

附件二 美國依第 232 條款對多晶矽及其衍生產品課徵 15%

關稅及設定最低價格之進口管制措施

美國白宮於本（2026）年 8 月 6 日發布事實文件及總統公告，宣布依據「1962 年貿易擴張法」第 232 條款之國安調查結果，對多晶矽及其衍生產品設定最低進口價格及加徵關稅等措施。相關措施自美東時間本年 12 月 4 日凌晨 12 時 01 分起生效，謹摘陳要點如次：

一、設定最低進口價格（MIP）：

（一）對多晶矽及其衍生產品設定 MIP：

- 1、多晶矽：每公斤 21 美元；
- 2、多晶矽晶錠及晶圓：每公斤 100 美元；
- 3、太陽能電池：每瓦 0.22 美元；及
- 4、太陽能模組：每瓦 0.38 美元。

（二）進口商須提出文件，證明進口貨物首次獨立交易之銷售價格不低於適用 MIP，或該交易係依公告簽署前已訂立之固定條件合約進行。未提交相關文件者，須繳納相當於適用 MIP 之特定關稅；已提交文件但申報價值低於 MIP 者，則須就差額補繳特定關稅。若所提交文件有重大不實，或進口商重大違反其認證承諾，該進口商及其關聯企業將被永久禁止進口，並可能面臨罰款及其他依法處分。

二、加徵從價關稅（Ad Valorem Tariff）：

- ##### （一）對進口多晶矽晶錠及公告附件所列衍生產品加徵 15%從價關稅。

(二) 日本、韓國、臺灣、瑞士、列支敦斯登及歐盟成員國產品，其原適用之「美國協調關稅表」

(HTSUS) 第 1 欄稅率與 232 條款關稅合計為 15%。

(三) 英國產品適用加徵 10% 關稅。

三、推動美國本土製造：

(一) 授權商務部長受理並核准企業提交之本土化投資計畫，鼓勵企業在美國新建、翻修或擴建相關生產設施；計畫須承諾於 2029 年 1 月 20 日前開工。

(二) 經核准之企業，在建設期間進口必要生產設備及相關產品時，可依投資規模及履約進度，獲得 232 條款關稅減免。

(三) 如企業未實質履行承諾，或涉及詐欺、故意誤導政府，主管機關得停止或追溯撤銷關稅優惠，並追繳應付關稅及依法處以罰款。

四、貿易夥伴協調及防範囤積：

(一) 商務部將監測貿易夥伴是否採取實質等同之多晶矽最低進口價格措施，並得據此調整對相關貿易夥伴適用之最低進口價格及關稅措施。

(二) 商務部將持續監測多晶矽及其衍生產品進口情形；如發現企業於措施生效前囤積相關產品，得會同美國海關暨邊境保護局 (CBP) 採取措施，限制該企業及其關聯企業之進口。

五、製造退稅及外國貿易區相關規定：

(一) 不屬於反傾銷或反補貼稅令所涵蓋貨品，且貨品

所含多晶矽全部來自貿易協定夥伴國者，得申請製造退稅。貿易協定夥伴國包括英國、歐盟、日本、韓國、瑞士、列支敦斯登、墨西哥、加拿大，以及與美國締結貿易與安全協定之貿易夥伴國。

- (二) 除符合「國內貨物身分」(domestic status)者外，凡受本公告關稅措施規範之貨品，於公告生效日當日或之後進入美國外國貿易區(Foreign Trade Zone)者，僅得以「特許外國貨物身分」(privileged foreign status)進入。公告生效日前已以該身分進入外國貿易區之產品，日後進入美國境內消費時，仍須依適用稅則繳納相關關稅。

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FACT SHEETS

Fact Sheet: President Donald J. Trump Bolsters National Security and Strengthens U.S. Supply Chains by Imposing Tariffs on Polysilicon and its Derivatives

The White House

August 6, 2026

DEFENDING THE AMERICAN INDUSTRIAL BASE: Today, President Donald J. Trump signed a Proclamation to protect America's polysilicon industry and supply chain from imports that threaten national security.

