

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6455
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “U.S.-Africa Economic
3 Engagement Act”.

4 SEC. 2. STATEMENT OF POLICY.

5 It is the policy of the United States to promote, facili-
6 tate, and increase two-way trade, investment, and other
7 forms of economic engagement between the United States
8 and African countries to strengthen commercial ties, pro-
9 mote economic growth and job creation, and advance stra-
10 tegic partnerships.

11 SEC. 3. PROSPER AFRICA INITIATIVE.

12 (a) ESTABLISHMENT.—The President shall establish
13 an initiative to be known as the “Prosper Africa Initia-
14 tive” (in this Act referred to as the “Initiative”).

15 (b) PURPOSES.—The purposes of the Initiative shall
16 be to prioritize and coordinate United States Government
17 programs, activities, and diplomatic efforts aimed at in-
18 creasing two-way trade, investment, and other forms of

1 economic engagement between the United States and Afri-
2 ca, including to—

3 (1) identify, promote, and increase trade, in-
4 vestment, and other forms of economic engagement
5 opportunities, facilitate business and investor en-
6 gagement, and support dissemination of data and
7 market information to better inform United States
8 businesses and investors of trade, investment, and
9 other forms of economic engagement opportunities
10 across Africa;

11 (2) support efforts of the United States and Af-
12 rican private sectors to access, navigate, strengthen,
13 and compete in African and global capital markets
14 using a private sector-led and sector-specific ap-
15 proach that includes energy, agriculture, information
16 and communications technology, healthcare, finan-
17 cial services, arts and entertainment, and infrastruc-
18 ture;

19 (3) modernize, streamline, and improve access
20 to resources and services designed to promote in-
21 creased trade, investment, and other forms of eco-
22 nomic engagement opportunities for United States
23 and African businesses and investors;

1 (4) promote broad economic growth and job
2 creation while advancing strategic partnerships in
3 the United States and Africa; and

4 (5) identify policy, regulatory, and legal reforms
5 needed to reduce commercial barriers between the
6 United States and Africa and improve the business
7 and investment climate in the United States and Af-
8 rica, including through the reduction of the cost of
9 accessing capital.

10 **SEC. 4. LEADERSHIP AND COORDINATION OF INITIATIVE.**

11 (a) **DIRECTORATE.**—The President shall establish a
12 directorate to be known as the “Prosper Africa Direc-
13 torate” (in this Act referred to as the “Directorate”).

14 (b) **EXECUTIVE DIRECTOR.**—The President shall ap-
15 point an Executive Director of the Directorate who shall
16 be responsible for the management, coordination, and in-
17 formation sharing functions of the Initiative and other du-
18 ties that support the purposes of the Initiative described
19 in section 3(b) as appropriate.

20 (c) **DUTIES.**—The Executive Director shall be re-
21 sponsible for—

22 (1) convening relevant Federal departments and
23 agencies to coordinate programs, assistance, commu-
24 nications, and stakeholder engagement, and con-
25 sulting with such departments and agencies on the

1 appropriate levels and allocation of resources in sup-
2 port of achieving the strategic objectives of the Ini-
3 tiative;

4 (2) planning and implementing information
5 sharing and other collaboration efforts among rel-
6 evant Federal departments and agencies, and the
7 private sector as appropriate, related to trade, in-
8 vestment, and other forms of economic engagement
9 opportunities, African capital markets, and relevant
10 transactions in Africa, and support for monitoring,
11 evaluation, and transaction facilitation;

12 (3) engaging with United States and African
13 private sector partners, civil society organizations,
14 nongovernmental organizations and the African dias-
15 pora community, as appropriate, to solicit input and
16 feedback on the Initiative's activities, as well as any
17 technical, policy, financial, and political obstacles
18 private sector partners encounter in accessing or ex-
19 panding in African markets or gaining access to cap-
20 ital for those purposes; and

21 (4) establishing measurable goals and objectives
22 for the purposes of carrying out the Initiative.

23 (d) LEADERSHIP COMMITTEE.—

24 (1) IN GENERAL.—The President shall establish
25 an interagency leadership committee (in this sub-

1 section referred to as the “committee”) to provide
2 strategic guidance for administering the objectives of
3 the Initiative and serve as the United States inter-
4 agency strategic development and coordination body
5 for efforts of relevant Federal departments and
6 agencies.

