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African Growth and Opportunity Act (AGOA)

August 14, 2026

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African Growth and Opportunity Act (AGOA)

SUMMARY

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August 14, 2026

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The African Growth and Opportunity Act (AGOA) is a key pillar of U.S. trade policy with sub-Saharan Africa (SSA). Congress enacted AGOA as part of the Trade and Development Act of 2000 (Title I of P.L. 106-200, as amended). AGOA is a nonreciprocal U.S. trade preference program providing duty-free access for most U.S. imports of goods from eligible countries in SSA. Under the act, the President may designate up to 49 named SSA countries as beneficiary countries if they meet the eligibility criteria under both AGOA and the Generalized System of Preferences (GSP), a larger, older U.S. trade preference program that expired in 2020. The President determines eligibility annually. For calendar year 2026, 33 countries are eligible for AGOA benefits. In February 2026, Congress retroactively reauthorized AGOA through December 2026 after it expired on September 30, 2025.

Through AGOA, Congress has sought to increase U.S. trade with and investment in SSA countries. Congress also has sought to promote sustainable economic growth through trade and encourage the rule of law and market-oriented reforms in the region. Policy experts have mixed views on the impact of AGOA on SSA economic development and the U.S.-Africa trade relationship. Unlike comprehensive U.S. free trade agreements (FTAs), which address bilateral tariff and nontariff barriers, under trade preference programs like AGOA, the United States provides unilateral preferential benefits (e.g., duty-free treatment) to U.S. imports of goods from beneficiary countries and does not require reciprocity. Some observers and policymakers have called for more trade reciprocity in the U.S.-Africa trade relationship and have encouraged the executive branch to pursue trade negotiations addressing market access issues—both goals set out in AGOA policy provisions. Past Administrations have sought to negotiate one or more comprehensive FTAs with AGOA beneficiary countries, but no such FTAs have to date been concluded.

In 2025, U.S. imports that received AGOA duty-free treatment totaled $5.0 billion, down from $7.9 billion in 2024. The biggest beneficiaries of AGOA, by value, were South Africa, the Democratic Republic of Congo, Nigeria, Kenya, and Madagascar. The top five categories of AGOA imports were refined copper, apparel, passenger vehicles, crude oil, and ferroalloys. Until 2019, oil and gas, including crude oil, made up more than 50% of total AGOA imports. U.S. import data suggest that the types of AGOA imports have diversified since 2019, with apparel and motor vehicles making up larger shares of total AGOA imports. A large share of total AGOA imports have been concentrated within the top five AGOA beneficiary countries. A 2023 study by the U.S. International Trade Commission found that the program has had positive effects on certain sectors, but limited impact on regional integration, another congressionally defined AGOA goal.

Since early 2025, the Trump Administration has imposed tariffs that affect or may affect African exports to the United States. Duty-free treatment under AGOA is limited to U.S. most-favored-nation (MFN) tariffs and does not apply to products covered by presidential tariff actions—which have been imposed using authorities granted by Congress but have been successfully legally challenged in whole or in part. In February 2026, President Trump imposed a temporary 10% tariff on most U.S. imports, including from AGOA beneficiary countries, under Section 122 of the Trade Act of 1974; the tariff expired on July 24, 2026. Motor vehicles, a major AGOA export from South Africa, face a 25% tariff imposed under Section 232 of the Trade Expansion Act of 1962. On July 24, the Trump Administration imposed a 12.5% tariff on Angola, Nigeria, and South Africa under Section 301 of the Trade Act of 1974 for failure to "impose and effectively enforce a prohibition" on imports produced by forced labor. The Administration has been engaged in trade negotiations with major U.S. non-African trading partners to address tariffs and other trade issues, but has not publicly announced such talks with African countries.

Congress has played an active legislative and oversight role with respect to the program; it has reauthorized the program periodically and required the President to provide regular reports to Congress on implementation of the program. With AGOA scheduled to expire on December 31, 2026, Congress may consider whether to extend the program and, if so, for what period. Historically, many AGOA-linked investors have called for longer, more predictable authorization periods. Congress may also evaluate the program's effectiveness in meeting U.S. foreign policy goals and expanding U.S.-Africa trade and investment relations and other policy goals set out in P.L. 106-200. U.S. Trade Representative Jamieson Greer has expressed the Administration's support for AGOA reauthorization, but has called for modifications. Policy experts and policymakers have suggested modifying AGOA to promote broader program utilization and to bring AGOA into alignment with contemporary policy trends, such as increased trade reciprocity and supply chain security.

Contents

Figures

Tables

Appendixes

Contacts

Background

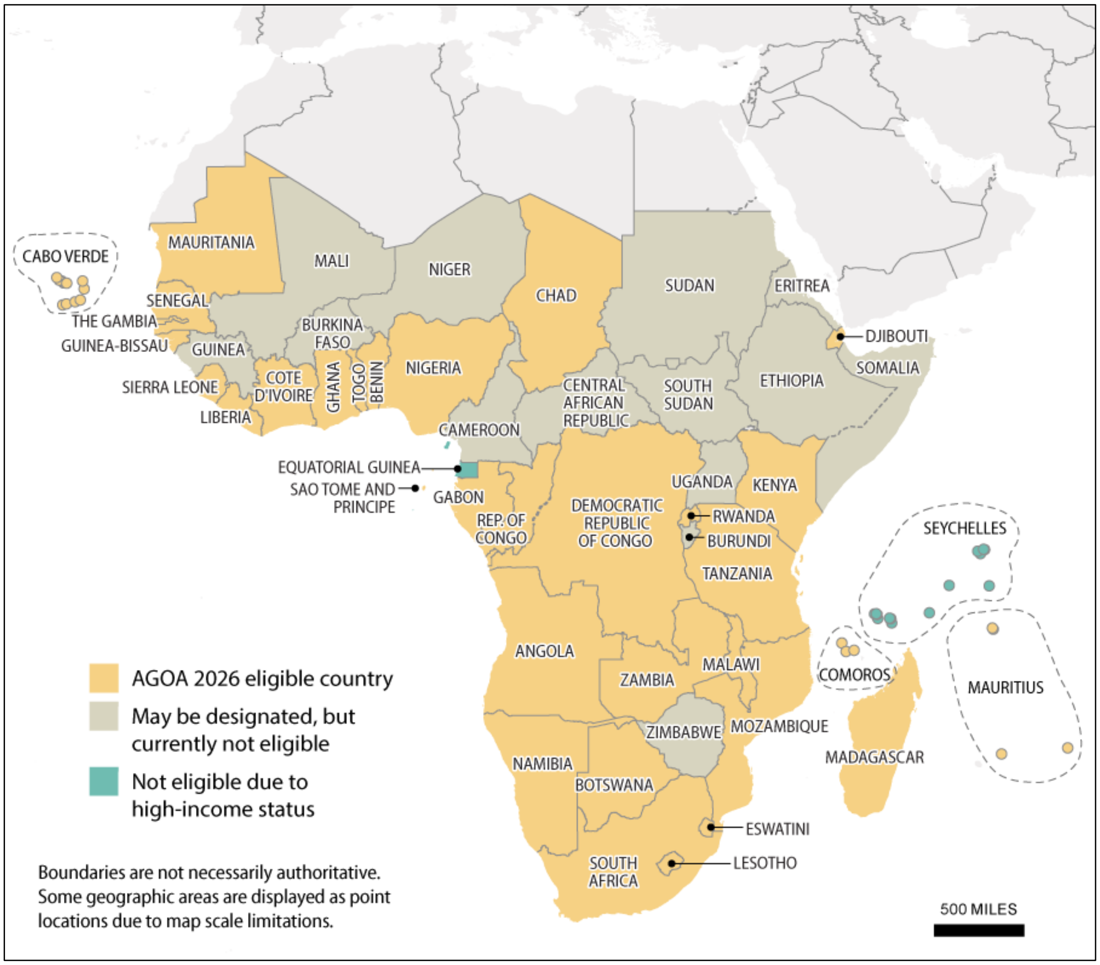
Congress enacted the African Growth and Opportunity Act (AGOA) as part of the Trade and Development Act of 2000 (Title I of P.L. 106-200, as amended). AGOA is a nonreciprocal U.S. trade preference program providing duty-free access for most U.S. imports of goods from eligible countries in sub-Saharan Africa (SSA). The act requires an annual gathering, the AGOA Forum, held between U.S. and AGOA country officials to discuss trade-related issues. AGOA also directs the President and selected executive branch agencies to provide technical assistance to promote economic reforms, development, and trade and investment in the region, and sets out a range of related broad trade and economic growth policy goals.

