

114TH CONGRESS  
1ST SESSION

# S. 1379

To amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 19, 2015

Mr. INHOFE (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements 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 “African Free Trade  
5 Initiative Act”.

1 **SEC. 2. FREE TRADE AGREEMENTS WITH SUB-SAHARAN AF-**  
2 **RICAN COUNTRIES.**

3 (a) PLAN REQUIREMENTS AND REPORTING.—Sec-  
4 tion 116 of the African Growth and Opportunity Act (19  
5 U.S.C. 3723) is amended by striking subsections (b) and  
6 (c) and inserting the following:

7 “(b) PLAN REQUIREMENT.—

8 “(1) IN GENERAL.—The President shall develop  
9 a plan for the purpose of negotiating and entering  
10 into one or more free trade agreements with all sub-  
11 Saharan African countries. The plan shall identify  
12 the 15 countries or groups of countries that are  
13 most ready for a free trade agreement with the  
14 United States.

15 “(2) ELEMENTS OF PLAN.—The plan required  
16 by paragraph (1) shall include, for each sub-Saharan  
17 African country, the following:

18 “(A) The steps such sub-Saharan African  
19 country needs to be equipped and ready to  
20 enter into a free trade agreement with the  
21 United States, including the development of a  
22 bilateral investment treaty.

23 “(B) Milestones for accomplishing each  
24 step identified in subparagraph (A) for each  
25 sub-Saharan African country, with the goal of  
26 establishing a free trade agreement with each

1 sub-Saharan African country not later than 10  
2 years after the date of the enactment of the Af-  
3 rican Free Trade Initiative Act.

4 “(C) A description of the resources re-  
5 quired to assist each sub-Saharan African coun-  
6 try in accomplishing each milestone described in  
7 subparagraph (B).

8 “(D) The extent to which steps described  
9 in subparagraph (A), the milestones described  
10 in subparagraph (B), and resources described  
11 in subparagraph (C) may be accomplished  
12 through regional or subregional organizations in  
13 sub-Saharan Africa, including the East African  
14 Community, the Economic Community of West  
15 African States, the Common Market for East-  
16 ern and Southern Africa, and the Economic  
17 Community of Central African States.

18 “(E) Procedures to ensure the following:

19 “(i) Adequate consultation with Con-  
20 gress and the private sector during the ne-  
21 gotiations.

22 “(ii) Consultation with Congress re-  
23 garding all matters relating to implementa-  
24 tion of the agreement or agreements.

1                   “(iii) Approval by Congress of the  
2                   agreement or agreements.

3                   “(iv) Adequate consultations with the  
4                   relevant African governments and African  
5                   regional and subregional intergovernmental  
6                   organizations during the negotiation of the  
7                   agreement or agreements.

8           “(c) REPORTING REQUIREMENT.—Not later than 12  
9           months after the date of the enactment of the African  
10          Free Trade Initiative Act, the President shall prepare and  
11          transmit to Congress a report containing the plan devel-  
12          oped pursuant to subsection (b).”.

13          (b) MILLENNIUM CHALLENGE COMPACTS.—After  
14          the date of the enactment of this Act, the United States  
15          Trade Representative and Administrator of the United  
16          States Agency for International Development shall consult  
17          and coordinate with the Chief Executive Officer of the Mil-  
18          lennium Challenge Corporation regarding countries that  
19          have entered into a Millennium Challenge Compact pursu-  
20          ant to section 609 of the Millennium Challenge Act of  
21          2003 (22 U.S.C. 7708) that have been declared eligible  
22          to enter into such a Compact for the purpose of developing  
23          and carrying out the plan required by subsection (b) of  
24          section 116 of the African Growth and Opportunity Act  
25          (19 U.S.C. 3723), as amended by subsection (a).

1 **SEC. 3. COORDINATION OF USAID WITH FREE TRADE**  
2 **AGREEMENT POLICY.**

3 (a) **AUTHORIZATION OF FUNDS.**—Funds made avail-  
4 able after the date of enactment of this Act to the United  
5 States Agency for International Development under sec-  
6 tion 496 of the Foreign Assistance Act of 1961 (22 U.S.C.  
7 2293) may be used in consultation with the United States  
8 Trade Representative—

9 (1) to carry out subsection (b) of section 116  
10 of the African Growth and Opportunity Act (19  
11 U.S.C. 3723), as amended by section 2(a), including  
12 for the deployment of resources in individual eligible  
13 countries to assist such country in the development  
14 of institutional capacities to carry out such sub-  
15 section (b); and

16 (2) to coordinate the efforts of the United  
17 States to establish free trade agreements in accord-  
18 ance with the policy set out in subsection (a) of such  
19 section 116.

20 (b) **DEFINITIONS.**—In this section:

21 (1) **ELIGIBLE COUNTRY.**—The term “eligible  
22 country” means a sub-Saharan African country that  
23 receives—

24 (A) benefits under the African Growth and  
25 Opportunity Act (19 U.S.C. 3701 et seq.); and

1 (B) funding from the United States Agen-  
2 cy for International Development.

3 (2) SUB-SAHARAN AFRICAN COUNTRY.—The  
4 term “sub-Saharan African country” has the mean-  
5 ing given that term in section 107 of the African  
6 Growth and Opportunity Act (19 U.S.C. 3706).

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