7 (2) MEMBERSHIP.—The committee shall in-
8 clude representatives from relevant Federal depart-
9 ments and agencies, as determined appropriate by
10 the President.

11 (3) CHAIRPERSON.—The Executive Director of
12 the Directorate shall serve as chairperson of the
13 committee.

14 (4) MEETINGS.—The committee shall meet not
15 less than four times each year at the call of the Ex-
16 ecutive Director of the Directorate (or the Director’s
17 designee).

18 (e) STAFFING AND FIELD PRESENCE.—Subject to
19 the availability of appropriations—

20 (1) the Directorate shall be supported by at
21 least 6 full-time employees of the Federal govern-
22 ment, which should include personnel detailed to the
23 Directorate from relevant Federal departments and
24 agencies, who are stationed in Africa and whose sole
25 duties are to support the purposes of—

1 (A) the Initiative described in section 3(b);

2 or

3 (B) the provisions of the Better Utilization
4 of Investments Leading to Development Act of
5 2018 (Public Law 116–283) with respect to Af-
6 rica and pursuant to the Championing Amer-
7 ican Business Through Diplomacy Act of 2019
8 (Public Law 116–94; 22 U.S.C. 9901 et seq.);
9 and

10 (2) relevant Federal departments and agencies
11 should detail personnel to the Directorate at the Di-
12 rectorate’s offices in the United States.

13 (f) DEAL TEAMS.—

14 (1) IN GENERAL.—The Initiative shall be sup-
15 ported by designated embassy staff holding positions
16 related to United States commercial and economic
17 interests at United States embassies located in Afri-
18 ca, to the extent practicable. Such designated em-
19 bassy staff at a United States embassy located in
20 Africa shall be referred to as a “deal team” for pur-
21 poses of this subsection.

22 (2) DUTIES.—Each deal team shall prioritize
23 efforts to identify commercial opportunities, advo-
24 cate for improvements in the business and invest-
25 ment climate, engage and consult with private sector

1 partners, and report on such activities, pursuant to
2 the Championing American Business Through Diplo-
3 macy Act of 2019 (Public Law 116–94; 22 U.S.C.
4 9901 et seq.).

5 (g) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the Initiative should have a diverse workforce
7 composed of qualified individuals, including such individ-
8 uals from traditionally under-represented groups.

9 **SEC. 5. INVESTMENT PROMOTION AND TRADE CAPACITY**
10 **BUILDING ASSISTANCE.**

11 (a) IN GENERAL.—The President, acting through the
12 Executive Director of the Directorate, shall develop and
13 implement policies that promote, facilitate, and increase
14 two-way trade, investment, and other forms of economic
15 engagement between the United States and Africa, includ-
16 ing by providing support for—

17 (1) activities to advance trade capacity building
18 assistance, as authorized by the African Growth and
19 Opportunity Act and the Millennium Challenge Mod-
20 ernization Act (Public Law 115–167) and the
21 amendments made by that Act, and other applicable
22 statutes;

23 (2) identification and development of invest-
24 ment opportunities for the United States private sec-
25 tor in partner countries and efforts to facilitate and

1 promote trade, investment, and other forms of eco-
2 nomic engagement opportunities in the United
3 States and Africa;

4 (3) analysis of market systems, trends, pros-
5 pects and opportunities for value-addition, including
6 risk assessments and constraints analyses of key sec-
7 tors, and United States strategic competitiveness,
8 and other reporting on commercial opportunities and
9 investment climate in Africa;

10 (4) outreach and engagement with small and
11 medium-sized enterprises operating in Africa or
12 doing business with African partners, including
13 women-led and diaspora-owned businesses;

14 (5) efforts to leverage resources and expertise
15 to lower non-tariff barriers to trade, investment, and
16 other forms of economic engagement in Africa, such
17 as existing restrictions on the access of African en-
18 terprises to capital, and to generally promote a con-
19 ducive business climate for private sector invest-
20 ment;

21 (6) technical assistance to the African Union
22 and regional economic communities to implement the
23 African Continental Free Trade Area and support
24 regional economic integration; and

1 (7) development of local African capital markets
2 and Africa's access to lower cost, longer-term capital
3 in global markets, to include improving African in-
4 vestment readiness, increasing the availability of
5 market-based risk mitigation tools, and improving
6 the reliability and availability of investment data, to
7 promote the larger-scale, standardized, transparent
8 investment flows asked for by investors.

