

110TH CONGRESS
2D SESSION

H. R. 5059

To amend the African Growth and Opportunity Act with respect to lesser developed countries.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2008

Mr. McDERMOTT introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the African Growth and Opportunity Act with respect to lesser developed countries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AFRICAN GROWTH AND OPPORTUNITY ACT.**

4 (a) IN GENERAL.—Section 112(c) of the African
5 Growth and Opportunity Act (19 U.S.C. 3721(c)) is
6 amended—

7 (1) by striking paragraphs (2) and (3);

8 (2) by redesignating paragraph (4) as para-
9 graph (2); and

1 (3) by striking paragraph (5) and inserting the
2 following:

3 “(3) DEFINITION.—In this subsection, the term
4 ‘lesser developed beneficiary sub-Saharan African
5 country’ means—

6 “(A) a beneficiary sub-Saharan African
7 country that had a per capita gross national
8 product of less than \$1,500 in 1998, as meas-
9 ured by the International Bank for Reconstruc-
10 tion and Development;

11 “(B) Botswana;

12 “(C) Namibia; and

13 “(D) Mauritius.”.

14 (b) APPLICABILITY.—

15 (1) IN GENERAL.—The amendments made by
16 subsection (a) apply to goods entered, or withdrawn
17 from warehouse for consumption, on or after the
18 15th day after the date of the enactment of this Act.

19 (2) RETROACTIVE APPLICATION.—Notwith-
20 standing section 514 of the Tariff Act of 1930 (19
21 U.S.C. 1514) or any other provision of law, upon
22 proper request filed with U.S. Customs and Border
23 Protection before the 90th day after the date of the
24 enactment of this Act, if—

1 (A) an entry, or withdrawal from ware-
2 house for consumption, of a good was made on
3 or after October 1, 2005, and before the 15th
4 day after the date of the enactment of this Act,
5 and

6 (B) there would have been no duty with re-
7 spect to such entry or withdrawal if the amend-
8 ments made by subsection (a) applied to such
9 entry or withdrawal,
10 such entry or withdrawal shall be liquidated or reliq-
11 uidated as if such amendments applied to such entry
12 or withdrawal.

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