

Congress of the United States
Washington, DC 20515

September 29, 2021

The Honorable Gina Raimondo
Secretary
Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Raimondo,

We are writing to express concern about the anonymous petitions recently filed with the Department of Commerce that would increase the cost of solar energy projects with devastating effects on the American solar energy market. These petitions, which would expand existing antidumping and countervailing duty (AD/CVD) tariffs to include most crystalline silicon photovoltaic (CSPV) solar panels from Malaysia, Vietnam, and Thailand would potentially triple the cost of solar panels, severely undercutting the clean energy goals of the United States and threatening thousands of American jobs.

As representatives from Congressional districts that have embraced solar energy, we understand how the complex global supply chain supports American manufacturing, installation, and maintenance jobs. The United States is working to meet aggressive clean energy targets over the coming decades meaning the demand for solar energy will only increase. While we are supportive of efforts to increase domestic manufacturing, the current demand for panels and cells far exceeds the current capacity of domestic production.

Should the Department of Commerce proceed with substantial tariffs as requested by these anonymous petitioners, many ongoing and planned solar projects would be put on hold, negatively impacting every segment of the American solar industry and resulting in significant job losses in our districts. Having these projects stalled would put President Biden's ambitious clean energy deployment goals at risk and endanger our national efforts to combat climate change.

We ask that you carefully consider whether these petitions represent an effort to use the circumvention statute to avoid a full and fair inquiry into whether CSPV cell and panel imports from Malaysia, Vietnam, and Thailand are actually subsidized or sold to the United States at less than fair value. As you know, the AD/CVD process requires petitioners to establish harm from imports during a full U.S. International Trade Commission (USITC) investigation and public hearing before the USITC Commissioners. This process affords interested parties the opportunity to contest petitioners' claims. The circumvention petitions avoid a full review of this and other important procedural factors that are worthy of consideration in a matter of this scope and magnitude.

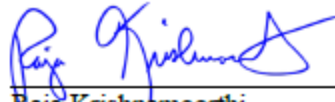
The Department of Commerce has broad discretion on how it ultimately deals with a circumvention petition, and there is established precedent for Commerce to decline to initiate an investigation. Given the likely impact of these proposed tariffs and the procedural questions identified above, we ask that you carefully consider the validity of these petitions and the potential harm to American jobs and solar energy goals they represent.

Thank you for your attention to these matters and we look forward to working with you to support the mutually beneficial objectives of meeting climate change mitigation goals while supporting American clean energy jobs.

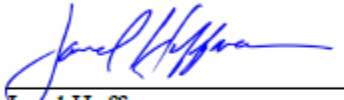
Sincerely,



Raul Ruiz, M.D.
Member of Congress



Raja Krishnamoorthi
Member of Congress



Jared Huffman
Member of Congress



Tom O'Halleran
Member of Congress



Scott H. Peters
Member of Congress



Eric Swalwell
Member of Congress



David E. Price
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Deborah K. Ross
Member of Congress

Tony Cárdenas

Tony Cárdenas
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Mike Levin

Mike Levin
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Mike Thompson

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