9 (b) PRIORITY.—In providing assistance to carry out
10 the activities described in subsection (a), the President
11 should consider United States strategic interests when al-
12 locating such assistance and give priority for activities in
13 countries that—

14 (1) have demonstrated support for economic
15 policies that promote the development of private en-
16 terprise, including foreign direct investment, and
17 taken steps to improve a business enabling environ-
18 ment that could benefit the United States private
19 sector and economy if such assistance is provided; or

20 (2) are designated by the President—

21 (A) as an eligible sub-Saharan African
22 country under the African Growth and Oppor-
23 tunity Act (19 U.S.C. 3703);

24 (B) as meeting the threshold requirements
25 to enter into an agreement with the United

1 States under section 609 of the Millennium
2 Challenge Act of 2003 (22 U.S.C. 7708; relat-
3 ing to Millennium Challenge Compact); or

4 (C) as a beneficiary developing country
5 under section 502 or 506A of the Trade Act of
6 1974 (19 U.S.C. 2462 or 2466a) and has rati-
7 fied and taken steps to implement the African
8 Continental Free Trade Area.

9 **SEC. 6. ADVISORY COUNCIL.**

10 (a) ESTABLISHMENT.—The President shall establish
11 an advisory council—

12 (1) to advise the President, and others as ap-
13 propriate, on the extent to which the Directorate
14 and relevant Federal departments and agencies are
15 meeting their objectives under this Act, and provide
16 suggestions for improvements with respect to meet-
17 ing those objectives, including implementation chal-
18 lenges and opportunities; and

19 (2) to support efforts to identify, promote, and
20 facilitate opportunities to expand commercial ties be-
21 tween the United States and Africa.

22 (b) MEMBERSHIP.—

23 (1) IN GENERAL.—The advisory council shall be
24 composed of—

1 (A) not less than 12 members appointed by
2 the President, in consultation with the Execu-
3 tive Director of the Directorate and the Chair
4 and Ranking Members of the Committee on
5 Foreign Affairs of the House of Representatives
6 and the Committee on Foreign Relations, from
7 among individuals with significant experience
8 investing and operating in Africa, including rep-
9 resentatives of United States and African dias-
10 pora-owned, women-owned, and small- and me-
11 dium-size enterprises; and

12 (B) the co-chairs or two appropriate des-
13 ignees of the President's Advisory Council on
14 Doing Business in Africa, as established by Ex-
15 ecutive Order 13734.

16 (2) TERMS; REAPPOINTMENT.—Each of the
17 members of the advisory council—

18 (A) shall serve a term of 2 years; and

19 (B) may only be reappointed for one addi-
20 tional successive term.

21 (3) DEADLINE FOR APPOINTMENT.—Each of
22 the members of the advisory council shall be ap-
23 pointed under paragraph (1) not later than 90 days
24 after the date on which the President establishes the
25 advisory council under subsection (a).

1 (4) VACANCIES.—A vacancy in the advisory
2 council shall be filled in the manner in which the
3 original appointment was made.

4 (c) CHAIRPERSON.—

5 (1) IN GENERAL.—The Executive Director of
6 the Directorate shall appoint a chairperson of the
7 advisory council from among the members of the ad-
8 visory council appointed under paragraph (1).

9 (2) TERMS; REAPPOINTMENT.—The chair-
10 person of the advisory council—

11 (A) shall serve a term of 2 years; and

12 (B) may only be reappointed for one addi-
13 tional successive term.

14 (d) PROHIBITION ON COMPENSATION.—Members of
15 the advisory council shall not receive pay, allowances, or
16 benefits of any value or form by reason of their service
17 on the advisory council.

18 (e) MEETINGS.—The advisory council shall meet at
19 the call of the Executive Director to, among other relevant
20 issues, advise on the extent to which the Initiative is meet-
21 ing stated objectives, and to recommend improvements
22 with respect to meeting those objectives and addressing
23 implementation challenges.

1 **SEC. 7. UNITED STATES-AFRICAN LEADERS SUMMIT.**

2 The President shall seek to convene on a biennial
3 basis a meeting between the United States Government
4 and heads of state of countries of Africa, to be known as
5 the “United States-African Leaders Summit”, for pur-
6 poses of advancing shared priorities and strengthening
7 diplomatic, economic, and security partnerships in Africa.

