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駐美國代表處經濟組 函

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受文者：經濟部國際貿易局

發文日期：中華民國110年11月24日

發文字號：經美字第1100001430號

速別：普通件

密等及解密條件或保密期限：

附件：如文（經美1100001430_Attach1.pdf, 經美1100001430_Attach2.pdf）

主旨：陳報美國國際貿易委員會(USITC)表示，「晶矽太陽能電池及模組」防衛措施對於美國業者仍持續有必要性，將請美國總統決定是否延長該防衛措施事，敬請查參。

說明：

- 一、本組本(110)年11月5日經美字第1100001378號函諒達。
- 二、本案背景：美國於2018年2月起對進口「太陽能電池與模組」採取4年防衛措施(2018年2月至2022年2月)。美國廠商本年8月向USITC申請延長該防衛措施4年，USITC並於本(11)月3日召開公聽會，聽取各方意見。
- 三、USITC於本月24日決議，旨揭措施對於美國業者仍持續有必要性，要點如下：
 - (一)USITC決議本案防衛措施對於防止或救濟國內業者遭受嚴重損害仍持續有必要性，且證據顯示國內產業對於進口競爭正進行正面之調整。
 - (二)USITC將於下(12)月8日前將其調查及認定報告提交美國總統，美國總統將決定是否延長該防衛措施。
- 四、謹註，美國貿易代表署(USTR)本年9月30日公告，就本案

經濟部
國際貿易局

國際貿易局 110/11/25



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防衛措施徵求公眾意見，可於下(12)月15日前向USTR提出，並將於明(2022)年1月4日召開本案公聽會。

五、檢送USITC公告、相關報導，併請卓參。

正本：經濟部國際貿易局

副本：行政院經貿談判辦公室、經濟部、陳政務次長室(請經濟部代陳)、經濟部工業局
(均含附件)

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國際
騎縫章

Home (/) » News Releases (/news_releases) » USITC Says Relief Continues to be Necessary for U.S. Industry Producing Crystalline Silicon Photovoltaic Cells, Whether or Not Partially or Fully Assembled into Other Products

USITC SAYS RELIEF CONTINUES TO BE NECESSARY FOR U.S. INDUSTRY PRODUCING CRYSTALLINE SILICON PHOTOVOLTAIC CELLS, WHETHER OR NOT PARTIALLY OR FULLY ASSEMBLED INTO OTHER PRODUCTS

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November 24, 2021

News Release 21-134

Inv. No. TA-201-075 (Extension)

Contact: Peg O'Laughlin, 202-205-1819

USITC SAYS RELIEF CONTINUES TO BE NECESSARY FOR U.S. INDUSTRY PRODUCING CRYSTALLINE SILICON PHOTOVOLTAIC CELLS, WHETHER OR NOT PARTIALLY OR FULLY ASSEMBLED INTO OTHER PRODUCTS

The U.S. International Trade Commission (USITC) today determined that import relief provided beginning in 2018 to the U.S. industry producing crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, continues to be necessary to prevent or remedy serious injury to the U.S. industry, and that there is evidence that the domestic industry is making a positive adjustment to import competition.

The Commission will forward its report on its investigation and determination to the President by December 8, 2021. The President will make the final decision on whether to extend the import relief.

Chair Jason E. Kearns, Vice Chair Randolph J. Stayin, and Commissioners David S. Johanson, Rhonda K. Schmidlein, and Amy A. Karpel voted in the affirmative.

The Commission's public report *Crystalline Silicon Photovoltaic Cells, Whether or Not Partially or Fully Assembled into Other Products*, (Inv. No. TA-201-075 (Extension), USITC Publication 5206, December 2021) will include the Commission's findings.



The report will be available by December 29, 2021; when available, it may be accessed on the USITC website at: https://www.usitc.gov/commission_publications_library (https://www.usitc.gov/commission_publications_library).