- The Proclamation imposes a minimum import price program on imports of polysilicon and polysilicon derivatives to create a level playing field for American producers of these strategic goods.
- The Proclamation imposes a 15% *ad valorem* tariff on derivative products that are downstream of polysilicon to encourage onshoring of these industries.
- The Proclamation authorizes the Secretary of Commerce to establish an incentive program for companies that will invest in building, expanding, or refurbishing facilities that produce polysilicon and polysilicon derivatives. This program will ensure commercial viability of U.S. production of polysilicon and its derivatives and enhance employment opportunities for Americans.
- The remedies will take effect 120 days after signing.

STRENGTHENING ECONOMIC AND NATIONAL SECURITY: President Trump's polysilicon tariff program will protect the national security of the United States and its defense and defense-adjacent industrial base.

- Polysilicon is a key building block for the semiconductor industry with important national defense and defense-adjacent uses.
- For decades, foreign governments have dumped polysilicon and its derivatives into the U.S. market, eliminating U.S. producers and jobs.
- The United States' share of global polysilicon production capacity has fallen from 50 percent in 2005 to less than 2 percent in 2024.

BUILDING ON A RECORD OF SECURING CRITICAL INDUSTRIES: President Trump has long recognized that America's national security and economic strength depend on rebuilding key

sectors of our industrial base.

- In his first term, President Trump revolutionized international trade by using Section 232 to address decades of short-sighted, globalist trade policies that hollowed out our domestic steel and aluminum industries, impairing our national security.
- In his first term, President Trump imposed groundbreaking global safeguard tariffs on imports of solar cells and modules, pursuant to Section 201 of the Trade Act of 1974.
- Since returning to office, President Trump has continued taking actions under Section 232 to protect and strengthen domestic manufacturing critical to our national and economic security, including imposing and strengthening tariffs on key goods such as steel, aluminum, copper, trucks, automobiles, timber, lumber, and pharmaceuticals.
- Through negotiations with foreign trading partners and the strategic use of tariffs, President Trump has secured trillions in private and foreign investment to bring American jobs and manufacturing back to the United States while diversifying global supply chains and reducing dependence on adversarial nations.

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Fact Sheet: President Donald J. Trump Takes Further Action To Adjust Imports Of Aluminum Into The United States

Fact Sheets | July 20, 2026

Fact Sheet: President Donald J. Trump Strengthens Tariffs on Steel, Aluminum, and Copper Imports

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Fact Sheet: President Donald J. Trump Addresses the Threat to National Security from Imports of Timber, Lumber, and Their Derivative Products

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PRESIDENTIAL ACTIONS

ADJUSTING IMPORTS OF POLYSILICON AND ITS DERIVATIVES INTO THE UNITED STATES

Proclamations

August 6, 2026

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA A PROCLAMATION

1. Polysilicon is the base material underpinning the security of America's semiconductor and solar-power supply chains. Yet for decades, America has allowed foreign countries to weaken United States producers in the polysilicon sector -- eroding our economic and national security. Today, I am taking action to put a stop to these practices and revitalize the United States polysilicon sector.
2. These actions are based on advice and information I received from the Secretary of Commerce (Secretary) in a report transmitted to me within the past 90 days detailing the findings of his investigation under section 232 of the Trade Expansion Act of 1962, as amended, 19 U.S.C. 1862 (section 232), into the effects of imports of polysilicon and its derivative products on the national security of the United States. After evaluating the facts considered in that investigation, and taking into account the close relation of the economic welfare of the Nation to our national security, the Secretary found and advised me of his opinion that polysilicon and its derivative products are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States.
3. Among other things, the Secretary found that polysilicon is essential to the national security and economy of the United States. Polysilicon is the base material for semiconductors, which enable all digital products and services and provide the technical foundation for the functioning of virtually every sector of the modern economy, including the defense industry. For example, semiconductors are critical inputs for United States defense systems.

