



United States International Trade Commission

Budget Justification

Fiscal Year 2014



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ALPHABETICAL LISTING OF ABBREVIATIONS

AD	Antidumping	IT	Information Technology
ALJs	Administrative Law Judges	ITDS	International Trade Data System
CAFC	U.S. Court of Appeals for the Federal Circuit	MTBs	Miscellaneous Tariff Bills
CBP	U.S. Customs and Border Protection	NAFTA	North American Free Trade Agreement
Census	U.S. Census Bureau	NTMs	Nontariff Measures
CFO	Chief Financial Officer	OGC	Office of the General Counsel
CIT	U.S. Court of International Trade	OIG	Office of the Inspector General
Commerce	Department of Commerce	OMB	Office of Management and Budget
Commission	U.S. International Trade Commission	OUII	Office of Unfair Import Investigations
CVD	Countervailing Duty	SMEs	Small and Medium-Sized Enterprises
DataWeb	Interactive Tariff and Trade DataWeb	The Byrd Amendment	Continued Dumping and Subsidy Offset Act
FTAs	Free Trade Agreements	TPP	Trans-Pacific Partnership
FY	Fiscal Year	USAGE	U.S. Applied General Equilibrium
GSP	Generalized System of Preferences	USTR	U.S. Trade Representative
HTS	Harmonized Tariff Schedule of the United States	WCO	World Customs Organization
HTSA	Harmonized Tariff Schedule of the United States Annotated	WTO	World Trade Organization
IP	Intellectual Property		

INTRODUCTION

General Statement

The U. S. International Trade Commission (Commission) is an independent, quasi-judicial Federal agency with broad investigative responsibilities on matters of international trade. The Commission investigates the effects of dumped and subsidized imports on domestic industries and conducts global safeguard investigations. The Commission adjudicates disputes involving imported goods that are alleged to infringe U.S. intellectual property rights. Through such proceedings, the Commission facilitates a rules-based international trading system. The Commission also serves as a Federal resource where trade data and other trade policy-related information are gathered and analyzed. The information and analyses are provided to the President, the Office of the U. S. Trade Representative (USTR), and the Congress to facilitate the development of sound and informed U.S. trade policy. The Commission makes most of its information and analyses available to the public to promote understanding of competitiveness, international trade issues, and the role that international trade plays in the U.S. economy.

Mission

The mission of the Commission is to: (1) administer U.S. trade remedy laws within its mandate in a fair and objective manner, (2) provide the President, USTR, and the Congress with independent quality analysis, information, and support on matters relating to tariffs, international trade, and industry competitiveness, and (3) maintain the Harmonized Tariff Schedule of the United States (HTS). In so doing, the Commission serves the public by implementing U.S. law and contributing to the development of sound and informed U.S. trade policy.

Activities in Brief

As the role of international trade has expanded, the work of the Commission has had a broader impact on the U.S. economy. The Commission recognizes the importance of excellence in all aspects of its mission, particularly objectivity, thoroughness, clarity of analysis, and timeliness in the performance of its investigative duties. The Commission continuously monitors its investigative functions to meet more effectively the needs of policymakers in both the legislative and executive branches, parties to Commission proceedings, and the general public.

The Commission has five strategic operations, which can be grouped into two broad areas.

The first area covers intellectual property-based import investigations and import injury investigations. In most intellectual property-based import investigations, the Commission investigates alleged infringement of U.S. patent rights. In most import injury investigations, the Commission determines whether unfairly traded imports cause or threaten material injury to a U.S. industry or whether the revocation of existing relief would lead to recurrence of material injury. The Commission generally conducts these investigations in response to complaints brought by domestic industries, and they are conducted in accordance with statutory requirements and relevant case law (e.g., patent law as established by the Federal courts) and are subject to judicial review.

The second area covers industry and economic analysis investigations, tariff and trade information services, and trade policy support. This work supports congressional and executive branch policymakers by developing and providing industry and economic analysis, nomenclature expertise, and data to inform international trade negotiations, customs tariff revenue administration, and policy decisions. Under 19 U.S.C. §1332, the Commission is required to put at the disposal of the President of the United States, the Committee on Ways and Means of the U.S. House of Representatives, and the Committee on Finance of the U.S. Senate, whenever requested, “all information at its command...” in any matter related to international trade and industry competitiveness. The Commission is also charged with maintaining the Harmonized Tariff Schedule of the United States.

Analytical investigations and informal assistance are typically requested by the USTR, the Senate Finance Committee, or House Ways and Means Committee. Investigations may also be required by statute or self-initiated by the Commission. Requestors recognize the Commission’s expertise and unique capabilities to generate new primary data and synthesize knowledge to provide objective insights which are unavailable elsewhere. For example, in fiscal year (FY) 2012 and FY 2013, requests were made seeking new data and analysis about digital trade, environmental and renewable energy services, U.S. exports of used electronics and remanufactured goods, services as an input to manufactured goods, and the revenue impact of granting reduced tariffs to more than 1,300 types of products.

To meet its mission, the Commission must develop and maintain an infrastructure that supports the ability to provide high-quality, objective, and timely data and analysis for a wide array of issues, thousands of industries, and well over a hundred countries. To accomplish this, the Commission invests in developing highly-skilled analysts, economists, and lawyers; creates new data and databases; collaborates with other organizations to leverage research; and acquires or upgrades analytical tools (e.g., economic models, databases, and techniques for measuring the impact of non-tariff barriers).

More detail for each strategic operation and information about FY 2014 requirements are provided below. Detailed goals for each strategic operation are presented in the United States International Trade Commission Fiscal Year 2013 and Fiscal Year 2014 Performance Plan (see attached).

BUDGET HIGHLIGHTS

For FY 2014, the Commission requests \$85.1 million to carry out its statutorily mandated functions of adjudicating unfair trade complaints, maintaining the tariff schedule, and providing support on trade matters to the Congress and the executive branch, consisting of \$58.3 million for personnel compensation and \$26.8 million for non-personnel expenses. The FY 2014 request represents a \$2.3 million, or 2.8 percent, increase over the FY 2013 budget request of \$82.8 million. The largest single contributor to this increase is \$1.3 million for personnel costs. Included therein are the cost of the proposed one percent pay raise effective January 1, 2014, normal costs for promotions and within-grade increases, and increased health care costs. Further, total salaries and benefits are increasing in FY 2014 in part to continue the restructuring of the Commission's workforce that was started in FY 2012 with year-end buyouts but has been hampered by funding uncertainties in FY 2013. Proposed non-personnel expenses include critical investments in improvements to the financial system, operational productivity enhancements, infrastructure security improvements, post-implementation refinements to the mandatory Government-wide travel system the Commission will implement in FY 2013, and information technology (IT) hardware and software replacement.

Program Overview

TRADE-RELATED INVESTIGATIONS

With respect to the Commission's trade remedy investigations, which include import injury and intellectual property (IP)-based import investigations, the agency has experienced increased workload and increasing complexity in the kinds of investigations it handles. For these two investigative activities, the Commission provides a venue for private sector firms to bring allegations of unfair trade practices involving imports before an independent and objective government body.

Intellectual property-based caseload remains high

The main source of the increase in workload is in IP-based matters, which increased significantly during the last five years, and are expected to remain at elevated levels. These matters have involved many high tech products, including "smartphones," and have involved patent infringement allegations by various firms. Moreover, the range of products covered is quite broad, extending well beyond smartphones. The average number of patents at issue per investigation has also increased, further contributing to the increased workload. Additionally, the number of investigations based on trade secrets appears to be increasing.

IP-intensive industries account for over 850,000 jobs in the United States, and the Commission is a very active venue for IP-based disputes because it provides relatively quick resolution and unique relief in the form of exclusion of goods at the border. The Commission has addressed the workload increase in this area by adjusting human capital resources, increasing the number of judges and their law clerks to better ensure matters are completed in a timely manner, changing its staffing approach to reduce demands on Commission attorneys, and increasing the number of courtrooms available to accommodate trials. These efforts supplement substantial investments over the past few years in the agency's Electronic Document Information System, allowing outside parties to file documents more efficiently via electronic submission and enhancing Commission management of the large volume of investigation-related materials.

Import injury investigations involve a wider range of products

With respect to the Commission's import injury investigations, workload is expected to remain relatively stable, but with the expectation of a continued trend toward new firms and products coming before the Commission. During the past two years the Commission saw an increase in investigations involving energy-related goods and consumer goods, ranging from solar panels to refrigerators. The Commission remains an active venue for steel and chemical-related industries, and has a regular cycle of five-year reviews for existing orders. Challenges for the next two years include transformation of the data collection and verification processes, as a unit responsible for these processes has been particularly hard hit by retirements. The Commission expects to enhance the efficiency and effectiveness of its business processes by improving its information collection and handling processes, through such methods as increased use of automated databases. The Commission plans to reduce the burden of investigations on participating parties and its own staff through improved electronic processing of investigation-related data. These efforts require investment in both new technologies and new skill sets that emphasize database development and management.

INFORMATION AND ANALYSIS

The Commission's information and analysis-related activities include industry and economic analysis, tariff and trade information services, and trade policy support. In these aspects of its mission the Commission serves governmental customers by providing objective and independent information and analysis on numerous trade topics, either through formal investigations and/or informal expert advice, and through maintenance of the HTS. U.S. Customs and Border Protection (CBP) relies upon the HTS to collect tariff revenues on imported goods and private sector firms use it to reference the amount of tariffs they will pay on imported goods. The main challenge for the Commission in this area over the next two years will be to rebuild its human resource capabilities, as these areas have been heavily affected by retirements and budget-related hiring limits.

Complexity of the Commission's industry and economic analysis continues to increase

As with trade remedy investigations, the Commission has faced substantial changes in the complexity and composition of the kinds of requests received from its governmental customers, and the need to improve and enhance the collection and handling of the vast array of data it collects and maintains for both analytical purposes and for maintenance of the HTS. In the industry and economic analysis area, the Congress and the Administration are making increasingly complex requests in emerging areas of the economy and policy development, such as requests to examine the following:

- The role of small and medium-size businesses in exporting, where the Commission provided unique insights on reported trade barriers these firms face, as well as quantifying the amount of indirect exports these firms provide by participating in larger firms' supply chains
- The economic effect of China's IP rights environment on U.S. output and employment
- The U.S. role in global and regional value chains; the Commission's research in this area illustrated that the United States reimports a substantial share of its exports and that global value chains are very important for understanding global integration

The Commission is currently conducting investigations to examine the role of digital trade (commerce in products such as software, digital media, and services over digital networks) in the U.S. economy, the role of services in manufactured goods exports, and the importance of renewable energy services to the U.S. economy. Many recent and ongoing studies require the Commission to use its unique ability to send questionnaires to thousands of U.S. firms, and gather primary data not available elsewhere to help inform policymakers. The Commission is focusing its human resource rebuilding in this area on ensuring it has the capability to provide policymakers with unique, relevant, and timely insights on new and fast-evolving sectors of the U.S. economy in the global market place, as well as improving the efficiency and effectiveness of its data collection and database analysis.

Tariff and trade information services will benefit from new technology and improved business processes

In delivering tariff and trade information services, the Commission maintains the official HTS. Due to the large size and openness of the U.S. economy, the HTS is the most heavily-used tariff schedule in the world, based upon the volume of trade covered. The HTS has over 10,700 tariff lines, and must be updated and maintained throughout the year based on changes due to trade agreement implementation and adjustments due to other congressional and Administration actions. The HTS underlies U.S. trade data maintained by the U.S. Census Bureau (Census) and enables CBP to manage its trade and enforcement activities. A major project for the Commission in the coming two years is a complete rework of the IT system underlying the HTS and its business processes for updating, searching, and providing information to all users. This system is being completely redesigned in FY 2013 and requires a significant investment. For FY 2014 and beyond, the Commission will examine customer requirements for enhanced access and searchability.

In addition, the Commission is often requested by the Congress to analyze and report on numerous miscellaneous tariff bills (MTBs). In FY 2012, the Commission streamlined its process for analyzing and developing reports for over 2,000 separate bills to reduce or eliminate tariffs on a wide variety of specific products. In response to a request from its congressional oversight committees, the Commission produced more than 1,325 bill reports in just over four months, far exceeding the volume of bill reports produced in the same period for any prior Congress.

The Commission is in the process of addressing changing technology requirements for this area as well as resource gaps generated by recent retirements and departures. The Commission's appropriation request provides funding that will help address these issues. The skills required to support various components of tariff and trade information services (e.g., HTS maintenance, HTS classification, Rules of Origin assessments, MTB assessments) are unique and can take years to develop. Moreover, many Commission staff who contribute to tariff and trade information services are eligible, or soon will be eligible, for retirement. Thus, the Commission expects human capital planning and recruitment will continue to be a priority over the next few years.

Trade policy support covers a wide range of topics and may face resource constraints

The trade policy support area draws heavily on staff in the other programmatic areas of the Commission to answer short turnaround requests from the Congress and the Administration. In the past year, the agency provided rapid responses on a broad array of issues and topics, ranging from technical reviews of proposed legislation to IP rights and technical barriers to trade. The Commission expects increasing interest from customers on nontariff-related trade matters as well as the numerous emerging tradable sectors, such as digital trade and remanufactured goods, and behind the border issues related to regulation and services trade. In addition, Commission staff often perform developmental details to support the agency's main customers. Commission customers place high value on the Commission's capability to turn around objective and independent information and analysis on their most pressing issues. To the extent that the other areas of the Commission face increased workload, more complexity, and staffing challenges, the ability of the Commission to respond to such requests will be limited.

Financial Management and Internal Controls Efforts

The Commission is committed to maintaining the integrity of its financial information, including compliance with federal regulations and guidelines for accounting and financial reporting. To ensure compliance with federal requirements, the Commission is committed to strengthening its internal controls over financial management and program operations to improve accountability and gain efficiencies. The Commission's FY 2012 financial statement audit resulted in an unqualified opinion. This represented continued progress as the Commission was able to mitigate two of the three material weaknesses iden-

tified in the FY 2011 audit, which was also an unqualified audit. The unqualified opinions in FY 2011 and FY 2012 were improvements upon a qualified opinion received for FY 2010. Despite the clear direction of progress, challenges remain and the process of reform is not complete.

During FY 2012, the Commission continued its proactive, aggressive, and comprehensive financial management reform process. The agency addressed deficiencies identified during the FY 2010 and FY 2011 financial statement audits. The Commission launched a major, high-priority effort to improve its internal controls over financial and program operations, and to bring its internal control program into full compliance with OMB Circular No. A-123. Maintaining effective internal controls over its financial and operational processes continues to be a top priority for the Commission.

During FY 2012, the Commission took important steps to improve its human capital resources for financial management. In addition to training existing staff and upgrading their knowledge and professional skill sets, the Commission, through a supplement to its Human Capital Plan, substantially restructured its financial and administrative functions. The plan included the creation of the Office of the Chief Financial Officer (OCFO), which includes the offices of Finance, Procurement, and Budget. As part of this reorganization, additional staff and new positions requiring greater financial management expertise have been included in the plan to better ensure optimal performance in achieving the Commission's mission. The Commission recently hired its first CFO, Directors of Budget and Procurement, an Internal Control Program Manager, and a Financial Controls Manager.

