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

SEC. 2. STATEMENT OF POLICY.
   It is the policy of the United States to promote, facili-
   tate, and increase two-way trade, investment, and other
   forms of economic engagement between the United States
   and African countries to strengthen commercial ties, pro-
   mote economic growth and job creation, and advance stra-
   tegic partnerships.

SEC. 3. PROSPER AFRICA INITIATIVE.
(a) ESTABLISHMENT.—The President shall establish
   an initiative to be known as the “Prosper Africa Initia-
   tive” (in this Act referred to as the “Initiative”).
(b) PURPOSES.—The purposes of the Initiative shall
   be to prioritize and coordinate United States Government
   programs, activities, and diplomatic efforts aimed at in-
   creasing two-way trade, investment, and other forms of
economic engagement between the United States and Africa, including to—

(1) identify, promote, and increase trade, investment, and other forms of economic engagement opportunities, facilitate business and investor engagement, and support dissemination of data and market information to better inform United States businesses and investors of trade, investment, and other forms of economic engagement opportunities across Africa;

(2) support efforts of the United States and African private sectors to access, navigate, strengthen, and compete in African and global capital markets using a private sector-led and sector-specific approach that includes energy, agriculture, information and communications technology, healthcare, financial services, arts and entertainment, and infrastructure;

(3) modernize, streamline, and improve access to resources and services designed to promote increased trade, investment, and other forms of economic engagement opportunities for United States and African businesses and investors;
(4) promote broad economic growth and job creation while advancing strategic partnerships in the United States and Africa; and

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

SEC. 4. LEADERSHIP AND COORDINATION OF INITIATIVE.

(a) DIRECTORATE.—The President shall establish a directorate to be known as the “Prosper Africa Directorate” (in this Act referred to as the “Directorate”).

(b) EXECUTIVE DIRECTOR.—The President shall appoint an Executive Director of the Directorate who shall be responsible for the management, coordination, and information sharing functions of the Initiative and other duties that support the purposes of the Initiative described in section 3(b) as appropriate.

(c) DUTIES.—The Executive Director shall be responsible for—

(1) convening relevant Federal departments and agencies to coordinate programs, assistance, communications, and stakeholder engagement, and consulting with such departments and agencies on the
appropriate levels and allocation of resources in sup-
port of achieving the strategic objectives of the Ini-
tiative;

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

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

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

(d) LEADERSHIP COMMITTEE.—

(1) IN GENERAL.—The President shall establish
an interagency leadership committee (in this sub-
section referred to as the “committee”) to provide strategic guidance for administering the objectives of the Initiative and serve as the United States inter-agency strategic development and coordination body for efforts of relevant Federal departments and agencies.

(2) **MEMBERSHIP.**—The committee shall include representatives from relevant Federal departments and agencies, as determined appropriate by the President.

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

(4) **MEETINGS.**—The committee shall meet not less than four times each year at the call of the Executive Director of the Directorate (or the Director’s designee).

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

(1) the Directorate shall be supported by at least 6 full-time employees of the Federal government, which should include personnel detailed to the Directorate from relevant Federal departments and agencies, who are stationed in Africa and whose sole duties are to support the purposes of—
(A) the Initiative described in section 3(b);

or

(B) the provisions of the Better Utilization of Investments Leading to Development Act of 2018 (Public Law 116–283) with respect to Africa and pursuant to the Championing American Business Through Diplomacy Act of 2019 (Public Law 116–94; 22 U.S.C. 9901 et seq.);

and

(2) relevant Federal departments and agencies should detail personnel to the Directorate at the Directorate’s offices in the United States.

(f) DEAL TEAMS.—

(1) IN GENERAL.—The Initiative shall be supported by designated embassy staff holding positions related to United States commercial and economic interests at United States embassies located in Africa, to the extent practicable. Such designated embassy staff at a United States embassy located in Africa shall be referred to as a “deal team” for purposes of this subsection.

(2) DUTIES.—Each deal team shall prioritize efforts to identify commercial opportunities, advocate for improvements in the business and investment climate, engage and consult with private sector
partners, and report on such activities, pursuant to
the Championing American Business Through Diplo-
9901 et seq.).

(g) Sense of Congress.—It is the sense of Con-
gress that the Initiative should have a diverse workforce
composed of qualified individuals, including such individ-
uals from traditionally under-represented groups.

SEC. 5. INVESTMENT PROMOTION AND TRADE CAPACITY
BUILDING ASSISTANCE.

