

Congress of the United States

Washington, DC 20515

June 10, 2024

The Honorable Lloyd Austin
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Austin:

We write today to express strong concerns regarding implementation of the Biden administration's executive order to make the federal government carbon neutral by 2050.¹ As part of its green agenda, at the start of this year the Department of Defense announced that it would install solar panels on the Pentagon.² We are deeply concerned that the Department of Defense and the Department of Energy are not demonstrating appropriate attention to the economic and national security risks posed by pursuing this initiative when Chinese solar manufacturers continue to dominate the marketplace, historically violate U.S. trade laws, and advance the surveillance activities of Chinese military and intelligence agencies.

In recent years, the Biden administration has taken various actions to protect Chinese solar manufacturers. In June 2022, for example, President Biden issued the Solar Declaration of Emergency, neutralizing a Department of Commerce investigation into whether Chinese solar manufacturers were illegally circumventing existing antidumping and countervailing (AC/CVD) orders.³ We are not encouraged by these precedents.

Today, eight of ten solar panels installed in the United States come from China. Even if the Department of Defense and Department of Energy buys panels made in the United States, the metallurgical grade silicon and polysilicon needed for solar panels primarily comes from China.⁴ Further, if the Pentagon relies on solar energy for operation, it will necessitate increased dependence on battery storage capacity. China remains the world's third largest producer for the lithium that batteries depend on.⁵ While Buy America Act requirements will also apply to any solar panels purchased for the Pentagon's use, many requirements under the Act can be waived if it is in the public interest to do so.

Given these concerns, we ask that you respond to the following questions by Monday, June 24, 2024:

- As you know, President Biden's two-year moratorium on tariffs for Chinese manufactured solar panels routed through Cambodia, Malaysia, Thailand, and Vietnam ended on June 6, 2024. Please describe the process and due diligence in place at the

¹ [Executive Order on Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability | The White House](#)

² [The Pentagon Will Install Rooftop Solar Panels as Biden Pushes Clean Energy in Federal Buildings \(usnews.com\)](#)

³ <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/06/declaration-of-emergency-and-authorization-for-temporary-extensions-of-time-and-duty-free-importation-of-solar-cells-and-modules-from-southeast-asia/>

⁴ [Will the Pentagon's solar panels be Chinese? - Asia Times](#)

⁵ <https://www.weforum.org/agenda/2023/01/chart-countries-produce-lithium-world/>

Department of Defense to ensure the solar panels for the Pentagon, or any other relevant U.S. military installation, were not procured under this moratorium, and will not have additional AD/CVD tariffs retroactively imposed?

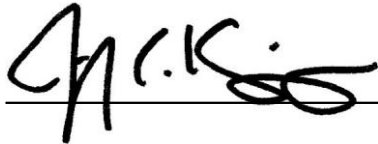
- Does the Department of Defense anticipate providing any waivers from Buy America Act requirements to increase the number of solar panels installed on the Pentagon or on any other relevant U.S. military installation?
- What safeguards does the Department of Defense have in place to ensure that any solar panels installed on the Pentagon or on any other relevant U.S. military installations will not undermine any aspect of electronic security for an impacted facility?
- How will the Department of Defense ensure that no funding associated with the installation of solar panels on the Pentagon or on any other relevant U.S. military installation will benefit the national security objectives of the People's Republic of China?

Thank you for your urgent attention to this matter.

Sincerely,



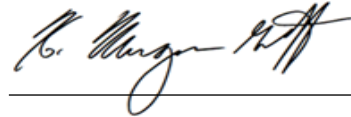
Robert J. Wittman
Member of Congress



Jen A. Kiggans
Member of Congress



Ben Cline
Member of Congress



H. Morgan Griffith
Member of Congress