The Commission has come a long way in a relatively short period of time, but there are still challenges ahead before reaching full financial accountability. The Commission must complete remedial efforts, put lasting reforms in place, hire and train staff, and test compliance. Progress has been achieved through hard work and increased costs to the Commission, both in terms of permanent staff and contractor resources. Sustained resources are required to maintain this momentum and achieve mandated financial management and internal control reform.

Efforts to Strengthen Information Technology Security

In FY 2014, the Commission will focus on strengthening IT security and broadening the use of technology to improve its business and financial procedures.

In FY 2013, the Commission expects to complete its work on establishing and activating a remote disaster recovery site that will enable the agency to continue to operate all major IT systems in the event of a catastrophic event affecting the Commission's building. Also in FY 2013, the Commission is developing and implementing an improved HTS database which will allow HTS tariff information to be more easily accessed, transparent, and portable. In addition to more open data, the system will incorporate logical validation that will improve information security of the system and ensure the availability and integrity of tariff information.

The Commission will continue to enhance its security posture by investing in new technology to detect, deter, and investigate evolving cyber security threats to its sensitive data and information systems. Specific technologies will be deployed to support several Government-wide security initiatives relating to data protection and user access control.

REQUESTED APPROPRIATION LANGUAGE

Salaries and Expenses

“For necessary expenses of the U.S. International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. § 3109, and not to exceed \$2,250 for official reception and representation expenses, \$85,102,000 to remain available until expended.”

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IMPORT INJURY INVESTIGATIONS

The Commission conducts statutory investigations to determine whether unfairly traded imports cause or threaten material injury to a U.S. industry. The Commission also conducts reviews of outstanding antidumping/countervailing duty (AD/CVD) orders. The Commission defends its decisions in import injury investigations in appeals to the U.S. Court of International Trade (CIT) and the U.S. Court of Appeals for the Federal Circuit (CAFC), and in proceedings under the North American Free Trade Agreement (NAFTA); it provides extensive assistance to USTR in dispute resolution before the World Trade Organization (WTO).

Unfair subsidization or dumping can distort trade and have an adverse impact on companies in the marketplace. Trade remedies, as established by the Congress, provide the opportunity to level the playing field with foreign competitors that are determined to have benefited from unfair trade practices. They are therefore valued by U.S. manufacturers of a wide range of products. Remedies, in the form of AD/CVD duties equivalent to the dumping and subsidy margins found for foreign producers, are put in place following affirmative determinations by the Department of Commerce (Commerce) and the Commission. The Commission's role in import injury investigations is to determine whether U.S. industries are materially injured (or threatened with material injury) by the unfair imports; the Commission therefore plays an important role in assessing and remedying the effects of unfairly-traded imports on U.S. industries.

Historically, a broad range of products representing numerous sectors of the economy have been subject to AD/CVD investigations, with a fairly significant portion of investigations involving intermediate products such as steel and chemicals. While some investigations in FY 2012 were on products seen before by the Commission, such as circular welded pipe, galvanized wire, optical brighteners, and xanthan gum, there was an increase in filings by energy-related and consumer product firms. Energy-related industries filed AD/CVD cases on solar panels, wind towers, and large power transformers. These industries collectively accounted for approximately \$5.3 billion of U.S. consumption, \$1.4 billion in U.S. producers' net sales, and nearly 5,000 U.S. production employees. Consumer end product industries filed cases on bottom-mount refrigerators, large residential washers, and flooring products. These industries collectively accounted for approximately \$6.7 billion of U.S. consumption, \$2.3 billion of U.S. producers' net sales, and over 6,300 U.S. production workers. Import injury investigations involve both small and large industries. Collectively, AD/CVD investigations conducted in FY 2012 involved approximately \$16 billion of U.S. consumption, \$7 billion of subject imports, and 15,500 U.S. production employees. While more than one half of the active AD/CVD cases in FY 2012 involved imports from China, imports from many other countries, such as India, Korea, Oman, United Arab Emirates, and Vietnam, were also subject to investigations.

While the outcome of AD/CVD investigations may affect U.S. companies in different ways depending on the business activities of the firm (e.g., U.S. producer, U.S. importer, etc.), the Commission's investigation processes and procedures ensure that investigative records are complete and contain infor-

mation from all parties such that the Commission can make sound determinations that can withstand judicial scrutiny. In fact, the Commission's strategic goal for this area is to support a rules-based international trading system by producing high-quality and timely import injury determinations based on an effective exchange of information between the Commission and interested parties; an appropriate investigative record; and transparent, fair, and equitably implemented procedures. While maintaining timeliness and meeting all statutory deadlines the Commission has set goals to continue to improve its investigative process to increase efficiency, reduce burdens on industry participants, and to improve accessibility of import injury investigation data and information. Specifically, the agency has undertaken an effort to complete its migration to electronic data collection and processing.

To conduct import injury investigations, multidisciplinary teams of Commission staff compile information from a number of sources, including questionnaire responses from firms in the industry, plant tours, testimony at staff conferences and hearings, and legal briefs from parties. Commission staff prepare a fact-based report which is used by the Commission in making its determinations. The Commission's process of conducting import injury investigations is transparent, with interested parties having access to all the information examined by the Commission. Authorized representatives of interested parties may obtain confidential information under an Administrative Protective Order (APO). All hearings and votes are open to the public and public versions of reports and opinions are available on the Commission's website, thus providing useful information to companies and individuals.

For FY 2013 and FY 2014, the Commission projects overall caseload for import injury investigations (new filings and review investigations) will be consistent with historical averages, with 35 investigations instituted in FY 2013 and 39 instituted in FY 2014. Overall caseload fluctuates from year to year and over the last five years has ranged from a low of 32 (FY 2010) to a high of 43 (FY 2011). Workload in import injury investigations is a function of both the number of new filings and reviews of existing orders. While estimating the number of review investigations is easier, estimating the number of new filings is more difficult. In the past five years, new filings have fluctuated significantly but in the past two years, new filings were steady, with eight cases filed in both FY 2011 and FY 2012. Review caseload has both cyclic and permanent elements to it, driven by transition (i.e., orders in place before January 1, 1995) and non-transition reviews. While there has been and will likely continue to be a decline in the number of transition reviews as orders are revoked, the overall number of review investigations will remain steady in FY 2013 and FY 2014 due to the number of new orders put into effect since 2000.

Another significant portion of the Commission's workload related to import injury investigations is litigation concerning Commission determinations at the CIT, the CAFC, and binational review panels under NAFTA. The Commission has independent legal authority to represent itself before the CIT, the CAFC, and NAFTA panels. In addition, Commission staff assist USTR in any dispute brought before the WTO involving the Commission's import injury determinations.

Based on an average for the three most recent fiscal years, parties to AD/CVD investigations (original investigations and reviews) have appealed a Commission determination 23.4 percent of the time. Furthermore, a party has been more likely to appeal the determination in an original investigation (an average of 31 percent) than in a review (an average of 21 percent). At the close of FY 2012, there were 30 Commission import injury litigation matters pending,

including cases challenging the actions of the Commission and U.S. Customs and Border Protection (CBP) under the Continued Dumping and Subsidy Offset Act (the “Byrd Amendment”).

For FY 2013 and FY 2014, the Commission projects the number of new appeals challenging the Commission’s import injury determinations will be at levels similar to recent years, reflecting the historical rate of appeals and the projected number of new petitions and five-year reviews.

Import Injury Investigations Caseload

Summary of Import Injury Investigations, FY 2009-2014

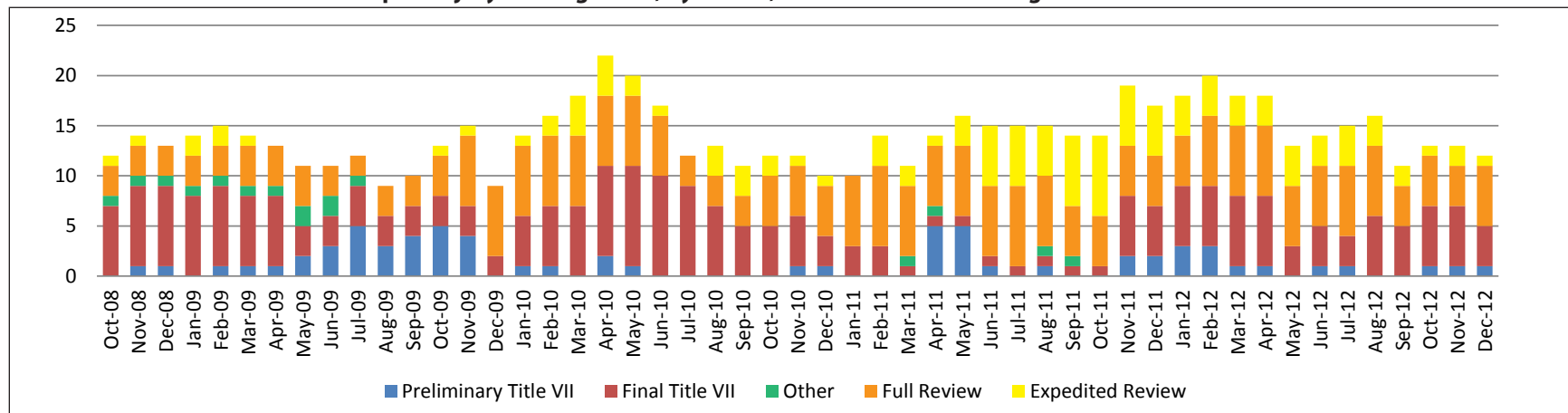
Import Injury Investigations	Instituted						Completed					
	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate
Preliminary Title VII ¹	15	3	8	8	9	9	10	8	8	7	9	9
Final Title VII ¹	8	12	2	12	6	9	13	11	6	8	8	8
Other ²	2	0	2	0	1	1	3	0	2	0	1	1
Full Review ³	8	9	12	7	10	9	5	10	9	9	10	10
Expedited Review ³	3	8	19	9	9	11	4	8	12	17	4	16
Total	36	32	43	36	35	39	35	37	37	41	32	44

1 The data shown for preliminary and final title VII investigations group antidumping and countervailing duty investigations together since these investigations generally run concurrently and are handled by the same investigative team.

2 Other includes section 201 Safeguard review, section 421 China Safeguard, remands with reopened records, and other investigations.

3 Does not include reviews that were terminated without a Commission determination.

Import Injury Investigations, by Month, for October 2008 through December 2012



INTELLECTUAL PROPERTY-BASED IMPORT INVESTIGATIONS

The Commission investigates unfair methods of competition and unfair acts involving imported articles pursuant to section 337 of the Tariff Act of 1930. These investigations typically involve alleged infringement of statutory intellectual property (IP) rights, primarily patent rights. Intellectual property is a key driver of the U.S. economy and the Commission has an important role in protecting intellectual property. The Commission's intellectual property-based import investigations provide benefits to U.S. intellectual property rights owners that are not available elsewhere. For example, the primary relief available at the Commission, exclusion of goods at the border, is not available in the United States courts. Moreover, the Commission has earned a reputation as a forum for the fair and speedy adjudication of complex intellectual property disputes, resolving cases on average at least a year more quickly than do the federal district courts. The Commission is also known for its expertise in resolving IP-related disputes. As a result, many IP rights holders, particularly in industries where product life cycle is very short, have come to regard the Commission as an important forum for the redress of IP infringement. This interest is reflected in the substantial increase in intellectual property-based import investigation filings in recent years and in the high percentage of the patent trials held in the United States that are conducted at the Commission. The Commission expects that the intellectual property-based import investigation caseload in FY 2013 and FY 2014 will remain at the FY 2012 level and that the hearings in these proceedings will continue to account for a substantial share of the patent infringement trials conducted in the United States in both FY 2013 and FY 2014.

To adjudicate section 337 complaints, the Commission's Administrative Law Judges (ALJs), with the assistance of their staff, conduct conferences and trials, issue initial determinations, and facilitate settlement agreements. The Office of Unfair Import Investigations (OUII) conducts pre-institution review of complaints, advises the Commission on institution of investigations, and participates (when appropriate) as a party to the proceedings. The determinations of the ALJs are subject to discretionary review or adoption by the Commission and the Commission's final determinations regarding alleged section 337 violations are appealable to the CAFC. The Office of General Counsel (OGC) provides advice to the commissioners during the review process and defends the final Commission decision during any subsequent appeal.

Although the spectrum of products and intellectual property rights at issue in the Commission's intellectual property-based import investigations is quite broad, the docket has been and will likely continue to be dominated by investigations involving the importation of sophisticated electronic devices. For example, in recent years the Commission has been a central forum in the global "smartphones war." Indeed, there is substantial overlap between the industries that dominate the Commission's intellectual property docket and the four industries determined in a recent Department of Commerce study to

be the most patent-intensive industries in the United States.¹ The study found that these four industries account for about 850,000 jobs. Additionally, the study found that the wages of private sector workers in IP-intensive industries were 42 percent higher than workers in non-IP-intensive industries, with the difference even higher for workers in patent-intensive industries. The Commission's IP enforcement efforts thus contribute to strengthening the United States economy and U.S. employment.

In FY 2012, the Commission also saw an increase in the number of investigations involving alleged misappropriation of trade secrets in connection with imported goods. This increase will likely continue into FY 2014. The recent focus in both the executive and legislative branches on the protection of trade secrets highlights the importance of this part of the Commission's docket.

The Commission's strategic goal for this area is to conduct intellectual property-based import investigations in an expeditious, technically sound, and transparent manner, and provide for effective relief when relief is warranted, to support a rules-based international trading system. The rapid resolution of IP disputes is particularly important to patent holders because the duration of patents is limited, and speed is particularly important when disputes involve high-technology products that tend to have shorter commercial product life cycles. Thus, in accordance with congressional intent, the Commission endeavors to conclude its intellectual property-based import investigations as expeditiously as possible. This has been a challenge because these investigations often involve many respondents and five or more asserted patents. Nearly one-third (14 of 48) of new investigations commenced in FY 2012 involved five or more patents, and a half-dozen new investigations involved seven or more patents. The Commission has therefore taken steps toward more efficient and expeditious handling of its intellectual property-based import investigation caseload. During the year, the Commission established a working group to identify possible ways to reduce the length of investigations while adhering to statutory requirements, building sufficient factual records, and maintaining quality decision-making. This group is continuing to work on crafting proposals for the Commission's consideration that will likely result in proposed rules amendments or procedural changes in FY 2013 and FY 2014.

The Commission also undertook several rule-making efforts in FY 2012 to promote electronic filing and reduce the cost of discovery in intellectual property-based import investigations. New rules to facilitate the early identification of potential public interest issues and subsequent development of the record on such issues were also finalized and implemented in FY 2012. The public interest inquiry, which is undertaken by the Commission when it is considering remedy, is an important element of the statute, and the Commission fully considers all public interest submissions and information on the record. In FY 2013, proposed rules regarding discovery will be finalized and the impact of these rules and the new rules regarding public interest submissions will be assessed by Commission personnel in FY 2014. Commission personnel also intend to conduct a survey of exclusion order holders in the

¹ Department of Commerce. *Intellectual Property and the U.S. Economy: Industries in Focus*, March 2012. The top four patent intensive-industries are computer and peripheral equipment, communications equipment, semiconductor and other electronic components, and other computer and electronic products.

latter half of FY 2013 regarding the effectiveness of the orders issued by the Commission. In FY 2014, they will formulate recommendations relating to enforcement in view of the survey results.

