

Commercial Customs Operations Advisory Committee (COAC)

Intelligent Enforcement Subcommittee Antidumping and Countervailing Duty (AD/CVD) Working Group



U.S. Customs and
Border Protection



OT/Trade Policy & Programs
Antidumping and Countervailing Duties
April 1, 2020

Action Required: Informational

Background:

- Antidumping and countervailing duty (AD/CVD) enforcement is a priority for U.S. Customs and Border Protection (CBP).
- CBP enforces over 507 AD/CVD orders on imported goods. This includes 55 new AD/CVD orders issued by the Commerce Department in Fiscal Year 2019 and the first quarter of FY 2020.
- CBP employs national assets to target AD/CVD evasion, including import trade trend and valuation analysis, the use of targeted reviews and audits to address high-risk cases, lab testing, and special operations.
- The Commercial Customs Operations Advisory Committee (COAC) Trade Enforcement and Revenue Collection (TERC) subcommittee formed the AD/CVD working group to generate advice and develop recommendations. The working group consists of COAC members and nonmembers providing diverse perspectives and includes importers, customs brokers, sureties, U.S. manufacturers, lawyers, and participants from Department of Commerce and Immigration and Customs Enforcement, Homeland Security Investigations.
- CBP engages with the AD/CVD Working Group of COAC to improve the transparency of CBP's AD/CVD enforcement and processing, providing more information on AD/CVD requirements to facilitate legitimate AD/CVD imports, and obtain trade input on proposed changes to policies.
- CBP also strives to be as transparent on AD/CVD enforcement as disclosure laws allow, and regularly posts AD/CVD information on CBP.gov and CBP's new AD/CVD Twitter page.

Issue:

- CBP is committed to enforcing AD/CVD laws, identifying and penalizing those who would try to evade those laws, and facilitating legitimate trade.

Current Status:

- CBP provides updates to the AD/CVD Working Group on new AD/CVD developments.
- CBP has had productive discussions on such issues as trade entry summary requirements for pipe spools and successor liability for delinquent AD/CVD duties.
- The Working Group held several sessions to obtain input on guidance for the trade on entry summary requirements for pipe spools. A summary CSMS message was issued on March 24, 2020.
- CBP completed the redesign of the ACE AD/CVD Portal in partnership with the Department of Commerce, which deployed on October 5, 2019. The new policy updates will be included in the next update of the ACE Business Rules-External. CBP is continually engaging with the COAC to garner feedback on how to improve the user interface for the trade community.
- CBP also strives to be as transparent on AD/CVD enforcement, as disclosure laws allow, and regularly posts AD/CVD information on CBP.gov and CBP's AD/CVD Twitter page.

Next Steps:

- CBP will continue to engage with the AD/CVD Working Group of the COAC to improve the transparency of CBP's AD/CVD enforcement and processing, providing more information on AD/CVD requirements to facilitate legitimate AD/CVD imports, and obtain trade input on proposed changes to CBP's AD/CVD policies.