



Navigating New Tariffs and Supply Chain Uncertainty in the Solar and Storage Industry

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Growing Number of Trade Tools Relevant to Solar & Storage Industries

Antidumping (AD) and countervailing duty (CVD) measures

Intended to remedy the economic advantage created by unfair foreign pricing and foreign government subsidies

Circumvention inquiries

Determine whether a good imported from a country not subject to an AD or CVD order should be included in the scope of an existing AD/CVD order

Section 201

Safeguard action that provides temporary breathing room for domestic industries economically harmed by increased imports; safeguard measures are global and initially limited to 4 years

Section 232

Based on an investigation and affirmative determination by Commerce Department that certain imports threaten to impair U.S. national security, President may address threat including by imposing tariffs or negotiating solution

Section 301

Used to enforce U.S. rights under trade agreements and respond to certain foreign trade practices

International Emergency Economic Powers Act (IEEPA)

Authorizes President to regulate a variety of international economic transactions to deal with any unusual and extraordinary threat to the national security, foreign policy, or economy of the U.S. Historically has been used to impose sanctions. More recently it has been used for impose tariffs.

How Different Statutes Can Impact Business Planning

Statute	How long are tariffs in place?	Can tariff levels change?	Process for Exclusion Request?
AD/CVD	Sunset review every 5 years; unlikely to expire	Annually; applies retroactively	Formal Process
Section 201	Import relief may be granted for an initial period of up to 4 years and extend to a maximum of 8 years	Tariff levels step-down annually; eventually phase out	Formal Process
Section 301	No fixed expiration date	Can be modified at any time	Formal Process; Political Discretion a Factor
Section 232	No fixed expiration date	Can be modified at any time	Formal Process; Political Discretion a Factor
IEEPA	No fixed expiration date	Can be modified at any time	Informal Process; Political Discretion a Factor

Current List of Solar & Storage Related Trade Actions*

- Potential trade action on solar cells/modules imported from Laos and Indonesia?
- Section 232 investigation into imports of polysilicon and downstream derivatives
- Section 232 investigation into critical mineral imports
- Section 232 investigation into semiconductor imports
- 25% tariff on imports from countries buying Venezuelan oil (IEEPA)
- Section 232 investigation into copper imports
- AD/CVD investigations on active anode materials (AAM) from China
- AD/CVD investigations on solar cells/modules imported from 4 SE Asian countries (also known as Solar III)
- Global “reciprocal” tariffs on a country-by-country basis (IEEPA) (China currently 125%; all others currently 10%) (
- 25% tariff on select imports from Canada and Mexico (migration and fentanyl national emergency under IEEPA)
- 25% tariff on imports of steel and aluminum primary & derivative products (Section 232)
- 20% tariff on imports from China (fentanyl national emergency under IEEPA)
- Tariffs on solar cells/modules imported from 4 SE Asian countries (circumvention finding; China AD/CVD tariff)
- Tariffs on over 2/3 of all Chinese product imports (Section 301)
- 14% tariff on imports of solar modules and cells (for imports over 12.5 GW) from most countries (Section 201)
- Tariffs on solar cells/modules imported from China (AD/CVD; known as Solar I & II)

Legend

- In place
- Under Review
- Not yet introduced

**certain tariffs are additive*

Upcoming Dates Select Cases*

Solar III

- **4/18** DOC AD/CVD final determinations due
- **5/20** ITC Vote
- **6/16 (est.)** Final cash deposit rates in effect

AAM AD/CVD

- **5/19** DOC CVD preliminary determination due
- **5/27** DOC AD preliminary determination due
- **12/5** DOC final determination due (assuming extended deadline)
- **1/2/2026** ITC Vote

*select dates subject to change

IEEPA Reciprocal Tariffs

- **7/9** End of 90-day pause

Section 201

- **2/7/2026** Expiration of Section 201 tariffs and the cell TRQ

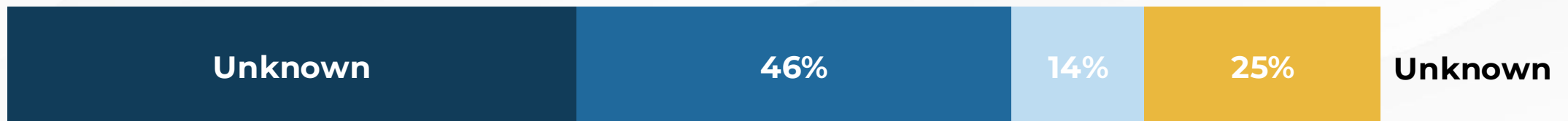
Example of the Complicated Tariff Stack: Vietnam Solar Module Import*