Under the act, the President may designate up to 49 named SSA countries as AGOA beneficiary countries if they meet the eligibility criteria. Most AGOA beneficiary countries were also beneficiaries of the expired U.S. preference program Generalized System of Preferences (GSP).[1] SSA countries are evaluated annually against eligibility criteria under GSP and AGOA to determine whether they are eligible for AGOA's duty-free benefits (see "Eligibility Criteria and Annual Reviews" below); 33 countries qualify for AGOA benefits for calendar year 2026 (**Figure 1**).[2] AGOA is authorized through December 31, 2026 (Section 5019, Division I of the Consolidated Appropriations Act, 2026, P.L. 119-75).

[1] The Generalized System of Preferences (GSP) expired on December 31, 2020; to date, Congress has not reauthorized it. Previously, GSP had provided duty-free treatment to more than 3,500 products from 119 developing countries. For more information about GSP, see CRS In Focus IF11232, *Generalized System of Preferences (GSP): FAQ*, by Liana Wong.

[2] The list of countries that may be designated can be found in Section 107 of P.L. 106-200, as amended (19 U.S.C. 3706). Congress amended the list once, in 2012, when it added South Sudan in P.L. 112-163. For a current list of African Growth and Opportunity Act (AGOA) countries, see General Note 16 of the Harmonized Tariff Schedule of the United States at https://hts.usitc.gov/.

Figure 1. Current and Potential AGOA Beneficiary Countries



Source: General Note 16 of the Harmonized Tariff Schedule of the United States (2026 HTS Revision 10).

Note: AGOA = African Growth and Opportunity Act. Equatorial Guinea became ineligible effective January 1, 2011 (74 *Federal Register* 69221), and Seychelles became ineligible effective January 1, 2017 (80 *Federal Register* 60249).

Through AGOA, Congress has sought to increase U.S. trade with and investment in SSA, promote sustainable economic growth in SSA through trade, and encourage the rule of law and market-oriented reforms in the region. AGOA supporters argue that the preferential access to U.S. markets offered under AGOA helps increase the competitiveness of beneficiary countries vis-à-vis their peers in other regions and that AGOA's eligibility criteria help advance U.S. foreign policy goals.[3] Some experts have noted that some beneficiary countries' underutilization of the program, as well as factors such as corruption and lack of infrastructure, have hindered African producers' general trade competitiveness and the growth of U.S.-Africa trade.[4]

AGOA offers unilateral trade preferences, meaning that it does not require beneficiary countries to provide reciprocal access to U.S. exports; it was broadly designed to strengthen the often-

[3] U.S. Congress, House Foreign Affairs Committee, *African Growth and Opportunity Act and Millennium Challenge Act Modernization Act*, report accompanying H.R. 3445, 115th Cong., 2nd sess., January 3, 2018, H.Rept. 115-484.

[4] Mariel Ferragamo et al., *AGOA: The U.S.-Africa Trade Program*, Council on Foreign Relations, updated October 1, 2025, https://www.cfr.org/backgrounder/agoa-us-africa-trade-program#chapter-title-0-5.

limited trade and economic production capacities of SSA countries. While some observers have called for AGOA to include reciprocal trade elements, which are generally covered under comprehensive free trade agreements (FTAs), U.S. attempts to negotiate FTAs with SSA countries have to date not yielded any such agreements. This is partially attributable to the limited ability of most SSA countries to comply with FTA provisions typically demanded by the United States, among other factors. Past U.S. FTA negotiations have occurred with the Southern African Customs Union (SACU) in the mid-2000s and with Kenya.[5]

In 2025, U.S. imports that received AGOA duty-free treatment totaled $5.0 billion, down from $7.9 billion in 2024.[6] The biggest beneficiaries of AGOA by U.S. import value were South Africa ($1.6 billion), the Democratic Republic of Congo ($1.4 billion), Nigeria ($409.9 million), Kenya ($361.6 million), and Madagascar ($214.7 million). The top five categories of AGOA imports were refined copper ($1.6 billion), apparel ($720.2 million), passenger vehicles ($596.2 million), crude oil ($476.5 million), and ferroalloys ($191.5 million).

Recent Developments

In February 2026, Congress reauthorized AGOA through December 2026 under Section 5019, Division I, of the Consolidated Appropriations Act, 2026 (P.L. 119-75). The reauthorization did not include modifications to the program that were proposed in prior bills introduced in the 119th Congress, including changes to the program's graduation conditions for beneficiary countries, changes to the country eligibility review process, and a possible withdrawal of AGOA benefits for South Africa.[7] On April 22, 2026, during a hearing on President Trump's 2026 trade policy agenda with U.S. Trade Representative (USTR) Jamieson Greer, some Members of Congress expressed interest in a long-term reauthorization and modification of AGOA.[8] USTR Greer expressed the Administration's support for a multiyear reauthorization and committed to working with Congress to create a "more reciprocal AGOA."

On April 29, 2026, USTR published a request for comments on the modernization of AGOA.[9] The comments are to be used in the development of the Administration's recommendations to Congress on potential reforms to and modernization of the program. On May 19, 2026, President Trump reinstated Gabon's AGOA benefits, which President Biden had terminated in 2024 after determining that the country was not meeting the program's rule of law eligibility criteria (see

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[5] In July 2020, the first Trump Administration launched formal negotiations with Kenya for a comprehensive FTA, the first with an SSA country. The Biden Administration did not continue the negotiations and instead launched the U.S.-Kenya Strategic Trade and Investment Partnership (STIP) in July 2022, which aimed to establish high-standard commitments on nontariff trade issues. A prospective agreement could serve as a model for future agreements with other SSA countries. The current Trump Administration has not indicated whether it will continue negotiations under STIP. For more information, see CRS In Focus IF11526, *U.S.-Kenya Trade Negotiations*, by Liana Wong and Lauren Ploch Blanchard; Office of the United States Trade Representative (USTR), "United States and Kenya Announce the Launch of the U.S.-Kenya Strategic Trade and Investment Partnership," press release, July 14, 2022; and Drusilla K. Brown et al., "An Analysis of the U.S.-SACU FTA Negotiations," University of Michigan International Policy Center, May 2006.

[6] CRS analysis with import data from the U.S. International Trade Commission (USITC) Dataweb, accessed May 2026.

[7] 118th Congress, H.R. 10366 and S. 4110; U.S.-South African relations have been strained since late 2022, largely over varied foreign policy stances of the South African governments. For more information, see CRS Insight IN12520, *U.S.-South Africa Relations: Tensions Rise*, by Nicolas Cook. Congressional offices with inquiries may contact Shannon L. Smith.

[8] U.S. Congress, House Ways and Means Committee, *Full Committee Hearing on Trump Admin's 2026 Trade Policy Agenda with U.S. Trade Rep. Jamieson Greer*, 119th Cong., 2nd sess., April 22, 2026.

[9] USTR, "Request for Comments on the Modernization of the African Growth and Opportunity Act," 91 *Federal Register* 23142, April 29, 2026.