To relieve the shortage of Commission courtrooms, which has hampered the scheduling of evidentiary hearings in recent years as the caseload has grown and the ALJ corps has expanded, the Commission acquired additional space in its building and completed construction of a third courtroom in the first quarter of FY 2013. Hearings are now being held in this new courtroom, which is specially equipped to handle the complex cases that account for much of the intellectual property-based investigation docket.

In recent years, a relatively high number of intellectual property-based investigations have resulted in settlements, which reduces the number of investigations in which the Commission makes final determinations. Thus, the number of final determinations is most relevant to understand the resource requirements for subsequent litigation. In FY 2010, there were 25 final determinations and 14 of those determinations were appealed. In FY 2011, there were 20 final determinations and 9 of those determinations were appealed. In FY 2012, there were 21 final determinations and 17 of those determinations were appealed. Based on an average for the three most recent fiscal years, the appeal rate for intellectual property-based investigations was 61 percent. At the close of FY 2012, there were 14 Commission intellectual property-based litigation matters pending. This litigation translates into a significant portion of OGC employee resources.

For FY 2013 and FY 2014, the Commission projects the number of new appeals challenging the Commission's intellectual property-based determinations will be at continued high levels similar to recent trends, reflecting the historical rate of appeals and the projected filings.

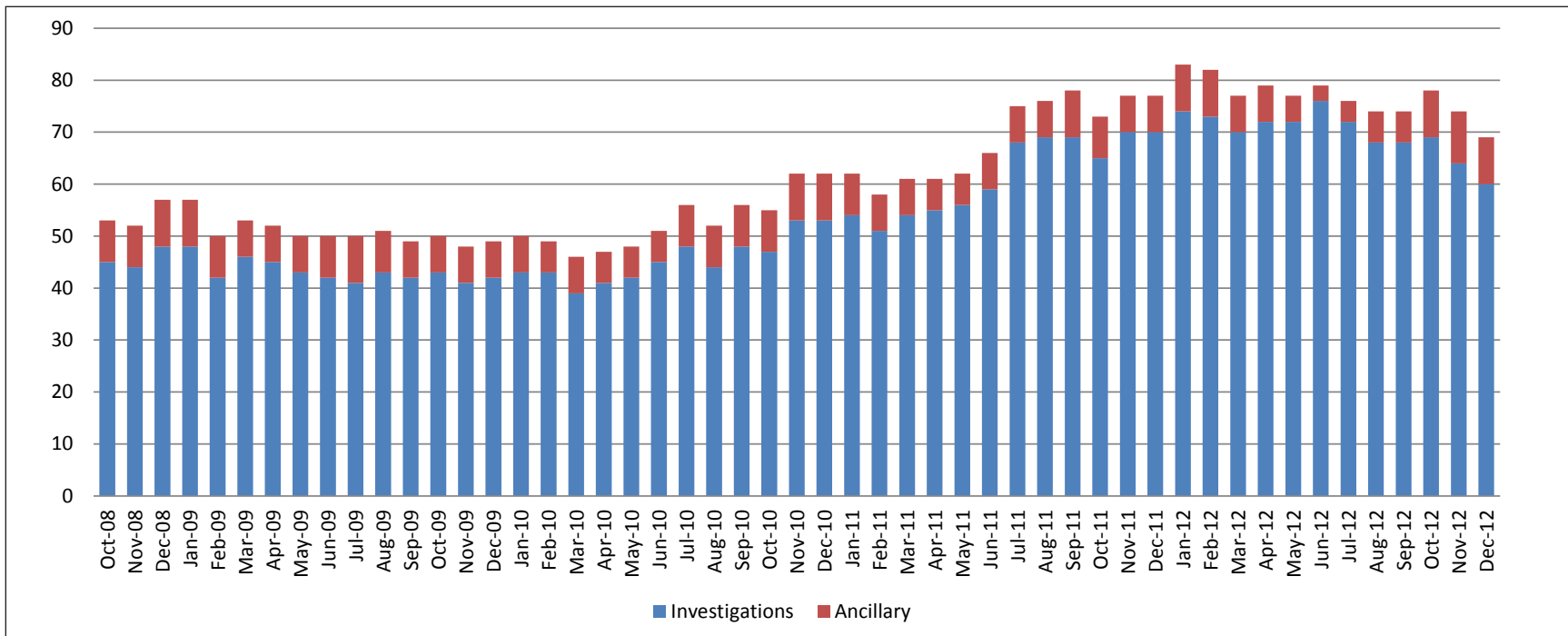
Trends in the investigative caseload and caseload estimates for FY 2013 and FY 2014 are shown below.

Intellectual Property-Based Import Investigations Caseload

Summary of Intellectual Property-Based Import Investigations and Ancillary Proceedings, FY 2009-2014

Status	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate
Instituted	37	58	78	56	55	55
Completed	43	52	58	57	55	55

Active Intellectual Property-Based Import Investigations, by month, for October 2008 through December 2012



Source: Office of Unfair Import Investigation

INDUSTRY AND ECONOMIC ANALYSIS

Investigations

The Commission conducts investigations on a wide range of international trade and competitiveness issues that are of interest to U.S. policymakers and affect U.S. industries and consumers. Industry and economic analysis investigations conducted by the Commission may be provided to requestors as either confidential or public reports. Authority for such investigations is granted in section 332 of the Tariff Act of 1930, various specific trade agreement implementation statutes, and several general trade statutes. These investigations primarily fall into three broad categories:

- General factfinding and analytical investigations
- Investigations examining the probable economic effect of proposed trade policy changes
- Assessments of negotiated trade agreements

To provide requestors with reports that answer their complex and specific questions, the Commission dedicates personnel and financial resources to organize, analyze and synthesize information collected through (1) public hearings; (2) interviews of U.S. producers, importers, consumers, and government and academic experts; (3) domestic and foreign fieldwork; (4) questionnaires; and (5) literature reviews. The Commission also invests resources in the development of analytic methods and tools that are integral to its analysis.

External events that impact international trade and domestic competitiveness affect the timing and scope of requestors' requirements and interests. Consequently, the nature and timing of requests for these investigations are unpredictable. The number and complexity of requested industry and economic analysis investigations reflect the interests of trade policymakers and depend on such factors as the number and status of trade negotiations, global competition in specific sectors or with certain trading partners, the international economic environment, or emerging issues and industries about which little public information is available. The interplay of these factors makes accurate forecasting of future workloads somewhat uncertain.

The Commission's industry and economic analysis is widely viewed as expert and objective and routinely cited by parties representing all sides of any trade debate. The agency's ability to collect, compile, and assess unique data is widely sought after by industry and policymakers. Trade policymakers rely on the Commission for authoritative information on a wide spectrum of trade-related issues to support informed decision making.

Commission studies frequently focus on issues that affect U.S. trade and, more generally, the overall U.S. economy. Examples include the following:

- Examining the effect of adding Canada and Mexico to the Trans-Pacific Partnership (TPP). (The United States sends just under a third of its goods exports to these two trade partners and they account for about a quarter of its goods imports.)
- Analyzing the impact of the U.S.-Korea FTA on small and medium-sized enterprises (SMEs). (Overall, SMEs provide about 44 percent of domestic value-added; about 41 percent of that value added is U.S. exports.)
- Investigating the growing area of digital trade. (U.S. cloud computing exports, a small part of digital trade, are estimated at roughly \$1.5 billion.)

Moreover, the Commission's customers rely on the agency to develop unique primary data, often for industries for which little or no data exist (remanufacturing, used electronics). These industries often account for a sizeable share of economic activity in the United States. For instance, the Commission estimated that U.S. remanufacturing production amounted to \$43 billion in 2011. Customers also rely on the Commission to provide expert information regarding the effect of policy changes such as changing rules of origin or inclusion of tariff preference programs on specific, often narrowly defined products. The agency also provides customers with analyses of the global competitiveness of a wide range of U.S. industries and sectors. Recently completed or ongoing examples of such work include olive oil, business jets, and renewable energy services.

Requested investigations often overlap with each other and with mission-critical work in other investigative areas. Moreover, requests often require new analytical methods; collection and analysis of unique primary data obtained through sector-specific questionnaires; or research and analysis of new industries, competitive conditions, or trade barriers. During FY 2012, Commission employees simultaneously handled multiple industry and economic analysis projects, as well as other statutory requirements (import injury investigations, trade policy support, tariff and trade information services), dedicating nearly 33 workyears to industry and economic analysis investigations. For FY 2013 and FY 2014, the Commission anticipates devoting a similar number of workyears to industry and economic analysis investigations. A list of FY 2012 publications is included in the Commission's *FY 2012 Annual Performance Report*.

Workload Expectations in FY 2013 and FY 2014

In FY 2013 and FY 2014, the Commission expects the number of active investigations to remain at levels similar to the past two years and estimates a slight increase in workyears because of the scope and complexity of requests. In both fiscal years, at least three requests are likely to require development, administration, and analysis of questionnaires, an activity that requires a relatively large amount of agency resources. The Commission will continue to advance its use of electronic survey tools, which have contributed to productivity gains in recent questionnaire-based investigations. In addition, during both FY 2013 and FY 2014, the Commission will produce multiple recurring reports. Commission staff periodically discuss these reports with the requestors to ensure their continued interest in the information provided or to provide additional information to meet emerging needs.

For FY 2013, the Commission already knows it will respond to requests for at least twelve additional reports providing unique data and analysis either to inform policymakers' efforts in international trade negotiations or the development of domestic policy. These reports are either already completed or underway, and deal with competitive or trade issues related to:

- The addition of Canada and Mexico to the Trans-Pacific Partnership
- Environmental Services
- Renewable Energy Services
- Remanufactured Goods
- Olive oil
- Used electronics
- Digital trade (two reports)
- The Information Technology Agreement (two reports)
- The US-Korea Free Trade Agreement's impact on small and medium enterprises
- Generalized System of Preferences Program

The Commission anticipates a robust analytic workload in FY 2014 and has a performance goal of expanding its capability to anticipate and address new areas of economic and industry analysis. To achieve this, related research and data development will be focused in high-interest areas such as (1) patterns of foreign direct investment; (2) energy and environmental goods and services; (3) emerging markets such as China, India, and Brazil; (4) developing new supply chain and firm-level data to further understand global trade patterns and competitiveness; and (5) non-tariff trade measures such as intellectual property regimes, standards, or domestic content requirements. Such preparatory work expands the Commission's resident expertise and can assist in responding effectively and efficiently to requests for analytic investigations, while also contributing to Commission work in import injury, tariff, and trade policy support activities. These high interest areas tend to require information that is not readily available. Moreover such work often requires significant human capital resources to refine existing, or develop new, analytic tools. The Commission's research agenda has kept the agency at the forefront of emerging analytic areas, such as supply chain analysis, quantification of nontariff measures (NTMs), developing expertise in trade-reliant industries, and the impacts on trade of government policies such as intellectual property regimes. An increased commitment of resources to support such work will be necessary to maintain the world-class quality of products the Commission delivers to its customers. External factors that are likely to influence the scope and number of requests for analytic investigations in FY 2014 include:

- The negotiation/conclusion/implementation of several free trade agreements (FTAs) and other trade agreements (e.g., additional countries joining the Trans-Pacific Partnership initiative, anticipated negotiations regarding an European Union-United States Free Trade Agreement, possible renewal of Trade Promotion Authority, and a possible international services agreement)
- Interest by trade policymakers in new technologies, industries, and business models (e.g., digital trade, advanced manufacturing, the evolving interplay of services and manufacturing activities)
- Shifting trade patterns and relationships with countries such as China, Brazil, and Organisation for Economic Co-operation and Development (OECD) partners will present challenges and opportunities (e.g., competitive pressures in specific industries)
- Miscellaneous Tariff Bills (two-year cycle) and nomenclature work

To respond to these requests effectively and efficiently, the Commission must recruit, develop, and maintain a high level of industry, regional, and economic expertise. Skilled personnel are the single most important Commission resource. An important aspect of developing these capabilities is staff research and external communication and collaboration to help develop information and methodological tools that the Commission expects to be useful in customer-requested investigations. These activities are conducted under the broad authority of sections 332(a) and (b) and often result in publication of articles, presentations at international meetings of experts, and multilateral institutions. Expertise is also developed and research is made available through collaboration with many international and domestic government agencies, at academic gatherings, and to private sector associations. These activities provide an important forum for external, technical review of new analytical approaches and often suggest new, relevant areas of potential interest. Although the Commission is pursuing expanded videoconferencing capabilities as a more cost-effective and efficient communication and collaboration tool, it is often necessary for personnel to travel to share and gather knowledge from domestic and international experts. In addition to supporting industry and economic analysis investigations, this staff expertise is also applied in other areas of Commission work such as import injury investigations and miscellaneous tariff bill evaluations.

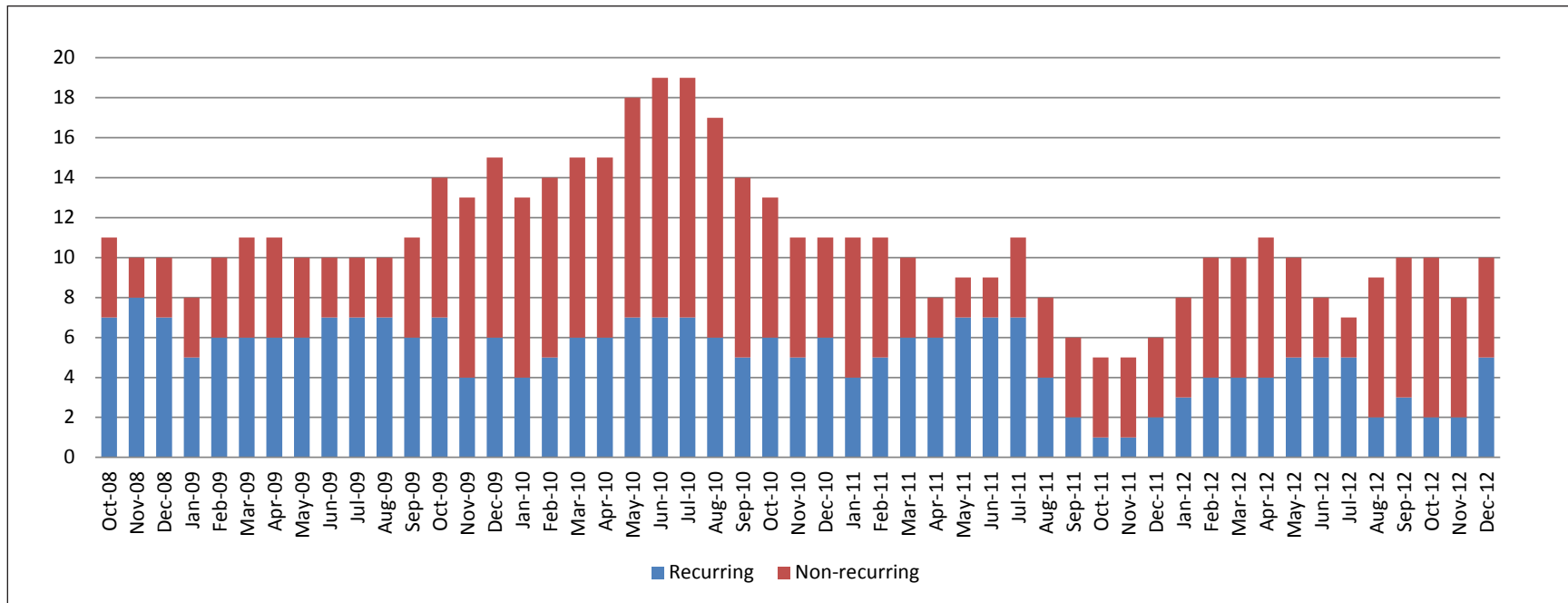
The Commission also expends funds for ensuring its capability to respond efficiently and effectively to customer requests through the continuous acquisition, development, and improvement of analytical tools, information resources, and research methods, including survey methods and statistical, econometric, and simulation analyses. These funds are primarily spent on information databases, expert consulting services, and specialized software. In particular, Commission staff work with outside experts to continue to refine and further develop the Commission's simulation model of the U.S. economy—the U.S. Applied General Equilibrium (USAGE) model—and its underlying database. Using the most updated and advanced version of the USAGE model is essential for the Commission to accurately quantify the economic effects of changes in trade policy, including the objective estimates of the effects of changes in trade policy on key indicators like wages and employment. During FY 2013 and FY 2014, the Commission will aim to ensure such tools accurately capture the effects of trade policy changes by supplementing in-house expertise with specialized contract resources.

