

117TH CONGRESS  
2D SESSION

# H. R. 7010

To provide a temporary waiver of countervailing and antidumping duties relating to fertilizer or fertilizer ingredients if an emergency situation impacts the domestic production or supply of merchandise subject to those duties, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2022

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

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## A BILL

To provide a temporary waiver of countervailing and antidumping duties relating to fertilizer or fertilizer ingredients if an emergency situation impacts the domestic production or supply of merchandise subject to those duties, and for other purposes.

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. SHORT TITLE.**

4       This Act may be cited as the “Emergency Relief from  
5       Duties Act”.

1 **SEC. 2. EMERGENCY WAIVER OF COUNTERVAILING AND**  
2 **ANTIDUMPING DUTIES RELATING TO FER-**  
3 **TILIZER OR FERTILIZER INGREDIENTS.**

4 (a) PETITION.—Any covered party may petition the  
5 Commission to waive countervailing duties or antidumping  
6 duties assessed for covered merchandise under title VII  
7 of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.), or  
8 renew any such waiver, if there is an emergency situation  
9 that—

10 (1) limits the production in the United States  
11 of that merchandise in a manner that causes eco-  
12 nomic hardship for users of that merchandise or  
13 merchandise made from that merchandise; or

14 (2) would result in a supply and demand dis-  
15 ruption that substantially increases the price of that  
16 merchandise or merchandise made from that mer-  
17 chandise.

18 (b) PUBLIC COMMENT.—The Commission shall per-  
19 mit the public to submit comments concerning any petition  
20 for a waiver or renewal under subsection (a) for a period  
21 of not less than 30 days.

22 (c) FINAL DECISION ON WAIVER OR RENEWAL.—  
23 Not later than 30 days after the close of a public comment  
24 period under subsection (b) concerning a petition for a  
25 waiver or renewal under subsection (a), the Commission

1 shall issue a final decision concerning that waiver or re-  
2 newal.

3 (d) PERIOD OF WAIVER.—Any waiver or renewal  
4 under this section shall be for a period of one year.

5 (e) DEFINITIONS.—In this section:

6 (1) COMMISSION.—The term “Commission”  
7 means the United States International Trade Com-  
8 mission.

9 (2) COVERED MERCHANDISE.—The term “cov-  
10 ered merchandise” means any fertilizer or ingredient  
11 used to make fertilizer.

12 (3) COVERED PARTY.—The term “covered  
13 party” means any of the following:

14 (A) An interested party, as that term is  
15 defined in section 771(9) of the Tariff Act of  
16 1930 (19 U.S.C. 1677(9)), that is a United  
17 States person.

18 (B) A coalition or trade association rep-  
19 resentative of agricultural producers or growers  
20 in the United States if those producers or grow-  
21 ers utilize covered merchandise subject to coun-  
22 tervailing duties or antidumping duties assessed  
23 under title VII of the Tariff Act of 1930 (19  
24 U.S.C. 1671 et seq.) or merchandise made from  
25 covered merchandise subject to those duties.

1           (4) EMERGENCY SITUATION.—The term “emer-  
2       gency situation” includes the following:

3           (A) Acts of God, such as severe acts of na-  
4       ture or weather events including floods, fires,  
5       earthquakes, hurricanes, and explosions.

6           (B) War, acts of terrorism, and epidemics.

7           (C) Acts of governmental authorities such  
8       as expropriation, condemnation, and changes in  
9       laws and regulations.

10          (D) Strikes and labor disputes.

11          (E) Major accidents.

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