



# **An Introduction to the Work of the USITC and the AD/CVD Process**

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**NMIC Seminar**

**U.S. Geological Survey**

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## ***Disclaimer:***

*The views expressed here are those of the presenter, and do not necessarily represent those of any individual Commissioner or of the Commission as a whole.*



# USITC

The United States International Trade Commission (USITC) is an independent, quasijudicial Federal agency with broad investigative responsibilities on matters of trade.



# USITC Mission

Three main duties:

## 1. Administer U.S. trade remedy laws:

- Import injury investigations:
  - Antidumping/countervailing duty (AD/CVD) investigations
  - Safeguard Investigations
- Intellectual property investigations



# USITC Mission

2. Provide the President, USTR, and Congress with independent analysis, information, and support on matters of tariffs, international trade, and U.S. competitiveness
3. Maintain the Harmonized Tariff Schedule of the United States (HTS)



# USITC Organization

- 6 Commissioners that serve staggered 9 year terms
- No more than 3 Commissioners from a single political party
- Additional staff of around 380



# AD/CVD Investigations

## Relief from imports:

- Sold in the U.S. at less than fair value (“dumped”)
- That benefit from countervailable subsidies provided through foreign government programs (“subsidized”)



# Agencies Involved

- **Commerce**
  - Initiates petition
  - Determines the scope of the petition
  - Determines whether dumping or subsidizing is happening
  - Determines the margin of dumping or amount of subsidy
- **USITC**
  - Determines whether there has been injury to U.S. industry due to the unfair imports
- **Customs and Border Protection (CBP)**
  - Enforces orders and collects duties





# Commerce's Scope

*The merchandise covered by this investigation is cast iron soil pipe fittings, finished and unfinished, regardless of industry or proprietary specifications, and regardless of size. Cast iron soil pipe fittings are nonmalleable iron castings of various designs and sizes, including, but not limited to, bends, tees, wyes, traps, drains, and other common or special fittings, with or without side inlets.*

*Cast iron soil pipe fittings are classified into two major types—hubless and hub and spigot. Hubless cast iron soil pipe fittings are manufactured without a hub, generally in compliance with Cast Iron Soil Pipe Institute (CISPI) specification 301 and/or American Society for Testing and Materials (ASTM) specification A888. Hub and spigot pipe fittings have hubs into which the spigot (plain end) of the pipe or fitting is inserted. Cast iron soil pipe fittings are generally distinguished from other types of nonmalleable cast iron fittings by the manner in which they are connected to cast iron soil pipe and other fittings.*

*The subject imports are normally classified in subheading 7307.11.0045 of the Harmonized Tariff Schedule of the United States (HTSUS): Cast fittings of nonmalleable cast iron for cast iron soil pipe. They may also be entered under HTSUS 7324.29.0000 and 7307.92.3010. The HTSUS subheading and specifications are provided for convenience and customs purposes only; the written description of the scope of this investigation is dispositive.<sup>28</sup>*



