



**American  
Iron and Steel  
Institute**

25 Massachusetts Avenue, NW  
Suite 800  
Washington, D.C. 20001  
Phone 202.452.7100  
Fax 202.452.1039

[www.steel.org](http://www.steel.org)

**Kevin M. Dempsey**  
*President and CEO*

March 28, 2022

The Honorable Ron Wyden  
Chairman  
Committee on Finance  
United States Senate  
Washington, DC 20510

The Honorable Mike Crapo  
Ranking Member  
Committee on Finance  
United State Senate  
Washington, DC 20510

Dear Chairman Wyden and Ranking Member Crapo:

On behalf of the producer members of the American Iron and Steel Institute, I write today to express our industry's concerns regarding recently introduced legislation to authorize the U.S. International Trade Commission (ITC) to waive antidumping (AD) and countervailing duties (CVD) if it determines that an "emergency situation" exists.

While the Emergency Relief from Duties Act as currently drafted would apply only to imports of fertilizer or fertilizer ingredients, it would create a dangerous precedent that would fundamentally change the U.S. trade remedy legal regime. Under the legislation, the ITC could effectively nullify the legal effect of previous determinations by the Department of Commerce that the subject imports are dumped and/or subsidized and previous determinations by the ITC that these imports are injuring a domestic industry. Furthermore, ITC would be empowered to make this determination after only a 30-day comment period and without any opportunity for interested parties to be heard at a public hearing. This would be a radical restructuring of the U.S. trade law system, which currently requires a lengthy process of investigations, hearings and determinations by two different government agencies before AD/CVD relief is granted.

The American steel industry has sought relief under the trade laws on numerous occasions to address the adverse impacts of unfairly traded steel imports. We strongly oppose the creation of an "emergency" exception to the AD/CVD laws, as this would undermine the effectiveness of these critical tools to address the injurious effects of foreign unfair trade practices on domestic industries, workers, farmers and ranchers.

Sincerely,

A handwritten signature in black ink that reads "Kevin M. Dempsey".

Kevin M. Dempsey  
President and Chief Executive Officer