

May 15, 2026



Ann Marie Warmenhoven-Tilias  
Director of African Affairs, Office of African Affairs  
Office of the United States Trade Representative  
600 17th Street NW, Washington, DC 20508

Submitted via: [Regulations.gov](https://www.regulations.gov)

*Re: Public Comment on the Modernization of the African Growth and Opportunity Act  
(Docket USTR-2026-0166)*

Director Warmenhoven-Tilias:

The Alliance for American Manufacturing (AAM) – a partnership between leading U.S. manufacturers and the United Steelworkers – respectfully submits these comments in response to the Office of the United States Trade Representative’s (USTR) request for comments on the Modernization of the African Growth and Opportunity Act (AGOA) (Docket Number USTR-2026-0166).

AAM submits these comments to identify key concerns with AGOA’s current structure and to recommend reforms needed to better protect American workers and domestic industry. AGOA’s recent one-year extension through December 31, 2026, underscores the shared recognition of the administration and Congress that the program requires targeted reform rather than routine renewal, and that this window should be used to address longstanding structural weaknesses. AAM appreciates Ambassador Greer’s February 3, 2026, statement upon the President’s signing of the short-term AGOA extension, in which he noted that the administration will “work with Congress over the next year to modernize” AGOA.<sup>1</sup>

In particular, AAM urges USTR to consider the following:

- **Reform Rules of Origin (ROO) to Prevent Backdoor Access by China and Others.** AGOA’s rules of origin (ROO) allow goods assembled with inputs from non-AGOA countries to qualify for preferential treatment after only minimal processing in a beneficiary country. Under current rules, inputs produced in non-AGOA countries can be incorporated into products that undergo only limited assembly in an AGOA beneficiary country and are then exported to the United States duty-free,<sup>2,3</sup> undermining U.S. trade enforcement and disadvantaging domestic producers.

This dynamic is especially evident in manufacturing sectors where AGOA permits extensive use of third-country inputs, including apparel and other light manufacturing. In practice, Chinese-origin intermediate goods – such as fabric, yarn, or industrial inputs – are shipped to Africa, assembled into finished products with limited value added, and then re-exported to the United States under AGOA preferences. While these products are nominally classified as African, the bulk of their value and supply chain control can remain outside the beneficiary country, often in China. Unsurprisingly, these lax rules of origin have enabled China to deepen its economic ties with Africa, a trend that runs

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<sup>1</sup> <https://ustr.gov/about/policy-offices/press-office/press-releases/2026/february/statement-ambassador-jamieson-greer-reauthorization-african-growth-and-opportunity-act>

<sup>2</sup> <https://www.congress.gov/crs-product/R43173>

<sup>3</sup> [https://www.congress.gov/crs\\_external\\_products/IF/PDF/IF10149/IF10149.24.pdf](https://www.congress.gov/crs_external_products/IF/PDF/IF10149/IF10149.24.pdf)

counter to the economic alignment intended when AGOA was first enacted. China has been the continent's largest trading partner for 16 consecutive years.<sup>4</sup>

USTR should work to strengthen AGOA's ROO to close these loopholes and ensure that preferential treatment is limited to genuine production in beneficiary countries, rather than serving as a conduit for third-country goods to enter the U.S. market duty-free.

- **Strengthen Enforcement and Reauthorize Trade Adjustment Assistance (TAA).** Efforts focused primarily on facilitation or program extension, without stronger trade enforcement tools coupled with TAA, would be incomplete and would fail to protect American workers and industry from persistent unfair trade.

U.S. trade laws must be continually modernized to keep pace with increasingly sophisticated efforts to introduce dumped and subsidized goods into the U.S. market. The *Leveling the Playing Field Act 2.0* (H.R. 1548 / S.691) would strengthen existing enforcement tools to address these practices. Even after duties are imposed, evasion remains widespread, underscoring the need for stronger penalties for fraudulent and repeat violations, as reflected in the *Fighting Trade Cheats Act* (H.R. 1284 / S.3808). The Administration should also strengthen DOJ efforts to prosecute trade crimes, consistent with the *Protecting American Industry and Labor from International Trade Crimes Act* (H.R. 1869 / S.4955 (118<sup>th</sup>)).

Job losses and wage pressures resulting from unfair trade and import competition can have significant impacts on workers and communities. Modernization of AGOA should therefore be paired with Trade Adjustment Assistance (TAA) to support workers affected by trade-related disruptions and ensure a more balanced approach to trade policy.

AAM appreciates the opportunity to comment on this matter. For American workers and domestic industry already operating in a difficult trade environment, AGOA's current structure risks compounding existing harms without delivering commensurate strategic or economic benefits. The recent one-year extension of AGOA reflects Congress's recognition that the program requires reform and modernization, rather than mere continuation. That short-term extension was intended to provide the administration and Congress with time to identify and correct structural weaknesses, including deficient ROO, enforcement gaps, and insufficient worker support. This brief extension should be used to work with Congress to fix AGOA's structural flaws.

Sincerely,



Scott N. Paul  
President  
Alliance for American Manufacturing

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<sup>4</sup> <https://www.csis.org/analysis/whats-next-agoa>