



**April 15, 2026**

**SUBMITTED ELECTRONICALLY**

The Honorable Jamieson Greer  
United States Trade Representative  
Office of the U.S. Trade Representative  
600 17th St., N.W. Washington, DC 20508

**Re: Initiation of Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor (USTR-2026-0133)**

Dear Ambassador Greer:

The Solar Energy Manufacturers for America (SEMA) Coalition supports the United States Trade Representative's (USTR's) effort to encourage our trading partners to put in place prohibitions on the importation of goods produced with forced labor. The U.S. has been an international leader in imposing mandatory restrictions on the importation of goods made with forced labor. Foreign nations should adopt the U.S. approach to establish a rebuttable presumption that goods, including polysilicon, made in, or connected to, the Xinjiang region in China, are made with forced labor.

The SEMA Coalition is a group of solar manufacturers united to rebuild the domestic solar supply chain. We represent the interests of the major non-Chinese solar manufacturers who are building or looking to build strategic solar components across the value chain in the U.S. Our coalition advocates for a suite of policies to develop a secure and competitive U.S. solar supply chain to meet our current and future energy demand while creating good-paying manufacturing jobs and protecting our national security.

We respectfully submit the enclosed comments in response to Docket ID: USTR-2026-0133 and welcome the opportunity to continue engaging with the USTR on these important matters.

Sincerely,

Mike Carr  
Executive Director  
SEMA Coalition

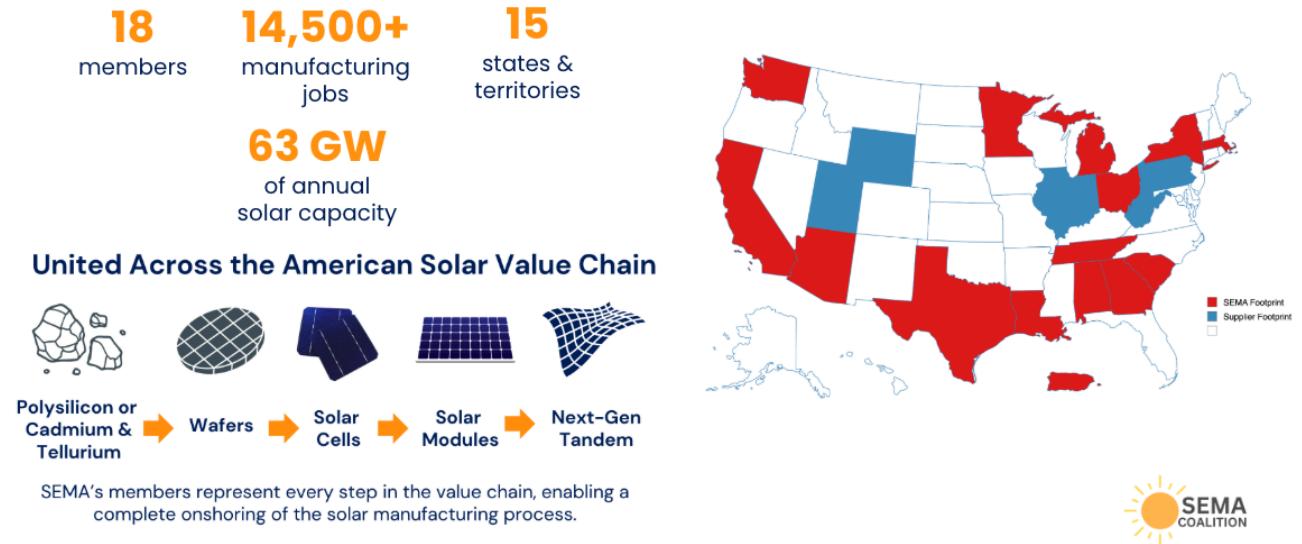
**Background**

The United States is undergoing a once-in-a-generation effort to reestablish advanced domestic solar manufacturing and reduce dependence on foreign adversary supply chains. SEMA Coalition members support over 14,500 high-quality jobs across the country (Figure 1) and over [50,000 jobs](#) in the solar manufacturing supply chain. Multiple SEMA Coalition members have already opened or will soon open billion-dollar facilities over the next year to strengthen American energy dominance, enhance U.S. energy independence, and onshore critical energy manufacturing.



