

119TH CONGRESS
2D SESSION

S. _____

To prohibit the imposition of any duty on the importation of phosphate fertilizers under section 122 or 301 of the Trade Act of 1974, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARSHALL introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To prohibit the imposition of any duty on the importation of phosphate fertilizers under section 122 or 301 of the Trade Act of 1974, 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 “Lowering Input Costs
5 for American Farmers Act”.

6 **SEC. 2. ACCESS TO PHOSPHATE.**

7 Notwithstanding any other provision of law, including
8 the Tariff Act of 1930 (19 U.S.C. 1304 et seq.), beginning
9 on the date that is 7 days after the date of the enactment

1 of this Act, any duty imposed under section 122 or 301
2 of the Trade Act of 1974 (19 U.S.C. 2132 and 2411) shall
3 not apply to any article—

4 (1) classified under heading 3103 or 3105 of
5 the Harmonized Tariff Schedule of the United
6 States; and

7 (2) imported from the Kingdom of Morocco.

8 **SEC. 3. REVOCATION OF COUNTERVAILING DUTY ORDERS.**

9 (a) IN GENERAL.—Effective on the date that is 4
10 business days after the date of the enactment of this Act,
11 the countervailing duty orders issued with respect to phos-
12 phate fertilizers imported from the Kingdom of Morocco
13 and the Russian Federation (issued on April 7, 2021)
14 shall have no force or effect with respect to imports from
15 the Kingdom of Morocco.

16 (b) IMPLEMENTATION.—Beginning on the date de-
17 scribed in subsection (a), the Secretary of Commerce shall
18 promptly take any necessary action to ensure that no duty
19 or cash deposit is collected in violation of subsection (a),
20 with the exception of any duty assessed pursuant to an
21 administrative review that was completed before the date
22 described in subsection (a).

23 (c) REFUND.—Not later than 90 days after the date
24 of the enactment of this Act, U.S. Customs and Border
25 Protection shall refund to the importer of record any cash

1 deposits paid by the importer pursuant to the orders de-
2 scribed in subsection (a) with respect to an import from
3 the Kingdom of Morocco that do not fall into the exception
4 described in subsection (b).