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

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

(2) identification and development of invest-
ment opportunities for the United States private sec-
tor in partner countries and efforts to facilitate and
promote trade, investment, and other forms of economic engagement opportunities in the United States and Africa;

(3) analysis of market systems, trends, prospects and opportunities for value-addition, including risk assessments and constraints analyses of key sectors, and United States strategic competitiveness, and other reporting on commercial opportunities and investment climate in Africa;

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

(5) efforts to leverage resources and expertise to lower non-tariff barriers to trade, investment, and other forms of economic engagement in Africa, such as existing restrictions on the access of African enterprises to capital, and to generally promote a conducive business climate for private sector investment;

(6) technical assistance to the African Union and regional economic communities to implement the African Continental Free Trade Area and support regional economic integration; and
(7) development of local African capital markets and Africa’s access to lower cost, longer-term capital in global markets, to include improving African investment readiness, increasing the availability of market-based risk mitigation tools, and improving the reliability and availability of investment data, to promote the larger-scale, standardized, transparent investment flows asked for by investors.

(b) PRIORITY.—In providing assistance to carry out the activities described in subsection (a), the President should consider United States strategic interests when allocating such assistance and give priority for activities in countries that—

(1) have demonstrated support for economic policies that promote the development of private enterprise, including foreign direct investment, and taken steps to improve a business enabling environment that could benefit the United States private sector and economy if such assistance is provided; or

(2) are designated by the President—

(A) as an eligible sub-Saharan African country under the African Growth and Opportunity Act (19 U.S.C. 3703);

(B) as meeting the threshold requirements to enter into an agreement with the United
States under section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708; relating to Millennium Challenge Compact); or

(C) as a beneficiary developing country under section 502 or 506A of the Trade Act of 1974 (19 U.S.C. 2462 or 2466a) and has ratified and taken steps to implement the African Continental Free Trade Area.

SEC. 6. ADVISORY COUNCIL.

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

(1) to advise the President, and others as appropriate, on the extent to which the Directorate and relevant Federal departments and agencies are meeting their objectives under this Act, and provide suggestions for improvements with respect to meeting those objectives, including implementation challenges and opportunities; and

(2) to support efforts to identify, promote, and facilitate opportunities to expand commercial ties between the United States and Africa.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The advisory council shall be composed of—
(A) not less than 12 members appointed by the President, in consultation with the Executive Director of the Directorate and the Chair and Ranking Members of the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations, from among individuals with significant experience investing and operating in Africa, including representatives of United States and African diaspora-owned, women-owned, and small- and medium-size enterprises; and

(B) the co-chairs or two appropriate designees of the President’s Advisory Council on Doing Business in Africa, as established by Executive Order 13734.

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

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

(B) may only be reappointed for one additional successive term.

(3) DEADLINE FOR APPOINTMENT.—Each of the members of the advisory council shall be appointed under paragraph (1) not later than 90 days after the date on which the President establishes the advisory council under subsection (a).
(4) Vacancies.—A vacancy in the advisory council shall be filled in the manner in which the original appointment was made.

(c) Chairperson.—

(1) In general.—The Executive Director of the Directorate shall appoint a chairperson of the advisory council from among the members of the advisory council appointed under paragraph (1).

(2) Terms; reappointment.—The chairperson of the advisory council—

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

(B) may only be reappointed for one additional successive term.

(d) Prohibition on compensation.—Members of the advisory council shall not receive pay, allowances, or benefits of any value or form by reason of their service on the advisory council.

(e) Meetings.—The advisory council shall meet at the call of the Executive Director to, among other relevant issues, advise on the extent to which the Initiative is meeting stated objectives, and to recommend improvements with respect to meeting those objectives and addressing implementation challenges.
SEC. 7. UNITED STATES-AFRICAN LEADERS SUMMIT.

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

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

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the heads of the relevant Federal departments and agencies, shall submit to the appropriate congressional committees and make publicly available a single government-wide strategy, to be known as the “Prosper Africa Strategy”, that provides a detailed description of how the United States intends to fulfill the policy objectives of this Act.

(b) Matters to Be Included.—The strategy required by subsection (a) shall—

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

(2) outline a plan to enhance coordination and information sharing among relevant Federal departments and agencies on investment climate and op-
opportunities and provide support to pending trans-
actions, and

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

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

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

(2) the efforts of the department or agency to 
ensure that the policies and initiatives carried out 
pursuant to the strategy are designed to achieve 
maximum impact and effectiveness and progress 
made toward achieving the goals, benchmarks, per-
formance metrics, and timetables outlined in sub-
section (b)(3); and

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

SEC. 9. REPORT.

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

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

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

(3) provides data on goals identified for finan-
cial commitments under the Initiative and any pri-
vate capital mobilized to support and finalize trans-
actions, opportunities identified by relevant Federal
departments and agencies, and transactions deter-
mined to be ineligible for United States support or
not being pursued for other reasons under the Ini-
tiative; and

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

SEC. 10. DEFINITIONS.

In this Act:

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

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

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

(2) PRIVATE SECTOR.—The term “private sec-
tor” means for-profit businesses and not-for-profit
entities.
SEC. 11. SUNSET.

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