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5TH DISTRICT, OHIO

DEPUTY WHIP

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEE ON
COMMUNICATIONS AND TECHNOLOGY
REPUBLICAN LEADER

SUBCOMMITTEE ON ENERGY

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PROTECTION AND COMMERCE

Congress of the United States

House of Representatives

Washington, DC 20515-3505

June 15, 2022

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President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Biden:

Last week, you announced new executive actions that will allow solar components from Cambodia, Malaysia, Thailand, and Vietnam to be imported into the United States duty-free for two years, regardless of whether they contain Chinese-produced parts that are subject to U.S. tariffs. Your unprecedented action undermines an ongoing investigation by the U.S. Department of Commerce (DOC) to determine whether Chinese solar cells and modules are circumventing antidumping and countervailing duties (AD/CVD) through these Southeast Asian nations. The DOC investigation, which began on March 28, 2022, must reach its conclusion uninterrupted and without political interference.

Your decision to provide amnesty for China to violate our trade laws penalizes American workers and our domestic solar manufacturing industry, which is harmed by China's non-market subsidization of the solar supply chain, intellectual property theft, inhumane forced labor practices, and environmental abuses.

Regardless of the outcome of the DOC investigation, the decision to waive tariffs sends a clear message to our foreign adversaries that our trade enforcement laws will not be upheld by your Administration.

American solar manufacturers are developing new technologies and supporting high-quality jobs that help achieve our clean energy goals. Additionally, compared to the products manufactured overseas, these domestic manufacturers produce solar panels that provide a high level of reliability and resiliency from cyber-attacks. Waiving tariffs on Chinese solar components will make it more difficult to manufacture solar panels in the United States. American companies serve as a bulwark against the United States becoming completely reliant on foreign nations for our energy needs.

Unfortunately, your actions fail to provide workable solutions that would reduce our dependence on China for critical minerals and components used in the solar supply chain. As with other actions taken by your Administration, the goal appears to be to pursue the most politically expedient options that would accomplish a radical environmental agenda. Ultimately, this rush-to-green is coming at the expense of the domestic solar industry, American workers, and our energy independence.

We urge you to reverse your decision to waive tariffs on solar panels that may be manufactured with Chinese components, and ensure the DOC investigation, which is critical to America's solar future, is completed without prejudice or political influence.

CC: Secretary of Commerce Gina Raimondo
Secretary of Energy Jennifer Granholm

Sincerely,



Robert E. Latta
Member of Congress



Cathy McMorris Rodgers
Member of Congress



David B. McKinley, P.E.
Member of Congress



Brett Guthrie
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Greg Pence
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