

Congress of the United States
Washington, DC 20515

July 14, 2022

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Biden:

We request that you invoke your authority to waive duties on fertilizer imports that your administration imposed on phosphate fertilizer products from Morocco and place a moratorium on any new duties on urea ammonium nitrate (UAN) fertilizer from Trinidad and Tobago.

As you know, America is facing a serious supply shortage of fertilizers, leading to record high fertilizer prices. Our country's farmers and agricultural producers are making decisions on what to plant today based on fertilizer prices rather than typical market fundamentals. Coupled with inflation at the highest it has been in 41 years and a Consumer Price Index for food up 14.6%, the rising cost of fertilizer will increase food insecurity and geopolitical tension domestically and abroad. The United Nations World Food Programme projects that hundreds of millions more people are food insecure given this convergence of recent forces majeures. Food security is core to national security, and without fertilizer, American agricultural yields will quickly suffer and so too will those who have long enjoyed affordable and available food.

Unfortunately, during these unprecedented circumstances, your Department of Commerce and U.S. International Trade Commission (ITC) imposed duties on imports of Moroccan phosphate and is in the process of imposing duties on UAN from long-time supplier Trinidad and Tobago. In fact, currently, a supermajority of the global tradable supply of phosphate fertilizers is subject to U.S. duties. While the United States is a major producer of nitrogen and phosphate, farmers still significantly rely on imports to fully meet demand. For instance, prior to your Department of Commerce's preliminary decision to restrict UAN imports from Trinidad and Tobago, nearly 65% of imported UAN originated in Trinidad and Tobago. Likewise, prior to your Department of Commerce's decision to restrict phosphate from Morocco, American growers sourced 15% of their phosphate from Morocco. In both cases, these are/were reliable and relatively affordable sources of nitrogen and phosphate, building blocks to U.S. agricultural productivity.

While under normal circumstances, action by the Commerce Department and the ITC in the form of duties may be warranted. We do not want foreign governments to distort trade with the United States. However, we certainly are not in normal circumstances. Duties on some of our most reliable trading partners is the last thing we need amid a global food crisis.

You have the authority to provide farmers with immediate relief from these inflationary tariffs, somewhat similarly as you did for the solar industry in your June 6 Proclamation, "*Declaration of Emergency and Authorization for Temporary Extensions of Time and Duty-Free Importation of Solar Cells and Modules from Southeast Asia.*" In fact, the justifications mentioned in your June 6 Proclamation are far more applicable to shortages farmers face with fertilizer than any emergency concerning solar panels, as the subsequent decrease in food production will increase prices at the grocery store and increase food insecurity.

Your recent Proclamation "declare[s] an emergency to exist with respect to the threats to the availability of sufficient electricity generation capacity to meet expected customer demand." Fertilizer supply and availability – especially for nitrogen and phosphate – are also at a crossroads where farmers are applying lower-than-recommended soil nutrient rates for fear they cannot break even. The twofold results are productivity will decline and farmers may switch to alternative crops, thereby disrupting a reliable supply of protein staples.

The bottom line is that fertilizer is critical to national security and national defense. Its affordability is also critical to wrangling out-of-control inflation. As such, we strongly encourage you to take immediate action to waive duties on fertilizer imports from Morocco and Trinidad and Tobago.

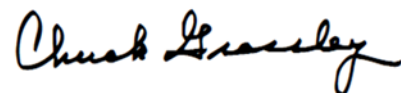
Sincerely,



Roger Marshall, M.D.
United States Senator



Tracey Mann
United States Representative



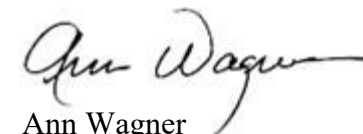
Chuck Grassley
United States Senator



Kat Cammack
United States Representative



Steve Daines
United States Senator



Ann Wagner
United States Representative



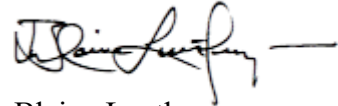
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United States Representative



Barry Moore
United States Representative



Eric A. "Rick" Crawford
United States Representative



Sam Graves
United States Representative



Tedd Budd
United States Representative



Ben Cline
United States Representative



Vicky Hartzler
United States Representative