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and communication systems, electronic warfare and cybersecurity systems, and guidance and control systems for missiles and drones. Without a secure and reliable domestic supply of polysilicon, the United States cannot sufficiently produce semiconductors. Nor can the United States sufficiently scale up its domestic production of semiconductors, as I determined was necessary in Proclamation 11002 of January 14, 2026 (Adjusting Imports of Semiconductors, Semiconductor Manufacturing Equipment, and Their Derivative Products Into the United States).

4. The Secretary also found that polysilicon is essential for the production of solar products. Solar-grade polysilicon and its derivative solar products are used to support various United States defense programs and artificial intelligence (AI) innovations.

5. For decades, foreign governments – recognizing the strategic importance of polysilicon and polysilicon derivatives – designed policies to increase the production of these products in their countries, which have come at the expense of the United States industry. These policies contributed to global oversupply in polysilicon and polysilicon derivative sectors. As the Secretary found, since 2020 alone, global production of polysilicon has grown by more than 270 percent and inventories reached a record high of 400,000 tons by the end of 2024.

6. The Secretary found that imports of polysilicon and polysilicon derivatives have eroded the capacity of United States industry to produce polysilicon and polysilicon derivatives. The United States' share of global polysilicon production capacity has fallen from 50 percent in 2005 to less than 2 percent in 2024. Meanwhile, the United States' share of global semiconductor wafer fabrication capacity has decreased from 37 percent in 1990 to 10 percent in 2024; and in the solar sector, the United States is virtually entirely dependent on imports of solar ingots, wafers, and cells.

7. The relative lack of United States downstream solar-related polysilicon derivative production is particularly concerning for the long-term commercial viability of the United States polysilicon sector. The Secretary found that, while semiconductor-grade polysilicon was once the primary output of the polysilicon industry, global semiconductor-grade polysilicon now accounts for only 2.4 percent of global polysilicon production. The overwhelming demand for solar-grade polysilicon relative to semiconductor-grade polysilicon means that polysilicon manufacturers are increasingly dependent on the production of lower purity, solar-grade polysilicon to achieve the production volumes necessary to sustain viable unit costs of production for all polysilicon, including semiconductor-grade polysilicon. Without a financially viable market for United States solar-grade polysilicon, United States polysilicon producers cannot thrive and ensure domestic manufacturing of solar- and semiconductor-grade polysilicon and their derivatives that meets United States economic and national security requirements.

8. In light of these findings and the other findings in the Secretary's report, the Secretary recommended a range of actions to adjust imports of polysilicon and polysilicon derivatives so that such imports will not threaten to impair the national security of the United States. The Secretary recommended the establishment of minimum import prices (MIPs) for polysilicon and polysilicon derivatives to create a protected domestic market that allows

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producers to compete free from global distortions. The Secretary also recommended that I impose a 15 percent *ad valorem* rate of duty on downstream polysilicon derivatives. The Secretary recommended that these two remedies be accompanied by an onshoring program to encourage companies to build new United States polysilicon, ingot, wafer, and cell production facilities.

9. After considering the Secretary's report, the factors in section 232(d) (19 U.S.C. 1862(d)), and other relevant factors and information, I concur with the Secretary's finding that polysilicon and its derivative products are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States. In my judgment, and in light of the Secretary's report, the factors in section 232(d) (19 U.S.C. 1862(d)), and other relevant factors and information, I determine that it is necessary and appropriate to adjust imports of these articles and their derivatives, as detailed below, so that such imports will not threaten to impair the national security of the United States.

10. First, I determine that it is necessary and appropriate to establish a MIP program to adjust imports of polysilicon and its derivatives. This will create an economic environment conducive to increasing United States production of the full range of these goods by ensuring a commercially viable market for them. If foreign trading partners that have entered into trade deals with my Administration adopt substantially equivalent import-adjusting action modeled after our MIP, I also authorize the Secretary and the United States Trade Representative (Trade Representative) to enter into arrangements that would alter the applicability of the MIP and the tariffs established in this proclamation to imported polysilicon and derivatives from these trading partners.