# Cast Iron Soil Pipe Fittings





# USITC Injury Determination

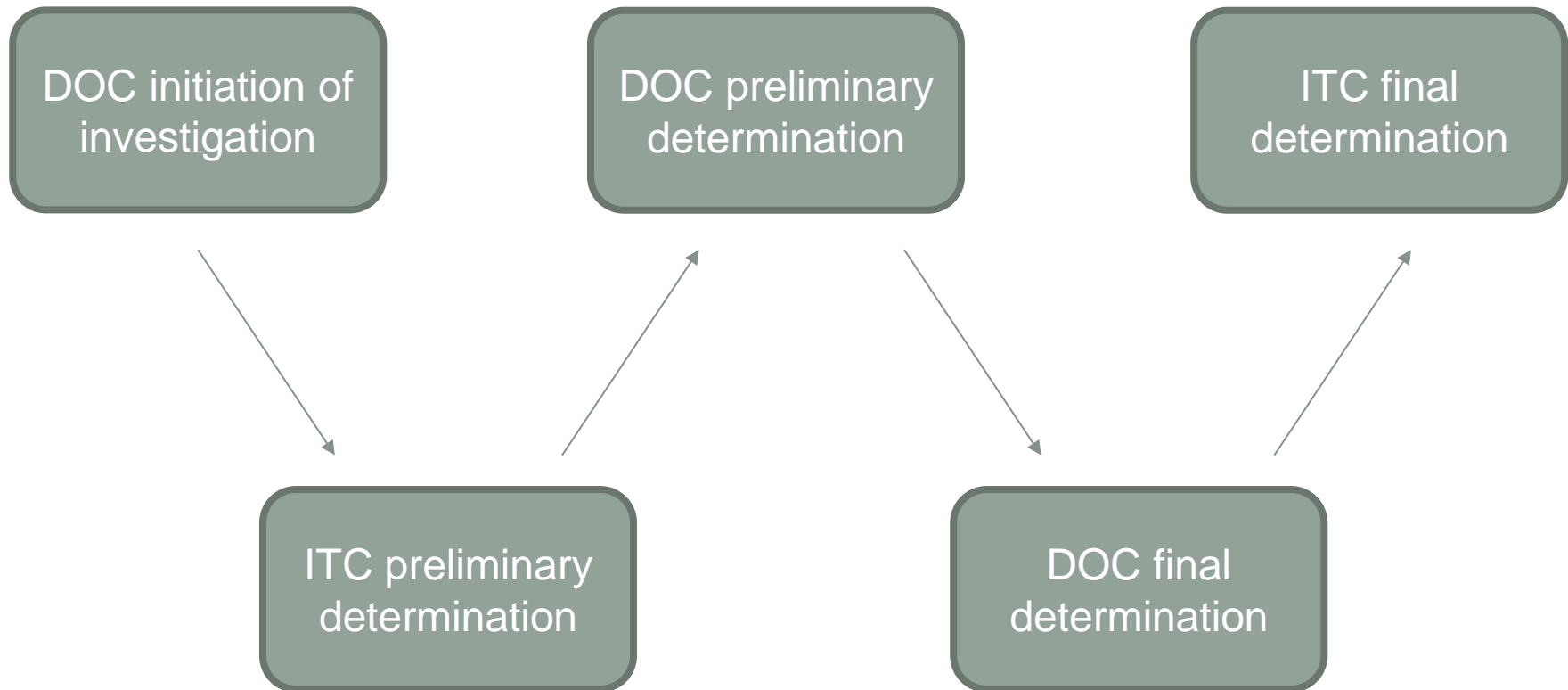
**Material Injury:** Harm which is not inconsequential, immaterial, or unimportant

USITC determines whether, owing to unfair imports, the U.S. industry:

- Is materially injured
- Is threatened with material injury
- The establishment of an industry in the United States is materially retarded



# 5 Stages of Investigation





# USITC Preliminary Phase

## Important stages:

- Questionnaires
- Staff conference and briefs
- Staff report
- Briefing and vote
- Determination and views of the Commission



# Commerce Preliminary Phase

- Preliminary determination of whether there is a reasonable basis to believe or suspect that the subject imported merchandise is being sold or is likely to be sold at less than fair value, or whether a countervailable subsidy is being provided with respect to the subject merchandise.
- If determination is affirmative, importers must post a cash deposit or bond for imports.



# Commerce Final Phase

- Final determination of whether the subject imported merchandise is being sold or is likely to be sold at less than fair value, or whether a countervailable subsidy is being provided with respect to the subject merchandise.



# USITC Final Phase

## Important stages:

- Questionnaires
- Hearing and briefs
- Final staff report
- Briefing and vote
- Determination and views of the Commission



