

119TH CONGRESS
1ST SESSION

S. 2958

To extend the African Growth and Opportunity Act, to require a full review of the bilateral relationship between the United States and South Africa, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2025

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

A BILL

To extend the African Growth and Opportunity Act, to require a full review of the bilateral relationship between the United States and South Africa, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “AGOA Extension and Bilateral Engagement Act of
6 2025”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY
ACT

Sec. 101. Extension of African Growth and Opportunity Act.

Sec. 102. Strategy to develop bilateral trade agreements with AGOA countries.

TITLE II—BILATERAL RELATIONSHIP WITH SOUTH AFRICA

Sec. 201. Sense of Congress.

Sec. 202. Full review of the bilateral relationship.

Sec. 203. Report and certification.

Sec. 204. Report on sanctionable persons.

Sec. 205. Appropriate congressional committees defined.

1 **TITLE I—EXTENSION OF AFRI-**
2 **CAN GROWTH AND OPPOR-**
3 **TUNITY ACT**

4 **SEC. 101. EXTENSION OF AFRICAN GROWTH AND OPPOR-**
5 **TUNITY ACT.**

6 (a) IN GENERAL.—Section 506B of the Trade Act
7 of 1974 (19 U.S.C. 2466b) is amended—

8 (1) by striking “section 506A(c)” and inserting
9 “section 506A(e)”; and

10 (2) by striking “2025” and inserting “2027”.

11 (b) AFRICAN GROWTH AND OPPORTUNITY ACT.—

12 (1) IN GENERAL.—Section 112(g) of the Afri-
13 can Growth and Opportunity Act (19 U.S.C.
14 3721(g)) is amended by striking “2025” and insert-
15 ing “2027”.

16 (2) EXTENSION OF REGIONAL APPAREL ARTI-
17 CLE PROGRAM.—Section 112(b)(3)(A) of the African
18 Growth and Opportunity Act (19 U.S.C.
19 3721(b)(3)(A)) is amended—

1 (A) in clause (i), by striking “21 suc-
2 ceeding 1-year periods” and inserting “23 suc-
3 ceeding 1-year periods”; and

4 (B) in clause (ii)(II), by striking “2025”
5 and inserting “2027”.

6 (3) EXTENSION OF THIRD-COUNTRY FABRIC
7 PROGRAM.—Section 112(c)(1) of the African Growth
8 and Opportunity Act (19 U.S.C. 3721(c)(1)) is
9 amended—

10 (A) in the paragraph heading, by striking
11 “2025” and inserting “2027”;

12 (B) in subparagraph (A), by striking
13 “2025” and inserting “2027”; and

14 (C) in subparagraph (B)(ii), by striking
15 “2025” and inserting “2027”.

16 (4) TECHNICAL CORRECTIONS.—Section 112 of
17 the African Growth and Opportunity Act (19 U.S.C.
18 3721) is amended—

19 (A) in subsection (a), by striking “section
20 506A(c)” and inserting “section 506A(e)”; and

21 (B) in subsection (f)(2), by striking “sec-
22 tion 506A(c)” and inserting “section 506A(e)”.

1 **SEC. 102. STRATEGY TO DEVELOP BILATERAL TRADE**
2 **AGREEMENTS WITH AGOA COUNTRIES.**

3 (a) **IN GENERAL.**—Not later than 180 days after the
4 date of the enactment of this Act, the United States Trade
5 Representative shall submit to the appropriate committees
6 of Congress a report that outlines a strategy to expand
7 and deepen trade and investment relationships between
8 the United States and AGOA beneficiary countries
9 through bilateral trade agreements.

10 (b) **STRATEGY REQUIREMENTS.**—The strategy re-
11 quired by subsection (a) shall include—

12 (1) an assessment of trade and investment
13 flows between the United States and AGOA bene-
14 ficiary countries as of the date of the submission of
15 the report under subsection (a);

16 (2) an identification of at least 5 AGOA bene-
17 ficiary countries with which the United States will
18 prioritize negotiations for bilateral trade agreements
19 or trade and investment framework agreements;

20 (3) an outline of criteria used to determine the
21 readiness of each AGOA beneficiary country for such
22 negotiations, which shall include—

23 (A) adherence to the eligibility criteria set
24 forth in section 104 of the African Growth and
25 Opportunity Act (19 U.S.C. 3703) and section

1 506A of the Trade Act of 1974 (19 U.S.C.
2 2466a);

3 (B) capacity to comply with obligations
4 under agreements with the United States; and

5 (C) respect for democratic governance, rule
6 of law, and human rights; and

7 (4) a timeline and work plan for initiating such
8 negotiations.

