



African Growth and Opportunity Act (AGOA)

Overview

What is AGOA? The African Growth and Opportunity Act (P.L. 106-200, as amended) created a nonreciprocal U.S. trade preference program, also referred to as AGOA, to provide duty-free access to the U.S. market for most exports from eligible countries in sub-Saharan Africa (SSA). The act also requires an annual U.S.-SSA consultative forum to discuss trade-related issues and AGOA implementation. Additionally, AGOA provides direction to selected U.S. government agencies regarding their trade and investment support activities in the region. AGOA has been a cornerstone of U.S. trade policy toward SSA since 2000. Through AGOA, Congress seeks to increase U.S.-SSA trade and investment ties, promote economic growth through trade, and encourage the rule of law and market-oriented reforms. Congress may renew the program, which is scheduled to expire in December 2026 following a one-year extension (P.L. 119-75), and modify the program to promote other priorities in the region, such as strengthening U.S. trade and investment ties with SSA and increasing regional participation in global value chains.

Country Eligibility. There are currently 32 AGOA-eligible SSA countries, out of 49 potential program country beneficiaries. AGOA eligibility criteria address issues such as trade and investment policy, governance, worker rights, human rights, and U.S. foreign policy interests, inter alia, which countries must satisfy to be beneficiaries of the program. The President annually reviews and determines each country's eligibility for the following calendar year.

Results of the 2025 annual review for 2026 eligibility, which began in May 2025, have yet to be announced as of February 10, 2026. For calendar year 2025, 17 SSA countries were ineligible for the program's preference benefits. They are (with reason for ineligibility noted): Burkina Faso, Gabon, Guinea, and Niger (rule of law); Burundi and South Sudan (political violence); Cameroon, Central African Republic, Eritrea, Ethiopia, and Uganda (human rights); Equatorial Guinea and Seychelles (income graduation); Mali (human rights, rule of law, worker rights); and Somalia, Sudan, and Zimbabwe (never eligible). Rwanda's AGOA benefits for apparel exports have been suspended since July 31, 2018, following an out-of-cycle review (outside of the annual review period) in response to increased Rwandan tariff barriers on used clothing imports from the United States. Some policy experts, citing bilateral economic competition and foreign policy concerns, have argued that South Africa should be suspended from AGOA.

Authorization. Congress established AGOA in 2000, and has extended and modified the program several times. Most recently, section 5019, Division I of the Consolidated Appropriations Act, 2026 (P.L. 119-75) reauthorized AGOA through December 2026 and retroactively extended duty-free benefits from September 2025 when the previous

authorization expired. AGOA was last amended under the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act of 2018 (P.L. 115-167), which required the Administration to provide information on AGOA via an official website; promote AGOA utilization by beneficiaries and export diversification under AGOA; support regional trade facilitation; and educate African entrepreneurs on U.S. counterterrorism policies.

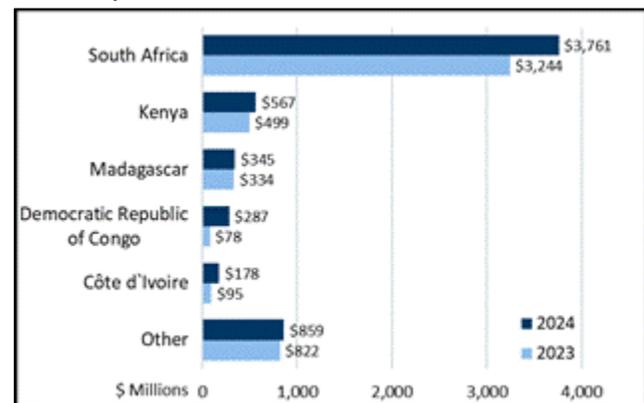
Views on AGOA. Some supporters of AGOA have argued that the program affords African producers a competitive advantage over other foreign producers in the U.S. market, thereby incentivizing exports from SSA, and potentially encourages investment in the region, boosts private sector activity and economic growth in SSA, and generates demand for U.S. goods and services as the region's economies develop. Other supporters view AGOA as a U.S. policy tool for countering China's influence in the region.

Some critics are skeptical about the program's overall economic impact, pointing to uneven utilization of the program across beneficiary countries. Other opponents have argued that the lack of reciprocity (e.g., access to SSA markets) is not beneficial for U.S. exporters.

U.S. Imports Under AGOA

In 2024, U.S. AGOA imports totaled \$8.0 billion, down 13% from \$9.3 billion in 2023. AGOA imports remain concentrated in a few countries and industries, but diversification has grown since the 2000s.

Figure 1. AGOA Imports by Top Countries (excl. crude oil), 2024



Source: CRS with data from U.S. International Trade Commission (ITC) Dataweb.

- South Africa was the top supplier of AGOA non-crude oil imports (**Figure 1**). Passenger vehicles and parts accounted for 64% of its 2024 AGOA-eligible products.
- Crude oil imports stood at \$2.0 billion in 2024, and comprised 25% of AGOA imports. Such imports peaked in 2011, at \$48 billion, but have fallen partially due to

expanded U.S. production. Nigeria was the top exporter of crude oil under AGOA in 2024 (\$1.6 billion).