Industry and Economic Analysis Investigations Caseload

Summary of Industry and Economic Analysis Investigations, FY 2009-2014

Status	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate
Instituted	9	16	8	9	10	10
Recurring	8	7	8	5	7	6
Completed	10	13	11	7	12	11

Active Industry and Economic Analysis Investigations, by month, for October 2008 through December 2012



Source: Office of Industries

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TARIFF AND TRADE INFORMATION SERVICES

The Commission maintains and publishes the Harmonized Tariff Schedule (HTS) of the United States under the Tariff Act of 1930 and Section 1207 of the Omnibus Trade and Competitiveness Act of 1988. In support of this activity, the Commission maintains online interactive and in-house databases and an online HTS search tool; chairs the interagency Committee for Statistical Annotation of the Tariff Schedules; conducts section 1205 studies to propose certain amendments to the HTS to the President; and participates in the U.S. Delegation to the World Customs Organization (WCO). Staff expertise developed in these areas contributes to the Commission's investigative work as well as to trade policy support provided to the agency's congressional and executive branch customers. The Commission also provides technical reports to Congress on miscellaneous tariff legislation and advises USTR on aspects of the trade agreements program. The Commission's strategic goal for tariff and trade information services is to improve the availability of and access to high-quality and up-to-date tariff and international trade information and technical expertise to support the executive and legislative branches, the broader trade community, and the public. For FY 2014, the Commission has set performance goals that contribute to this goal and further the Commission's ability to effectively carry out its responsibilities.

Maintenance of the Harmonized Tariff Schedule of the United States

Maintaining and providing an accurate and up-to-date tariff schedule is of critical importance to the U.S. government and private sector. U.S. Customs and Border Protection (CBP) relies upon the Commission's HTS for collecting all tariff revenues, estimated to be \$31 billion on more than \$2.5 trillion in U.S. imports in FY 2012. The public relies upon the HTS for accurate information for importing all goods into the country. The HTS is the most heavily used tariff schedule in the world, based upon the volume of trade covered. The HTS underlies U.S. trade data maintained by the Department of Commerce's Census Bureau (Census) and enables CBP to manage all of its enforcement activities. The Harmonized Tariff Schedule of the United States Annotated (HTSA) consists of the HTS, its statistical annotations, and other related information. In addition to updating the HTSA to reflect changes in tariff rates and nomenclature information, the Commission chairs the interagency Committee for Statistical Annotation of the Tariff Schedules in coordination with CBP and Census and participates in or leads the U.S. Delegation to various committees of the WCO. Continued funding for staff to attend WCO-related meetings is a priority for the agency to assist in U.S. Government efforts to influence international tariff policy.

During FY 2014, the Commission expects to electronically update the online version of the HTS and prepare the hard copy publication of the 2014 HTS effective January 1, 2014. In addition, the Commission may have to publish HTS supplements, depending on the timing and extent of amendments arising from the annual Generalized System of Preferences (GSP) review and implementation of trade agreements, particularly the Trans-Pacific Partnership. Ongoing support to USTR in developing and analyzing rules of origin for negotiations and implementation of agreements is an additional responsibility that will require significant staff time, particularly in connection with the TPP and existing FTAs. As noted in the following section, Commission staff also assists USTR in preparing the final versions of the implementing proclamations for free trade agreements and other actions affecting the HTS.

In addition, the Commission provides online trade services, such as the USITC DataWeb, a valuable tool used both by Commission staff and by external customers to organize U.S. import and export data for analysis, and the HTS tariff data base, which reflects not only normal (“column 1-general tariff rates”), but also various preferential rates applicable under FTAs, the GSP, and other preferential duty programs. Commission staff also maintains an online reference tool for searching the HTS that is popular with the public.

Legislative Reports

The House Committee on Ways and Means and the Senate Committee on Finance periodically ask the Commission for technical drafting assistance and reports on miscellaneous tariff bills (MTBs). The Commission’s experts provide tariff nomenclature advice and customs revenue loss estimates for the Congressional Budget Office. Commission MTB-related activity is dependent on the level of Congressional consideration of MTBs, which is normally conducted on a two-year cycle.

The Commission streamlined its process for analyzing and developing reports for over 2,000 separate bills to reduce or eliminate tariffs on a wide variety of products introduced during the 112th Congress, resulting in more than 1,325 reports. It is anticipated that the 113th Congress will require assistance from the Commission to analyze and prepare reports on at least 2,000 additional bills to reduce tariffs in FY 2014 or early FY 2015, requiring eight or more workyears of effort. Under legislation pertaining to MTBs introduced in each of the last four Congresses, the Commission would have additional responsibilities and will likely require additional resources.

Other Online Tariff-Related Services

Approximately 70 percent of all internet queries to the Commission in FY 2012 concerned tariff information. This equates to over 4.3 million visits for the year or nearly 11,800 visits per day. The Commission is developing a unified electronic system for managing all aspects of its HTS work. That system will be implemented and upgraded on a regular basis. The new system will improve the Commission's ability to manage this statutory function by permitting real-time revisions to the HTS, accompanied by checks for accuracy. It is also likely to improve the interface for the millions of users of Commission HTS-related materials. Several workyears of Commission staff time are currently required to manage the HTS functions of the Commission. It will take additional resources in FY 2014 to develop, support, and use the upgraded capability; however, once completed, the agency expects the new system will allow for greater efficiencies in maintaining the HTS.

International Trade Data System (ITDS)

The Commission actively participates in a U.S. Government multi-agency initiative to develop a comprehensive, harmonized port documentation system that will provide for the electronic collection, use, and dissemination of international trade and transportation data. ITDS will also benefit the trading public by providing a "single window" for reporting foreign trade transactions to the U.S. Government.

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TRADE POLICY SUPPORT

The Commission leverages statutory work and research from within the organization to respond to trade policymakers' requests for "rapid-response" technical expertise and data that support the development of well-informed U.S. international trade policy. This trade policy support is provided under section 332 of the Tariff Act of 1930, and includes (1) information and analysis on current issues related to trade and competitiveness; (2) technical advice on draft legislation; (3) drafting tariff legislation and annexes for Presidential proclamations, memoranda, executive orders, and final decisions by various agencies; (4) providing information and advice in briefings and meetings; (5) temporary details of staff to USTR and the Commission's oversight committees; (6) support of litigation activities before WTO bodies; and (7) assistance to trade delegations and negotiating teams.

The Commission has a strategic goal of enhancing the provision of rapid-response trade policy support, particularly by improving communication with its customers to ensure they understand the Commission's capabilities and are able to benefit from its expertise. Regular communication and formalized feedback also provide a basis for the Commission to anticipate policymakers' needs and proactively develop expertise to meet anticipated requests for assistance.

There has been a steady increase in the number and variety of requests for technical assistance in recent years, with 192 requests in FY 2012 covering a wide range of topics and issues. These requests reflect policymakers' interest in areas such as intellectual property rights and technical barriers to trade, value chain issues, environmental and information technology goods trade, the participation of emerging economies in the global trading system, and services trade. The variety of such requests underscores the complexity of trade policy issues, as well as recognition of the Commission's unique capabilities and expertise. In FY 2012, the Commission committed 10 workyears to providing trade policy support.

The Commission anticipates FY 2013 efforts will keep pace with these levels and workload will increase somewhat in FY 2014. Congressional interest in obtaining "real time" assistance with draft legislation is expected to continue, as will executive branch interest in support before WTO bodies and with trade agreement negotiations. In some instances, it has been determined that the most effective way to meet the requestors' requirements is to provide a personnel detail to the USTR or the Commission's oversight committees. As budget and statutory workload permit, the Commission will likely continue to provide a limited number of personnel details to such customers, at their request.

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OFFICE OF THE INSPECTOR GENERAL

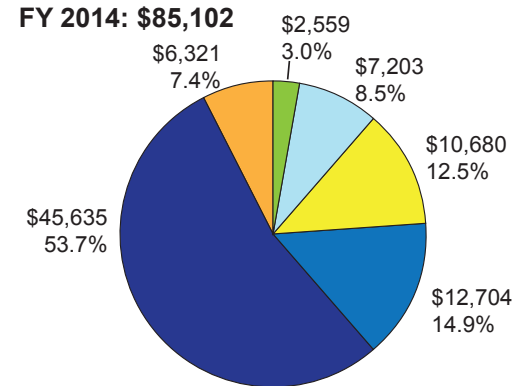
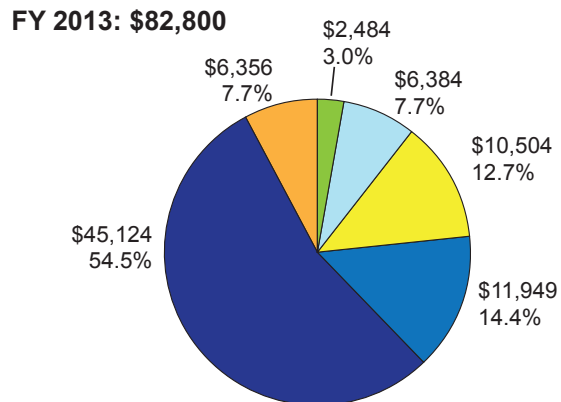
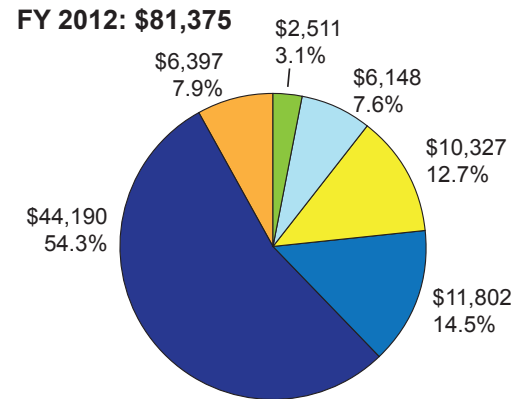
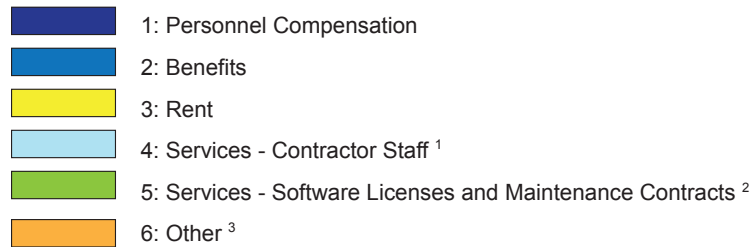
The Office of the Inspector General (OIG) provides audit, inspection, and investigative support services covering all Commission programs and strategic operations. The mission of the OIG is to promote and preserve the effectiveness, efficiency, and integrity of the Commission. The OIG is required by statute to conduct reviews of two annual reports prepared by the Commission: (1) the financial statements describing financial activity for the year and performance statements describing goals and associated measures for the year and (2) the information security program and practices in accordance with provisions of the Federal Information Security Management Act (FISMA). In addition to the above two mandatory reviews, and based on available resources, the OIG has identified 12 potential areas for review in the FY 2013 Annual Audit Plan.

The OIG non-personnel budget request for FY 2014 is \$223 thousand and reflects only inflationary increases over the FY 2013 request of \$222 thousand. Included in the FY 2014 request is \$165 thousand for contract audit services for the audit of the Commission's financial statements, \$35 thousand for technical equipment and supplies to conduct IT security related reviews, and \$3 thousand for the annual contributions to the Counsel of the Inspectors General on Integrity and Efficiency. The budget request also includes \$8 thousand for travel and \$12 thousand for training to meet the continuing professional education (CPE) requirements for leadership, technical knowledge, and skills. The USITC's budget request contains sufficient resources to support four full-time members of the OIG staff in FY 2013 and FY 2014.

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Dollar Cost: Comparison by Object Classification, Fiscal Years 2012-2014

(Dollar Amounts in Thousands)



¹ Services - Contractor staff includes the cost of contractor personnel performing duties primarily on site and usually on a time and material basis. These services include application development, database management, security guards, helpdesk services, mailroom services, financial management, internal controls, financial audits, procurement support, economic modelling, and human resource support activities.

² Services - Software Licenses and Maintenance Contracts includes software licenses, such as the personnel/payroll and accounting systems and basic desktop licenses, such as Microsoft, as well as equipment maintenance provided under contract.

³ Other includes budget object classes such as equipment, supplies, communications and equipment rental, travel, training, printing and reproduction, land and structures, postage and contractual mail, and transportation.

Source: Actual costs derived from the Accounting System. Estimates based on approved requests.