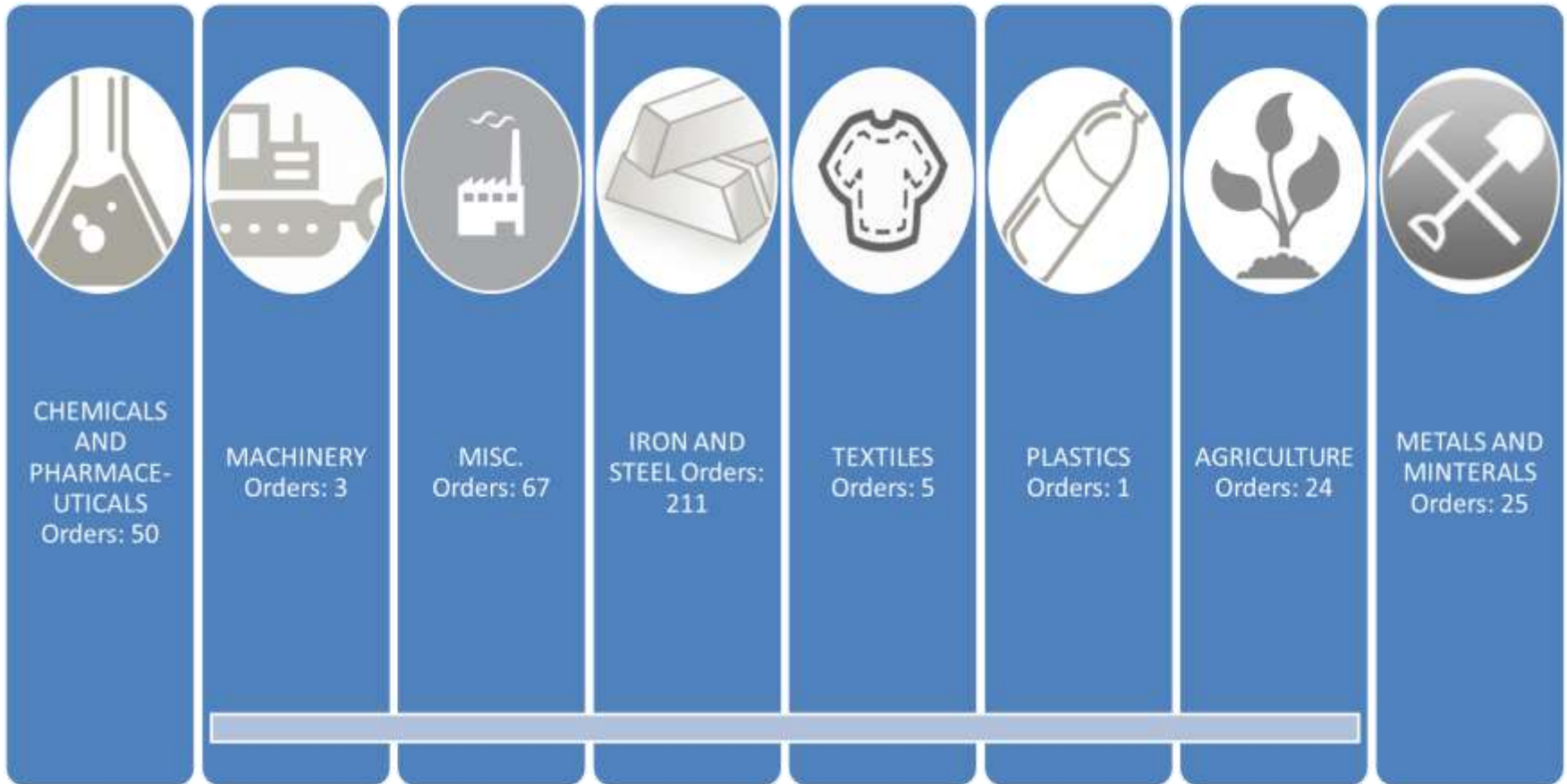


# Sunset Reviews

- Every five years
- Would revocation of the order be likely to lead to continuation or recurrence of dumping or a countervailable subsidy and of material injury?