**Figure 1: SEMA Coalition, Manufacturing Supply Chain Supports Manufacturing Jobs Across the U.S**

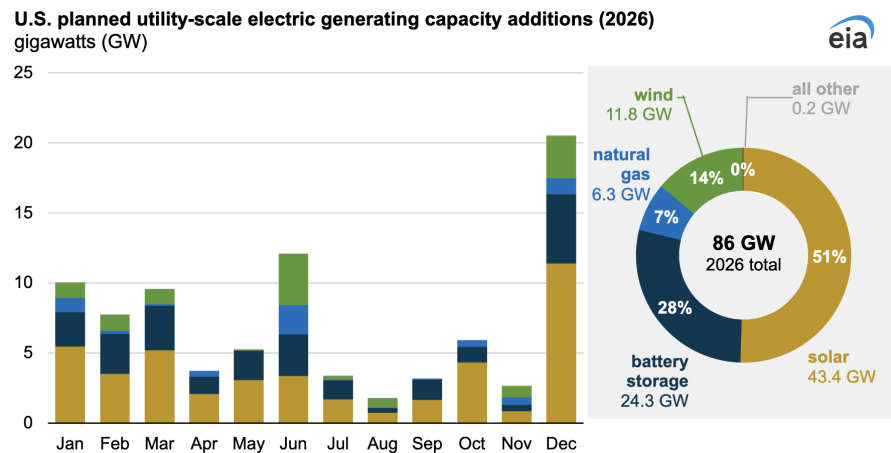
The SEMA Coalition is a group of manufacturers united to rebuild the U.S. solar supply chain free from Chinese influence



With a projected 30 GW of solar module capacity this year, SEMA Coalition members will make nearly 50 percent of the 61.7 GW of utility-scale electricity-generating (non-battery) capacity the U.S. Energy Information Administration (EIA) expects to be added to the grid this year. SEMA Coalition members will also produce about 35 GW of upstream silicon manufacturing components (polysilicon, wafers, and cells) along with First Solar's 14 GW of upstream cadmium telluride production all occurring in the U.S. SEMA Coalition members lead the world in commercially viable next-generation solar technologies that will allow the U.S. to compete with China's supply chain on price without long-term government subsidies.



**Figure 2:** [EIA](#), January 2026 Short-Term Energy Outlook



Data source: U.S. Energy Information Administration, [Preliminary Monthly Electric Generator Inventory](#), December 2025

Crystalline silicon (c-Si) and cadmium telluride (CdTe) solar technologies, invented in the U.S., are quickly becoming the world’s leading source of electricity grid additions. With clear [advantages](#) over other technologies, solar’s deployment is rapidly accelerating across the U.S. utility-scale, commercial, industrial, and residential energy markets (See Figure 2). This trend is expected to accelerate, and SEMA Coalition member companies are at the forefront. As highlighted in [prior](#) SEMA Coalition comment letters, major utilities, energy developers, and AI companies are urging the administration to support policies that deploy additional electrons on the grid as quickly as possible. President Trump has made clear that energy deployment is critical to long-term U.S. competitiveness, economic security, and maintaining low-cost energy for all Americans. As a result, U.S. solar manufacturing is critical to meeting the country’s increasing need for low-cost energy while maintaining secure American energy supply chains.

President Trump’s 2018 action in support of domestic solar manufacturing imposed a gradually diminishing 30 percent global [Section 201 tariff](#) on imports of solar modules and cells with a tariff rate quota at the cell level. During the signing of this proclamation, President Trump said, “*We’ll be making solar products now much more so in the United States. Our companies have been decimated, and those companies are going to be coming back strong.*” President Trump was right.

Despite efforts by Chinese-connected interests to diminish its usefulness, the Section 201 tariffs were successful in reshoring solar manufacturing. But those tariffs have now expired, and U.S. manufacturers are threatened by the same surge in solar imports they faced in 2018. The Trump administration must build on the legacy of President Trump’s Section 201 solar tariff to strengthen the entire solar manufacturing supply chain against China’s persistent unfair trade practices

**I. *The extent to which the failure of any economy to establish and effectively enforce a forced labor import prohibition is unreasonable, discriminates against U.S. goods, or constitutes a persistent pattern of conduct that permits any form of forced or compulsory labor.***

