

United States Senate

WASHINGTON, DC 20510

January 20, 2022

President Joseph Biden
1600 Pennsylvania Avenue N.W.
Washington, D.C.

Dear President Biden:

We write in support of extending, for four years, the safeguard duties imposed on imported solar products pursuant to Section 201 of the Trade Act of 1974, and applying the extended duties to imported bifacial solar products. We urge you to consider the U.S. International Trade Commission's (ITC) unanimous recommendation that Section 201 relief should be extended so that the domestic solar industry can complete a positive adjustment to import competition and avoid further serious injury. It is in our national interest to support American workers whose jobs are threatened by surging imports, many of which are traded unfairly by China.

According to the ITC, the current Section 201 duties have been an essential safeguard measure, helping our domestic industry expand and upgrade production and create new jobs. In fact, the United States has set records for solar deployment every year that the safeguard measures have been in place; deployment in 2019 exceeded deployment in 2018 by 23 percent, and 2020 set a new record for solar installations.

We are pleased to see that the safeguard is working; however, the goal of the safeguard is to provide the time and space for our domestic solar industry to get back on its feet, and achieving this goal will require additional time. Between the COVID-19 pandemic and the continued exclusion for bifacial solar panels, the domestic industry and its workers continue to reel from import pressure. As you consider whether to extend the solar safeguard, we urge you to extend the duties imposed on imported solar panels for four years, noting that the ITC makes clear: "an extension of less than four years would not appear sufficient for the industry's efforts to adjust to import competition." As such, we consider it vital to include bifacial solar products as part of any extension to ensure the integrity and success of the safeguard moving forward.

Moreover, the temporary support to domestic industry provided by the safeguard also helps preserve the interests of the United States in pursuing improved environmental quality and human rights. We do not accept the premise that the only way for our country to invest in renewable energy sources is to remain dependent on Chinese-produced, and other imported, goods. In fact, we can reduce emissions by fostering increased capacity for domestic solar cell and module manufacturing, since products manufactured in the United States are among the most environmentally friendly in the world and built with strong labor standards.

Further, continued dependence on China in this regard rewards and encourages the continuation of the forced labor atrocities committed against the Uyghurs and other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region. There is serious and justified concern that Chinese polysilicon manufacturing is propped up by exploitation of Uyghurs and others, and understand that polysilicon produced by forced labor is widely used in imported solar products from not only China, but from third-countries as well.

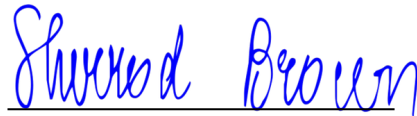
American solar manufacturing should be a key part of the clean energy economy, but despite the United States leading the world in solar research and development, China's exploitative industrial and trade practices continue to hinder the growth of a strong U.S. solar supply chain. We can only build that capacity if our trade laws are utilized and enforced to the fullest extent possible. Doing so will support American workers and businesses, promote fair trade, minimize the environmental impacts of solar manufacturing and reduce global supply chain reliance on forced labor. In this instance it will also help to facilitate significant growth in the domestic solar supply chain, as well as in the domestic clean technology sector as a whole.

Thank you for your consideration of our request.

Sincerely,



Rob Portman
United States Senator



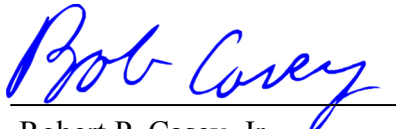
Sherrod Brown
United States Senator




Marco Rubio
United States Senator



Mike Braun
United States Senator



Robert P. Casey, Jr.
United States Senator



Roger Marshall, M.D.
United States Senator