



MANCHESTER TRADE LIMITED, INC.

International Business Advisors

**SUMMARY OF TESTIMONY OF STEPHEN LANDE
President of Manchester Trade Limited Inc
“Annual Review of Country Eligibility for Benefits under AGOA”.
Before the AGOA Implementation Subcommittee of the Trade Policy Staff Committee
August 27, 2019 Washington DC**

As a Foreign Service Officer on detail to USTR 45 years ago, I led staff work on implementation of the US Generalized System of Preferences. (GSP), Section 502 of the 1974 Trade Act provided that the President may designate a country as eligible for GSP if it meets eligibility requirements set out in the Section. Section 104 of the African Growth and Opportunity Act (AGOA) provided that the President may designate a country as eligible for AGOA if the country met the eligibility requirements set out in the section as well as Section 502 of the 1974 Trade Act. Although details in the AGOA eligibility requirements differ from those in GSP, their motivations are very similar. I hope that my experience under GSP could provide some insights which would be helpful to USTR as it decides whether to designate currently ineligible countries for AGOA benefits and if so, the countries chosen for this designation.

I note that during 2019, the Congo DRC experienced a return to Democratic rule. The Tshisekedi Administration also implemented reforms designed to establish or to make progress towards establishing a market-based economy, the rule of law, political pluralism, the right to due process, the elimination of barriers to U.S. trade and investment, economic policies to reduce poverty, a system to combat corruption and bribery, and the protection of internationally recognized worker rights. In addition, the country may not engage in activities that undermine U.S. national security or foreign policy interests or engage in gross violations of internationally recognized human rights.

The Federal Register Notice by the Trade Representative, Office of the USG dated June 28, 2019 (Document Citation 84 FR 311135, Docket Number USTR-2019-0006, Document Number 2019-13905) entitled, “Annual Review of Country Eligibility for Benefits under AGOA” provides opportunities for importers and others to seek changes in the eligibility of sub-Saharan African countries to receive AGOA benefits. The Federal Register notice provides that information presented at an Aug. 27 public hearing and comments submitted no later than September 3rd will be considered in developing recommendations on AGOA country eligibility for 2020. Section 506A of the 1974 Act requires the President to monitor and annually review the progress of each sub-Saharan country in meeting the foregoing eligibility requirements in order to determine if a sub-Saharan African country that currently is not a beneficiary should be designated as a beneficiary. In addition, comments related to the AGOA child labor criteria may be considered by the Department of Labor as it prepares its required report on that issue.

I believe that the Congo DRC is fulfilling these requirements and would like the opportunity to present my justification for this view. I plan to draw on the excellent submission by Dr. Ngoie Joel Nshisso which is part of this docket. I hope that the input will be helpful to the USTR as it makes decisions whether to redesignate the Congo DRC for eligibility, I hope it will be helpful to the USTR as makes decisions whether to designate Zimbabwe for the first time for eligibility.

Submitted August 14, 2019

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