- Non-energy imports in 2024 were valued at \$6.0 billion. Top non-energy import categories included passenger vehicles (\$2.4 billion), apparel (\$1.2 billion), agricultural and food products (\$949 million), base metals (\$711 million), and chemicals (\$251 million).

Key Aspects of AGOA

Trade preferences. AGOA’s main component is nonreciprocal duty-free treatment of U.S. imports of eligible products from beneficiary countries. This benefit eliminates most-favored nation (MFN) tariffs on eligible imports and seeks to help AGOA beneficiary countries, which often feature undiversified economies, compete with lower-cost producers elsewhere.

Relation to GSP. AGOA preferences include all products covered by the Generalized System of Preferences (GSP), a broader U.S. trade preference program, as well as some products excluded from GSP (e.g., autos and certain textiles and apparel products). Eligibility for GSP is a prerequisite for AGOA eligibility (19 U.S.C. §2466). Both GSP and AGOA grant additional benefits to least-developed countries. AGOA beneficiaries have maintained access to both programs, even when GSP authorization has lapsed, which last occurred on January 1, 2021. Congress has not reauthorized GSP.

Apparel and Third-Country Fabric Provision. AGOA’s duty-free treatment of certain apparel products is significant because apparel articles (1) face relatively high U.S. tariffs; (2) are mostly excluded from GSP; and (3) can be readily manufactured in developing countries as their production requires relatively limited skilled labor and capital investment. Production in this sector can be a first-step toward higher value-added manufacturing. The third-country fabric provision in AGOA is a major factor enabling AGOA countries’ competitiveness in the sector. This provision extends AGOA duty-free benefits to limited amounts of U.S. apparel imports from least-developed SSA countries even if the yarns and fabrics used in their production are sourced from non-AGOA countries (e.g., apparel assembled in Kenya with China-sourced fabrics can qualify for duty-free treatment under AGOA).

Trade Capacity-Building (TCB). AGOA directs the President to provide TCB to AGOA beneficiaries. Prior to 2025, the U.S. Agency for International Development (USAID), which the Trump Administration shut down as of July 2025, administered certain TCB-related projects in support of AGOA, including funding African trade and investment hubs, which work to increase AGOA utilization and regional producers’ access to international markets. The Trump Administration has emphasized “trade, not aid” as part of its policy towards Africa. It remains to be seen whether or not the Administration may support AGOA-related TCB through other initiatives.

AGOA Forum. AGOA requires the President to convene an annual forum on trade and investment relations and AGOA implementation, which is typically hosted between the United States and an AGOA country on alternating years. The Democratic Republic of Congo was slated to host the 2025 forum, which reportedly did not take place as scheduled.

Country Eligibility Reviews. The President determines AGOA country eligibility based on statutory criteria (19 U.S.C. §2462 and 19 U.S.C. §3703) and a process that includes an annual public comment period and hearing. A 2015 amendment to the program allows for out-of-cycle reviews in response to public petitions (P.L. 114-27). The President may remove eligibility for a country entirely or for specific products, subject to congressional notification.

Reporting Requirements. The 2015 reauthorization requires the Office of the U.S. Trade Representative (USTR) to report biennially on U.S.-Africa trade and investment relations. USTR issued the latest report in 2024.

Reciprocal Trade Negotiations. Since 2000, Congress has directed the executive branch to seek reciprocal trade and investment negotiations with AGOA countries. The first attempt, with the Southern African Customs Union, was suspended in 2006 due to divergent views over scope among negotiating parties. In his first term, President Trump initiated bilateral trade negotiations with Kenya in 2020. President Biden did not continue those negotiations and instead launched the U.S.-Kenya Strategic Trade and Investment Partnership (STIP) in 2022, which, unlike negotiations under the first Trump Administration, did not cover market access. STIP negotiations have not continued under President Trump’s second term. Since April 2025 the Trump Administration has been negotiating trade agreements with various U.S. trading partners to address tariff and nontariff issues; no such talks with African countries have been publicly announced.

Issues for Congress

While the one-year reauthorization will provide limited tariff relief to eligible African exports, AGOA’s long-term status after 2026 remains uncertain. In addition, AGOA-eligible imports are not exempt from President Trump’s 2025 tariff actions, which impose 10-30% “reciprocal” tariffs on most African goods. On February 3, 2026 USTR Jamieson Greer expressed the Trump Administration’s intentions to work with Congress to “modernize the program to align with President Trump’s America First Trade Policy.” U.S. market access and efforts to reduce nontariff barriers in Africa may attract particular attention in that context, given President Trump’s stated preference for reciprocity in U.S. trade relationships. Other issues Congress may consider include

- **Modifying AGOA.** Recent legislative proposals include amending AGOA eligibility criteria, annual review process, graduation requirements, and more. See H.R. 10366 and S. 4110 from the 118th Congress.
- **Trade Negotiations.** Congress may direct the Administration to pursue trade negotiations or other initiatives in Africa in consultation with Congress.
- **Supply Chain Resiliency.** As the United States seeks to strengthen supply chains in strategic sectors (e.g., critical minerals), Congress may consider how AGOA could play a role in such efforts and expand SSA’s integration in global value chains.

Liana Wong, Analyst in International Trade and Finance

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.