

U.S. Countervailing Duty Regime

Overview of Key Developments 2000–Present

The U.S. countervailing duty regime has also evolved in important aspects since 2000. Many of the changes described above for anti-dumping apply equally in the countervailing duty context. Particularly important developments have occurred in the following areas:

- **Subsidy analysis:** DOC's practice has evolved with respect to indirect subsidies, benchmarks, most importantly cross-border benchmarks, multi-year benefit streams from amortizable subsidies, and the attribution of subsidies among affiliated firms.
- **Extension to China:** DOC, with initial acquiescence from the judiciary, has determined that it can apply CVD law to NME goods, at least those exported from China.

Issues

1. Initiation

The post-2000 developments described above, with respect to initiation and “standing” analysis in AD cases, apply equally with respect to CVD.