 (3) makes recommendations on how the United
 25 States Government and the private sector can pro-

1 vide technical assistance to that country to assist in
 2 dismantling such barriers and in promoting invest-
 3 ment in such sectors.

4 (b) DISSEMINATION OF INFORMATION.—The Presi-
 5 dent shall disseminate information in each study con-
 6 ducted under subsection (a) to the appropriate United
 7 States agencies for the purpose of implementing rec-
 8 ommendations on the provision of technical assistance and
 9 in identifying opportunities for United States investors,
 10 businesses, and farmers.

11 **TITLE IV—TRANSPORTATION** 12 **AND INFRASTRUCTURE**

13 **SEC. 401. ACTIVITIES IN SUPPORT OF INFRASTRUCTURE.**

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

15 (1) In order to increase exports from, and trade
 16 among, eligible sub-Saharan African countries,
 17 transportation systems in those countries must be
 18 improved to increase transport efficiencies and lower
 19 transport costs.

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

22 (3) Sub-Saharan Africa is rich in exportable ag-
 23 ricultural goods, but development of this industry re-
 24 mains stymied because of an underdeveloped infra-
 25 structure.

1 (b) ACTION BY THE PRESIDENT.—The President
2 shall develop and implement policies to encourage, and as-
3 sist with, investment in eligible sub-Saharan African coun-
4 tries in the following:

5 (1) Infrastructure projects that support, in par-
6 ticular, development of land transport, road, railroad
7 networks, river networks, and ports, and the contin-
8 ued upgrading and liberalization of the energy and
9 telecommunications sectors.

10 (2) Increased coordination between various
11 transportation sectors in the United States and such
12 countries to reduce transit times and freight costs.

13 (3) The establishment and expansion of modern
14 information and communication technologies and
15 practices to improve the ability of citizens to re-
16 search and disseminate information relating to,
17 among other things, the economy, education, trade,
18 health, agriculture, the environment, and the media.

19 (4) Increased coordination between chambers of
20 commerce, businesses, freight forwarders, customs
21 brokers, and others involved in consolidating and
22 moving freight.

23 (5) Joint negotiations between shipping compa-
24 nies and transportation officials to increase the fre-

1 quency and capacity of direct shipping and flights
2 between Africa and America.

3 **SEC. 402. TRANSPORTATION.**

4 In order to increase trade flows and the efficiency of
5 transportation links between eligible sub-Saharan African
6 countries and the United States, the Administrator of the
7 United States Agency for International Development shall
8 foster port-to-port and airport-to-airport relationships.
9 These relationships should facilitate—

10 (1) increased coordination between ports and
11 airports in the United States and such countries in
12 order to reduce time in transit; and

13 (2) interaction between technical staff from
14 ports and airports in the United States and such
15 countries in order to increase efficiency and safety
16 procedures and protocols.

17 **TITLE V—CONSULTATIONS**

18 **SEC. 501. TASK FORCE.**

19 The President shall assemble an interagency
20 taskforce composed of representatives from the Office of
21 the United States Trade Representative, the Department
22 of Commerce, the Department of State, the United States
23 Agency for International Development, the Department of
24 Treasury, and the Department of Agriculture to facilitate
25 the goals and objectives of this Act and maintain ongoing

1 discussions with African trade and agriculture ministries
2 and private sector organizations on issues of mutual con-
3 cern, including regional and international trade concerns
4 and World Trade Organization issues.

5 **SEC. 502. AGOA FORUMS.**

6 In order to ensure that nongovernmental organiza-
7 tions and the private sector continue to host the annual
8 meetings described in section 105(c)(2) of the African
9 Growth and Opportunity Act (19 U.S.C. 3704(c)(2)), the
10 United States Trade Representative is authorized to pro-
11 vide grants in each of the fiscal years 2004 through 2015,
12 in equal amounts to United States nongovernmental orga-
13 nizations referred to in section 105(c)(2) of that Act and
14 to United States representatives of the private sector re-
15 ferred to in section 105(c)(2)(B) of that Act, for the pur-
16 pose of hosting such meetings.

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