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USITC Obligations by Object Classification, Fiscal Years 2012-2014

(Dollar Amounts in Thousands)

	FY 2012 Actual Obligations	FY 2013 Budget Request	FY 2014 Budget Request	FY 2013-2014 Change	Percentage Change
PERSONNEL COSTS					
Salaries	\$ 43,668	\$ 44,574	\$ 45,085	\$ 511	1.1%
Overtime	26	50	50	0	0.0%
Awards	497	500	500	0	0.0%
Total Personnel Compensation	\$ 44,190	\$ 45,124	\$ 45,635	\$ 511	1.1%
Total Benefits	\$ 11,802	\$ 11,949	\$ 12,704	\$ 755	6.3%
Total PERSONNEL COSTS	\$ 55,992	\$ 57,073	\$ 58,339	\$ 1,266	2.2%
Nonpersonnel Cost:					
Total Rent	\$ 10,327	\$ 10,504	\$ 10,680	\$ 176	1.7%
Services					
Services - Contractor Staff	\$ 6,148	\$ 6,384	\$ 7,203	\$ 820	12.8%
Software Licenses and Maintenance Contracts	2,511	2,484	2,559	75	3.0%
Total Services Cost	\$ 8,659	\$ 8,867	\$ 9,762	\$ 894	10.1%
Other					
Supplies	\$ 1,719	\$ 1,895	\$ 1,851	\$ (44)	-2.3%
Equipment	1,885	1,822	1,520	(302)	-16.6%
Travel	400	500	554	54	10.8%
Training	445	500	559	59	11.9%
Communications and Equipment Rental	655	830	796	(34)	-4.1%
Transportation	19	23	23	0	0.0%
Postage	133	120	87	(33)	-27.5%
Land and Structures	810	350	650	300	85.7%
Printing and Reproduction	331	317	281	(36)	-11.4%
Total Other Costs	\$ 6,397	\$ 6,356	\$ 6,321	\$ (35)	-0.6%
TOTAL NON-PERSONNEL COSTS	\$ 25,383	\$ 25,727	\$ 26,763	\$ 1,035	4.0%
TOTAL COSTS	\$ 81,375	\$ 82,800	\$ 85,102	\$ 2,301	2.8%

Summary of Increases/Decreases from the FY 2013 Budget Request

Personnel Cost Change

(Dollar Amounts in Thousands)

Personnel Compensation +\$511

Salaries are estimated to increase by \$511 thousand as a result of the proposed one percent pay raise effective January 1, 2014, the continued restructuring of the Commission's workforce, and normal cost of promotions and within-grade increases.

Benefits +\$755

Benefits are estimated to increase by \$755 thousand, or 6.3 percent. Part of this increase is a result of continuing the restructuring of the Commission's workforce. Benefits costs increase at a higher rate than compensation due to rising health insurance costs (3.0 percent) and the shifting demographics of the workforce. This shift results in an increased percentage of Commission employees covered by the Federal Employees Retirement System.

Net Personnel Cost Changes +\$1,266

Non–Personnel Cost Changes

(Dollar Amounts in Thousands)

Rent	+\$176
<p>Rent costs are estimated to increase marginally to accommodate escalations in real estate taxes and operating costs included in the leases.</p>	
Services - Contractor Staff	+\$820
<p>Contractor staff costs are estimated to increase by \$820 thousand, or 12.8 percent, to support several critical investments: improvements to the agency’s financial system, post-implementation refinements to the mandatory government-wide travel system, development of an operations management database, and the expansion of surveys and questionnaire processing.</p>	
Services - Software Licenses and Maintenance Contracts	+\$75
<p>Software licenses and maintenance costs reflect inflationary increases of 3.0 percent.</p>	
Supplies	-\$44
<p>Supplies costs are estimated to decrease slightly to better reflect projected resource requirements.</p>	
Equipment	-\$302
<p>Equipment costs are estimated to decrease by \$302 thousand, or 16.6 percent, primarily because of completion of the physical access control system (PACS) installation in FY 2013.</p>	
Travel	+\$54
<p>Travel costs are estimated to increase by \$54 thousand, or 10.8 percent, because of essential investigative and statutory work requirements and representation travel at the World Customs Organization (WCO).</p>	

Training **+\$59**

Training costs are estimated to increase by \$59 thousand, or 11.9 percent, primarily to accommodate increased staffing and mandatory licensing requirements for new finance staff – Certified Fraud Examiners, Certified Internal Auditors, and Certified Public Accountants.

Communications **-\$34**

Communications costs are estimated to decrease slightly to better reflect projected resource requirements.

Postage **-\$33**

Postage costs will decrease to better reflect projected resource requirements.

Land and Structures **+\$300**

Land and structures costs are estimated to increase by \$300 thousand, or 85.7 percent, due to the development of secure processing facilities to comply with new requirements to handle national security information (NSI).

Printing and Reproduction **-\$36**

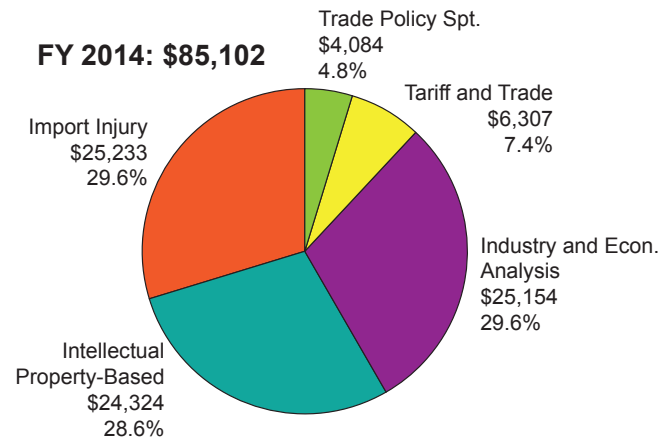
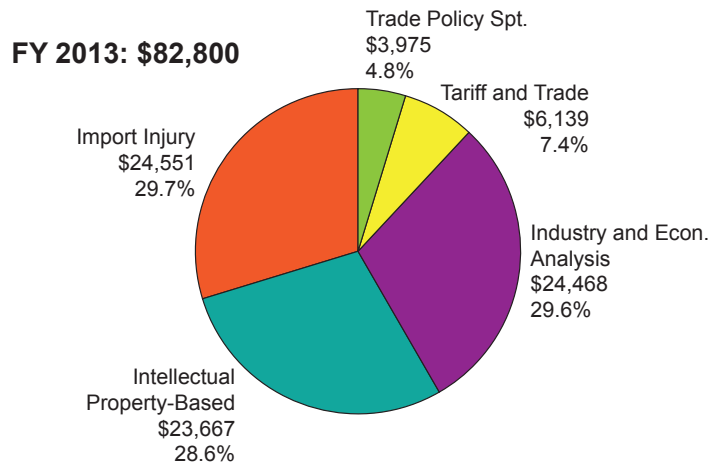
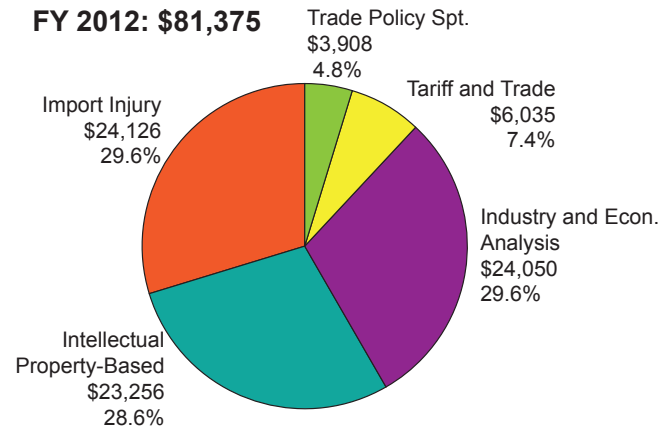
Printing and reproduction costs are estimated to decrease by \$36 thousand, or 11.4 percent, to better reflect projected resource requirements.

Net Non–Personnel Cost Changes **+\$1,035**

Total Adjustment to Base (\$82,800) **+\$2,301**

Dollar Cost: Comparison by Operation, Fiscal Years 2012-2014

(Dollar Amounts in Thousands)



Source: Actual costs derived from the Labor Cost Reporting System and Accounting System. Estimates provided by the Cost Center Managers and Office Directors.

Budget Summary by Strategic Operation, Fiscal Years 2012-2014

(Dollar Amounts in Thousands)

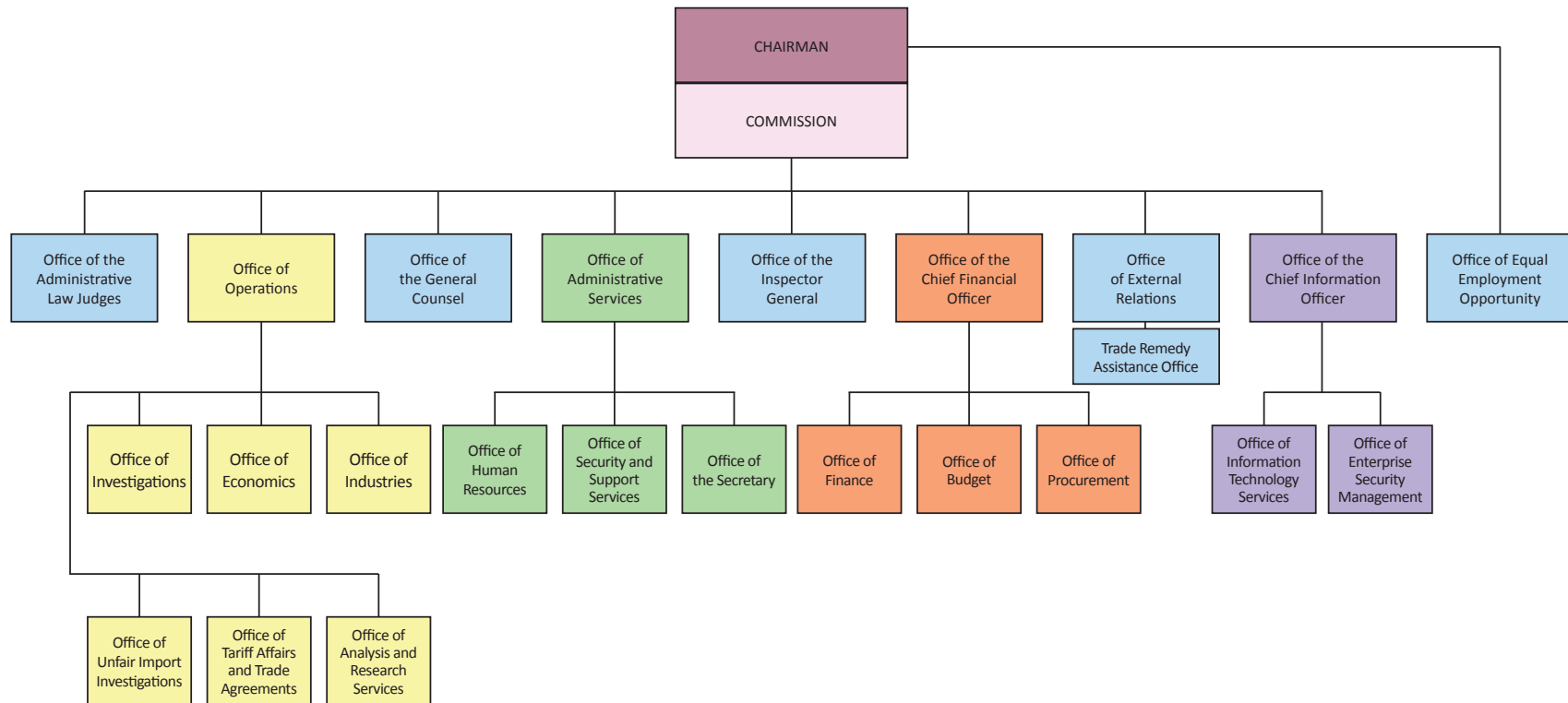
Operation	FY2012 Actual		FY2013 Estimate		FY2014 Estimate		FY2013-14 Change	
	Workyears	Dollars	Workyears	Dollars	Workyears	Dollars	Workyears	Dollars
A. Direct Costs ¹								
1: Import Injury Investigations	65	\$ 11,495	65	\$ 11,722	67	\$ 11,983	2	\$ 261
2: Intellectual Property-Based Import Investigations	60	11,498	62	11,727	65	11,989	3	263
3: Industry and Economic Analysis	66	11,145	66	11,363	68	11,614	2	251
4: Trade Information Services	16	2,862	16	2,916	16	2,978	0	62
5: Trade Policy Support	10	1,886	10	1,922	10	1,963	0	41
Subtotal	217	\$ 38,886	219	\$ 39,650	226	\$ 40,527	7	\$ 877
B. Indirect Costs ²								
1: Import Injury Investigations	53	\$ 12,632	54	\$ 12,830	55	\$ 13,251	1	\$ 421
2: Intellectual Property-Based Import Investigations	50	11,757	50	11,941	50	12,335	0	394
3: Industry and Economic Analysis	56	12,904	56	13,105	57	13,540	1	435
4: Trade Information Services	14	3,173	14	3,222	14	3,329	0	107
5: Trade Policy Support	9	2,022	9	2,053	9	2,122	0	68
Subtotal	182	\$ 42,489	183	\$ 43,151	185	\$ 44,576	2	\$ 1,425
C. Total Costs								
1: Import Injury Investigations	118	24,126	119	24,551	122	25,233	3	\$ 682
2: Intellectual Property-Based Import Investigations	110	23,256	112	23,667	115	24,324	3	\$ 657
3: Industry and Economic Analysis	122	24,050	122	24,468	125	25,154	3	\$ 686
4: Tariff and Trade Information Services	30	6,035	30	6,139	30	6,307	0	\$ 169
5: Trade Policy Support	19	3,908	19	3,975	19	4,084	0	\$ 109
Total	399	81,375	402	82,800	411	85,102	9	\$ 2,301

Note: Totals may not add due to rounding.

¹ Direct costs include personnel costs directly attributed to the five strategic Operations including the Commissioners, space rental, and travel charged directly to the five strategic operations.² Indirect costs include personnel costs such as general administration and IT support services. Indirect costs also include virtually all non-personnel costs, such as contractual services, supplies, and equipment, as well as space rental, travel, training and leave/holiday pay. Most indirect costs are allocated to operations according to the percentage of total costs directly charged to each strategic operation.

Source: Actual costs derived from the Labor Cost Reporting System and the Accounting System. Estimates provided by Cost Center Managers and Office Directors.

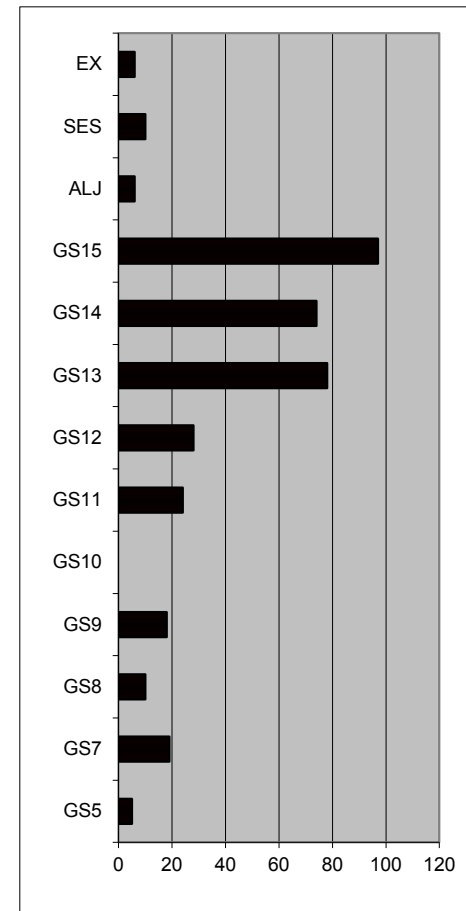
U.S. International Trade Commission Office-Level Organization Chart



Current Permanent and Term Staffing Plan with Onboard and Gaps

Office	FY 2013*		
	Permanent and Term Positions in Staffing Plan	Permanent and Term On Board 2/1/13	Gap
Commissioners' Offices	32	31	1
External Relations	5	5	0
Inspector General	4	4	0
EEO	2	1	1
ALJ	24	23	1
General Counsel	44	37	7
Chief Information Officer	31	28	3
Subtotal Independent Offices	142	129	13
Operations, Director	7	3	4
Analysis and Research Services	16	14	2
Investigations	31	25	6
Unfair Imports	21	17	4
Economics	42	32	10
Tariff Affairs & Trade Agreements	14	13	1
Industries	84	67	17
Subtotal Operations	215	171	44
Chief Financial Officer	4	4	0
Budget	2	2	0
Finance	9	8	1
Procurement	6	6	0
Subtotal Chief Financial Officer	21	20	1
Administrative Services, Director	5	5	0
Human Resources	8	7	1
Security & Support Services	12	7	5
Secretary	16	17	-1
Subtotal Administrative Services	41	36	5
Commission Total	419	356	63

Onboard Staff by Grade (as of 9/30/2012)



* The Commission is currently reviewing its future workforce plan and may allocate resources in FY 2014 differently as a result, but that will not impact overall approved staffing levels which will remain at 419 permanent and term positions.