Tariff Stack: Product Entering the U.S. Today



■ Preliminary AD Tariff During CVD Gap Period** ■ IEEPA Tariff (Reciprocal) ■ Section 201 Tariff

Potential Tariff Stack: Product Entering the U.S. on or after July 9, 2025 *****



■ Final AD/CVD Tariff*** ■ IEEPA Tariff (Reciprocal)**** ■ Section 201 Tariff ■ IEEPA Tariff (Venezuela)*****

* Assumes the import is subject to AD/CVD tariffs rather than circumvention tariffs and that no new tariffs are implemented

** AD preliminary rates during CVD gap period does not include subsidy offset

*** Assumes affirmative final determination by ITC

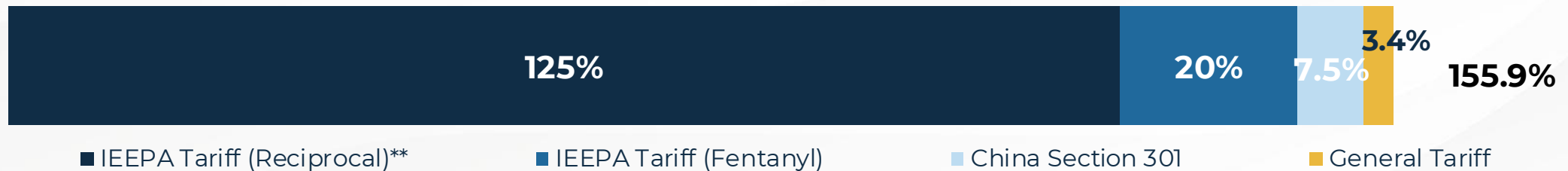
**** Subject to negotiation

***** Pending the Secretary of State's determination that the country procures Venezuelan oil and tariffs should apply

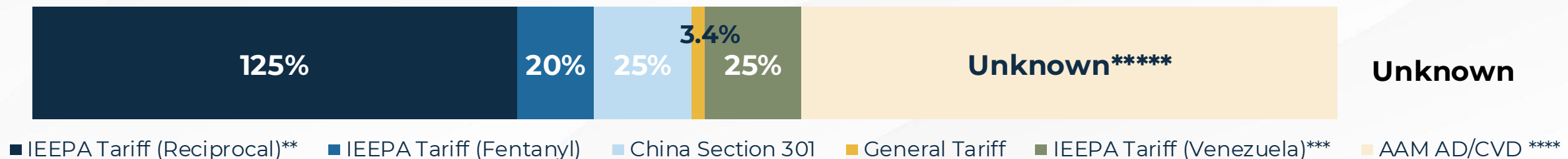
***** Currently unclear if there is a grace period attached to the 90-day pause or if tariffs go into effect right after the pause

Example of the Complicated Tariff Stack: Chinese Lithium-ion Stationary Storage Battery*

Tariff Stack: Product Entering the U.S. Today



Potential Tariff Stack: Product Entering the U.S. on or after January 1, 2026



* Assumes that no new tariffs are implemented

** Subject to negotiation

*** Pending the Secretary of State's determination that the country procures Venezuelan oil and tariffs should apply

**** Assumes the import is subject to preliminary AAM AD/CVD tariffs

***** AAM AD/CVD tariff applied to the AAM material; rate can range by supplier

Relevant Legal Challenges to Trade Action

Section 301

- Litigation challenges the imposition of tariffs on List 3 and 4A products, which includes solar glass, inverters, LFP batteries, etc.
- The Court of International Trade upheld the President's decision to impose tariffs.
- Waiting for the Court of Appeals for the Federal Circuit to issue a decision.

IEEPA

- There are several lawsuits that claim the president cannot use IEEPA to enact new tariffs.
- Department of Justice is trying to consolidate some of the litigation before the Court of International Trade.

Forced Labor Enforcement Continues

Uyghur Forced Labor Prevention Act (UFLPA)

Establishes a rebuttable presumption that goods produced or manufactured in Xinjiang, or by entities with ties to Xinjiang, are made with forced labor; law went into effect 6/21/2022

- Polysilicon (including solar grade) and batteries are priority enforcement targets under UFLPA
- CBP continues to detain shipments; importers must provide traceability documentation or reexport the goods
- Over 15,500 shipments, valued at \$3.7 billion, have been subjected to UFLPLA review or enforcement actions
- 70% of examined shipments came from Malaysia or Vietnam, which are major exporters to the United States of solar panels

SEIA's Standards Technical Committee (STC) Traceability Standard

Draft standard provides guidelines on tracing the origin of the materials used to make solar modules, batteries, and other clean energy products, back to raw materials

- Expected to be finalized in 2025



Q&A