Background

On January 23, 2018, following an affirmative injury determination by the Commission under the global safeguard law, the President imposed (a) a tariff-rate quota on imports of solar cells not partially or fully assembled into other products and (b) an increase in duties on imports of modules. The remedy took effect on February 7, 2018, for a period of four years.

Unless extended, the relief action will terminate on February 6, 2022. On August 6, 2021, the Commission instituted this investigation, following receipt of petitions requesting an extension of the relief action filed by Auxin Solar Inc. and Suniva, Inc., on August 2, 2021, and by Hanwha Q CELLS USA, Inc., LG Electronics USA, Inc., and Mission Solar Energy on August 4, 2021.

In accordance with the safeguard law, the Commission conducted an investigation to determine whether the relief provided by the President continues to be necessary to prevent or remedy serious injury and whether there is evidence that the industry is making a positive adjustment to import competition.

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CONTACT INFORMATION

U.S. International Trade Commission
500 E Street, SW
Washington, D.C., 20436
202.205.2000 TDD 202.205.1810

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ITC recommends extending Section 201 relief for solar products

November 24, 2021 at 4:45 PM

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The U.S. International Trade Commission has determined the domestic solar industry needs continued relief to prevent injury from imports and will recommend that President Biden extend safeguard remedies imposed during the Trump administration.

The five ITC commissioners voted unanimously that “import relief provided beginning in 2018 to the U.S. industry producing crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, continues to be necessary to prevent or remedy serious injury to the U.S. industry, and that there is evidence that the domestic industry is making a positive adjustment to import competition,” the commission said in a [statement](#) on Wednesday.

The Trump administration in 2018 imposed tariffs on imports of crystalline silicon photovoltaic modules and cells under Section 201 of the Trade Act of 1974. The tariffs were set at 30 percent in 2018 and scheduled to decline by 5 percentage points each year before expiring in February 2022. Then-President Trump [announced](#) last year, however, that he would set the 2021 tariffs at 18 percent instead of 15 percent, as originally planned – a move the Court of International Trade recently [reversed](#). The first 2.5 gigawatts of solar cells were exempted from tariffs in each of the four years.

In August, U.S. solar panel manufacturers Auxin Solar Inc. and Suniva, Inc., petitioned the ITC to extend the remedy, contending that continued relief was necessary.

CIT, in its recent decision, also reinstated an exclusion for bifacial modules that Trump had revoked – an exclusion that Auxin Solar and Suniva said had weakened the remedy’s impact during the 34 months it was in effect. Stockpiling ahead of the imposition of the remedy and the pandemic also undermined the remedy, they contended.

The ITC opened an investigation in response to companies’ petition and earlier this month held a [hearing](#) as part of that probe, during which companies across the U.S. solar supply chain offered a range of views on whether and how to extend the tariffs.

Auxin Solar CEO Mamun Rashid lauded the commission’s decision on Wednesday, saying it “confirms what we have been saying for years – that U.S. solar manufacturing needs a runway to fully come back from a decade’s worth of predatory trade practices that have decimated the industry.”

“[W]e look forward to working with the Biden administration to ensure they understand just how critical this extension is to building an American solar supply chain that will create good-paying manufacturing jobs and ensure our energy independence from the Chinese Communist Party,” he said in an emailed statement.

The Solar Energy Industries Association, meanwhile, urged Biden to reject the ITC’s recommendation, saying continued relief could hinder the administration’s ability to meet climate goals. SEIA is a trade association that represents the “solar and solar + storage industries,” according to its website.

“Four years of tariffs has proven to be an ineffective way to incentivize solar manufacturing and create American jobs,” SEIA President and CEO Abigail Ross Hopper said in a [statement](#). “President Biden has made it clear that climate change is an existential threat and that we need to deploy as much clean energy as possible to address it. A new round of Trump-imposed safeguard tariffs will hamper U.S. solar development in their wake, and we hope President Biden sees the damage they will cause to his clean energy vision.”

The commission’s report on its investigation and determination is due to the president on Dec. 8. The president will decide whether to extend the relief. -- [Margaret Spiegelman \(mspiegelman@iwppnews.com\)](#)