"Eligibility Criteria and Annual Reviews" below).[10] On June 30, 2026, USTR initiated the program's annual review process for calendar year 2027 eligibility.[11]

Presidential 2025 Tariff Actions

The Trump Administration has raised tariffs on most imports from all U.S. trading partners since January 2025. These tariffs apply to U.S. imports from AGOA countries regardless of their eligibility status under the program, as they are imposed in addition to U.S. most-favored-nation (MFN) tariffs.[12] Beginning in April 2025, citing the International Economic Emergency Powers Act (IEEPA), President Trump imposed a global 10% tariff on most U.S. imports and higher, country-specific tariffs on imports from certain countries, including several AGOA beneficiary countries.[13] In February 2026, the Supreme Court ruled that IEEPA does not authorize the President to impose these tariffs.[14] President Trump ended those tariffs in response to the ruling and imposed a temporary, 150-day global 10% tariff under Section 122 of the Trade Act of 1974; that tariff expired on July 24, 2026.

Separately, the Trump Administration has imposed new and expanded sector-specific tariffs under Section 232 of the Trade Expansion Act of 1962 that may impact some AGOA imports.[15] Specifically, passenger vehicles—which have been a major South African export to the United States—are subject to a 25% tariff.[16] Certain copper, steel, and aluminum products are also subject to Section 232 tariffs.

Angola, Nigeria, and South Africa were also subject to an investigation under Section 301 of the Trade Act of 1974 relating to trading partners' prohibition of imports made with forced labor.[17] On July 24, the Trump Administration imposed a 12.5% tariff on Angola, Nigeria, and South Africa under Section 301 of the Trade Act of 1974 for failure to "impose and effectively enforce a prohibition" on imports produced by forced labor.[18]

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[10] Proclamation 11030, "To Implement Certain Provisions in the Consolidated Appropriations Act, 2026, and for Other Purposes," 91 *Federal Register* 30469, May 19, 2026; USTR, "Statement from Ambassador Katherine Tai on the African Growth and Opportunity Act Eligibility Review," press release, October 31, 2023; Proclamation 10692, "To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes," 89 *Federal Register* 437, December 29, 2023.

[11] USTR, "Request for Comments and Notice of Public Hearing Concerning the Annual Review of Country Eligibility for Benefits Under the African Growth and Opportunity Act for Calendar Year 2027," 91 *Federal Register* 39653, June 30, 2026.

[12] MFN tariff rates are the rates at which the United States applies to most U.S. trading partners that do not have a preferential trade arrangement with the United States (e.g., U.S. FTA or trade preference programs).

[13] The country-specific tariffs were not imposed until August 2025, after President Trump modified tariffs rates for some countries (90 *Federal Register* 37963). As a result of the modification, most AGOA beneficiary countries that were assigned a country-specific rate faced a tariff of 15%, except for South Africa, whose tariff rate remained at 30%.

[14] See CRS Legal Sidebar LSB11398, *Supreme Court Rules Against Tariffs Imposed Under the International Emergency Economic Powers Act (IEEPA)*, by Christopher T. Zirpoli.

[15] For a list of Section 232 investigations, see Bureau of Industry and Security, "Section 232 Investigations," https://www.bis.gov/about-bis/bis-leadership-and-offices/SIES/section-232-investigations.

[16] CRS Insight IN12545, *Section 232 Automotive Tariffs: Issues for Congress*, by Kyla H. Kitamura.

[17] USTR, "Initiation of Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor," 91 *Federal Register* 12884, March 17, 2026.

[18] USTR, "Notice of Actions in Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor," 91 *Federal Register* 47318, July 28, 2026.

Legislative History of AGOA

Congress has amended AGOA several times since establishing the program under P.L. 106-200 in 2000. In 2002, Congress amended AGOA to increase market access for products from SSA (P.L. 107-210). In 2004, Congress extended AGOA benefits through September 2015 and clarified certain apparel rules of origin (P.L. 108-274). The 2004 legislation also included directives to the President on investment initiatives and technical assistance. In 2006, Congress extended through September 2012 certain AGOA provisions concerning textile and apparel imports (P.L. 109-432). One of those measures, the "third-country fabric provision," provided AGOA benefits for a certain amount of apparel imports made in designated lesser-developed SSA countries using yarns and fabrics that come from any country (see "Eligible Products and Rules of Origin"). The third-country fabric provision had been extended at relatively shorter periods prior to the 2006 extension.

The Trade Preferences Extension Act of 2015 (P.L. 114-27) authorized out-of-cycle reviews of country compliance with AGOA eligibility criteria and required a special out-of-cycle review of South Africa's AGOA eligibility. It also created a process by which any interested party could file a petition with USTR regarding a country's compliance with AGOA eligibility requirements, and it mandated presidential consideration of such petitions in compliance determinations. P.L. 114-27 also reinstated annual reporting requirements on AGOA implementation, which had lapsed in 2008, as well as biennial USTR reports to Congress on U.S.-African trade and investment and AGOA implementation, changes in AGOA beneficiary country eligibility, a "detailed analysis" of beneficiaries' compliance with eligibility requirements, and information on African regional integration, U.S. trade capacity building (TCB) efforts (see "Trade Capacity Building"), and related initiatives. The law also requires separate USTR reporting every five years on SSA countries that express an interest in entering into an FTA with the United States, including an evaluation of the viability and progress of such prospects and a plan for negotiating and concluding such agreements. To boost use of AGOA benefits, the law also included a sense of Congress that U.S. TCB-administering agencies should work with AGOA beneficiary countries to develop biennial AGOA utilization strategies. According to USTR's 2022 report, 16 countries have issued one or more such strategies.

The African Growth and Opportunity Act and Millennium Challenge Act Modernization Act of 2017 (P.L. 115-167) required the establishment of an official AGOA website to provide information on the program. The 2017 amendment also stated U.S. policy goals relating to effective democratic, rule of law-based governance in Africa and the promotion of the role of women in social, political, and economic development in the region. Additionally, it recommended that the President provide a range of TCB, AGOA utilization promotion, and business training assistance in Africa, and encourage cross-boundary trade cooperation among AGOA beneficiary countries.

In February 2026, Congress passed the Consolidated Appropriations Act, 2026 (P.L. 119-75), which included a provision to reauthorize AGOA through December 31, 2026. No other changes were made to the program. Some Members of Congress and the Trump Administration have expressed interest in modifying AGOA as Congress contemplates extending the preference program past 2026. See **Appendix** for a list of laws that have amended AGOA.

Eligibility Criteria and Annual Reviews

The President determines AGOA eligibility for the 49 potential beneficiaries authorized by Congress. There are two different sets of requirements for the President's consideration in this process: GSP eligibility criteria under Section 502 of the Trade Act of 1974 (Title V of P.L. 93-618) and AGOA-specific criteria under Section 104 of the Trade and Development Act of 2000.[19]

Section 502, as amended, sets out the GSP eligibility requirements that AGOA beneficiaries must meet. It includes certain mandatory criteria (e.g., not having nationalized or expropriated property of U.S. citizens or infringed on U.S. citizens' intellectual property rights) and discretionary criteria, such as a country's level of economic development, commitment to providing reasonable and equitable market access for foreign goods and investment, and protection of worker rights.[20]

Section 104 is specific to AGOA. It requires the President to determine a prospective AGOA country's eligibility based on factors that include a country's progress toward creating a market-based economy, governing based on the rule of law, protecting workers' rights, and eliminating barriers to U.S. trade and investment. Eligible countries may not undermine U.S. national security or foreign policy interests (though it does not define what constitutes "undermining" such interests) or engage in, abet, or cooperate in gross human rights abuses or international terrorism.

The AGOA Subcommittee of the Trade Policy Staff Committee (TPSC), an interagency subcommittee chaired by the USTR, conducts annual reviews of AGOA country eligibility as required under Section 506A of the Trade Act of 1974. The annual review process begins when USTR publishes an announcement in the *Federal Register*. USTR also provides an opportunity for interested parties to submit public comments and participate in public hearings on whether beneficiary countries are meeting the program's eligibility criteria. Based on this review process, the subcommittee provides recommendations to the President, who determines whether to terminate benefits for a country that is not making "continual progress" in meeting AGOA eligibility criteria. The President may also withdraw, suspend, or limit preferential benefits for certain AGOA-eligible products if the President determines that such an action would be more effective in promoting compliance than a full termination of benefits. The President must notify Congress 60 days before making any such decision. USTR may also initiate out-of-cycle reviews and must accept and consider petitions submitted by interested parties regarding a beneficiary country's compliance with eligibility criteria. See **Table 1** for a list of countries that have had their AGOA designation terminated.