11. Second, I determine that it is necessary and appropriate to impose a 15 percent *ad valorem* rate of duty on imports of polysilicon derivatives so that such imports will not threaten to impair the national security of the United States. These tariffs — combined with the MIP program — will promote United States production of polysilicon derivatives by ensuring a commercially viable market for them. They will also replace a similar but narrower safeguard tariff on solar cells and modules that I imposed in my first term, and which expired in February 2026.

12. Third, I determine that it is necessary and appropriate to offer incentives for companies investing in United States production of polysilicon and polysilicon derivatives. The Secretary should have the authority to enter into company-specific deals with producers to incentivize such investments and the strengthening of the United States polysilicon supply chain.

13. In my judgment, based on current circumstances as well as the future needs of the United States, the plan of action detailed in this proclamation is necessary and appropriate to address the threatened impairment of the national security posed by imports of polysilicon and its derivative products. The plan of action in this proclamation will, among other things, help ensure the commercial viability of United States production of polysilicon and its derivatives that is necessary to meet United States economic and national security requirements. It will also enhance employment opportunities and related human resources and pr

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14. Section 232 authorizes the President to take action to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security so that such imports will not threaten to impair the national security.

15. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483) (section 604), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTSUS) the substance of statutes affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction. NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, including section 232; section 604; and section 301 of title 3, United States Code, do hereby proclaim as follows:

(1)(a) The applicable minimum import prices for imported polysilicon and polysilicon derivatives shall be:

- (i) \$21 per kilogram for polysilicon;
- (ii) \$100 per kilogram for polysilicon ingots and wafers;
- (iii) \$0.22 per watt for solar cells; and
- (iv) \$0.38 per watt for solar modules.

(b) The Secretary is authorized to adjust these minimum import prices from time to time to reflect market conditions or other factors affecting the fair market value of covered products under non-distorted, free-market conditions.

(2) Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on December 4, 2026, imports of polysilicon and polysilicon derivatives specified in Annexes I and II to the proclamation shall be subject to the MIP program, as detailed in this clause.

(a) To implement the MIP program, U.S. Customs and Border Protection (CBP) shall permit importers of polysilicon and polysilicon derivatives to submit documentation at entry establishing or certifying either that any first arm's-length sale of the imported merchandise (or, if applicable, downstream products made from that merchandise) in the United States will occur at or above the applicable MIP, or that any first arm's-length sale of the imported merchandise is pursuant to fixed terms in a contract entered into prior to the date of the signing of this proclamation.

(b) If an importer fails to submit the documentation referenced in subclause (a) of this clause, the imported merchandise shall be subject to a specific tariff equal to the applicable MIP.

(c) For importers that submit the documentation referenced in subclause (a) of this clause, in the event that the entered value on the entry summary of the imported merchandise is less than the MIP, the imported merchandise shall be subject to a specific tariff equal to the difference between the entered value on the entry summary and the MIP.

(3) CBP shall monitor and enforce the accuracy of importer documentation submitted pursuant to clause (2) of this proclamation. If CBP determines that an importer's documentation is materially inaccurate or that an importer has materially failed to comply with

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that importer and its affiliates shall permanently be prohibited from importing polysilicon and polysilicon derivatives into the United States. CBP may also impose penalties on the noncompliant importer to the extent consistent with applicable law.

(4) Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on December 4, 2026, imports of polysilicon ingots and polysilicon derivatives specified in Annexes I and II of this proclamation shall be subject to an additional 15 percent *ad valorem* rate of duty, except as otherwise specified in this proclamation.

(5)(a) The duties imposed pursuant to clauses (2) and (4) of this proclamation shall continue in effect unless they are expressly reduced, modified, or terminated. These duties shall apply in addition to any other duties, taxes, fees, exactions, and charges applicable to such products, except as otherwise specified in this proclamation.

