June 29, 2022

The Honorable Martin J. Oberman
Chairman
Surface Transportation Board
Washington, DC 20423

The Honorable Michelle A. Schultz
Vice Chairman
Surface Transportation Board
Washington, DC 20423

The Honorable Robert E. Primus
Board Member
Surface Transportation Board
Washington, DC 20423

The Honorable Patrick J. Fuchs
Board Member
Surface Transportation Board
Washington, DC 20423

The Honorable Karen J. Hedlund
Board Member
Surface Transportation Board
Washington, DC 20423

Via Electronic Mail Re: Poor Rail Service and Fertilizer and Agricultural Goods

Dear Chairman Oberman, Vice Chairman Schultz and Board Members Primus, Fuchs, and Hedlund:

On behalf of our constituents and farmers around the country, we write regarding poor rail service, which has limited fertilizer shipments, among other essential agricultural inputs and commodities, including grain and feed. Thank you for the time you have already spent addressing this urgent matter. However, we strongly encourage the Surface Transportation Board (STB) to continue its work with stakeholders to address the short-term challenges and to minimize the likelihood of their recurrence through practical updates and changes.

At a time when global fertilizer supplies and global crop production are highly disrupted, imposing shipping curtailments on fertilizer inputs and grain, as recently proposed by Union Pacific, will cause major supply chain disruptions, hurt American farmers, and exacerbate the food crisis considerably. We must ensure critical commodities reach essential industries and workers, such as America’s farmers, who are essential to feeding our nation and the world. Food is a national security issue, and we must treat it as such.

During the April 26-27 Surface Transportation Board hearing on rail service, a variety of industries, including grain and feed and fertilizer producers, reported severe rail service problems amongst all or most of the Class I rail carriers. According to The Fertilizer Institute, over half of all fertilizer moves by rail, and recent service problems, and imposed restrictions have forced fertilizer shipping reductions and potential production delays. This can restrict fertilizer supply
and raise costs on the farmers who rely on this necessary input for 50% of their crop yields.\textsuperscript{1} Rail service has struggled for fertilizers, including nitrogen, phosphate, and potash.\textsuperscript{2} As you may know, sanctions against Belarus and the Russian war in Ukraine have severely restricted global potash supplies. While Canada holds 45% of the world’s reserves, we must be able to move fertilizer by rail to supply our farmers and many others around the world.\textsuperscript{3}

Feed mills, integrated livestock and poultry operations, and other agricultural operations are also experiencing pervasively poor rail service. This has led to shutdowns and slowdowns at ethanol plants, soybean crushers, flour mills, and livestock and poultry feed mills that are severely challenging agricultural supply chains and leading to lower prices for producers and higher food prices for consumers. Instances of severely delayed feed deliveries to farmers to support these operations are all too common, and at grain export destinations, vessels endure long loading wait times due to delayed train delivery. During this time the grain exporter, not the railroad, pays demurrage charges to the shipping company. According to a letter from the National Grain and Feed Association to STB on March 24, 2022, one grain company by itself is spending an additional $3 million per month on secondary freight to try and keep animals fed.

While trucking surges for U.S. fertilizer producers in the Spring and grain producers in the Fall, the overall agricultural sector relies on rail to be consistent in pre-positioning fertilizer products ahead of busy seasons and in facilitating the continuous consumption of grain products. Therefore, the ability for the fertilizer and grain and feed industries to ship by rail is imperative for curbing the impending food shortages many parts of the world are facing.

For these reasons, timely and uninterrupted fertilizer and grain rail shipments are vital to the country’s interests. Reports last month regarding Union Pacific directing fertilizer producers to reduce shipment on the eve of the spring application season are therefore troubling.\textsuperscript{4} Union Pacific also curbed grain shipments leading to supply chain interruptions. If other carriers follow Union Pacific’s example from this past spring, we could see supply chain inconsistencies creep into fall production as well.

By placing onerous restrictions on shippers without customer consultation, Class I carriers may run the risk of jeopardizing family run farms and increasing the cost of food for consumers. If Union Pacific continues down this path and other carriers follow suit, it will reduce crop production at a time when our nation and the world can least afford it.

Rail service must be improved, and we appreciate the STB’s attention to this matter. While we respect the challenges of operating a major railroad, communication is essential when taking steps to make the necessary improvements, including the imposition of service curtailments. As we work toward solutions to meet the ongoing supply chain challenges, carriers and the STB should also be mindful of essential commodities and our country’s best public interest.


\textsuperscript{2} The Fertilizer Institute Statement for the Record, “Hearing on Surface Transportation Board Reauthorization.” House Transportation and Infrastructure Subcommittee on Railroads, Pipelines, and Hazardous Materials. March 8, 2022.

\textsuperscript{3} \url{https://www.bnnbloomberg.ca/fertilizer-buyers-are-eyeing-canada-to-fill-global-potash-deficit-1.1760172}

\textsuperscript{4} Thomas, Patrick, “America’s Snarled Railroads are the Latest Hit to Farmers,” Wall Street Journal, April 29, 2022.
Sincerely,

Jim Costa  
Member of Congress

Ralph Norman  
Member of Congress

Mary E. Miller  
Member of Congress

Charles J. "Chuck" Fleischmann  
Member of Congress

James R. Baird  
Member of Congress

Kat Cammack  
Member of Congress

W. Gregory Steube  
Member of Congress

Glenn Grothman  
Member of Congress

John Rose  
Member of Congress

Austin Scott  
Member of Congress
Trent Kelly
Member of Congress

Dan Newhouse
Member of Congress

Louie Gohmert
Member of Congress

Frank D. Lucas
Member of Congress

Tracey Mann
Member of Congress

Vicky Hartzler
Member of Congress

Mike Thompson
Member of Congress

Jimmy Panetta
Member of Congress

Rick W. Allen
Member of Congress

Mark E. Green, MD
Member of Congress
Clay Higgins  
Member of Congress

David Rouzer  
Member of Congress

Byron Donalds  
Member of Congress

Tim Burchett  
Member of Congress

Darin LaHood  
Member of Congress

Josh Harder  
Member of Congress

Salud Carbajal  
Member of Congress

Cynthia Axne  
Member of Congress

Kim Schrier, M.D.  
Member of Congress

David G. Valadao  
Member of Congress
Randy Feenstra  
Member of Congress

Julia Letlow  
Member of Congress

Sanford D. Bishop, Jr.  
Member of Congress

Lisa C. McClain  
Member of Congress

Mariannette Miller-Meeks, M.D.  
Member of Congress

Robert E. Latta  
Member of Congress

Daniel Meuser  
Member of Congress

Bob Gibbs  
Member of Congress

Cathy McMorris Rodgers  
Member of Congress

Jefferson Van Drew  
Member of Congress
Angie Craig  
Member of Congress  

Cc: Brian Deese, Director, National Economic Council, The White House  
Ian Jefferies, President and CEO, Association of American Railroads