UNITED STATES INTERNATIONAL TRADE COMMISSION

FISCAL YEAR 2013 AND FISCAL YEAR 2014 PERFORMANCE PLAN

Introduction

The following sets forth the elements of the U.S. International Trade Commission's (Commission or USITC) Performance Plan for fiscal years (FY) 2013 and 2014 that are not addressed in the body of the agency's Budget Justification. The Commission's performance planning is carried out in accordance with the provisions of the Government Performance and Results Act of 1993 (GPRA or Results Act), as amended by the GPRA Modernization Act of 2010, and related guidance issued by the Office of Management and Budget (OMB). The Plan is based on the seventh edition of the agency's Strategic Plan, which was issued in September 2009, and an Addendum to the Strategic Plan that was issued in February 2012. A guide to the abbreviations used in the Plan appears at the end of the document.

The Performance Plan sets out the Commission's strategic and performance goals and corresponding measures, targets, and indicators to assess the agency's progress toward meeting its goals. The Commission has made progress during the past three fiscal years toward meeting the goals set out in the Performance Plans for those periods. In FY 2013-14, the Commission will continue to work toward the achievement of its goals. The agency reviews its goals each year to determine whether they can be improved. Factors considered in this review include whether the goals are meaningful measures of agency performance, whether they are fully measurable, and whether they reflect the operational environment within which the Commission functions. Aspects of this environment include the strong demand for intellectual property-related import investigations, the implementation of free trade agreements, and the government's efforts to limit and reduce expenditures.

In preparing the Plan, the Commission made changes to the set of goals that appeared in the Plans for previous years, adding some goals, modifying others, and removing still others to better reflect the Commission's activities. Where appropriate, the Plan discusses how the Commission works with other agencies such as the Commerce Department and U.S. Customs and Border Protection (CBP). With respect to each strategic operation, the Budget Justification describes the operational processes, the skills and technology, and other resources required to meet the performance goals. The Commission does not administer grant accounts. The Commission summarized its FY 2011 performance in its Annual Performance Report for that year and is issuing an FY 2012 Annual Performance Report in February 2013, which provides detailed information on the agency's performance.

Mission Statement

The mission of the Commission is to: (1) administer U.S. trade remedy laws within its mandate in a fair and objective manner; (2) provide the President, the United States Trade Representative (USTR), and Congress with independent, quality analysis, information, and support on matters relating to tariffs and international trade and competitiveness; and (3) maintain the Harmonized Tariff Schedule of the United States. In so doing, the Commission serves the public by implementing U.S. law and contributing to the development of sound and informed U.S. trade policy.

Organizational Structure

The USITC is headed by six Commissioners who are nominated by the President and confirmed by the U.S. Senate. No more than three Commissioners may be of any one political party. The Chairman and Vice Chairman are designated by the President from among the current Commissioners for two-year terms. The Chairman and Vice Chairman must be from different political parties, and the Chairman cannot be from the same political party as the preceding Chairman. Included on page 41 of the Budget Justification is an organization chart showing the office structure of the Commission. Although the agency is divided into offices, many types of proceedings involve inter-office teams or other participation by multiple offices.

Scope of Responsibilities

The Commission carries out a variety of functions. The agency conducts import injury proceedings pursuant to statutes such as title VII of the Tariff Act of 1930. The Commission adjudicates complaints brought by domestic industries under section 337 of the Tariff Act of 1930 that allege infringement of U.S. intellectual property rights and other unfair methods of competition in connection with imported goods. The Commission provides expert analysis and information to Congress and the executive branch via both formal reports and informal technical assistance pursuant to statutes such as section 332 of the Tariff Act of 1930. The Commission provides the U.S. trade community with tariff and trade data and expertise relating to international trade. The Commission contributes to the formulation of U.S. trade policy by providing objective analysis and data to its statutorily defined customers in the executive and legislative branches. Depending on the type of proceeding involved, Commission action generally results from a request by the Ways and Means Committee of the House of Representatives, the Finance Committee of the Senate, USTR, or one or more private parties. Participants in such proceedings can include domestic producers, importers and foreign producers of relevant products; holders of U.S. patents; Members of Congress; and others. The Commission assists such participants by, *inter alia*, making determinations in import injury and intellectual property based investigations, and

by issuing reports on international trade and competitiveness. The USITC staff of nearly 400 individuals includes international trade analysts (investigators and experts in particular industries), international economists, attorneys, and technical support personnel. The Commission leases space in one building in Washington, D.C., that serves as its headquarters.

Strategic Goals and Objectives

The Commission has a single program activity set forth in the Budget of the United States Government. However, for the purposes of its Strategic Plan and Performance Budget, it has divided its functions into five strategic operations: (1) import injury investigations, (2) intellectual property-related import investigations, (3) industry and economic analysis, (4) tariff and trade information services, and (5) trade policy support. Each operation corresponds to a major part of the agency's mission, and supports one of the agency's five strategic goals. Each of these strategic goals is set out and discussed below in a section concerning the corresponding strategic operation.

The Commission is currently developing a new Strategic Plan scheduled for issuance in February 2014. As part of that effort, the agency is developing strategic objectives as provided for in OMB guidance. These objectives will be reflected in future Performance Plans.

Performance Goals

Each section of the Performance Plan that discusses a strategic operation sets out performance goals and corresponding performance indicators and targets for the year in which the Plan is submitted and the next fiscal year. Unless the Commission specifies otherwise, it expects to meet each target within the timeframe of one year.

Strategies

The Commission will employ the following strategies to contribute to the fulfillment of its goals:

- Providing timely delivery of skilled human resources, valuable products, and expert services

- Making agency processes more transparent
- Reengineering processes to increase efficiency
- Reviewing and reporting periodically on key performance indicators

Major Management Challenges

In his most recent semiannual report, covering the period ending September 30, 2012, the Commission's Inspector General identified three top management and performance challenges: (1) internal control; (2) financial management; and (3) using information technology to improve staff productivity. As discussed more fully below, the Commission has taken these challenges into account in its establishment of management goals for the agency. These management goals and their corresponding measures, targets, and indicators will permit the agency to measure progress toward resolving the management and performance challenges. The Commission is making two interim updates to the Strategic Plan by clarifying the language of Management Goals 3 and 4.

Goal Leaders and Responsible Officials

The Commission has designated senior agency officials to serve as Goal Leaders who are responsible, in conjunction with other senior managers, for meeting the strategic goals. The Goal Leaders are:

- (1) Strategic Goal in Operation No. 1: the Director, Office of Investigations.
- (2) Strategic Goal in Operation No. 2: the Director, Office of Unfair Import Investigations.
- (3) Strategic Goal in Operation No. 3: the Director, Office of Economics.
- (4) Strategic Goal in Operation No. 4: the Director, Office of Tariff Affairs and Trade Agreements.
- (5) Strategic Goal in Operation No. 5: the Director, Office of Industries.

The Commission has also designated Responsible Officials to oversee, in conjunction with other senior managers, the achievement of the agency's management goals that are discussed below. The Responsible Officials are:

Management Goal 1: the Chief Human Capital Officer (the Chief Administrative Officer).

Management Goal 2: the Chief Procurement Officer (the Director, Office of Procurement).

Management Goal 3: the Chief Financial Officer.

Management Goal 4: the Chief Information Officer.

Under the oversight of Goal Leaders and Responsible Officials, individual staff offices perform the measurement necessary to an assessment of the agency's progress toward meeting its goals. For each measure, the Plan specifies the offices responsible for measurement and reporting.

Evaluations

The Commission regularly conducts evaluations of its programs. The agency recently completed a review of the investigation tracking process in Operation 2 as part of an effort to create a consolidated database with information on section 337 investigations, and has begun a similar exercise with respect to Operation 1. The Commission's Inspector General has performed reviews of such functions as the title VII preliminary investigation process and the procedure for making changes to the Harmonized Tariff Schedule. The agency took the results of these evaluations into account in developing the Performance Plan and the agency's goals. The agency plans to conduct additional reviews as appropriate.

Data Verification and Validation

The Commission performs a verification and validation of measured values, to ensure the accuracy and reliability of the data used to measure progress toward the agency's performance goals. In conjunction with other senior managers, each Goal Leader and Responsible Official is responsible for meeting the performance goals in his or her operation or management area, and coordinates the verification and validation of performance data. The process involves review of the logs and reports generated by staff offices to monitor and measure achievement. Goal Leaders and Responsible Officials may determine the need to incorporate other data or procedures, including existing record keeping processes, and automated systems such as the Electronic Document

Information System (EDIS). For each goal, a Goal Leader or Responsible Official will assess the level of accuracy required for the intended use of the data, any limitations to the data at the required level of accuracy, and how the agency will compensate for such limitations if needed to reach the required level. In 2010, the Commission finalized written procedures governing the measurement, verification, and validation of performance data. The Commission believes that the performance data included in the Performance Plan is reliable and complete.

Lower-Priority Program Activities

The GPRA Modernization Act of 2010 calls on agencies to identify low-priority program activities. The Commission has only one program activity in the Budget of the United States Government. However, the Commission has conducted an analysis of its functions with respect to their contribution to the mission and goals of the agency in an attempt to identify low-priority functions

The Cuts, Consolidations and Savings volume of the President's Budget identifies the lower-priority program activities, where applicable, as required under the GPRA Modernization Act, 31 U.S.C. § 1115(b)(10). The public can access the volume at: <http://www.whitehouse.gov/omb/budget>.

STRATEGIC OPERATION 1: IMPORT INJURY INVESTIGATIONS

The Commission provides a fair and transparent mechanism for investigating allegations of injury to domestic industries in antidumping and countervailing duty investigations and reviews, and safeguards and market disruption investigations. The Commission thereby facilitates a rules-based international trading system and carries out U.S. law. In FY 2013 and 2014, the Commission will take several actions to improve its performance in conducting import injury investigations, including by ensuring that determinations are issued in a timely way and customers have prompt access to investigation documents; improving the experience of users of the import injury web pages; and conducting outreach to industry groups and others. Although the import injury process generally functions well, the Commission will continue to explore avenues for improvement.

External factors affecting performance within Strategic Operation 1 include industry decisions on whether to file cases, Commerce Department determinations, judicial and international dispute resolution panel reviews, and changes in legislation. The Commission will continue to consult as necessary with the Department of Commerce on the two agencies' distinct roles in the antidumping and countervailing duty investigative process.

Strategic Goal

Support a rules-based international trading system by producing high-quality and timely import injury determinations based on the following:

- *an effective exchange of information between the Commission and interested parties,*
- *an appropriate investigative record, and*
- *transparent, fair, and equitably-implemented procedures.*

Performance Goals, Measures, and Results

Performance Goal 1: Improve the quality and efficiency of the investigative process by conducting internal and external reviews, including review of draft investigation and litigation documents.		
	FY 2013	FY 2014
Measure	(a) Written feedback from Commissioners and their aides concerning staff efforts to compile the record and to identify, explain, and analyze important factual and legal issues.	(a) Written feedback from Commissioners and their aides concerning staff efforts to compile the record and to identify, explain and analyze important factual and legal issues.
Targets	FY 2013 Meet or exceed 82% positive feedback.	FY 2014 Meet or exceed 82% positive feedback.
Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Ensure an appropriate investigative record is compiled for every investigation. Contributors: Commissioners, INV, EC, IND, GC, Commerce; 19 U.S.C. §§ 1671 et al., 19 C.F.R. parts 206, 207. Data source: GC and INV.	

Performance Goal 2: Meet statutory and court deadlines.		
Measure	FY 2013 (a) Submit all reports, determinations, memoranda, draft opinions, and briefs by the statutory or court deadline.	FY 2014 (a) Submit all reports, determinations, and briefs by the statutory or court deadline.
Targets	FY 2013 100%.	FY 2014 100%.
Results	FY 2012: target met. FY 2011: target partially met. FY 2010: target met.	
Notes	Purpose: Timely submission of documents to ensure compliance with applicable laws and court orders (The measure was modified to focus on statutory and court deadlines). Contributors: Commissioners, INV, EC, IND, GC, Commerce; 19 U.S.C. §§ 1671 et al., 19 C.F.R. parts 206, 207. Data source: GC and INV.	

Performance Goal 3: Improve the development of investigative records.		
Measure	FY 2013 (a) Make progress on improving methods of gathering and processing investigative data, such as streamlining questionnaires.	FY 2014 (a) Make progress on improving methods of gathering and processing investigative data, taking into account results of biennial survey of investigation participants regarding investigative procedures.
Targets	FY 2013 (i) Increase the use of electronic delivery of questionnaires to industry participants and (ii) increase electronic processing of questionnaire data.	FY 2014 Review, revise, and issue procedural guidance related to preliminary- and final- phase investigations and expedited and full reviews.
Results	FY 2012: target partially met. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Ensure that import injury determinations are based on an effective exchange of information between the Commission and interested parties and that procedures are efficient, thorough, and fair. Contributors: Commissioners, INV, EC, IND, GC, Commerce; 19 U.S.C. §§ 1671 et al., 19 C.F.R. parts 206, 207. Data source: GC and INV. Milestone: Completion of biennial survey process no later than end of third quarter of FY 2014.	

Performance Goal 4: Improve the scope, quality, and transparency of information regarding investigations that is made available to investigative participants and the public.		
Measure	FY 2013 (a) Staff conducts outreach to industry groups and others to ensure they understand Commission capabilities and process.	FY 2014 (a) Staff conducts outreach to industry groups and others to ensure they understand Commission capabilities and process.
Targets	FY 2013 Outreach conducted.	FY 2014 Outreach conducted.
Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Help potential participants in import injury proceedings in their interactions with the agency. Contributors: INV, EC, IND, GC. Data source: INV.	
Measure	FY 2013 (b) Make documents filed on EDIS available promptly.	FY 2014 (b) Make documents filed on EDIS available promptly.
Targets	FY 2013 80% availability in 24 hours, 90% in 48 hours.	FY 2014 85% availability in 24 hours, 95% in 48 hours.

Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.
Notes	Purpose: Prompt availability of investigative record material to enhance the ability of parties and others to participate in import injury proceedings. Contributors: OAS. Data source: INV.

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

STRATEGIC OPERATION 2: INTELLECTUAL PROPERTY-BASED IMPORT INVESTIGATIONS

The Commission adjudicates complaints brought by domestic industries under section 337 of the Tariff Act of 1930 that allege infringement of U.S. intellectual property rights and other unfair methods of competition in connection with imported goods. The Commission thereby facilitates a rules-based international trading system by providing a fair and transparent forum for the adjudication of such disputes.

The Commission plans to undertake activities during FY 2013 and 2014 to measure and enhance the agency's performance in three central aspects of its section 337 work: completing proceedings expeditiously, informing the public about the section 337 process, and improving the effectiveness of the agency's orders. The Commission will collect and analyze data about the length of investigations and ancillary proceedings and the Commission's compliance with key statutory and administrative deadlines. The results of this effort will be used to determine whether the expansion of the Office of Administrative Law Judges and other efforts the Commission has made in recent years to address the increased number and complexity of section 337 investigations is helping to contain the average length of section 337 investigations. The Commission will also ensure that new filings are entered into EDIS expeditiously, that the public has access to more information regarding section 337 proceedings, and has opportunities to provide input regarding the potential effect of requested exclusion orders. Additionally, the Commission will continue to facilitate the enforcement of its remedial orders.

During FY 2000, 2005, and 2010, the agency surveyed complainants who had obtained exclusion orders to see whether imports subject to those orders had, in fact, stopped, and then developed recommendations and made process improvements in light of the survey results. In FY 2013, the Commission will conduct a similar survey.

External factors affecting performance of this function include the size and complexity of the section 337 docket, which is dependent on the decisions of businesses to file and settle cases; judicial review; legislative changes; and CBP enforcement of exclusion orders.

Strategic Goal

Conduct intellectual property-based import investigations in an expeditious, technically sound, and transparent manner, and provide for effective relief when relief is warranted, to support a rules-based international trading system.

Performance Goals, Measures, and Results

<p>Performance Goal 1: Meet statutory and key administrative and court deadlines, conclude section 337 investigations expeditiously, and reduce the average time to conclude ancillary proceedings.</p>		
Measure	<p>FY 2013</p> <p>(a) Complete the following actions on or before prescribed deadlines:</p> <ul style="list-style-type: none"> i. Institute new investigations; ii. Establish target dates for the completion of investigations; iii. Issue TEO and Initial Determinations; iv. Make TEO and Final Determinations; and v. File appellate briefs. 	<p>FY 2014</p> <p>(a) Complete the following actions on or before prescribed deadlines:</p> <ul style="list-style-type: none"> i. Institute new investigations; ii. Establish target dates for the completion of investigations; iii. Issue TEO and Initial Determinations; iv. Make TEO and Final Determinations; and v. File appellate briefs.
Targets	<p>FY 2013</p> <p>100% of actions timely.</p>	<p>FY 2014</p> <p>100% of actions timely.</p>
Results	<p>FY 2012: target partially met.</p> <p>FY 2011: target partially met.</p> <p>FY 2010: target met.</p>	
Notes	<p>Purpose: Timely action to ensure compliance with laws and court rules, and that proceedings are conducted in an expeditious and procedurally sound way.</p> <p>Contributors: Commissioners, OALJ, OUII, GC; 19 U.S.C. § 1337, 19 C.F.R. part 210.</p> <p>Data source: OUII and GC.</p>	

Measure	FY 2013 (b) Conclude investigations into alleged section 337 violations within timeframes that are consistent with the URAA implementing report.	FY 2014 (b) Conclude investigations into alleged section 337 violations within timeframes that are consistent with the URAA implementing report.
Targets	FY 2013 Average length of investigations is within timeframes.	FY 2014 Average length of investigations is within timeframes.
Results	FY 2012: target not met. FY 2011: target not met, but improvement achieved. FY 2010: target not met.	
Notes	Purpose: Expeditious adjudication of intellectual property-based disputes, particularly those involving patented technologies, is of great importance to intellectual property rights holders. Contributors: Commissioners, OALJ, OUII, GC; 19 U.S.C. § 1337, 19 C.F.R. part 210. Data source: OUII and GC.	
Measure	FY 2013 (c) Ensure that the average length of ancillary proceedings is no more than the following: i. modification: 6 months. ii. advisory: 12 months. iii. enforcement: 12 months. iv. consolidated ancillaries: 15 months.	FY 2014 (c) Ensure that the average length of ancillary proceedings is no more than the following: i. modification: 6 months. ii. advisory: 12 months. iii. enforcement: 12 months. iv. consolidated ancillaries: 15 months.

Targets	FY 2013 Average length of proceedings is within timeframes.	FY 2014 Average length of proceedings is within timeframes.
Results	FY 2012: target (i) N/A, (ii) met, (iii) N/A (iv) not met. FY 2011: target (i) not met, (ii) met, (iii) met, (iv) N/A. FY 2010: target (i) N/A, (ii) met, (iii) not met, (iv) N/A.	
Notes	Purpose: Ensure that ancillary proceedings, which play an important role in the enforcement of Commission remedies, do not become unduly long. Contributors: Commissioners, OALJ, OUII, GC; 19 C.F.R. part 210. Data source: OUII and GC.	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Performance Goal 2: Improve the scope, quality, and transparency of information regarding section 337 investigations that is made available to investigative participants and the public.		
Measure	FY 2013 (a) Make documents filed on EDIS available promptly.	FY 2014 (a) Make documents filed on EDIS available promptly.
Targets	FY 2013 80% availability in 24 hours, 90% in 48 hours.	FY 2014 85% availability in 24 hours, 95% in 48 hours.

Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Prompt availability of investigative record material to enhance the ability of parties and others to participate in proceedings. Contributors: OAS. Data source: OAS.	
Measure	FY 2013 (b) Staff conducts outreach to bar groups and others to ensure they understand Commission capabilities and process.	FY 2014 (b) Staff conducts outreach to bar groups and others to ensure they understand Commission capabilities and process.
Targets	FY 2013 Outreach efforts made.	FY 2014 Outreach efforts made.
Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Enhance the service the Commission provides to its customers. Contributors: OALJ, OUII, GC, ER. Data source: OUII and GC.	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Performance Goal 3: Actively facilitate enforcement of exclusion orders.		
Measure	FY 2013 (a) Provide terms of proposed exclusion orders to CBP in investigations in which OUII participates, consider any feedback received from CBP, before submitting proposed exclusion orders to the Commission, and give CBP scheduling information for section 337 proceedings on a quarterly basis.	FY 2014 (a) Provide terms of proposed exclusion orders to CBP in investigations in which OUII participates, consider any feedback received from CBP, before submitting proposed exclusion orders to the Commission, and give CBP scheduling information for section 337 proceedings on a quarterly basis.
Targets	FY 2013 Information provided in 100% of cases.	FY 2014 Information provided in 100% of cases.
Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Improve communication between the Commission and CBP to help ensure the effectiveness of section 337 proceedings. Contributors: OUII; CBP; 19 U.S.C. § 1337. Data source: OUII.	
Measure	FY 2013 (b) Conduct a survey regarding the effectiveness of outstanding exclusion orders.	FY 2014 (b) Formulate recommendations regarding enforcement in view of survey results and implement any such recommendations adopted by the Commission.

Targets	FY 2013 Survey questionnaires distributed.	FY 2014 Compile and review survey results; implement recommendations approved by the Commission.
Results	FY 2012: N/A. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Strengthen Commission procedures relating to the issuance of exclusion orders (goal was modified to add a survey in FY 2013). Contributors: Commissioners, OUII, GC; 19 U.S.C. § 1337, 19 C.F.R. part 210. Data source: OUII.	

Notes: 1. The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.
2. Measure 3.a may need to be adjusted as the Commission adjusts procedures in view of the new Operation 2 staffing model.

Performance Goal 4: Formalize the process to facilitate the identification of potential public interest issues in the early stages of a section 337 investigation and provide the parties a clear opportunity to address such issues prior to the remedy phase of an investigation.		
Measure	FY 2013 (a) None.	FY 2014 (a) Assess effect of new rules and procedures adopted in FY 2012 regarding public interest submissions and determine whether further action is appropriate.
Targets	FY 2013 None.	FY 2014 Assess new rules and procedures and determine whether changes should be made.

Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.
Notes	Purpose: Respond to input from customers (modified measure). Contributors: Commissioners, OALJ, OUII, GC; 19 U.S.C. § 1337, 19 C.F.R. part 210. Data source: GC.

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

STRATEGIC OPERATION 3: INDUSTRY AND ECONOMIC ANALYSIS

The Commission provides expert analysis and information to Congress and the executive branch via both formal reports and informal technical assistance. The Commission’s goal is to provide sound, objective, high quality analytical products in a timely manner that inform public debate on trade policy issues. External factors affecting the performance of this strategic operation include customer requests for studies, and legislative initiatives. Commission experts are regularly called upon for information and analysis on current and future trade issues and proposed trade legislation, and are in frequent demand as technical experts to assist Congressional staff, interagency policy committees, and trade negotiating teams.

In FY 2013 and 2014, the Commission will seek to improve its performance on a baseline developed in FY 2012 to use in assessing the Commissioners’ level of satisfaction with Commission reports, including such factors as the reports’ quality and their effectiveness in fully addressing customer requests.

Strategic Goal

Enhance the quality and timeliness of its industry and economic analysis to support sound and informed trade policy formulation.

Performance Goals, Measures, and Results

Performance Goal 1: Develop and improve efficient and effective research methods and deliver products that meet customer requirements.		
Measure	FY 2013 (a) Staff from executive branch and/or congressional customers provides positive characterization of statutory reports (e.g., informative, well done).	FY 2014 (a) Staff from executive branch and/or congressional customers provides positive characterization of statutory reports (e.g., informative, well done).

Targets	FY 2013 2% improvement over previous year.	FY 2014 2% improvement over previous year.
Results	FY 2012: target met. FY 2011: target not met. FY 2010: target met.	
Notes	Purpose: Help ensure that Commission reports effectively provide accurate and useful information to their intended audience. Contributors: Commissioners, EC, ID, GC; 19 U.S.C. § 1332 et al. Data source: ER through EC.	
Measure	FY 2013 (b) Deliver all section 332 reports to requesters on time.	FY 2014 (b) Deliver all section 332 reports to requesters on time.
Targets	FY 2013 100% timely.	FY 2014 100% timely.
Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.	

Notes	Purpose: Comply with customer requests and ensure that customers receive accurate and useful information while meeting deadlines. Contributors: Commissioners, EC, ID, GC; 19 U.S.C. § 1332 et al. Data source: EC and ER.	
Measure	FY 2013 (c) Based on Commissioners' feedback, especially on report quality and fully addressing Commission customers' requests, take action in areas needing improvement.	FY 2014 (c) Based on Commissioners' feedback, take action in areas needing improvement.
Targets	FY 2013 Action taken.	FY 2014 Action taken.
Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Assist staff in preparing high quality reports that fully address customer requests. Contributors: Commissioners, EC, IND, GC. Data source: EC.	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Performance Goal 2: Expand the Commission’s capacity to anticipate and address new issues and areas for industry and economic analysis.		
Measure	<p>FY 2013</p> <p>(a) Continue to enhance the Commission’s capacity to efficiently respond to, and anticipate, new areas of analysis or data needs for internal and external customers.</p>	<p>FY 2014</p> <p>(a) Continue to enhance the Commission’s capacity to efficiently respond to, and anticipate, new areas of analysis or data needs for internal and external customers.</p>
Targets	<p>FY 2013</p> <ul style="list-style-type: none"> i. Continue refinement of staff research priorities, incorporating input from internal and external customers and external stakeholders. ii. Demonstrate the contribution of staff research to Commission responses to customer requests. 	<p>FY 2014</p> <ul style="list-style-type: none"> i. Continue refinement of staff research priorities, incorporating input from internal and external customers and external stakeholders. ii. Demonstrate the contribution of staff research to Commission responses to customer requests.
Results	<p>FY 2012: target met.</p> <p>FY 2011: target met.</p> <p>FY 2010: N/A.</p>	
Notes	<p>Purpose: Enhance the Commission’s ability to anticipate and provide timely responses to customer requests for new and unique insights into challenging international trade issues that may affect the United States (modified goal).</p> <p>Contributors: Commissioners, EC, IND, GC.</p> <p>Data source: EC.</p>	

Measure	<p>FY 2013</p> <p>(b) Improve economic and analytical tools and skills in the areas listed in the targets.</p>	<p>FY 2014</p> <p>(b) Improve economic and analytical tools and skills in the areas listed in the targets.</p>
Targets	<p>FY 2013</p> <ul style="list-style-type: none"> i. Global modeling in areas such as FDI and launching the USAGE 2.0 model with annual snapshots of U.S. economic activity. ii. Environmental issues in trade, such as environmental services and renewable energy services; iii. Emerging markets, such as India, Brazil, China, and Mexico; iv. Supply chains, such as extending analysis to new industries, organizational structures and locations; and v. Behind-the-border measures and cross-industry issues, such IPR protection and NTMs. 	<p>FY 2014</p> <ul style="list-style-type: none"> i. Global modeling including state-specific and differential household effects and product space analysis. ii. Environmental issues in trade; iii. Emerging markets, such as India, Brazil, China, Africa and Mexico/NAFTA; iv. Supply chains, such as improving the quality of related trade statistics; and v. Behind-the-border measures and cross-industry issues such as labor outcomes or effects of NTMs.
Results	<p>FY 2012: target 5 of 8 targets met; 3 not fully met.</p> <p>FY 2011: 3 of 6 targets met.</p> <p>FY 2010: 2 of 4 targets met.</p>	
Notes	<p>Purpose: Set multiple, specific targets (which change every year) for the expansion of agency capabilities.</p> <p>Contributors: EC, IND, GC.</p> <p>Data source: EC.</p> <p>Each year, different annual targets are established for this measure; comparison across years is not possible.</p>	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Performance Goal 3: Improve the Commission’s communications with its customers to ensure that they understand the agency’s capabilities and are able to benefit from its expertise.		
Measure	FY 2013 (a) Regular outreach meetings with Commission’s statutory customers lead to requests for investigations and technical assistance or new statutory requirements.	FY 2014 (a) Regular outreach meetings with Commission’s statutory customers lead to requests for investigations and technical assistance or new statutory requirements.
Targets	FY 2013 Requests received.	FY 2014 Requests received.
Results	FY 2012: target N/A. FY 2011: target N/A. FY 2010: target N/A.	
Notes	Purpose: Ensure that statutory customers can benefit from the Commission’s expertise (the measure replaces an indicator of satisfaction with webpages). Contributors: Commissioners, EC, IND, GC. Data source: EC.	