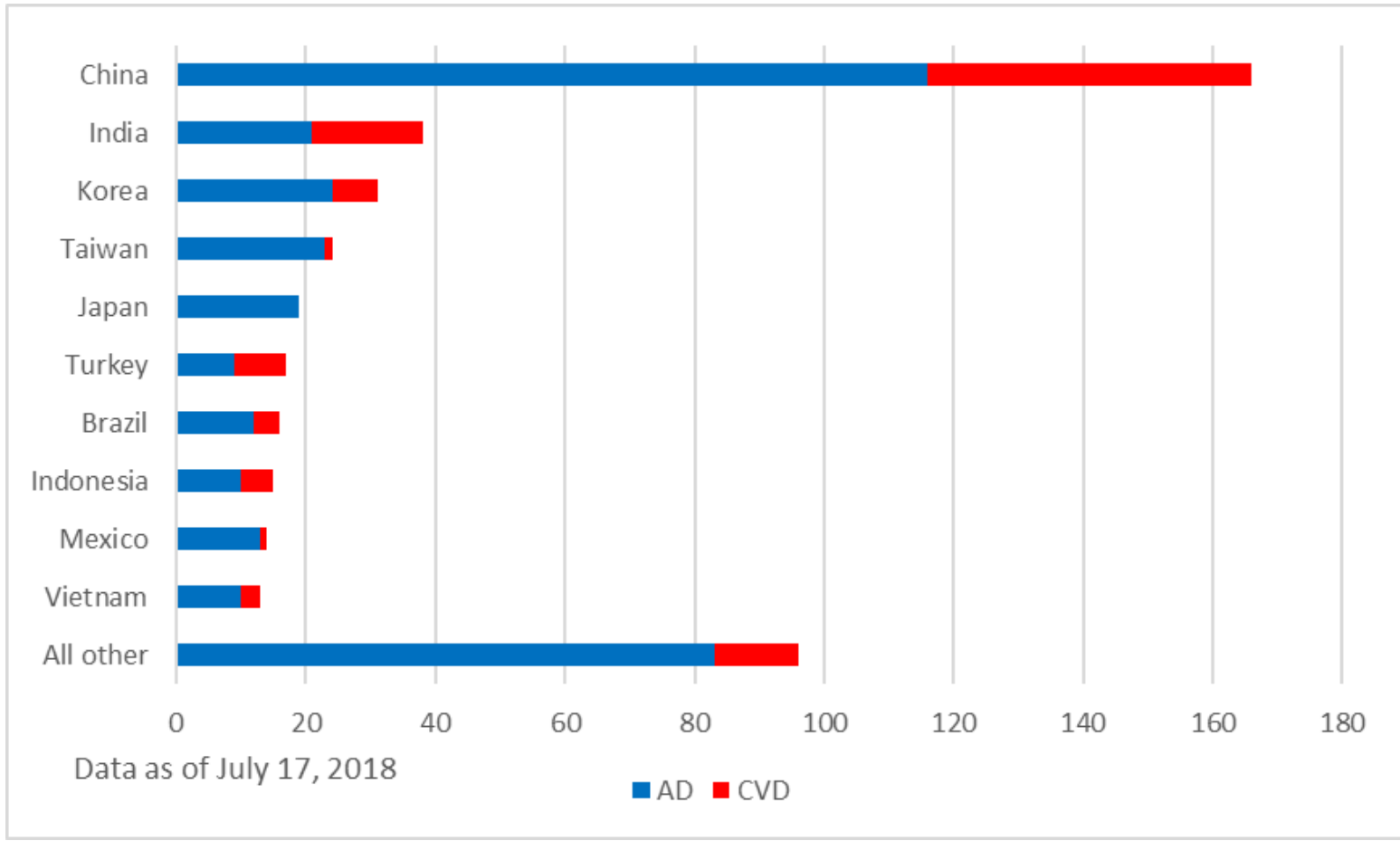
# U.S. AD/CVD Orders in Force



As of June 28, 2017



# U.S. AD/CVD Orders in Force





# USITC Publications

[https://www.usitc.gov/publications/by\\_type.htm](https://www.usitc.gov/publications/by_type.htm)

## ::Publications by Type

The following USITC publications are available online. Below are some of the most commonly searched for publications or publication listings:

- Official Publications Listing
- Import Injury Investigations
- Intellectual Property Infringement and Unfair acts
- Industry and Economic Analysis
- Tariff and Trade Information Services
- Office of External Relations
- Office of Secretary
- Other