(b) For products of Japan, Korea, Taiwan, Switzerland, Liechtenstein, or a member nation of the European Union subject to tariffs under this proclamation, the sum of the additional section 232 tariff imposed pursuant to clause (4) of this proclamation and the applicable rate of duty under Column 1 of the HTSUS (Column 1 Duty Rate) shall be equal to 15 percent.

(c) For products of the United Kingdom subject to tariffs under this proclamation, the applicable rate of duty under clause (4) of this proclamation shall be 10 percent.

(6) The Secretary is authorized to establish a program to incentivize investment in United States production of raw polysilicon, as well as ingots, wafers, and cells (Covered Products).

(a) The Secretary is authorized to solicit and accept onshoring plans from companies. Any onshoring plan shall include: a commitment, if the plan is approved, to build, refurbish, or expand a facility in the United States that will produce Covered Products; a commitment that construction will start by January 20, 2029; and any other relevant information and analysis, including requirements set by the Secretary.

(b) The Secretary is authorized to approve onshoring plans described in subclause (a) of this clause. In determining whether an onshoring plan qualifies for approval, the Secretary, in consultation with any senior executive branch officials the Secretary deems appropriate, shall consider all relevant factors he deems appropriate, such as the anticipated start date of construction, whether the proposed plan's project timeline is commercially reasonable, whether the proposed plan's project milestones are commercially reasonable, the anticipated annual production of Covered Products from the onshoring project, whether the proposed plan's anticipated costs and Covered Product production projections are reasonable, and how the benefits of the reduced tariff rate will be allocated between the applicants of the onshoring plan. When approving onshoring plans, the Secretary shall act in a manner consistent with the need to address the national security threat found in this proclamation.

(c) If the Secretary approves a company's onshoring plan, the Secretary shall allow the company to import necessary production equipment and Covered Products, in volumes the Secretary deems commensurate with the company's newly committed investment applicable section 232 duties. These benefits shall be tied to the facility's

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shall be contingent on the company making sufficient progress under its approved onshoring plan, and may vary depending on whether the imports use United States polysilicon.

(d) The Secretary is authorized to take all actions that he deems appropriate to implement and effectuate this program, including, consistent with applicable law, the issuance of regulations, rules, guidance, and procedures. All approved onshoring plans shall be subject to monitoring and enforcement by the Secretary. The Secretary may require that companies with approved onshoring plans submit reports to the Department of Commerce to ensure compliance with domestic manufacturing commitments, and he may require that such reports be audited by external auditing firms. Should the Secretary determine that a company is substantially failing to meet its agreed-upon commitments that are the basis for granting tariff offsets or other tariff incentives, the Secretary is authorized to cease and rescind those benefits. In cases where the executive branch assesses that a company engaged in fraud or deliberately misled the United States Government with respect to onshoring commitments, the rescission of tariff benefits can be retroactive to the extent permitted by law, and the Commissioner of CBP may collect the additional tariffs owed because of the retroactive rescission of the tariff benefits and impose any appropriate fines and penalties to the extent consistent with applicable law.

(7) Any product subject to duties pursuant to this proclamation, except those eligible for admission under “domestic status” as described in 19 C.F.R. 146.43, that is admitted into a United States foreign trade zone on or after the effective date of this proclamation may be admitted only under “privileged foreign status” as described in 19 C.F.R. 146.41, and any product admitted in “privileged foreign status” prior to the effective date of this proclamation will be subject upon entry for consumption to any duties related to the classification under the applicable HTSUS subheading.

(8) Manufacturing drawback claims made in accordance with subsections (a) and (b) of section 313 of the Tariff Act of 1930, as amended, 19 U.S.C. 1313(a)–(b), shall be available with respect to the duties imposed pursuant to this proclamation on articles that meet the following conditions:

(a) the article is not of a type of merchandise subject to an antidumping or countervailing duty order, without regard to whether the article is from the country or countries listed in the order or orders;

(b) the article is a product of Trade Agreement Partners, composed of the United Kingdom, the European Union, Japan, the Republic of Korea, Switzerland, Liechtenstein, Mexico, Canada, and any trading partner with which the United States concludes a trade and security agreement; and

(c) the polysilicon content of the article is composed entirely of polysilicon from a Trade Agreement Partner country.

