

HR 3572

AGOA III Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Nov 21, 2003

Current Status: Referred to the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, f

Latest Action: Referred to the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, for a period to be subsequently determined by the Chairman. (Jan 2, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/3572>

Sponsor

Name: Rep. McDermott, Jim [D-WA-7]

Party: Democratic • **State:** WA • **Chamber:** House

Cosponsors (13 total)

| Cosponsor | Party / State | Role | Date Joined |
|---|---------------|------|--------------|
| Rep. Houghton, Amo [R-NY-29] | R · NY | | Nov 21, 2003 |
| Rep. Jefferson, William J. [D-LA-2] | D · LA | | Nov 21, 2003 |
| Rep. Neal, Richard E. [D-MA-2] | D · MA | | Nov 21, 2003 |
| Rep. Payne, Donald M. [D-NJ-10] | D · NJ | | Nov 21, 2003 |
| Rep. Rangel, Charles B. [D-NY-15] | D · NY | | Nov 21, 2003 |
| Rep. Royce, Edward R. [R-CA-40] | R · CA | | Nov 21, 2003 |
| Del. Norton, Eleanor Holmes [D-DC-At Large] | D · DC | | Feb 24, 2004 |
| Rep. Kilpatrick, Carolyn C. [D-MI-13] | D · MI | | Feb 24, 2004 |
| Rep. Millender-McDonald, Juanita [D-CA-37] | D · CA | | Feb 24, 2004 |
| Rep. Owens, Major R. [D-NY-11] | D · NY | | Feb 25, 2004 |
| Rep. Lewis, John [D-GA-5] | D · GA | | Mar 10, 2004 |
| Rep. Berman, Howard L. [D-CA-28] | D · CA | | Mar 25, 2004 |
| Rep. Rush, Bobby L. [D-IL-1] | D · IL | | Jun 14, 2004 |

Committee Activity

| Committee | Chamber | Activity | Date |
|------------------------------|---------|-------------|--------------|
| Agriculture Committee | House | Referred to | Dec 11, 2003 |
| Financial Services Committee | House | Referred to | Jan 2, 2004 |
| Foreign Affairs Committee | House | Referred To | Nov 21, 2003 |
| Ways and Means Committee | House | Referred to | Dec 8, 2003 |

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

No related bills are listed.

AGOA III Act - Declares the sense of Congress that beneficiary sub-Saharan African countries (SSA countries) under the African Growth and Opportunity Act (AGOA) will benefit if they: (1) implement specified existing obligations under the World Trade Organization (WTO); and (2) take steps to promote regional integration, including through agreements to eliminate regional trade barriers.

Amends the Trade Act of 1974 to repeal the requirement that certain non-apparel articles that are the growth, product, or manufacture of an SSA country shall receive duty-free treatment only if the President determines that they are not import-sensitive in the context of imports from such countries.

Extends duty-free treatment for AGOA articles from FY 2008 through FY 2020.

Amends AGOA to revise requirements for textile and apparel products from SSA countries receiving duty-free and other preferential import treatment. Permits certain articles to contain fabric or yarn not originating from an SSA country or the United States (third country fabric), regardless of commercial availability in the United States (as long as it is not the component that determines the classification of the article under the Harmonized Tariff Schedule of the United States). Extends through FY 2008 the current special rule for lesser developed SSA countries.

Extends duty-free treatment to: (1) apparel articles formed on seamless knitting machines in an SSA country from yarns originating either in the United States or one or more SSA countries; and (2) ethnic printed fabric of an SSA country meeting certain criteria.

Authorizes the President to extend duty-free treatment, subject to specified conditions, for up to two additional years to a particular lesser developed SSA country lacking sufficient domestic fabric-making capacity, taking into account the extent to which the country has taken steps to increase such capacity by attracting investment.

Declares the sense of the Congress that, in negotiating free trade agreements with other countries, the President should negotiate rules of origin for textile and apparel products that allow the use of inputs from SSA countries.