9 (c) CONSULTATIONS.—In developing the strategy re-
10 quired by subsection (a), the Trade Representative shall
11 consult with—

12 (1) the Secretary of State;

13 (2) the Secretary of Commerce; and

14 (3) stakeholders, including United States busi-
15 nesses, labor organizations, civil society groups, and
16 African regional economic communities.

17 (d) DEFINITIONS.—In this section:

18 (1) AGOA BENEFICIARY COUNTRY.—The term
19 “AGOA beneficiary country” means a beneficiary
20 sub-Saharan African country (as defined in section
21 506A(e) of the Trade Act of 1974 (19 U.S.C.
22 2466a(e)).

23 (2) APPROPRIATE COMMITTEES OF CON-
24 GRESS.—The term “appropriate committees of Con-
25 gress” means—

1 (A) the Committee on Finance, the Com-
2 mittee on Foreign Relations, and the Com-
3 mittee on Appropriations of the Senate; and

4 (B) the Committee on Ways and Means,
5 the Committee on Foreign Affairs, and the
6 Committee on Appropriations of the House of
7 Representatives.

8 **TITLE II—BILATERAL RELATION-**
9 **SHIP WITH SOUTH AFRICA**

10 **SEC. 201. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) it is in the national security interest of the
13 United States to deter strategic political and secu-
14 rity cooperation and information sharing with the
15 People’s Republic of China and the Russian Federa-
16 tion, particularly any form of cooperation that may
17 aid or abet the Russian Federation’s illegal war of
18 aggression in Ukraine or its international standing
19 or influence; and

20 (2) the foreign policy actions of the African Na-
21 tional Congress have long ceased to reflect its stated
22 stance of nonalignment, and now directly favor the
23 People’s Republic of China, the Russian Federation,
24 and Hamas, a known proxy of Iran, and thereby un-

1 dermine United States national security and foreign
2 policy interests.

3 **SEC. 202. FULL REVIEW OF THE BILATERAL RELATIONSHIP.**

4 The President, in consultation with the Secretary of
5 State, the Secretary of Defense, the United States Amba-
6 sador to South Africa, and the heads of other departments
7 and agencies that play a substantial role in United States
8 relations with South Africa, shall conduct a comprehensive
9 review of the bilateral relationship between the United
10 States and South Africa.

11 **SEC. 203. REPORT AND CERTIFICATION.**

12 Not later than 120 days after the date of the enact-
13 ment of this Act, the President shall submit to the appro-
14 priate congressional committees a report that includes the
15 following:

16 (1) The findings of the review required by sec-
17 tion 202.

18 (2) A certification, in consultation with the Sec-
19 retary of State and the Secretary of Defense, explic-
20 itly stating whether South Africa has engaged in ac-
21 tivities that undermine the national security or for-
22 eign policy interests of the United States, together
23 with an unclassified report, including a classified
24 annex as necessary, providing a justification for the

1 determination. The President shall publish the cer-
2 tification in unclassified form.

3 **SEC. 204. REPORT ON SANCTIONABLE PERSONS.**

4 (a) IN GENERAL.—Not later than 120 days after the
5 date of the enactment of this Act, the President, in con-
6 sultation with the Secretary of State and the Secretary
7 of the Treasury, shall submit to the appropriate congres-
8 sional committees a classified report on senior South Afri-
9 can government officials and African National Congress
10 leaders.

11 (b) ELEMENTS.—The report required under sub-
12 section (a) shall include the following elements:

13 (1) A list of senior South African government
14 officials and African National Congress leaders the
15 President determines have engaged in corruption or
16 human rights abuses that would be sufficient, based
17 on credible evidence, to meet the criteria for the im-
18 position of sanctions pursuant to the authorities pro-
19 vided by the Global Magnitsky Human Rights Ac-
20 countability Act (22 U.S.C. 10101 et seq.).

21 (2) With respect to each person included on
22 such list—

23 (A) a detailed explanation describing the
24 conduct forming the basis of the person's inclu-
25 sion on the list; and

1 (B)(i) the expected timeline for sanctions
2 described in paragraph (1) to be imposed with
3 respect to such person; or

4 (ii) if the President does not intend to im-
5 pose sanctions with respect to such person, a
6 detailed justification describing the rationale
7 and legal authorities underlying such negative
8 determination.

9 **SEC. 205. APPROPRIATE CONGRESSIONAL COMMITTEES**

10 **DEFINED.**

11 In this title, the term “appropriate congressional
12 committees” means—

13 (1) the Committee on Foreign Relations of the
14 Senate; and

15 (2) the Committee on Foreign Affairs of the
16 House of Representatives.

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