(9) The Secretary, in consultation with the Secretary of Homeland Security, the Trade Representative, the Chairman of the United States International Trade Commission, and any other senior executive branch official the Secretary deems appropriate, shall determine whether any modifications to the HTSUS are necessary to effectuate or implement this proclamation or any actions taken pursuant to this proclamation, and shall make such mo

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notice in the *Federal Register*, including any technical correction to Annex I or Annex II to this proclamation.

(10) The Secretary shall monitor actions taken by our trading partners to establish minimum import prices for polysilicon and polysilicon derivatives. Should the Secretary, in consultation with the Trade Representative and the Senior Counselor for Trade and Manufacturing, determine that a trading partner has established a substantially equivalent minimum import price, then the Secretary may alter the applicability of the MIP and the tariffs established in this proclamation to polysilicon and polysilicon derivatives from that trading partner.

(11) The Secretary shall continue to monitor imports of polysilicon and polysilicon derivatives. If the Secretary determines that a company is stockpiling polysilicon or polysilicon derivatives before the date in clauses (2) and (4) of this proclamation, the Secretary shall take action in coordination with CBP to restrict imports by the company and its affiliates. The Secretary also shall, from time to time, in consultation with any senior executive branch officials the Secretary deems appropriate, review the status of such imports with respect to the national security. The Secretary shall inform the President of any circumstances that, in the Secretary's opinion, might indicate the need for further action by the President under section 232. The Secretary shall also inform the President of any circumstance that, in the Secretary's opinion, might indicate that the remedies provided for in this proclamation are no longer necessary.

(12) The Secretary and the Secretary of Homeland Security are directed and authorized to take all actions to implement and effectuate this proclamation — including, consistent with applicable law, through temporary suspension or amendment of regulations or through notices in the *Federal Register* and by adopting rules, regulations, or guidance — and to employ all powers granted to the President, including by section 232, as may be necessary to implement this proclamation. The head of each executive department and agency (agency) is authorized to and shall take all appropriate measures within the agency's authority to implement this proclamation. The head of each agency may, consistent with applicable law, including 3 U.S.C. 301, redelegate the authority to take such appropriate measures within the agency.

(13) The Secretary, in consultation with any senior executive branch officials he deems appropriate, may issue rules, regulations, and guidance consistent with this proclamation, including to address operational necessity and prevent circumvention and evasion, including through manipulation of related-party transactions or transfers of foreign subsidies.

(14) CBP may take any appropriate measures, consistent with applicable law, to administer the tariffs and MIPs imposed by this proclamation.

(15) Any provision of previous proclamations and Executive Orders that is inconsistent with this proclamation is superseded to the extent of such inconsistency.

(16) If any provision of this proclamation or the application of any provision of this proclamation to any individual or circumstance is held to be invalid, the remainder of this proclamation and the application of its provisions to any other individual or circumstance shall not be affected. If any fee, duty, tariff, or program described in this proclamation is held to be beyond the competent jurisdiction, the remainder shall continue in effect.

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IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of August, in the year of our Lord two thousand twenty-six, and of the Independence of the United States of America the two hundred and fifty-first.

ANNEX I

ANNEX II

DONALD J. TRUMP

Related

ADJUSTING IMPORTS OF SEMICONDUCTORS, SEMICONDUCTOR MANUFACTURING EQUIPMENT, AND THEIR DERIVATIVE PRODUCTS INTO THE UNITED STATES

Presidential Actions, Proclamations | January 14, 2026

Further Strengthening Actions Taken to Adjust Imports of Aluminum into the United States

Presidential Actions, Proclamations | July 20, 2026

Adjusting Imports of Pharmaceuticals and Pharmaceutical Ingredients into the United States

Presidential Actions, Proclamations | April 2, 2026

Amendments to Adjusting Imports of Timber, Lumber, and their Derivative Products into the United States