Amends the Trade Act of 1974 to extend duty-free treatment to agricultural products from SSA countries that would otherwise be excluded for exceeding a tariff-rate quota. Requires the President to assess a duty (according to a specified formula) on over-quota imports of any agricultural product for which preferential treatment is claimed, if the President determines that the product's unit import price when it enters the United States, determined on an F.O.B. basis, is less than the annual trigger price.

Amends AGOA to direct the Secretary of Agriculture (Secretary) to develop a comprehensive plan for public policies and incentives for the private sector to: (1) identify SSA products that can be exported to the United States; (2) analyze critical constraints to U.S.-Africa agricultural trade; and (3) develop a strategy for increasing such SSA agricultural exports.

Directs the President to assign at least 20 full-time personnel of the Animal and Plant Health Inspection Service, to not less than ten eligible SSA countries with the greatest potential to increase marketable exports of agricultural products to the United States and the greatest need for technical assistance, particularly in conducting pest risk assessments.

Authorizes the United States Agency for International Development (USAID) to provide grants to governmental and nongovernmental entities located in eligible SSA countries that can provide assistance, consultation, and equipment to agribusinesses located in those countries in order to enable agricultural products to meet U.S. import requirements.

Requires the Secretary to direct the Foreign Agriculture Service (FAS) to work with national African agricultural organizations to identify agricultural equipment and supply needs and implement programs that strengthen the ability of members of African agricultural organizations to fulfill these needs in conjunction with export credit guarantee programs.

Amends AGOA to condition the President's termination of the designation of an SSA country upon Congress' not prohibiting it.

Requires the Overseas Private Investment Corporation (OPIC) to focus funding on investments in agriculture, tourism, and nature tourism.

Amends the Foreign Assistance Act of 1961 to waive certain prohibitions against OPIC issuance of any contract of insurance or reinsurance, guaranty, or agreement to provide financing for an eligible investor's proposed investment in an SSA country even if such investment is likely to cause a significant reduction in the number of employees in the United States.

Amends the Export-Import Bank Act of 1945 to require the Bank to implement regulations and procedures appropriate to ensure that full consideration is given to the extent to which any credit extension is likely to have a positive effect on industries, including the textile and apparel industry and agricultural production, in SSA countries.

States the sense of Congress that USAID, in cooperation with the U.S. Department of the Treasury, the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (World Bank), and the African Development Bank, should continue to provide technical assistance to SSA countries in tax policy and revenue administration, especially domestic policies and measures to replace lost trade tax revenues resulting from trade liberalization.

Directs the Secretary of the Treasury to seek negotiations with those SSA countries which the Secretary determines will benefit most from an income tax treaty with the United States to avoid double taxation.

Amends the Internal Revenue Code to allow a taxpayer a deduction from income for cash contributions to the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria.

Directs the USTR to seek to negotiate bilateral investment agreements with interested SSA countries.

Directs the USAID Administrator to study the economy of each SSA country, identifying growth sectors and barriers impeding growth, as well as how the U.S. Government and the private sector can provide technical assistance to help dismantle such barriers and promote investment in such sectors.

Directs the President to develop and implement policies to assist and encourage: (1) the development of infrastructure projects that will help to increase trade capacity and a sustainable ecotourism industry in SSA countries; and (2) investment in transportation, energy, agriculture, and telecommunications infrastructure in such countries.

Directs the USAID Administrator to foster specified port-to-port and airport-to-airport relationships.

Authorizes the USTR to provide grants to U.S. nongovernmental organizations and to U.S. representatives of the private sector to host AGOA forums.

Directs the President to assemble an interagency task force to facilitate the goals and objectives of this Act.

Actions Timeline

- **Jan 2, 2004:** Referred to the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, for a period to be subsequently determined by the Chairman.
- **Dec 11, 2003:** Referred to the Subcommittee on Specialty Crops and Foreign Agriculture Programs.
- **Dec 8, 2003:** Referred to the Subcommittee on Trade.
- **Nov 22, 2003:** Sponsor introductory remarks on measure. (CR E2407-2408)
- **Nov 21, 2003:** Introduced in House
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- **Nov 21, 2003:** Referred to the Committee on Ways and Means, and in addition to the Committees on International Relations, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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