USTR initiated the 2025 annual review in May 2025.[21] Results of the annual review were likely delayed pending congressional reauthorization of AGOA, which expired on September 30, 2025, before Congress retroactively reauthorized it in February 2026. In May 2026, President Trump redesignated Gabon as an AGOA beneficiary after determining the country had made progress toward meeting the program's eligibility criteria.[22] On June 30, 2026, USTR initiated the annual review for 2027 eligibility.[23]

[19] 19 U.S.C. §2462; 19 U.S.C. §3703.

[20] For more information on the status of GSP and GSP eligibility criteria, see CRS Report RL33663, *Generalized System of Preferences (GSP): Overview and Issues for Congress*, by Liana Wong.

[21] USTR, "Request for Comments and Notice of Public Hearing Concerning the Annual Review of Country Eligibility for Benefits Under the African Growth and Opportunity Act for Calendar Year 2026," 90 *Federal Register* 23103, May 3, 2025.

[22] Proclamation 11030, "To Implement Certain Provisions in the Consolidated Appropriations Act, 2026, and for Other Purposes," 91 *Federal Register* 30469, May 19, 2026.

[23] USTR, "Request for Comments and Notice of Public Hearing Concerning the Annual Review of Country Eligibility for Benefits Under the African Growth and Opportunity Act for Calendar Year 2027," 91 *Federal Register* 39653, June 30, 2026.

Table 1. Sub-Saharan African Countries Ineligible for AGOA in Calendar Year 2026

Country[a]	Reason for Ineligibility	Termination Effective Year
Burundi	Rule of law	2016[b]
Burkina Faso	Rule of law	2023[c]
Cameroon	Human rights	2020[d]
Central African Republic	Human rights, worker rights, rule of law	2024[e]
Eritrea	Unspecified eligibility requirement(s)[f]	2004[g]
Ethiopia	Human rights	2022[h]
Guinea	Rule of law	2022[h]
Mali	Human rights, rule of law	2022[h]
Niger	Rule of law	2024[e]
South Sudan	Unspecified eligibility requirement(s)[f]	2015[i]
Uganda	Human rights	2024[e]

Source: CRS review of presidential proclamations and notifications to Congress.

Notes: AGOA = African Growth and Opportunity Act.

a. Equatorial Guinea and Seychelles (not listed) are ineligible because both countries graduated from the Generalized System of Preferences after having reached a certain income status; Sudan has not been reviewed for eligibility as it has not requested designation as an AGOA beneficiary; Somalia expressed interest in AGOA eligibility in 2023 but remains ineligible; and Zimbabwe has never been designated as an AGOA beneficiary.

b. White House, "Message to the Congress on Terminating the Designation of Burundi as a Beneficiary Sub-Saharan African Country Under the African Growth and Opportunity Act," October 30, 2015.

c. White House, "Letter to the Speaker of the House of Representatives and the President of the Senate on the President's Intent to Terminate the Designation of Burkina Faso as a Beneficiary Sub-Saharan African Country Under the African Growth and Opportunity Act," November 1, 2022.

d. U.S. Congress, House Ways and Means Committee, *Termination of the Designation of Cameroon as a Beneficiary Sub-Saharan African Country Under the African Growth and Opportunity Act*, prepared by President of the United States, 116th Cong., 1st sess., October 31, 2019, H. Doc. 116-77 (GPO, 2019).

e. White House, "Letter to Congressional Leaders on Terminating the Designation of the Central African Republic, Gabon, Niger, and Uganda as Beneficiary Sub-Saharan African Countries Under the African Growth and Opportunity Act," October 30, 2023.

f. CRS was unable to find publicly available presidential notifications to Congress stating the specific eligibility requirement(s) that were not met.

g. Proclamation 7748, "To Take Certain Actions Under the African Growth and Opportunity Act, and for Other Purposes," 69 *Federal Register* 227, December 30, 2003.

h. White House, "A Message to the Congress on the Termination of the Designation of the Federal Democratic Republic of Ethiopia (Ethiopia), the Republic of Guinea (Guinea), and the Republic of Mali (Mali) as Beneficiary Sub-Saharan African Countries Under the African Growth and Opportunity Act (AGOA)," November 2, 2021.

i. Proclamation 9223, "To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes," 79 *Federal Register* 78681, December 23, 2014.

Eligible Products and Rules of Origin

Products eligible for duty-free benefits under AGOA include all products eligible under GSP, which expired in 2020, and additional products that are excluded from GSP.[24] Such products primarily include footwear and apparel—generally considered to be import-sensitive—as well as varied agricultural goods and luggage products. In total, almost 6,000 unique products are eligible for duty-free treatment under AGOA, provided they meet the program's rules-of-origin (ROO) requirements.[25]

All eligible products from AGOA countries, unless otherwise specified, must meet AGOA ROO requirements to qualify for duty-free treatment. Such duty-free treatment is allowed only if the article is imported directly from the beneficiary country into the United States. Additionally, at least 35% of the appraised value of the product must be the "growth, product or manufacture" of a beneficiary developing country. These criteria are defined as the sum of the cost or value of materials produced in the beneficiary developing country—or any two or more beneficiary countries that are members of the same association and are treated as one country for the purposes of U.S. law—and the direct costs of processing operations performed in one or more beneficiary countries.[26] Up to 15% of the required 35% of the total appraised value of eligible imports may be of U.S. origin, and any amount of production in other beneficiary SSA countries may also contribute to the value-added requirement (a concept known as "cumulation").

Certain textile and apparel products are subject to specific ROO requirements. One key flexibility of AGOA ROO is the so-called "third-country fabric provision," which allows lesser-developed beneficiary countries to source yarn and fabric from non-AGOA countries.[27] For comparison, U.S. apparel imports under existing U.S. FTAs must meet the stricter "yarn-forward" rule, which stipulates that the yarn used to form the fabric must originate from the United States or the FTA partner in order to receive duty-free treatment. Eligible AGOA countries are also required to implement a system of product visas for the importation of eligible products—essentially trade documents that validate product shipments' ROO compliance—to prevent unlawful transshipment and use of counterfeit documents.[28]

Third-Country Fabric Provision

U.S. apparel imports under the third-country fabric provision are subject to quotas (a quota specifies the volume of apparel that may be imported duty-free) and require periodic extension. Comparatively, AGOA-eligible apparel products that are cut and assembled from yarn and fabric wholly formed and cut in the United States are not subject to quotas and periodic extension.

When AGOA was created in 2000, the third-country fabric provision was set to expire on September 30, 2004. The four-year period was intended to help lesser-developed AGOA beneficiary countries "attract quick

[24] For information, see CRS Report RL33663, *Generalized System of Preferences (GSP): Overview and Issues for Congress*, by Liana Wong. GSP provided duty-free benefits to roughly 3,500 products from 119 beneficiary developing countries. Under the program, least-developed beneficiary countries, as designated by the President, had duty-free access to an additional 1,500 products. GSP authorization lapsed on December 31, 2020, but AGOA beneficiaries are still eligible to claim duty-free benefits for those products under AGOA.

[25] The products are categorized using the Harmonized Tariff Schedule of the United States (HTS) at the eight-digit level. This means there are almost 6,000 eight-digit HTS subheadings that are eligible for duty-free treatment under AGOA.

[26] 19 U.S.C. §2466a(b)(2).

[27] Under AGOA, "lesser developed beneficiary sub-Saharan African country" is defined as "a beneficiary sub-Saharan African country that had a per capita gross national product of less than $1,500 in 1998, as measured by the International Bank for Reconstruction and Development; Botswana; Namibia; and Mauritius." 19 U.S.C. 3721(c)(3).