Presidential Actions, Proclamations | December 31, 2025

Adjusting Imports of Timber, Lumber, and their Derivative Products into the United States

Presidential Actions, Proclamations | September 29, 2025

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Annex II

A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on December 4, 2026, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified as follows:

1. The following new U.S. note 42 is inserted in numerical order:

“42. (a) Headings 9903.45.30–9903.45.36 provide the ordinary customs duty treatment of polysilicon and certain polysilicon derivative products. These products may be subject to both the applicable *ad valorem* rate of duty imposed by headings 9903.45.30–9903.45.32 and the applicable specific rate of duty imposed by headings 9903.45.33–9903.45.36. The rates of duty imposed by headings 9903.45.33–9903.45.36 will apply to products described in those headings if the importer of such products fails to submit documentation concerning the resale of those products in the United States to U.S. Customs and Border Protection (CBP) upon entry, or if the importer submits such documentation but CBP is required to adjust the customs duty assessed on those entries, as provided for in this proclamation.

Headings 9903.45.33–9903.45.36 do not apply to products described in those headings if the product’s entered value meets or exceeds the specific rate of duty provided in headings 9903.45.33–9903.45.36 for that product and:

1. the product will not be resold in the United States and any downstream product made from the product will be sold at or above the specific rate of duty provided in headings 9903.45.33–9903.45.36 for that downstream product;
 2. the product will be resold in the United States at a price at or above the specific rate of duty provided in headings 9903.45.33–9903.45.36 for that product; or
 3. the product will be resold in the United States pursuant to fixed terms in a time-limited contract entered into prior to August 6, 2026.
- (b) For imported articles provided for in headings 9903.45.30–9903.45.36 that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duties provided in these headings shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading. Goods for which entry is claimed under a provision of chapter 98 to the HTSUS and that are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable CBP regulations. No claim for entry or for any duty exemption or reduction shall be allowed under a provision of chapter 99 to the HTSUS that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP. All

antidumping, countervailing or other duties and charges applicable to such goods shall continue to be imposed.

- (c) For articles provided for in heading 9903.45.31 with a column 1 rate of duty less than 15 percent, the sum of the column 1 rate of duty and the additional *ad valorem* rate of duty pursuant to heading 9903.45.31 will total 15 percent *ad valorem*.”
2. The following new headings are inserted in numerical sequence, with the material in each new heading inserted in the columns of the HTSUS labeled “Heading/Subheading”, “Article Description”, “Rates of Duty 1-General”, “Rates of Duty 1-Special” and “Rates of Duty 2”, respectively:

Heading /Subheading	Article description	Rates of Duty		
		1		2
		General	Special	
“9903.45.30	Except as provided for in headings 9903.45.31 and 9903.45.3232, polysilicon ingots and wafers (provided for in statistical reporting numbers 3818.00.0020, 3818.00.0040, 3818.00.0045, 3818.00.0050 and 3818.00.0091), solar cells (provided for in subheading 8541.42.00), and solar modules (provided for in subheading 8541.43.00), as provided for in subdivisions (a)–(b) of U.S. note 42 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%

9903.45.31	Polysilicon ingots and wafers (provided for in statistical reporting numbers 3818.00.0020, 3818.00.0040, 3818.00.0045, 3818.00.0050 and 3818.00.0091), solar cells (provided for in subheading 8541.42.00), and solar modules (provided for in subheading 8541.43.00), that are the product of Liechtenstein, Japan, South Korea, Switzerland, Taiwan or of a member nation of the European Union, as provided for in subdivisions (a)–(b) and (d) of U.S. note 42 to this subchapter	15%	15%	No change
9903.45.32	Polysilicon ingots and wafers (provided for in statistical reporting numbers 3818.00.0020, 3818.00.0040, 3818.00.0045, 3818.00.0050 and 3818.00.0091), solar cells (provided for in subheading 8541.42.00), and solar modules (provided for in subheading 8541.43.00) that are the product of the United Kingdom, as provided for in subdivisions (a)–(b) of U.S. note 42 to this subchapter	The duty provided in the applicable subheading + 10%	The duty provided in the applicable subheading + 10%	No change
9903.45.33	Polysilicon provided for in statistical reporting number 2804.61.0000 and in subdivisions (a)–(b) of U.S. note 42 to this subchapter	The duty provided in the applicable subheading + \$21/kg	The duty provided in the applicable subheading + \$21/kg	The duty provided in the applicable subheading + \$21/kg

