

ALERT

# U.S. Trade Representative Announces Safeguard Tariffs on Solar Cell and Module Imports

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January 23, 2018

On Monday, the Trump Administration announced that President Trump had approved the imposition of new tariffs on imports of solar cells and modules, as well as a tariff-rate quota on imports of washing machines. The government will impose a 30% tariff on all imported cells and modules in the first year, which will drop to 25% in the second year, 20% in the third year, and 15% in the fourth year, before being removed.

Monday's remedy announcement follows a unanimous September 2017 decision by the U.S. International Trade Commission that domestic solar panel manufacturers have been seriously injured by a surge of imports from China and other countries, as well as prior successful antidumping and countervailing duty investigations on behalf of the U.S. solar industry.

The Presidential Proclamation is expected later today. The U.S. Trade Representative's press release on the solar cells and modules and washing machine cases is available [here](#), and its Fact Sheet on the cases is available [here](#).

The new trade measures were imposed under Section 201 of the Trade Act of 1974 (global safeguard investigations), under which domestic industries seriously injured or threatened with serious injury by increased imports may petition the U.S. government for import relief. Wiley Rein client SolarWorld Americas Inc. was a petitioner in the investigation, together with co-petitioner Suniva Inc.

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## Practice Areas

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International Trade

Section 201 had not previously been utilized in more than 15 years, and it can provide an important tool for other U.S. industries facing unfair import competition from foreign producers worldwide.

The decision also has been covered extensively by major media including feature stories in *Bloomberg*, *The New York Times*, and *The Washington Post*.