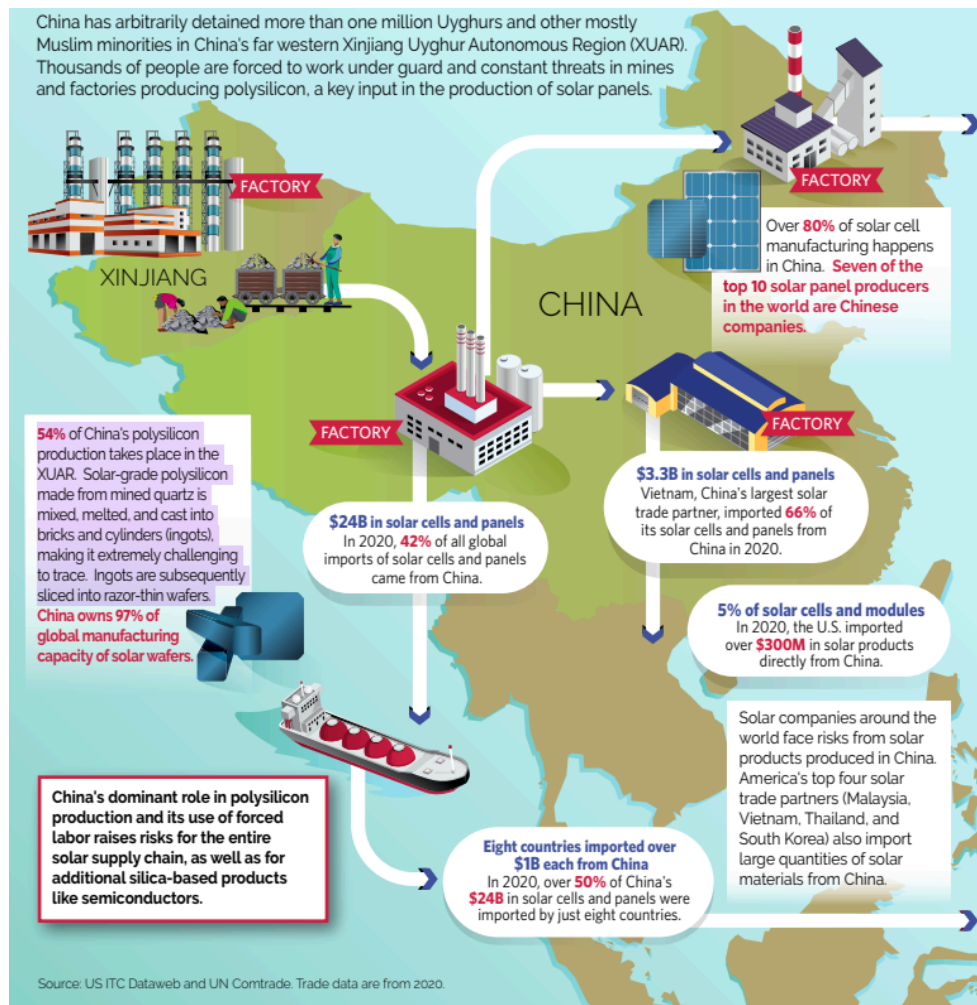
The vast majority of all polysilicon-based solar panels sold around the world are at risk of exposure to Uyghur forced labor. Around 95% of solar panels worldwide are made up of polysilicon and about [95%](#)

of global polysilicon production comes from China. In Xinjiang, China, polysilicon is produced by Uyghurs and other Muslim minorities under conditions of forced labor.

State-imposed forced labor risk in China’s solar supply chain is centered in, but not confined to, the Xinjiang Uyghur Autonomous Region (XUAR). [Public evidence](#) shows that Uyghur labor-transfer programs extend into factories and production networks across other Chinese provinces. At the same time, non-XUAR solar manufacturers and upstream processors remain exposed through sourcing relationships tied to Xinjiang-origin inputs.

Now Secretary of State and then Senator Marco Rubio’s Uyghur Forced Labor Prevention Act (UFLPA) has been in effect since June 21, 2022, and is the world's gold standard for combating the scourge of forced labor in polysilicon. The UFLPA establishes a “rebuttable presumption” that goods in certain sectors are made with forced labor unless an importer can prove otherwise.

