

115TH CONGRESS  
2D SESSION

# H. R. 5571

To amend subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States to repeal increases in duty and a tariff-rate quota on certain crystalline silicon photovoltaic cells, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2018

Ms. ROSEN (for herself, Mr. SANFORD, Mr. HUFFMAN, Mr. NORMAN, and Mr. KNIGHT) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States to repeal increases in duty and a tariff-rate quota on certain crystalline silicon photovoltaic cells, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting American  
5 Solar Jobs Act”.

1 **SEC. 2. REPEAL OF INCREASES IN DUTY AND A TARIFF-**  
2 **RATE QUOTA ON CERTAIN CRYSTALLINE SIL-**  
3 **ICON PHOTOVOLTAIC CELLS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) According to the National Solar Jobs Cen-  
6 sus, the solar workforce has increased by 168 per-  
7 cent in the past seven years, from about 93,000 jobs  
8 in 2010 to over 250,000 jobs in 2017.

9 (2) Over 80 percent of solar jobs in the United  
10 States are in the installation, sales, distribution, and  
11 project development sectors, all of which heavily de-  
12 pend on the availability of affordable solar panels.

13 (3) In 2016, solar was the single largest source  
14 of new electric generating capacity in the United  
15 States, and solar photovoltaic installers was the fast-  
16 est growing occupation.

17 (4) According to the Solar Energy Industries  
18 Association, the 30-percent tariff on imported solar  
19 cells and panels will cause the loss of about 23,000  
20 American jobs in 2018, as well as the delay or can-  
21 cellation of billions of dollars of investments in solar  
22 energy.

23 (5) According to GTM Research, this tariff will  
24 cause a net reduction of around 11 percent in  
25 United States solar installations from 2018 to

1 2022—reducing installations from an estimated 68.9  
2 gigawatts to 61.3 gigawatts over the next five years.

3 (b) IN GENERAL.—Subchapter III of chapter 99 of  
4 the Harmonized Tariff Schedule of the United States is  
5 amended—

6 (1) by striking U.S. Note 18; and

7 (2) by striking—

8 (A) subheadings 9903.45.21 and  
9 9903.45.22, and the superior text to such sub-  
10 headings; and

11 (B) subheading 9903.45.25.

12 (c) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendments made by  
14 this section shall take effect as of February 7, 2018.

15 (2) RETROACTIVE APPLICATION FOR CERTAIN  
16 LIQUIDATIONS AND RELIQUIDATIONS.—

17 (A) IN GENERAL.—Notwithstanding sec-  
18 tion 514 of the Tariff Act of 1930 (19 U.S.C.  
19 1514) or any other provision of law and subject  
20 to subparagraph (B), any entry of an article  
21 classified under subheading 9903.45.21,  
22 9903.45.22, or 9903.45.25 of the Harmonized  
23 Tariff Schedule of the United States, that—

24 (i) was made—

25 (I) after February 7, 2018; and

1 (II) before the date of the enact-  
2 ment of this Act; and

3 (ii) to which a lower rate of duty  
4 would be applicable if the entry were made  
5 after such date of enactment,

6 shall be liquidated or reliquidated as though  
7 such entry occurred on such date of enactment.

8 (B) REQUESTS.—A liquidation or reliqui-  
9 dation may be made under subparagraph (A)  
10 with respect to an entry only if a request there-  
11 for is filed with U.S. Customs and Border Pro-  
12 tection not later than 180 days after the date  
13 of the enactment of this Act that contains suffi-  
14 cient information to enable U.S. Customs and  
15 Border Protection—

16 (i) to locate the entry; or

17 (ii) to reconstruct the entry if it can-  
18 not be located.

19 (C) PAYMENT OF AMOUNTS OWED.—Any  
20 amounts owed by the United States pursuant to  
21 the liquidation or reliquidation of an entry of  
22 an article under subparagraph (A) shall be  
23 paid, without interest, not later than 90 days

- 1 after the date of the liquidation or reliquidation
- 2 (as the case may be).

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