9903.45.34	Polysilicon ingots and wafers provided for in statistical reporting numbers 3818.00.0020, 3818.00.0040, 3818.00.0045, 3818.00.0050 and 3818.00.0091 and in subdivisions (a)–(b) of U.S. note 42 to this subchapter	The duty provided in the applicable subheading + \$100/kg	The duty provided in the applicable subheading + \$100/kg	The duty provided in the applicable subheading + \$100/kg
9903.45.35	Polysilicon solar cells provided for in subheading 8541.42.00 and in subdivisions (a)–(b) of U.S. note 42 to this subchapter	The duty provided in the applicable subheading + \$0.22/watt	The duty provided in the applicable subheading + \$0.22/watt	The duty provided in the applicable subheading + \$0.22/watt
9903.45.36	Polysilicon solar modules provided for in subheading 8541.43.00 and in subdivisions (a)–(b) of U.S. note 42 to this subchapter	The duty provided in the applicable subheading + \$0.38/watt	The duty provided in the applicable subheading + \$0.38/watt	The duty provided in the applicable subheading + \$0.38/watt”

Annex I

Note: Pursuant to clause (1)(a) of this proclamation, this annex contains the applicable minimum import prices for imported polysilicon and polysilicon derivatives classifiable in the enumerated provisions of the HTSUS. The product descriptions that are contained in this annex are provided for informational purposes only and are not intended to limit in any way the scope of the Section 232 actions on polysilicon and polysilicon derivatives. Any questions regarding the scope of a particular HTSUS provision should be referred to U.S. Customs and Border Protection.

(i) \$21 per kilogram for polysilicon;

HTSUS	Description
2804.61.0000	Silicon: containing by weight not less than 99.99 percent of silicon

(ii) \$100 per kilogram for polysilicon ingots and wafers;

HTSUS	Description
3818.00.0020	Polycrystalline silicon wafers, doped
3818.00.0040	Monocrystalline silicon wafers, doped: round (circular) shaped, as described in statistical note 2 to chapter 38 of the HTSUS
3818.00.0045	Monocrystalline silicon wafers, doped: pseudo-square or rectangular in shape, as described in statistical note 3 to chapter 38 of the HTSUS
3818.00.0050	Monocrystalline silicon wafers, doped: other than provided for in statistical reporting numbers 3818.00.40 and 3818.00.45
3818.00.0091	Chemical compounds doped for use in electronics, not elsewhere specified or included

(iii) \$0.22 per watt for solar cells; and

HTSUS	Description
8541.42.0010	Photosensitive semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light-emitting diodes (LED): Photovoltaic cells not assembled in modules or made up into panels: crystalline silicon photovoltaic cells of a kind described in statistical note 12 to chapter 85 of the HTSUS
8541.42.0080	Photosensitive semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light-emitting diodes (LED): Photovoltaic cells not assembled in modules or made up into panels: other than provided for in statistical reporting number 8541.42.0010

(iv) \$0.38 per watt for solar modules.

HTSUS	Description
8541.43.0010	Photosensitive semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light-emitting diodes (LED): Photovoltaic cells assembled in modules or made up into panels:

	crystalline silicon photovoltaic cells of a kind described in statistical note 12 to chapter 85 of the HTSUS
8541.43.0080	Photosensitive semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light-emitting diodes (LED): Photovoltaic cells assembled in modules or made up into panels: other than provided for in statistical reporting number 8541.43.0010