**Figure 3:** [U.S. Department of Labor](#), Map of China’s Forced Labor in Polysilicon Production

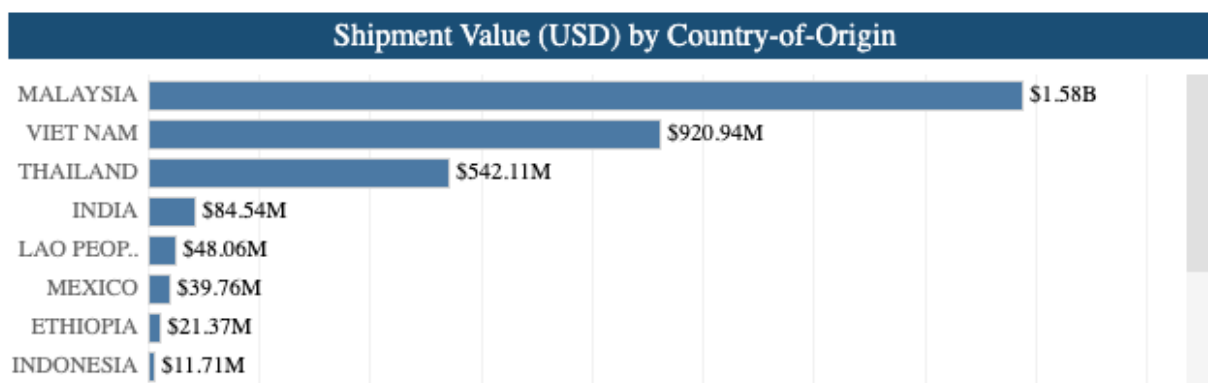




While China is the primary culprit, any country that hosts a Chinese-owned factory manufacturing silicon solar products should be scrutinized. UFLPA enforcement efforts can help identify certain problematic actors. The Coalition to End Forced Labour in the Uyghur Region has [highlighted transshipment](#) and re-export UFLPA risks involving countries that were, at the time, major exporters of modules and cells, such as Vietnam, Malaysia, Cambodia, Thailand, Indonesia, and Mexico.

As seen in Figure 4, the U.S. Customs and Border Protection’s [UFLPA Dashboard](#) lists the countries with the highest volumes of solar cell and module detentions. As seen in Figure 5, the U.S. has detained goods from certain nations under the UFLPA that are not listed in this investigation. For example, Laos and Ethiopia are major importers of solar cells and modules, and while both countries have seen detentions, neither is under this investigation.

**Figure 4:** [UFLPA Dashboard](#), Solar Modules and Cells Detained by Country



Chinese-owned solar module and cell companies continue to country-hop to avoid U.S. antidumping and countervailing duty (AD/CVD) orders (we are now on the fourth investigation), and so the entry point by which forced labor polysilicon from China is imported into the U.S. keeps changing. Chinese exports have shifted from China, to Taiwan, to Vietnam, Malaysia, Thailand, and Cambodia, to Laos and Indonesia, following each new AD/CVD case (in that order). Currently, the Chinese supply chain is shifting to Ethiopia and the Philippines, as seen in Figure 6. Additionally, the Chinese-owned polysilicon supply chain is now shifting to certain countries in the Middle East, as seen in Figure 8.

No established law in any other country comes close to the UFLPA’s level of scrutiny on forced labor supply chains, though some countries have made good efforts. Canada, Mexico, the United Kingdom, Australia, and the European Union (EU) [all have new laws](#) addressing forced labor, but none are as strong as the UFLPA. Notably, the Human Rights Watch [finds](#) many inadequacies with the European Union’s recent forced labor measures. Germany has a separate and comprehensive Supply Chains Act that requires a much more stringent approach to supply chain due diligence, including related to child and forced labor.



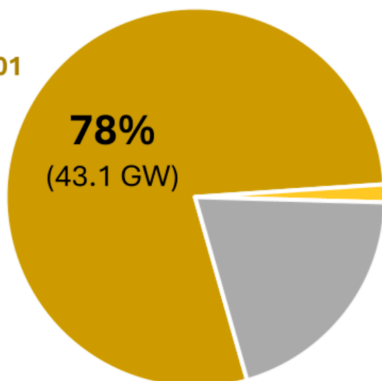
**Figure 5:** Power Brief, Solar Imports Under 301 Review by Country

### 2025 Solar Cell and Module Imports

% of Total | in MW | Includes CSPV and CdTe

#### Named in “excess capacity” Section 301

Indonesia, Thailand, Malaysia, Vietnam, South Korea, India, etc.