[28] 19 U.S.C. §3722.

investment and establish facilities and infrastructure" by providing the flexibility to source non-AGOA fabric and yarn with the goal of building capacity for regional yarn and fabric production.[29] A 2004 congressional report noted the AGOA beneficiary countries' concerns that investors need more time to build regional production capacity and the countries' support for extension of the third-country fabric provision.[30] The report also stated concerns that long-term use of third-country fabrics may discourage the development of "regional fabric production."[31]

Congress extended the provision through September 2007 under the AGOA Acceleration Act of 2004 (P.L. 108-274), citing the three-year extension as a "pragmatic approach that balances the needs of the [SSA] countries, both fabric and apparel makers."[32] The third-country fabric provision has continued to be extended along with each extension of AGOA.

Trade Capacity Building

Section 122 of AGOA directs the President to provide U.S. government technical and TCB assistance to AGOA beneficiary countries. Such assistance seeks to aid recipient governments' efforts to (1) liberalize trade and exports; (2) harmonize laws and regulations in conformance with World Trade Organization (WTO) membership obligations; (3) engage in financial and fiscal reforms; and (4) promote greater agribusiness linkages. TCB may also include the construction of or improvements to trade infrastructure, such as ports and airports, and trade facilitation—the modification and harmonization of import and export processes across borders. The act authorizes assistance for developing private-sector business associations and networks among U.S. and SSA enterprises and seeks to increase services trade and the number of reverse trade missions, and to foster liberal agricultural policy reforms. It also seeks to build African states' capacity to participate in the WTO generally, and in services trade particularly.

Prior to the Trump Administration's changes to U.S. foreign assistance policy, U.S. TCB assistance had been administered largely by the U.S. Agency for International Development (USAID); USAID was largely dismantled by the Administration in 2025.[33] In addition to the aforementioned goals, TCB assistance aims to encourage trade-led growth and economic development by helping countries capitalize on U.S. trade preferences and better engage in international trade, including through support for WTO and regional trade agreements. In FY2021 (latest data obtained by CRS), the United States obligated roughly $560 million in TCB assistance to AGOA countries. Of this amount, about $489 million was obligated for physical infrastructure development and $13 million for trade-related labor projects.[34] Other agencies that had provided TCB assistance included the Millennium Challenge Corporation (MCC); the Departments of State, Agriculture, Commerce, and Justice; and the U.S. Trade and Development Agency.

Historically, three USAID-led trade hubs—established during the George W. Bush Administration in West, East, and Southern Africa—hosted many U.S. TCB efforts in Africa. The hubs sought to increase regional export competitiveness, intraregional trade, and AGOA utilization. The contract

[29] U.S. Congress, House Ways and Means Committee, *AGOA Acceleration Act of 2004*, to accompany H.R. 4103, 108th Cong., 2nd sess., May 19, 2004, H.Rept. 108-501, p. 19.

[30] U.S. Congress, House Ways and Means Committee, *AGOA Acceleration Act of 2004*, pp. 13-15.

[31] U.S. Congress, House Ways and Means Committee, *AGOA Acceleration Act of 2004*, p. 19.

[32] U.S. Congress, House Ways and Means Committee, *AGOA Acceleration Act of 2004*, p. 20.

[33] CRS In Focus IF10261, *U.S. Agency for International Development: An Overview*, by Emily M. McCabe

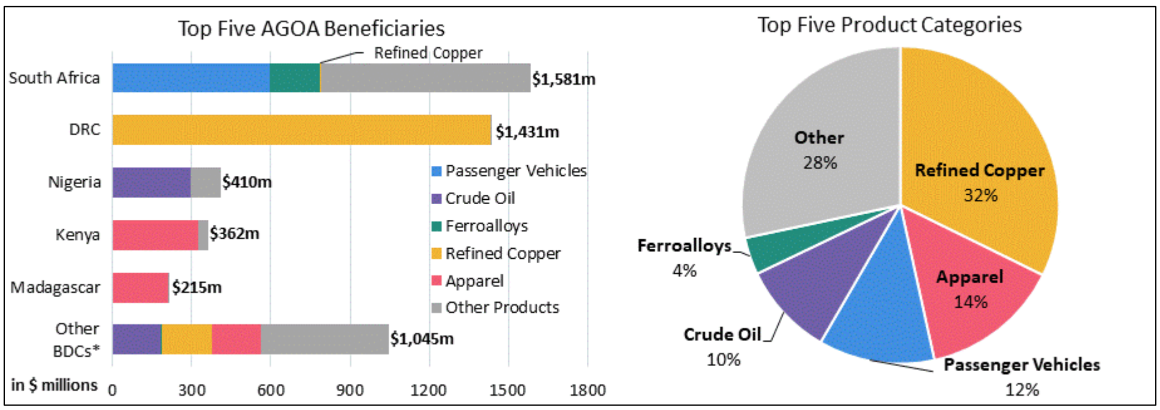
[34] Data from USAID Trade Capacity Building database, accessed March 2024. The database is now defunct.

for the West Africa hub in Nigeria ended in 2025.[35] Separately, USAID had also sought to foster U.S. trade and investment promotion in Africa under Prosper Africa, a multiagency, USAID-led presidential initiative to expand two-way U.S.-African trade growth that was launched under the first Trump Administration.[36] The termination of Prosper Africa was not explicitly announced, but a major USAID contract tied to its implementation was terminated in 2025, and the initiative as a whole appears to have halted since then.[37]

AGOA Trade Trends and Economic Impact[38]

In 2025, the total value of U.S. imports that claimed duty-free treatment under AGOA was $5.04 billion, almost a 36% decrease from 2024. The top five AGOA beneficiaries were South Africa, the Democratic Republic of Congo, Nigeria, Kenya, and Madagascar (**Figure 2**). Refined copper (+400% from 2024) was the largest AGOA import category, followed by apparel (-39%), passenger vehicles (-75%), crude oil (-71%), and ferroalloys (-18%).

Figure 2. Overview of AGOA Imports in 2025



Source: CRS with data from U.S. Census Bureau via U.S. International Trade Commission Dataweb, accessed June 2026.

Notes: AGOA = African Growth and Opportunity Act. DRC = Democratic Republic of Congo. BDCs = beneficiary developing countries. Product categories are aggregated at the four-digit level of the U.S. Harmonized Tariff Schedule (HTS).

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[35] "West Africa – Trade & Investment Hub," Creative Associates International, https://www.creativeassociatesinternational.com/past-programs/west-africa-trade-hub/.

[36] Launched by the first Trump Administration and maintained throughout the Biden Administration, Prosper Africa sought to boost U.S. competitiveness vis-à-vis China. Prosper Africa had supported a range of TCB activity, but a core mandate was to facilitate promising business transactions using U.S. embassy-based "deal teams" in Africa and streamline access to the programs and capabilities of 17 U.S. agencies and departments that participated in Prosper Africa. See CRS In Focus IF11384, *The Trump Administration's Prosper Africa Initiative*; and White House, "Remarks by National Security Advisor John R. Bolton on the Trump Administration's New Africa Strategy," December 13, 2018.

[37] "Africa-USAID Africa Trade and Investment Activity," DAI, https://www.dai.com/our-work/projects/africa-trade-and-investment-ati-activity; Khasai Makhulo et al., "Which U.S. Government Agencies Are Facilitating the Trump Administration's Commercial Diplomacy in Africa?," Center for Strategic International Studies, December 19, 2025.

[38] Unless otherwise noted, quantitative analysis presented in this section was by CRS using trade data from U.S. Census Bureau via the USITC Dataweb.

