THE UNITED STATES TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON

May 6, 2019

The Honorable David S. Johanson
Chairman
U.S. International Trade Commission
500 E Street, S.W.
Washington, DC 20436

Dear Chairman Johanson:

I am writing today regarding the Office of the United States Trade Representative's ongoing work on trade and investment issues related to sub-Saharan Africa (SSA).

This Administration seeks factual information on SSA's trade performance under the African Growth and Opportunity Act (AGOA). Specifically, the Administration seeks to gain further understanding of how enforcement of intellectual property rights and other policy measures affect trade and investment across the region, as well as a better understanding of growing markets for biotechnology and digital products and services, particularly for key markets such as South Africa, Nigeria, Kenya, Ghana, Rwanda, Ethiopia, and Cote d'Ivoire.

Therefore, pursuant to section 332(g) of the Tariff Act of 1930, and the authority delegated by the President to the United States Trade Representative, I request that the U.S. International Trade Commission (the Commission) conduct an investigation and provide a report on U.S. trade and investment with SSA. To the extent that information is available, the report should focus primarily on the years 2016-2018, or the latest three years for which data are available, but where appropriate examine longer-term trends since 2000. This report should include the following:

1. An overview of U.S. exports of goods and services to SSA, which should, to the extent information is available:

    a. Identify the sectors in which U.S. exports of goods and services to SSA have increased the most, in both value and percentage terms, and indicate major factors behind this growth.
    b. Identify the SSA countries to which U.S. exports of goods and services have increased the most, in both value and percentage terms, and indicate the major factors behind this growth.
    c. Identify SSA countries to which U.S. outward FDI has increased the most, in both value and percentage terms, and indicate major factors behind this growth.

d. Provide examples of how products and services from the United States integrate into key SSA value chains; identify possible opportunities for U.S. firms to better integrate into these value chains, where appropriate; and describe national or regional policies and other macroeconomic factors that may affect future demand for these U.S. products.

2. An overview of U.S. imports of goods and services from SSA, which should, to the extent information is available:

   a. Identify the sectors in which U.S. imports of goods and services from SSA have increased the most, in both value and percentage terms, and indicate major factors behind this growth. Data on goods should include both AGOA (including GSP) imports and total imports.
   b. Identify the SSA countries in which exports of goods and services to the United States have increased the most, in both value and percentage terms, and indicate the major factors behind this growth. Data on goods should include both AGOA (including GSP) imports and total imports.

3. To the extent information is available, describe the intellectual property environment, including national and regional laws, enforcement measures, and infringement issues, in key SSA markets. Through case studies describe the effects of the intellectual property environment on trade and investment in the key SSA markets.

4. Provide a broad overview and examples of technological innovation in the SSA food and agricultural production, processing, and marketing system. This should include a broad description of SSA food and agricultural producers' use of technological improvements in such areas as crop and livestock nutrition and genetics (including biotechnology); machinery and equipment; data processing and analytics; and digital market information and risk management systems. Through case studies, describe how the adoption of such technological improvements has affected certain SSA food and agricultural producers' overall production and export performance. Additionally, describe current national and regional regulatory policies and market conditions in key countries in SSA that may affect the adoption of technological improvements in the SSA food and agricultural sector.

5. Provide a broad overview and describe recent developments in the digital economy for key SSA markets. Provide information on the market for digital technologies in those key SSA markets as well as the role of digital products and services from the United States. To the extent that data are available, describe the market for digital products and services, such as internet-connected devices, cloud computing, e-commerce, internet of things, blockchain, and internet search and digital content, as well as how adoption of digital technologies affects other industry sectors, such as manufacturing and other services. Describe current national and regional regulatory and policy measures and market conditions in key countries in SSA that affect digital trade.

6. Provide a summary of recent developments of regional integration efforts in SSA, including progress on the negotiation and implementation of the African Continental Free Trade Area.

7. Briefly summarize the AGOA utilization strategies that have been developed by SSA countries.

8. To the extent practicable, provide a summary of the most recent 2019 data on U.S. trade flows of goods with SSA.

I request that the Commission deliver the report by March 31, 2020. As I intend to make the report available to the public, I request that the Commission not include any confidential business information or national security information in the report. Your assistance in this matter is appreciated.

Sincerely yours,

Robert E. Lighthizer