In “forced labor” scope only

Philippines, Jordan, Turkey

Not in either investigation scope

Laos, Ethiopia, Tanzania

**Power Brief**

Source: USITC Dataweb | HTS 8541.42 and 8541.43

Despite the UFLPA and due diligence laws in partner countries, there are still meaningful gaps in global enforcement of forced labor requirements—both in the U.S. and abroad—especially for supply chains like solar, where forced labor risks are being outsourced to producers in third countries, who then sell inputs and products to the U.S. Enhancing supply chain traceability efforts to ensure non-compliant material is blocked from the U.S. market – and extending similar restrictions to other countries – is essential to addressing the root cause.

Robust supply chain traceability requirements can help to ensure imports are UFLPA-compliant and address the harm and burden to U.S. commerce resulting from competitors’ reliance on forced labor to gain an unfair and unethical cost advantage. Given the likelihood that Chinese polysilicon may be incorporated into derivative products in third countries or Free Trade Zones (FTZs) and later imported into the U.S., it will be imperative that traceability efforts require evidence that the entire supply chain contains no Chinese origin or Chinese-linked polysilicon. This approach would be more comprehensive and effective in capturing all traces of Chinese origin and Chinese-linked polysilicon than simply establishing a jurisdictional exception based on the final product’s country of origin.

**Figure 6:** SEMA Coalition, Q4 Solar Panel Imports

## Chinese Production Has Rapidly Spread to MENA to Avoid SE Asia AD/CVD

Wafer production is centered in SE Asia to avoid circumvention duties and UFLPA, while cell and module manufacturing has quickly emerged in Middle East and Africa to avoid new AD/CVD