### Import Injury/Trade Remedy

#### Antidumping and Countervailing Duty

- AD/CVD Commission Opinions and Reports
  - 701/731 Investigations
- AD/CVD Resources
  -  AD/CVD Handbook (*Publication 4056; December 2008*)

#### Global and Special Safeguard Publications

- All safeguard investigations
- Investigations under Section 201 of the Trade Act of 1974
- Investigations under Section 204 of the Trade Act of 1974
- Investigations under Section 421 of the Trade Act of 1974 - China

### Intellectual Property Infringement and Other Unfair Acts

- Section 337 Opinions and Reports
-  Section 337 Investigations FAQs Answers to Frequently Asked Questions (*Publication 4105; March 2009*)

### Industry / Economic Analysis

The 332 publications can be sorted by year, topic and alphabetical.

- 332 Commission Publications



# USITC Publications

## ::AD/CVD 701/731 Publications

Commissioners' opinions (or view) explain the basis for their determinations in investigations and reviews. The Commissioners' opinions are contained in publications consisting of the Commission's determination, views, and staff report. Confidential business information has been deleted from the publications.

The entire current year USITC publication is available for the investigations and reviews listed below in alphabetically order.

To go to archive of years 2001 - 2012 and please use filters below.

Year 
 Alphabetical

2018

[Large Power Transformers from Korea](#)  
 Investigation No. 731-TA-1189 (Review)  
 USITC Publication 4826  
 October 2018

[Tapered Roller Bearings from China](#)  
 Investigation No. 731-TA-344 (Fourth Review)  
 USITC Publication 4824  
 September 2018

[Forged Steel Fittings from Taiwan](#)  
 Investigation No. 731-TA-1396 (Final)  
 USITC Publication 4823  
 September 2018

[Stainless Steel Bar from Brazil, India, Japan, and Spain](#)  
 Investigation No. 731-TA-678, 679, 681, and 682 (Fourth review)  
 USITC Publication 4820  
 September 2018

[Cast Iron Soil Pipe Fittings from China](#)  
 Investigation No. 701-TA-583 and 731-TA-1381 (Final)  
 USITC Publication 4812  
 August 2018



### Completed Investigations

Cast Iron Soil Pipe Fittings from China

Inv. No. Inv. Nos. 701-TA-583 and 731-TA-1381

Final Phase

[Go to Preliminary Phase](#)

### Contacts

Office of Investigations	Name/E-mail	Phone
Investigator	Junie Joseph	(202) 205-3363
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### Key Dates

02/20/2018: Start
04/30/2018: Return Questionnaires
06/12/2018: Prehearing Report
06/19/2018: Prehearing Briefs
06/26/2018 9:30 am: Hearing
07/09/2018: Postconference Briefs
07/23/2018: Report to the Commission
07/27/2018: Record Closing
07/31/2018: Final Comments
08/03/2018: Proposed Vote
08/22/2018: Determination(s) Issued
08/22/2018: View(s) Issued
08/22/2018: End

Document Type	Document Title	File Type
Commerce Documents	Determination-CVD-Final-China	pdf
Commerce Documents	Determination - AD -Final- China	pdf
Notices - USITC	Determination-Final	pdf
Notices - USITC	Scheduling	pdf



# UNITED STATES INTERNATIONAL TRADE COMMISSION



Document Type	Document Title	File Type
Commerce Documents	Determination-CVD-Final-China	pdf
Commerce Documents	Determination - AD -Final- China	pdf
Notices - USITC	Determination-Final	pdf
Notices - USITC	Scheduling	pdf
Other Documents	Service List - APO	pdf
Other Documents	Service List - Public	pdf
Other Documents	News Release - Vote	pdf
Other Documents	USITC Publication 4812	pdf
Questionnaires	U.S. - Producer	msword
Questionnaires	U.S. - Importer	msword
Questionnaires	U.S. - Purchaser	msword
Questionnaires	Foreign – Producer	msword
Questionnaires	D-Grids Specification Sheet for Questionnaires	pdf
Questionnaires	Transmittal Letter	pdf
Transcripts	Hearing Transcript	pdf



# Questions?

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