Section-By-Section Summary
H.R 4221 Increasing American Jobs Through Greater Exports to Africa Act of 2012

Section 1
The short title of this Act is “Increasing American Jobs Through Greater Exports to Africa Act of 2012.

Section 2
The findings detail the fact that small and medium-sized American businesses accounted for 60% of U.S. exports in 2010, but big business has dominated U.S.-Africa trade under the African Growth and Opportunity Act (AGOA). Petroleum and mining account for more than 90% of trade under AGOA.

Countries such as China, Canada, France, the United Kingdom, Germany, Italy and Japan have more effective and comprehensive trade promotion programs for their countries operating in Africa, which give their companies an advantage over American companies. India, Turkey, Russia and Brazil are fast joining the previously mentioned group in promoting their businesses operating in Africa.

Africa has been designated as the “next frontier market,” with profitability and growth rates among many African firms exceeding global averages in recent years. Sub-Saharan Africa in particular is expected to have the fastest growing economies in the world over the next five years, with 7 of the 10 fastest-growing economies located in the region.

The purpose of this Act is to create jobs in the United States by expanding programs that will result in increasing United States exports to Africa by 200% in real dollar value within 10 years.

Section 3
The Act defines Africa as the entire continent of 54 counties, including the new Republic of South Sudan, and sub-Saharan Africa refers to the 49 countries not including the five North African states.

The African Diaspora means the people of African origin living in the United States, irrespective of their citizenship and nationality, who are willing to contribute to the development of Africa.
The term appropriate congressional committees refers to the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs and the Committee on Ways and Means in the House, and the Committee on Appropriations, the Committee on Banking, Housing and Urban Affairs, and the Committee on Foreign Relations in the Senate.

The term development agencies refers to the Department of State, the U.S. Agency for International Development, the Millennium Challenge Corporation, the Overseas Private Investment Corporation, the Export-Import Bank of the United States and the U.S. Trade Development Agency. The trade policy staff committee means the group composed of representatives of federal agencies in charge of developing and coordinating United States international trade and trade-related investment issues. The term trade promotion coordinating committee is the one created by Executive Order 12870.

The term multilateral development bank refers to primarily the African Development Bank.

Section 4

Not later than 180 days after the enactment of the Act, the President shall establish a comprehensive United States strategy for public and private investment, trade and development in Africa, which will focus on:

- increasing exports of U.S. goods and services to Africa by 200% in real dollar value within 10 years from the enactment of the Act;
- coordinating U.S. commercial interests with development priorities in Africa;
- developing relationships between African governments and U.S. businesses for the purpose of contracts in infrastructure development, technology, telecommunications, energy and agribusiness;
- improving the competitiveness of U.S. businesses in Africa, especially Diaspora businesses; exploring ways to utilize Diaspora remittances to Africa for development purposes;
- promoting economic integration in Africa through the regional economic communities;
- encouraging a greater understanding among U.S. businesses and financial communities of opportunities in Africa, and
- monitoring such measures as U.S. and foreign loan rates and policies of foreign countries as regards export financing investment in Africa.
In devising a U.S. trade policy for Africa, the President shall consult with Congress, the Trade Promotion Coordinating Committee, relevant multilateral development banks, the agencies involved in the Trade Policy Staff Committee, the President’s National Export Council, each of the development agencies and agencies responsible for export promotion or financing and development and the private sector, including businesses, nongovernmental organizations and African Diaspora groups.

**Section 5**

The President shall designate a Special Africa Export Strategy Coordinator to oversee the Africa trade strategy development and to coordinate the various government agencies responsible for trade, investment and development.

**Section 6**

It is the Sense of Congress that the Secretary of Commerce shall lead a trade mission not later than a year after enactment of this Act.

**Section 7**

The United States and Foreign Commercial Service shall ensure that no fewer than 14 officers from the agency are assigned to U.S. embassies in Africa. Moreover, as soon as practicable after enactment of the Act, the Secretary of Commerce shall assign at least one Foreign Commercial Service officer to each relevant multilateral bank to increase the access of U.S. businesses to procurement contracts with these banks and to facilitate the access of U.S. businesses to risk insurance, equity investment, consulting services and lending provided by the bank.

The Export-Import Bank shall utilize profits to assign no fewer than three full-time Bank employees to field offices in Africa, increase the number of Bank employees assigned to field offices in the United States to no fewer than 30 and upgrade the Bank’s equipment and software to more effectively track applications for financing by the Bank.

The Overseas Private Investment Corporation shall use net offsetting collections to increase by not more than five the staff needed to promote stable and sustainable economic growth and development in Africa, strengthen and expand the private sector in Africa and facilitate general economic development in Africa.

**Section 8**

The President shall develop a plan to standardize training for United States and Foreign Commercial Service officers, State Department economic officers and economic officers of USAID with respect to programs and procedures of the Export-Import Bank, the Overseas
Private Investment Corporation, the Small Business Administration and the U.S. Trade and Development Agency.

Section 9

The Export-Import Bank Act of 1945 is amended to increase funding available from existing agency profits to be used for the purposes outlined previously. Not less than 25% of the available funding is to be used for U.S.-Africa projects.

Section 10

It is the sense of Congress that the Export-Import Bank uses its Tied Aid Credit Fund to aggressively help American companies compete for projects in which a foreign government is using any type of below market, preferential or tied aid loan.

Section 11

The Small Business Act is amended by adding the Trade Promotion Coordinating Committee and regional offices of the Export-Import Bank to the statute.

Section 12

The United States Trade Representative and officials of the Export-Import Bank shall explore opportunities to negotiate bilateral, sub-regional and regional agreements to encourage trade and eliminate nontariff barriers to trade between countries to maximize the positive effects for United States trade, export and labor interests as well as economic development for African countries.