8 **SEC. 8. UNITED STATES STRATEGY TO PROMOTE TRADE,**
9 **INVESTMENT, AND ECONOMIC ENGAGEMENT**
10 **IN AFRICA.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of the enactment of this Act, the President, in con-
13 sultation with the heads of the relevant Federal depart-
14 ments and agencies, shall submit to the appropriate con-
15 gressional committees and make publicly available a single
16 government-wide strategy, to be known as the “Prosper
17 Africa Strategy”, that provides a detailed description of
18 how the United States intends to fulfill the policy objec-
19 tives of this Act.

20 (b) MATTERS TO BE INCLUDED.—The strategy re-
21 quired by subsection (a) shall—

22 (1) support and be aligned with other relevant
23 strategies of the United States Government;

24 (2) outline a plan to enhance coordination and
25 information sharing among relevant Federal depart-
26 ments and agencies on investment climate and op-

1 portunities and provide support to pending trans-
2 actions, and

3 (3) include specific and measurable goals,
4 benchmarks, performance metrics, and timetables to
5 carry out the purposes of this Act, and training,
6 monitoring, and evaluation plans to ensure the ac-
7 countability and effectiveness of all policies and ini-
8 tiatives carried out under the strategy.

9 (c) SPECIFIC IMPLEMENTATION PLAN.—The strat-
10 egy required by subsection (a) shall include a specific im-
11 plementation plan, in coordination with the recommenda-
12 tions and activities of the Economic Diplomacy Action
13 Group as required by section 708(c) of the Championing
14 American Business Through Diplomacy Act of 2019 (Pub-
15 lic Law 116–94; 22 U.S.C. 9904) from each of the rel-
16 evant Federal departments and agencies that describes—

17 (1) the anticipated contributions of the depart-
18 ment or agency, including technical, financial, and
19 in-kind contributions, to implement the strategy;

20 (2) the efforts of the department or agency to
21 ensure that the policies and initiatives carried out
22 pursuant to the strategy are designed to achieve
23 maximum impact and effectiveness and progress
24 made toward achieving the goals, benchmarks, per-

1 performance metrics, and timetables outlined in sub-
2 section (b)(3); and

3 (3) recommendations on necessary resources,
4 including staffing, to expand efforts to promote
5 trade, investment, and economic engagement be-
6 tween the United States and Africa.

7 **SEC. 9. REPORT.**

8 Not later than 180 days after the submission of the
9 strategy required by section 8(a), and annually thereafter
10 for 6 years, the President shall submit to the appropriate
11 congressional committees a report, in coordination with
12 the report required by the Championing American Busi-
13 ness Through Diplomacy Act of 2019 (Public Law 116-
14 94; 22 U.S.C. 9901 et seq.), that—

15 (1) summarizes and evaluates the implementa-
16 tion of United States diplomatic efforts and foreign
17 assistance programs, projects, and activities to ad-
18 vance the policy objectives set forth in section 2;

19 (2) describes the nature and extent of coordina-
20 tion among relevant Federal departments and agen-
21 cies, including a summary of activities and engage-
22 ments of the Directorate and the interagency leader-
23 ship committee established pursuant to section 4(d);

24 (3) provides data on goals identified for finan-
25 cial commitments under the Initiative and any pri-

1 vate capital mobilized to support and finalize trans-
2 actions, opportunities identified by relevant Federal
3 departments and agencies, and transactions deter-
4 mined to be ineligible for United States support or
5 not being pursued for other reasons under the Ini-
6 tiative; and

7 (4) describes the monitoring and evaluation
8 tools, mechanisms, and indicators to assess progress
9 made on the policy objectives set forth in section 2.

10 **SEC. 10. DEFINITIONS.**

11 In this Act:

12 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
13 **TEES.**—The term “appropriate congressional com-
14 mittees” means—

15 (A) the Committee on Foreign Affairs,
16 Committee on Ways and Means, and the Com-
17 mittee on Appropriations of the House of Rep-
18 resentatives; and

19 (B) the Committee on Foreign Relations,
20 Committee on Finance, and the Committee on
21 Appropriations of the Senate.

22 (2) **PRIVATE SECTOR.**—The term “private sec-
23 tor” means for-profit businesses and not-for-profit
24 entities.

1 **SEC. 11. SUNSET.**

2 The requirements of this Act shall terminate on the
3 date that is 7 years after the date of the enactment of
4 this Act.

Amend the title so as to read: “A bill to promote, facilitate, and increase trade, investment, and other forms of economic engagement between the United States and Africa.”.