Historic Trends

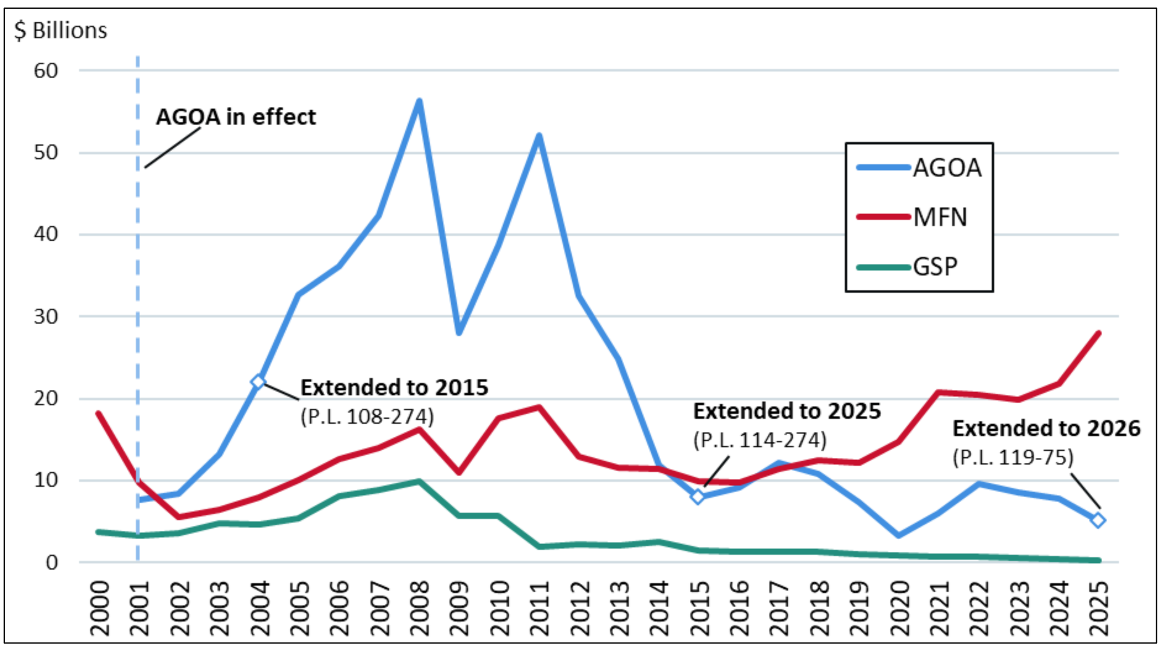
The value of AGOA imports has fluctuated since the program was created in 2000 (**Figure 3**). Total AGOA imports peaked at $56 billion (not adjusted for inflation) in 2008 and sharply decreased from 2011 levels before leveling out in 2014. In 2020, AGOA imports recorded their lowest value since the program started, at $3.2 billion; this may have been due to global trade disruptions caused by the COVID-19 pandemic. AGOA import levels between 2021 and 2024 were similar to when the program started in 2001, but import levels decreased in 2025, potentially due to 2025 presidential tariff actions that affected most U.S. imports and uncertainty surrounding AGOA reauthorization, which was scheduled to expire on September 30, 2025.

Since 2015, U.S. importers importing from AGOA countries were more likely to pay MFN tariff rates than to claim duty-free treatment under AGOA. MFN tariff rates are the rates the United States applies to U.S. trading partners that have MFN status but do not have preferential trade arrangements with the United States (e.g., U.S. FTA or trade preference programs).[39]

Through 2019, oil and gas products (e.g., crude oil) made up more than 50% of total AGOA imports (**Figure 4**). U.S. import data suggest that AGOA imports have diversified over the years, with apparel and motor vehicles making up an increasingly larger share of total AGOA imports. For years, apparel and motor vehicles made up the largest share of AGOA imports after crude oil until 2025. In 2025, nonferrous metal products, which include refined copper, were the largest import category that claimed AGOA duty-free treatment.

Figure 3. U.S. Imports from AGOA Countries by Import Program

2000-2025, in current U.S. $ billions



Source: CRS with U.S. Census Bureau data via the U.S. International Trade Commission Dataweb, accessed June 2026.

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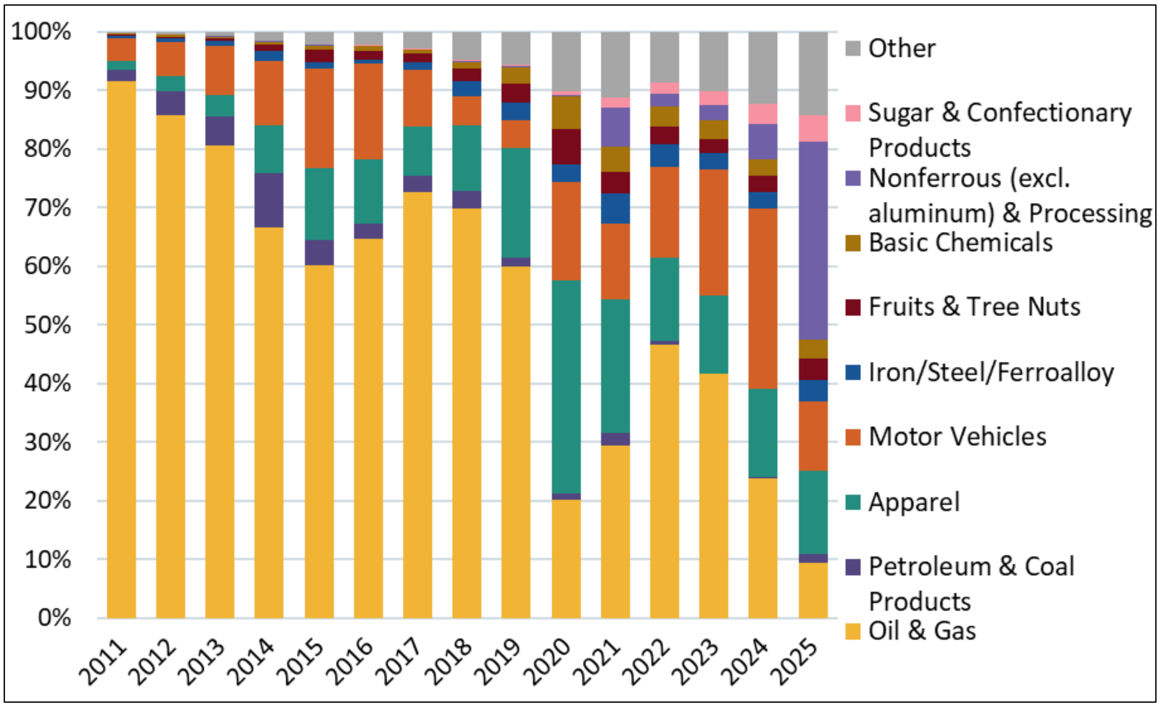
39 In U.S. law, most-favored-nation status is referred to as normal trade relations (NTR). Most members of the World Trade Organization (WTO) receive permanent, unconditional NTR status as part of U.S. obligations as a WTO member.

Note: AGOA = African Growth and Opportunity Act. MFN = most favored nation. GSP = Generalized System of Preferences. GSP expired in 2020, but U.S. importers have been instructed to list the program's indicator on import forms should U.S. Customs and Border Protection have to provide refunds for eligible imports if Congress retroactively reauthorizes the program.

Figure 4. Share of AGOA Imports by Product Categories, 2011-2025

% of total AGOA imports



Source: CRS with data from the U.S. Census Bureau via the U.S. International Trade Commission, accessed June 2026.

Notes: AGOA = African Growth and Opportunity Act. Imports in this chart are classified using the North American Industry Classification System (NAICS) at the four-digit level.

Economic Impact

The economic impact of AGOA in SSA is debated. AGOA has received bipartisan support since its creation in 2000, and AGOA beneficiary countries have stressed the importance of the program in U.S.-Africa trade relations.[40] At the same time, some policy experts have raised questions about whether the program has had a significant positive impact on SSA development and U.S.-Africa trade.[41] Critics of AGOA contend only a few countries have benefitted because AGOA utilization has been concentrated among a small subset of beneficiary countries and

[40] For example, see comments from the Republic of Benin Ministry of Trade and Industry, posted May 16, 2026, at https://www.regulations.gov/comment/USTR-2026-0166-0120; and the Republic of Kenya, posted May 13, 2026, at https://www.regulations.gov/comment/USTR-2026-0166-0016, in response to USTR call for comments on the modification of AGOA under docket number USTR-2025-0166.