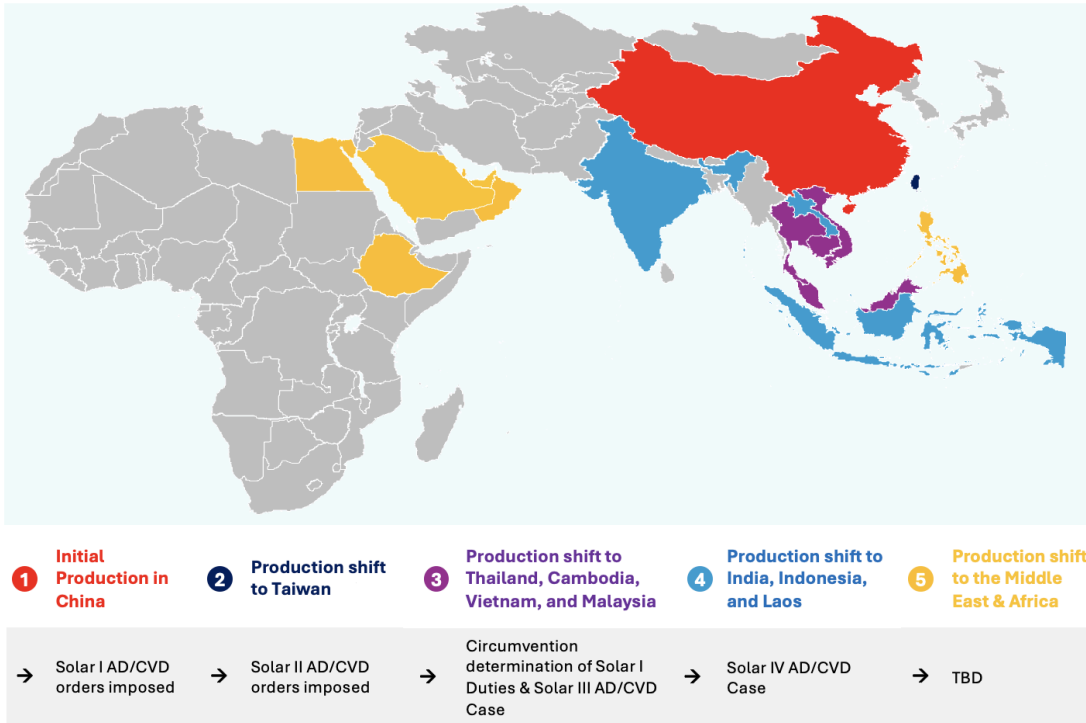


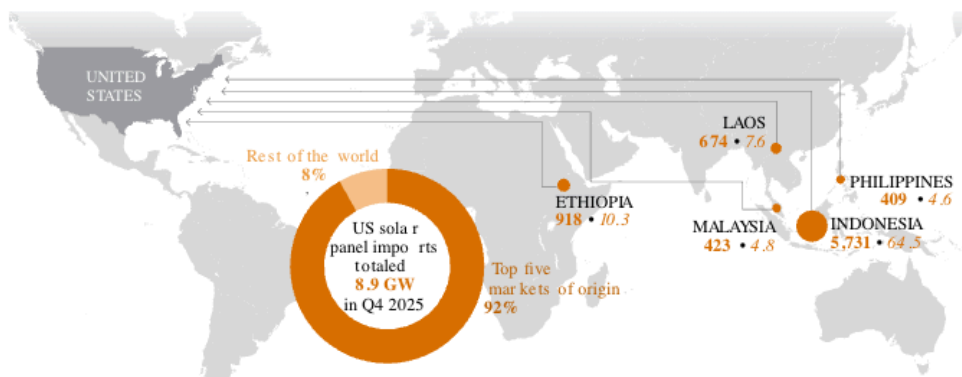
Figure 7: [S&P Global](#), Solar Module and Cell Supply Chain Shift Q4 2025

### US solar panel imports during Q4 2025

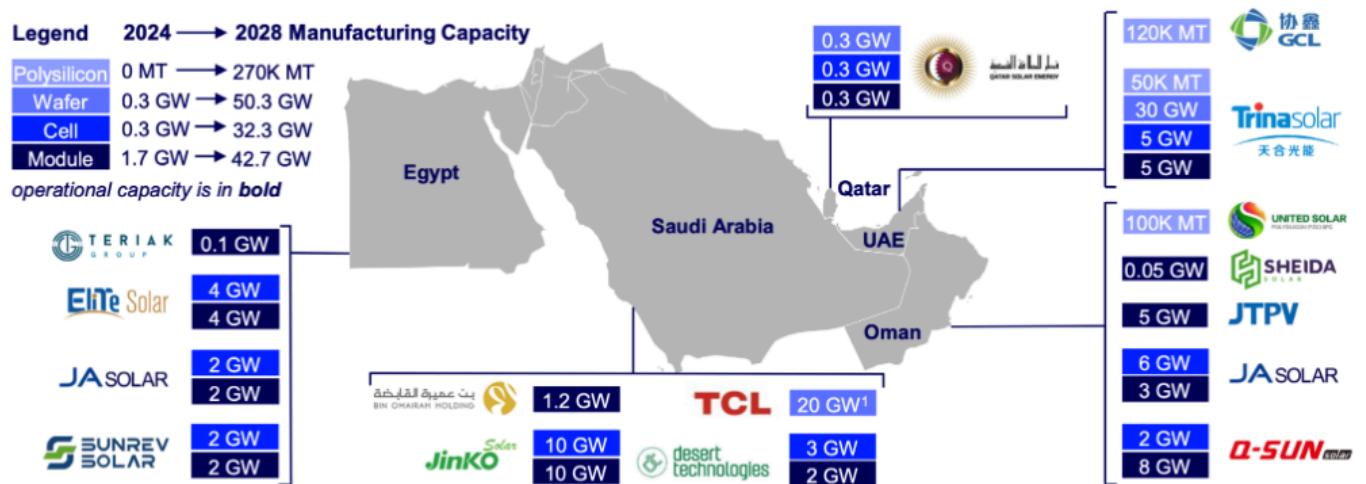
To see solar cell map, click arrow above

MARKET

Imports (MW) • Market share (%)



**Figure 8:** Wood Mackenzie, MENA Solar Manufacturing Outlook



**II. *The extent to which the failure of any economy to establish and effectively enforce a forced labor import prohibition has negatively affected U.S. commerce, such as through lost U.S. exports or economic output, lower prices for U.S. goods, or lower wages for U.S. workers.***

