

Implementing Measures to Restrict Stockpiling of Polysilicon and Polysilicon Derivatives Under Proclamation 11052 of August 6, 2026

Companies seeking to waive restrictions on imports of polysilicon and its derivatives pursuant to Proclamation 11052 must submit the application and associated documentation to polysilicon 232@bis.doc.gov. The applications should include the following information, with reference as appropriate to the relevant application sections:

Section 1 – Organization Information: Full legal name, address, ownership structure and beneficial ownership, including the country where the company’s (or companies’) headquarters is located. The name, title, and contact information of the authorized representative(s) submitting the application should also be included. The company (or companies) should also provide information about the products it manufactures and where such manufacturing takes place.

Section 2 - Projected Type, Volume, and Use of Imports: Explanation detailing how the company intends to use the imported Polysilicon Product(s) including whether the imports support the company’s own manufacturing, and if so how; or whether the company plans to transfer the imported merchandise to third parties, and an estimate of the anticipated volume of imports the company intends to enter into the United States prior to December 4, 2026, if a waiver is granted.

Section 3 - Legitimate Business Purpose: An explanation of the business considerations associated with the company’s Polysilicon Product import volumes. For IORs subject to a prohibition imposed pursuant to supplement no. 1 to part 705, companies should explain why the volume of imports they were entering into the United States from August 6, 2026 until the effective date of the prohibition were grounded in legitimate commercial considerations unrelated to the implementation of Proclamation 11052. For new IORs seeking a waiver, companies should detail why they have established themselves as a new IOR, whether they have pre-existing customers or business relationships in the United States for Polysilicon Products that predate the August 6, 2026, signature date of Proclamation 11052, the foreign manufacturers whose Polysilicon Products they seek to enter into the United States, and any other factor the company deems relevant.

Section 4 - Certification and commitment to not stockpile Polysilicon Products prior to December 4, 2026: Company applications should be signed by a senior official in the company. Applications shall include a certification, such as a sworn statement, from a senior officer of the company confirming that the submission is true, accurate, and complete to the best of the company’s knowledge, under penalty of perjury, and confirming that the company has conducted reasonable diligence to verify the accuracy of the assertions and facts contained in its submissions, as well as a commitment to not stockpile Polysilicon Products prior to December 4, 2026.

Additional Information: Any other information the applicant believes is necessary to facilitate Commerce’s decision-making. If companies believe that any of the requirements outlined above are not appropriate for their particular situation, they should provide a detailed explanation.

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The information contained in this document is confidential and not subject to disclosure under Exemption 4 to the Freedom of Information Act, 5 U.S.C. § 552(b)(4), and the Trade Secrets Act, 18 U.S.C. § 1905.

Section 1: Organization Information

Organization Information		Authorized Representative	
Full Organization Legal Name		Authorized Representative Name	
Street Address		Position / Title	
City		Organization Name (if different)	
State		Location Country	
Zip Code		Phone Number	
Headquarters Country		E-mail Address	
Ownership structure and beneficial ownership details			
Overview of what the company manufactures, including locations and whether manufacturing occurs in facilities owned by the company, contract manufacturers, or other			

Section 2: Projected Type, Volume, and Use of Imports

Identify the types of polysilicon and its derivatives the company intends to import, the anticipated volume prior to December 4, 2026, the import's intended use									
Import Type		Volume	Intended Use	Additional Description of Use					
Polysilicon (HTSUS 2804.61.00) - in kg			{solar, semiconductor, other}	{supports existing manufacturing operations or new investment projects}					
Polysilicon-derived wafers/ingots (HTSUS 3818.00.00) - in kg			{solar, semiconductor, other}						
Polysilicon-derived solar cells (HTSUS 8541.42.00) - number									
Polysilicon-derived solar modules (HTSUS 8541.43.00) - number									

Provide annual production volume and capacity utilization rates for each facility receiving the imports and any applicable allocation of imports for each facility										
Facility Name		State	Facility Primary Product	Primary Product Annual Production Volume	Units for Volume (kg, wafers, modules, etc.)	Capacity Utilization Rate	Volume of Applicable Imports to be Allocated to Facility			
							Polysilicon	Wafers/Ingots	Solar Cells	Solar Modules
1			{bare semi wafer, fab semi wafer, so							
2										
3										
4										
5										
6										
7										
8										
9										
10										

Section 3: Legitimate Business Purpose

Provide an explanation of the business considerations associated with the company's Polysilicon Product import volumes. For existing importers of record (IORs) with significant increases in the volume of imports, explain why the volume of imports they were entering prior to receiving a prohibition were grounded in legitimate commercial considerations unrelated to the implementation of Proclamation 11052. For new IORs seeking to lift the quantitative restriction, companies should detail why they have established themselves as a new IOR, whether they have pre-existing customers or business relationships in the United States for Polysilicon Products that predate the August 6, 2026 signature date of Proclamation 11052, the foreign manufacturers whose Polysilicon Products they seek to enter into the United States, and any other factor the company deems relevant. Additional documents such as purchase orders or contracts dated prior to August 6, 2026, business plans or board resolutions dated prior to August 6, 2026, or corporate restructuring documents may be submitted as separate attachments.
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Section 4: Certification

The undersigned certifies that the information herein supplied in response to this questionnaire is complete and correct to the best of his/her knowledge, and that the represented company will not stockpile polysilicon or its derivatives prior to December 4, 2026. It is a criminal offense to willfully make a false statement or representation to any department or agency of the United States Government as to any matter within its jurisdiction (18 U.S.C. 1001 (1984 & SUPP. 1197))

Name of Authorizing Official

Title of Authorizing Official

E-mail Address

Phone Number and Extension

Date Certified (MM/DD/YYYY)