[41] Michael H. Gary and Hugh Grant-Chapman, "What's Next for AGOA?," Center for Strategic and International Studies, November 5, 2026; U.S. Congress, House Ways and Means Committee, *Full Committee Hearing on the Trump Administration's 2026 Trade Policy Agenda with the United States Trade Representative Jamieson Greer*, 119th Cong., 2nd sess., April 20, 2026.

because low value-added goods dominate AGOA imports.[42] Based on AGOA import data since 2001, CRS estimates that the top five beneficiary countries on average make up 89% of the value of annual AGOA imports.[43] Import and export data do not capture value-added trade and, therefore, do not provide insight on the impacts of AGOA on intraregional trade. It is difficult to quantify AGOA's direct developmental impact in SSA, because many factors—including economic and political institutions, governance capacities, global and regional trends, and other foreign aid programs—also shape economic growth and development trajectories. Additionally, trade is affected by many factors other than AGOA, such as exchange rates and economic cycles.

Rates of AGOA preference utilization—the rate at which U.S. imports from beneficiary countries are imported duty-free under the program—vary significantly among AGOA beneficiaries. A 2023 U.S. International Trade Commission (USITC) report noted that usage rates were "ultimately influenced by the rate at which U.S. importers claim AGOA product benefits."[44] The report also posited that benefits may go unclaimed for some products for a variety of reasons related to compliance costs (e.g., meeting rules-of-origin requirements), such as when AGOA duty-free benefits are marginal relative to MFN tariff. For example, about 12% of products eligible for AGOA duty-free treatment have a 0% MFN tariff rate, which means U.S. importers may forgo claiming AGOA status for those products since there is virtually no benefit to importing under the program after factoring compliance costs.[45] The USITC found that AGOA has had positive impacts in certain sectors—including apparel, cotton, cocoa, and chemicals—but that its impact on regional integration has been limited; this could change as trade prospectively expands under the nascent African Continental Free Trade Area (AfCFTA).[46] USTR also reported that liberal rules of origin under AGOA, especially for apparel products, have significantly increased exports of these products to the United States.[47]

In contrast, some experts have argued that AGOA's trade preferences, combined with beneficiary countries' implementation of AGOA utilization strategies, have helped some countries (e.g., Ethiopia, Ghana, Kenya, and Zambia) increase their exports to the United States.[48] Domestic reforms in AGOA beneficiary countries may also play a role in boosting exports, specifically for beneficiaries eligible for AGOA's special apparel rules of origin.[49]

Issues for Congress

Since 2000, AGOA has been a key component of U.S. trade relations in SSA and has continued to receive bipartisan support in Congress through several reauthorizations. At the same time, the

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[42] Council on Foreign Relations, "AGOA: The U.S.-Africa Trade Program," October 1, 2025.

[43] Calculated using AGOA import data from the U.S. Census Bureau via the USITC Dataweb. Percentage was derived by taking a simple average of the sum of AGOA imports from the top five beneficiary countries divided by total AGOA imports in each year from 2001 through 2025.

[44] The report was the result of a request by the House Committee on Ways and Means to the USITC to provide analysis on AGOA. USITC, *African Growth and Opportunity Act (AGOA): Program Usage, Trends, and Sectoral Highlights*, March 2023/corrected June 2023, pp. 18-19; quote from USITC, *African Growth and Opportunity Act.*

[45] Statistic based on CRS analysis of the USITC Dataweb tariff database at https://dataweb.usitc.gov/tariff/database.

[46] See CRS Report R47197, *African Continental Free Trade Area (AfCFTA): Overview and Issues for Congress*, by Nicolas Cook and Liana Wong; and USITC, *African Growth and Opportunity Act (AGOA): Program Usage, Trends, and Sectoral Highlights*, March 2023/corrected June 2023, pp. 20-27.

[47] USTR, *2024 Biennial Report on the Implementation of the African Growth and Opportunity Act*, June 2024, p. 10.

[48] Landry Signé, "Here's Why US-Africa Trade Under AGOA Has Been Successful for Some Countries but Not Others," Brookings, July 11, 2023.

[49] Ana Margarida Fernandes et al., "The Longer-Term Impact of the African Growth and Opportunity Act," *VoxEU*, Centre for Economic Policy Research, April 14, 2021.

program has been subject to debate. Supporters of AGOA contend that the program has supported the growth of certain industries, improved regulatory transparency for U.S. investors in the region via eligibility criteria, and contributed to the formation of regional value chains in SSA. Others are skeptical about how beneficial the program has been in the region, contending that AGOA has had limited impact on SSA's economic development and U.S.-Africa trade broadly. AGOA beneficiary countries broadly support a long-term reauthorization of the program to provide predictability and certainty for investors in the region.[50]

With AGOA set to expire on December 31, 2026, Congress may choose to reauthorize AGOA with no changes, reauthorize the program with modifications, let the program expire, or replace it with a new preference program. Should Congress choose to modify AGOA or replace it, Congress may evaluate the program's impact and whether the program has achieved its goals, as well as consider whether AGOA aligns with evolving U.S. trade policy objectives, such as addressing reciprocity in the bilateral trade relationship and strengthening U.S. supply chain security, especially for strategic sectors such as semiconductors and critical minerals.

AGOA Reauthorization and Modification

Should Congress choose to maintain AGOA, it may may consider modifying the program to improve its effectiveness and increase beneficiary country utilization to ensure the program's objectives are met. The Trump Administration has called for modifying the program to increase the efficacy of the program and to address evolving policy objectives, such as supply chain security; the Biden Administration likewise called for modifications to the program.[51] Since the People's Republic of China (PRC, or China) has emerged as the largest trading partner of many AGOA countries, some policy experts and Members of Congress have advocated for restructuring AGOA to counter PRC influence.[52] Other proposals include amending eligibility criteria and the annual review process, changing rules-of-origin requirements, and creating policy to incentivize trade and investment in critical minerals and other strategic sectors—whether through duty-free treatment or TCB and other capacity-building assistance.

Some Members of Congress have introduced legislation proposing changes to certain aspects of the program. For example, S. 4110 and H.R. 10366 from the 118th Congress proposed changing the annual review process to a biannual process to increase certainty in a beneficiary country's eligibility, which some proponents contend may increase utilization rates. Both bills also proposed amending existing eligibility criteria related to anticorruption and human rights violations. Legislation has also been introduced to support regional integration efforts, such as the African Continental Free Trade Area (AfCFTA). S. 4110, for example, would have amended AGOA to allow for production that occurred in non-AGOA, AfCFTA countries to count toward the rules-of-origin requirement. In April 2026, USTR opened a call for public comments on the

[50] For example, see "Comment from African Union," submitted May 15, 2026, in response to USTR call for comments on the modification of AGOA, posted May 16, 2026, under docket number USTR-2025-0166 at https://www.regulations.gov/document/USTR-2026-0166-0001/comment.

[51] For example, see USTR, "Remarks by Ambassador Katherine Tai at the 2024 AGOA Civil Society and Organized Labor Forum," press release, July 2024; USTR, "Statement from Ambassador Jamieson Greer on the Reauthorization of the African Growth and Opportunity Act," press release, February 3, 2026.

[52] In 2024, the PRC granted duty-free treatment to all imports from 33 least-developed African countries. Beginning May 2026, duty-free treatment was expanded to 20 additional countries in the region. State Council of the People's Republic of China, "China to Grant Zero-Tariff Treatment to All African Countries with Diplomatic Ties," April 28, 2026, https://english.www.gov.cn/news/202604/28/content_WS69f0a1d7c6d00ca5f9a0aad0.html.

modification of AGOA.[53] Congress may consider directing USTR to report its findings to Congress as it contemplates AGOA reauthorization.