Chinese-owned producers are flooding the market with polysilicon at predatory prices, often supported by forced labor, driving American producers [out of business](#). At the beginning of last year, REC Silicon [abandoned](#) polysilicon production in Moses Lake, Washington, while other polysilicon manufacturers have diminished capacity as Chinese polysilicon prices collapsed due, in part, to the use of forced labor. Chinese polysilicon prices [have collapsed](#) to artificially low prices. An April 2026 PV Magazine [article](#) reported that China’s polysilicon spot price is at “near historical lows and below production costs.” This price is far below the National Lab of the Rockies’ minimum sustainable price of [\\$24/kg](#). There is no doubt that forced labor plays a role in price manipulation and has undercut investment in U.S. solar manufacturing. In the three completed AD/CVD investigations into China’s solar supply chains, the U.S. International Trade Commission has found that imports of polysilicon-based solar cells and modules injure or threaten to injure the American solar industry each time.

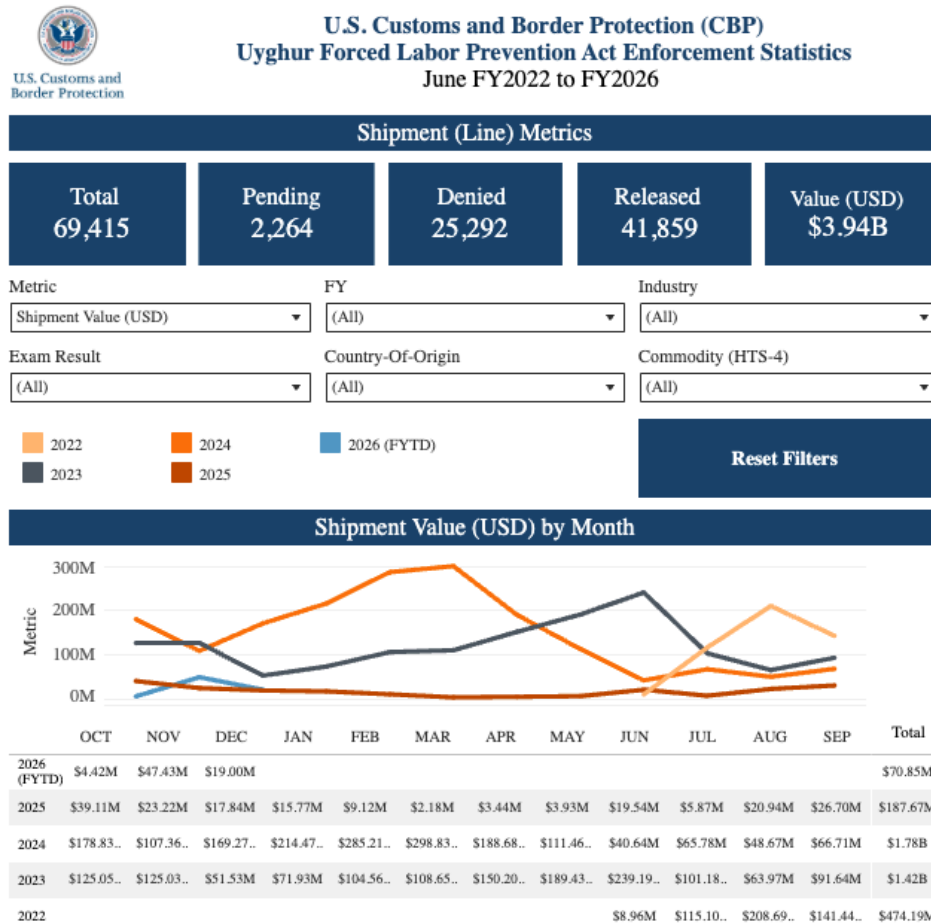
Despite major efforts, the UFLPA has proven challenging to enforce in practice. For years, SEMA Coalition members have worked with CBP to help identify forced labor supply chains. Tracing the supply of polysilicon through the global solar supply chain can be difficult, given China’s laws (Countering Foreign Sanctions Law (CFS) and the Unreliable Entities List Provisions (UE Provisions) that attempt to prevent the enforcement of the UFLPA. Additionally, no geographic indicators can be used to trace polysilicon effectively. While a critical tool, UFLPA enforcement requires constant supply chain updates and significant resources.

Without support from foreign governments, bad actors will continue to find ways to circumvent UFLPA enforcement. As seen in Figure 9, there has been a [drop](#) in overall UFLPA enforcement activity this past



year. Additional deterrence measures are needed outside of the UFLPA mechanism to limit the global trade of Chinese polysilicon —including the development of a robust traceability program to help ensure imports are UFLPA-compliant.

**Figure 9: UFLPA Dashboard** Enforcement Statistics



**III. What action, if any, should be taken to address these issues**

**1) USTR should continue negotiations for the adoption of forced labor rules to avoid tariffs**

The SEMA Coalition commended USTR’s recent actions in the Malaysia and Cambodia Agreements on Reciprocal Trade to include commitments to adopt forced labor import prohibitions. Malaysia [agreed](#) to adopt and implement a prohibition on the importation of goods mined, produced, or manufactured wholly or in part by forced or compulsory labor and acknowledge U.S. government determinations on entities under Section 307 of the Tariff Act of 1930. Such commitments send an important signal to China’s government that its criminal use of forced labor will not be tolerated. U.S. polysilicon producers have lost foreign market access.



In particular, the following provision in the [agreement between the United States and Malaysia](#) should be standard in future trade agreements:

*Article 2.9: Labor*

*1. Malaysia shall adopt and implement a prohibition on the importation of goods mined, produced, or manufactured wholly or in part by forced or compulsory labor. Malaysia may acknowledge U.S. government determinations on entities under Section 307 of the Tariff Act of 1930 and shall take appropriate action to prohibit importation of goods from those companies. The Parties shall cooperate by sharing best practices on the development and enforcement of forced labor import prohibitions, as appropriate. Malaysia shall implement the obligations in this paragraph within two years of the date of entry into force of this Agreement.*

In future statements, USTR should indicate that nations seeking to lower tariff rates should implement adequate forced labor laws. SEMA would encourage USTR, the White House, and relevant administration officials to publicly discuss their intentions to pursue forced labor commitments in trade deals and to follow up on commitments that countries have made in implementing such agreements.

Securing these commitments is helpful, but they must be strictly enforced to ensure that trading partners' forced labor bans are as effective, if not more so, than the UFLPA. Further, preventing the import of products made with forced labor in trading partners' supply chains may not be sufficient to resolve all unfair trading conditions in those markets. Producers in other countries may still capitalize on low wages, structural excess capacity, significant government subsidies, and unfair dumping in global markets to artificially boost their global competitiveness. USTR should continue to assess solar and other critical sectors for all these unfair trade conditions.

**2) USTR should impose a global tariff on solar imports that contain polysilicon originating from China and Chinese-owned and controlled companies outside of China**

Global tariffs on Chinese-owned and controlled polysilicon and derivative products would incentivize U.S. trading partners to implement forced labor laws or stop using Chinese polysilicon. However, these tariffs would have to be at a high rate to have a meaningful impact. Tariffs matching the International Emergency Economic Powers Act (IEEPA) rates, for example, would not be sufficient to deter the Chinese-owned supply chains. All solar importers should know where their polysilicon comes from and be able to provide traceability documentation, given the nearly four-year-old UFLPA requirements. The limited number of non-Chinese polysilicon manufacturers should make confirming any claims on non-Chinese origin relatively straightforward.

**Section 232 measures or Section 301 trade actions consistent with the following principles, as discussed in [SEMA's Section 232 polysilicon comment letter](#), would produce the most optimal outcome to follow the first Trump administration's solar manufacturing trade policy success:**

1. As the SEMA Coalition has stated in multiple comment letters, the solar wafers and cell industries are critical choke points that China could weaponize. Commerce must consider how any remedy impacts the full supply chain and should avoid simply pushing a national security vulnerability down the supply chain.
2. Trade actions must equitably address the full spectrum of derivative imports, including ingots,



wafers, cells, and modules, as the vast majority of U.S. imports of polysilicon are via these derivative products. Any link in the U.S. solar manufacturing supply chain that China can exploit is a national security concern.

3. A remedy should not cover non-Chinese and non-Chinese-linked producers of polysilicon and their derivatives from allied countries that can demonstrate UFLPA compliance, and that are not benefiting from other structural unfair trading factors. With this approach, imports — when coupled with domestic supply — should ensure that enough polysilicon and its derivatives are available to satisfy U.S. solar demand (consistent with the [request](#) of a bipartisan congressional delegation).