Reciprocity and Market Access

Since AGOA was first authorized in 2000, Congress has supported the United States "negotiating reciprocal and mutually beneficial trade agreements" and has directed the executive branch to negotiate free trade agreements "where feasible."[54] The United States has conducted trade negotiations with some SSA countries in the past, though it has not reached agreements with any. In the early 2000s, the United States entered into FTA negotiations with the Southern Africa Customs Union (SACU). FTA negotiations were suspended in 2006 due to divergent views over scope among the negotiating parties. The first Trump Administration and the Biden Administration began trade negotiations with Kenya in 2020 and 2022, respectively, though neither concluded negotiations.[55]

Legislative and executive priorities for increasing trade with SSA and reducing trade barriers have been broadly aligned. President Trump's America First Trade Policy, which seeks to address reciprocity and market access issues with U.S. trading partners, seems to maintain similar objectives.[56] In 2025, the Trump Administration launched trade negotiations with various U.S. trading partners to address tariff and other trade issues amid presidential tariff actions that sought to address what the President claimed are "imbalances" in bilateral trade relationships and "unfair trade practices" of U.S. trading partners.[57] The Administration has since announced several executive agreements referred to as "reciprocal trade agreements."[58] The Administration has not sought congressional approval for these agreements. Congress has historically approved comprehensive U.S. FTAs by passing implementing legislation.[59] No such trade negotiations with African countries have been publicly announced.

S. 2958 in the 119th Congress would direct the U.S. Trade Representative to submit a report to Congress outlining a strategy to increase the United States' trade with and investment in AGOA beneficiary countries, including short-listing five countries for U.S. trade negotiations. Congress could consider similar legislation directing the executive branch to negotiate trade agreements with eligible AGOA countries, set negotiating objectives, and outline congressional consultations and approval requirements. Historically, Congress has passed legislation commonly known as Trade Promotion Authority, which provided the President with the authority to negotiate agreements and adjust tariff rates, established expedited congressional procedures to consider

[53] USTR, "Request for Comments on the Modernization of the African Growth and Opportunity Act (AGOA)," 91 *Federal Register* 23142, April 29, 2026.

[54] 19 U.S.C. §3702(4); 19 U.S.C. §3723(a).

[55] U.S.-Kenya trade negotiations under the Biden Administration did not address market access issues (e.g., tariff barriers). For more information, see CRS In Focus IF11526, *U.S.-Kenya Trade Negotiations*, by Liana Wong and Lauren Ploch Blanchard.

[56] Memorandum of January 20, 2025, "America First Trade Policy," 90 *Federal Register* 8471, January 30, 2025; Memorandum of February 13, 2025, "Reciprocal Trade and Tariffs," 90 *Federal Register* 9837, February 19, 2025.

[57] Executive Order 14257 of April 2, 2025, "Regulating Imports with a Reciprocal Tariff to Rectify Trade Practices That Contribute to Large and Persistent Annual United States Goods Trade Deficits," 99 *Federal Register* 15041, April 7, 2025.

[58] For a list of agreements, see USTR, "Agreements on Reciprocal Trade," https://ustr.gov/trade-agreements/agreements-reciprocal-trade.

[59] For more information on congressional authority over foreign trade agreements, see CRS Report R47679, *Congressional and Executive Authority Over Foreign Trade Agreements*, by Christopher T. Zirpoli.

implementing legislation, and established negotiating objectives and notification/consultation requirements.[60]

Supply Chain Security

Some policy experts contend AGOA is well-positioned to strengthen U.S.-Africa supply chains in strategic sectors such as critical minerals and rare earth minerals.[61] In general, U.S. tariffs on critical minerals are relatively low or already duty-free so the benefits of those products receiving AGOA duty-free treatment is marginal. Weak infrastructure, complicated customs procedures, and other factors in AGOA countries, however, may pose a barrier to developing efficient and competitive supply chains. Those issues may be addressed through trade capacity building (TCB). AGOA directs the executive branch to provide TCB assistance to AGOA beneficiary countries, but changes to U.S. foreign assistance policy under the Trump Administration have raised questions about the status of TCB assistance.

Congress could consider directing the Trump Administration to report on the Administration's efforts to provide TCB assistance to AGOA countries, including through existing agencies or programs such as the U.S. International Development Finance Corporation and the U.S. African Development Foundation.[62] Congress may also consider directing the executive branch to establish initiatives like the Africa Trade Hubs and Prosper Africa to coordinate U.S. TCB assistance and promote U.S. investment in Africa. Separately, the Trump Administration's tariff policies—specifically, potential tariffs on critical mineral products imposed under Section 232—may increase uncertainty for investors in the region. Congress may consider whether to provide an exemption from Section 232 tariffs or other tariff actions to encourage the development of U.S.-Africa supply chains in eligible AGOA countries.

[60] For more information on Trade Promotion Authority, see CRS In Focus IF10038, *Trade Promotion Authority (TPA)*, by Christopher A. Casey and Cathleen D. Cimino-Isaacs.

[61] For example, see Zainab Usman and Alexander Csanadi, "How the AGOA Reauthorization Process Could Help Diversify U.S. Critical Mineral Supplies," Carnegie Endowment for International Peace, April 30, 2024; Gracelin Baskaran, "Why Is Renewing AGOA Strategic for U.S.-Africa Minerals Diplomacy?," Center for Strategic and International Studies, September 3, 2025; Dan M. Ford, "US-Africa Trade and the National Interest: Why AGOA Is a Sound Long-Term Bet," Quincy Institute, April 27, 2026.

[62] The U.S. International Development Finance Corporation uses financial tools to promote private investments overseas. For more information, see CRS In Focus IF11436, *U.S. International Development Finance Corporation (DFC)*, by Shayerah I. Akhtar and Nick M. Brown. The U.S. African Development Foundation (USADF), a federally funded, nonprofit entity established by Congress, aims to promote African-led economic development and has partnered with other U.S. agencies to support AGOA's objective to expand U.S.-Africa trade. Congress appropriated $12 million for USADF in FY2026 under P.L. 119-75, though the Trump Administration, pursuant to Executive Order 14217 of February 19, 2025, has directed the agency to expend funds only for ongoing and necessary expenses and for agency closedown. For more information, see USADF, "Congressional Budget Justification Fiscal Year 2025," https://www.usadf.gov/sites/default/files/inline-files/USADF_FY25%20CBJ_Final_V4.pdf.

Appendix. Legislative History of AGOA

Date	Public Law (P.L.)	Key Provisions
May 18, 2000	Title I of the Trade and Development Act of 2000 (P.L. 106-200)	Created trade preferences for eligible sub-Saharan African countries through September 30, 2008
August 6, 2002	Trade Act of 2002 (P.L. 107-210)	Doubled a quota for allowable duty-free apparel imports, clarified certain apparel rules of origin, and granted lesser-developed country status to Namibia and Botswana
July 13, 2004	AGOA Acceleration Act of 2004 (P.L. 108-274)	Extended AGOA through September 30, 2015, extended third-country fabric provision for lesser-developed countries through September 2007, modified and clarified certain apparel rules of origin, directed President to provide capacity building
December 20, 2006	Title VI of the Tax Relief and Health Care Act of 2006 (P.L. 109-432)	Extended third-country fabric provision through September 2012, established petition process for products available in commercial quantity, and more
October 16, 2008	An Act to Extend the Andean Trade Preference Act, and for Other Purposes (P.L. 110-436)	Made technical corrections, directed the U.S. International Trade Commission and U.S. Government Accountability Office to report on AGOA countries' competitiveness to produce yarn, fabrics, and other textile and apparel inputs
August 10, 2012	African Growth and Opportunity Amendments (P.L. 112-163)	Extended third-country fabric provision through September 2015, added South Sudan to list of countries that may be designated as AGOA beneficiaries
June 29, 2015	Trade Preferences Extension Act of 2015 (P.L. 114-27)	Extended AGOA (and third-country fabric provision) through September 30, 2025; reinstated annual report on AGOA implementation; established out-of-cycle review process; and more
April 23, 2018	African Growth and Opportunity Act and Millennium Challenge Act Modernization Act (P.L. 115-167)	Required establishment of an AGOA website and development of policies that support trade capacity building
February 3, 2026	Division I, Section 5019, of the Consolidated Appropriations Act, 2026 (P.L. 119-75)	Reauthorized AGOA through December 31, 2026, retroactive to September 30, 2025

Source: CRS review of public laws related to the African Growth and Opportunity Act (AGOA).

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