Note: The use of “N/A” (for “not applicable”) indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

STRATEGIC OPERATION 4: TARIFF AND TRADE INFORMATION SERVICES

Under this Operation, the Commission provides the U.S. trade community with tariff and trade data and expertise relating to international trade. During FY 2013 and 2014, the Commission will continue to provide timely and accurate nomenclature and other services to Congress and the Administration, and will increase the usefulness of the tariff and trade information services it offers its customers. Central to this strategic operation is the maintenance and publication of the HTS and other tariff and trade information that is available on the Commission’s website. The Commission actively seeks feedback on customer satisfaction, and has established goals and performance indicators to allow it to measure, analyze, and act on such feedback. External factors affecting performance of this function include legislative changes, Presidential proclamations, and customer requests for assistance.

Strategic Goal

Improve the availability of and access to high-quality and up-to-date tariff and international trade information and technical expertise to support the executive and legislative branches, the broader trade community, and the public.

Performance Goals, Measures, and Results

Performance Goal 1: Increase the utility and improve the dissemination of tariff and trade information services to customers.		
Measure	FY 2013	FY 2014
	(a) Maintain accuracy of HTS information.	(a) Maintain accuracy of HTS information.

Targets	<p>FY 2013</p> <ul style="list-style-type: none"> i. 99% or greater accuracy of post-production substantive content (rates and nomenclature). ii. 97% or greater overall accuracy of post-production content. 	<p>FY 2014</p> <ul style="list-style-type: none"> i. 99% or greater accuracy of post-production substantive content (rates and nomenclature). ii. 98% or greater overall accuracy of post-production content.
Results	<p>FY 2012: target N/A.</p> <p>FY 2011: N/A.</p> <p>FY 2010: N/A.</p>	
Notes	<p>Purpose: Ensure that users of Harmonized Tariff Schedule information, including the public and other government agencies, receive accurate information (the measure replaces one relating to the HTS online search tool).</p> <p>Contributors: ID, TATA, CIO.</p> <p>Data source: TATA.</p>	
Measure	<p>FY 2013</p> <p>(b) Minimize difference between CBP' HTS database and the Commission's online versions of HTS.</p>	<p>FY 2014</p> <p>(b) Maintain minimal difference between CBP' HTS database and the Commission's online versions of HTS.</p>
Targets	<p>FY 2013</p> <p>Less than 1% difference.</p>	<p>FY 2014</p> <p>Less than 1% difference.</p>
Results	<p>FY 2012: target met.</p> <p>FY 2011: target met.</p> <p>FY 2010: N/A.</p>	

Notes	Purpose: Help ensure that accurate information is provided to customers. Contributors: Commissioners, ID, TATA, GC. Data source: TATA.	
Measure	FY 2013 (c) Make continuous improvements to the Commission's web presence that lead to improvements in user satisfaction.	FY 2014 (c) Make continuous improvements to the Commission's web presence that lead to improvements in user satisfaction.
Targets	FY 2013 Overall satisfaction consistent with that for other government agencies.	FY 2014 Overall satisfaction consistent with that for other government agencies.
Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Ensure that the Commission provides useful information to customers visiting its web pages (the measure was expanded from one relating solely to tariff and trade webpages). Contributors: Commissioners, EC, IND, TATA, GC, CIO; 44 U.S.C. chapter 35. Data source: CIO.	
Measure	FY 2013 (d) Improve success rate of users' keyword searches on HTS Online Reference Tool.	FY 2014 (d) Improve success rate of users' keyword searches on HTS Online Reference Tool.

Targets	FY 2013 70% of searches successful.	FY 2014 71% of searches successful.
Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Ensure that users can access the information they need and that searches do not result in “not found” messages. Contributors: Commissioners, EC, IND, TATA, GC. Data source: CIO.	

Note: The use of “N/A” (for “not applicable”) indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Performance Goal 2: Provide timely, effective, and responsive nomenclature, trade data, and related technical services to customers.		
Measure	FY 2013 (a) Positive feedback on Commission responses to email requests concerning HTS.	FY 2014 (a) Positive feedback on Commission responses to email requests concerning HTS.
Targets	FY 2013 95% or greater positive feedback.	FY 2014 95% or greater positive feedback.

Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Provide technical tariff and nomenclature advice that meets the needs of customers inside and outside the government. Contributors: Commissioners, EC, IND, TATA, GC. Data source: TATA.	
Measure	FY 2013 (b) 85% of emails received through the HTS on-line help system are responded to within 7 working days	FY 2014 (b) 90% of emails received through the HTS on-line help system are responded to within 7 working days.
Targets	FY 2013 85% response within deadline.	FY 2014 90% response within deadline.
Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Improve the timeliness of advice provided to customers (modified measure). Contributors: Commissioners, EC, IND, TATA, GC, CIO. Data source: TATA.	

Measure	FY 2013 (c) From the date when a batch of miscellaneous tariff bills is assigned internally, 80% of reports are transmitted to the Congress within 65 working days.	FY 2014 (c) From the date when a batch of miscellaneous tariff bills is assigned internally, 80% of reports are transmitted to the Congress within 65 working days.
Targets	FY 2013 80% of reports transmitted within deadline.	FY 2014 80% of reports transmitted within deadline.
Results	FY 2012: target not met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Ensure the efficiency of the bill report process. Contributors: Commissioners, EC, IND, TATA, GC. Data source: TATA.	
Measure	FY 2013 (d) Updated HTS posted to website within 2 working days of effective date.	FY 2014 (d) Updated HTS posted to website within 2 working days of effective date.
Targets	FY 2013 Posting in 2 working days.	FY 2014 Posting in 2 working days.

Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Ensure that users receive up-to-date information. Contributors: Commissioners, EC, IND, TATA, GC. Data source: TATA.	
Measure	FY 2013 (e) Promptly process requests to the 484(f) Committee and notify requesters of receipt and actions taken.	FY 2014 (e) Promptly process requests to the 484(f) Committee and notify requesters of receipt and actions taken.
Targets	FY 2013 i. Acknowledge request within 5 working days of receipt; ii. notify petitioners electronically of Committee decisions within 5 working days; iii. notify petitioners in writing within 5 working days after implementation of statistical modifications of the HTS.	FY 2014 i. Acknowledge request within 5 working days of receipt; ii. notify petitioners electronically of Committee decisions within 5 working days; iii. notify petitioners in writing within 5 working days after implementation of statistical modifications of the HTS.
Results	FY 2012: target met. FY 2011: target partially met. FY 2010: N/A.	

Notes	Purpose: Enhance the ability of petitioners to work with the Committee. Contributors: Commissioners, EC, IND, TATA, GC. Data source: TATA.
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Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

STRATEGIC OPERATION 5: TRADE POLICY SUPPORT

Although it does not make policy, the Commission contributes to the formulation of U.S. trade policy by providing objective analysis and data to its statutorily defined customers in the executive and legislative branches. During FY 2013 and 2014, the Commission plans to improve its performance in providing expert knowledge and analysis regarding trade-related issues to Congress and the executive branch. The Commission will work to improve the timeliness and scope of the support it provides, to seek improved customer feedback, and to deliver new products and services that meet the situational and increasingly complex needs of its customers. External factors affecting performance of this function include customer requests for assistance, staffing levels, and legislative changes.

Strategic Goal

Provide enhanced support to the development of well-informed U.S. international trade policy by quickly responding to executive and legislative branch policymakers' needs for technical support, data, and analysis.

Performance Goals, Measures, and Results

Performance Goal 1: Provide enhanced real-time, efficient, and effective technical information and analysis to support organizations involved in trade policy formulation.		
Measure	FY 2013 (a) Respond to requests from the USTR and members of Congress and their staffs, for technical assistance and analysis on tariff, industry, or trade issues.	FY 2014 (a) Respond to requests from the USTR and members of Congress and their staffs, for technical assistance and analysis on tariff, industry, or trade issues.

Targets	FY 2013 Responses delivered.	FY 2014 Responses delivered.
Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Ensure that the Commission provides effective support to customers (the measure was modified from one covering issues addressed). Contributors: Commissioners, EC, ER, IND, GC, TATA. Data source: ID.	
Measure	FY 2013 (b) Establish capability for and procedures to enhance electronic delivery of classified products.	FY 2014 (b) None.
Targets	FY 2013 Capability established.	FY 2014 None.
Results	FY 2012: target not met, but progress made. FY 2011: target not met. FY 2010: N/A.	

Notes	Purpose: Assist the customer in receiving classified products. Contributors: ER, CIO. Data source: ER and CIO.	
Measure	FY 2013 (c) Efficiently utilize database to track technical assistance requests.	FY 2014 (c) None.
Targets	FY 2013 All offices providing technical assistance use database appropriately.	FY 2014 None.
Results	FY 2012: target not met. FY 2011: target partially met. FY 2010: target not met.	
Notes	Purpose: Improve internal controls for technical assistance (the measure was modified from “revise internal guidelines and database design”). Contributors: EC, ER, IND, GC, TATA, CIO. Data source: ID.	
Measure	FY 2013 (d) Issue 96% of responses to Congressional letters on time, in accordance with documented procedures.	FY 2014 (d) Issue 96% of responses to Congressional letters on time, in accordance with documented procedures.

Targets	FY 2013 96% timely.	FY 2014 96% timely.
Results	FY 2012: target met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Ensure that customers receive up-to-date information (the measure was modified to increase the target from 95%). Contributors: Commissioners, EC, ER, IND, GC. Data source: ER and GC.	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Performance Goal 2: Ensure that the Commission's customers are fully informed of the agency's capabilities and are able to benefit from its expertise.		
Measure	FY 2013 (a) Focus outreach activities regarding Commission capabilities on new Congressional oversight committee staff.	FY 2014 (a) Focus outreach activities regarding Commission capabilities on new Congressional oversight committee staff.
Targets	FY 2013 Contacts made with new staff.	FY 2014 Contacts made with new staff.

Results	FY 2012: target met. FY 2011: target met. FY 2010: target met.	
Notes	Purpose: Enable new Congressional staff to fully benefit from the Commission's expertise. Contributors: Commissioners, EC, ER, IND, GC, TATA. Data source: ID and ER.	
Measure	FY 2013 (b) Seek feedback from USTR regarding satisfaction with technical assistance products.	FY 2014 (b) Seek feedback from USTR regarding satisfaction with technical assistance products.
Targets	FY 2013 Feedback sought.	FY 2014 Feedback sought.
Results	FY 2012: target not met. FY 2011: target met. FY 2010: N/A.	
Notes	Purpose: Ensure that customers are satisfied with the assistance provided (the measure was modified from one that involved development of a plan to enhance products or procedures). Contributors: ER, USTR. Data source: ID and ER.	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Management Goals

The Addendum to the Strategic Plan sets out management goals aimed at ensuring that agency-wide administrative support services will be provided to the Commission accurately, efficiently, and in full compliance with applicable authorities. Set out below are the measures, targets, and performance indicators that will be used to gauge progress toward meeting the management goals.

Management Goal 1: Improve effectiveness and efficiency of hiring and professional development practices.		
	FY 2013	FY 2014
Measure	(a) Improve timeliness in delivery of certified candidate lists to selecting officials from the receipt of completed hiring request.	(a) Improve timeliness in delivery.
Targets	FY 2013 Improve timeliness in delivering lists by 5% over FY 2012.	FY 2014 Improve timeliness in delivering lists by 5% over FY 2013 level.
Results	FY 2012: target not met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Fill agency vacancies in a timely manner and limit delay or disruption in the hiring process. Contributors: Office of Human Resources, Managers/Selecting Officials, USAJobs.com. Data source: HR.	

Measure	FY 2013 (b) Improve upon FY 2012 baseline of relevant stakeholder satisfaction with hiring practices.	FY 2014 (b) Improve upon FY 2013 level.
Targets	FY 2013 5% increase in stakeholder satisfaction over FY 2012 level.	FY 2014 5% increase in stakeholder satisfaction over FY 2013 level.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	<p>Purpose: Measure current level of stakeholder satisfaction with hiring processes, particularly among recent hires and managers, to ensure that the Commission is able to hire highly qualified candidates.</p> <p>Contributors: Office of Human Resources, Office of Administrative Services, Chief Information Officer.</p> <p>Data source: Annual stakeholder survey conducted at beginning of fiscal year, OPM annual viewpoint survey for 2012, as reported by HR. For this measure, relevant stakeholders will include staff such as employees hired within the previous year and managers.</p>	
Measure	FY 2013 (c) Improve accuracy of records regarding hiring procedures, based on internal review.	FY 2014 (c) Improve accuracy of records regarding hiring procedures, based on internal review.
Targets	FY 2013 Improve on FY 2012 baseline by 5%.	FY 2014 Improve on FY 2013 level by 5%.

Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Ensure consistent maintenance of accurate and reliable records. Contributors: Office of Human Resources. Data source: HR.	
Measure	FY 2013 (d) Improve satisfaction with professional development opportunities.	FY 2014 (d) Improve satisfaction with professional development opportunities.
Targets	FY 2013 10% increase in stakeholder satisfaction over FY 2012 level.	FY 2014 10% increase in stakeholder satisfaction over FY 2013 level.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Improve the professional development of Commission staff, aid employees in career advancement. Contributors: Office of Human Resources, Office of Finance, agency managers. Data source: Annual survey of stakeholders such as agency staff conducted at the beginning of fiscal year as reported by HR.	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Management Goal 2: Improve effectiveness and efficiency of acquisitions.		
Measure	FY 2013 (a) Improve timeliness of key elements in procurement process.	FY 2014 (a) Improve timeliness of key elements in procurement process.
Targets	FY 2013 Improve timeliness in accomplishing key elements by 5% over baseline.	FY 2014 Improve timeliness in accomplishing key elements by 5% over FY 2013.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Process acquisition requests in a timely manner so that internal needs are met efficiently. Contributors: Office of Procurement, Office of Finance, Program/Requesting Offices. Data source: Procurement.	
Measure	FY 2013 (b) Improve stakeholder satisfaction with acquisition process.	FY 2014 (b) Improve stakeholder satisfaction with acquisition process.
Targets	FY 2013 5% increase in stakeholder satisfaction over FY 2012 level.	FY 2014 5% increase in stakeholder satisfaction over FY 2013 level.

Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Measure current level of stakeholder satisfaction to determine to what extent the acquisition process is successful in obtaining goods and services, and increase this level. Contributors: Staff involved in making and processing acquisition requests. Data source: Annual stakeholder survey conducted at beginning of fiscal year as reported by Procurement.	
Measure	FY 2013 (c) Ensure completeness and accuracy of contract files.	FY 2014 (c) Ensure completeness and accuracy of contract files.
Targets	FY 2013 Complete review of all new files.	FY 2014 Complete review of all new files.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Ensure consistent maintenance of complete and accurate procurement records. Contributors: Office of Procurement, Office of Finance, Office of Administration, CORs, CCMs, DORs. Data source: Procurement.	

Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Management Goal 3: Improve financial management.		
Measure	FY 2013 (a) Provide recurring financial system reports to Office Directors and Cost Center Managers throughout the agency that are useful in managing operations.	FY 2014 (a) Provide recurring financial system reports to Office Directors and Cost Center Managers throughout the agency that are useful in managing operations.
Targets	FY 2013 Enhance reports based on Director and Manager feedback.	FY 2014 Enhance reports based on Director and Manager feedback.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Ensure that agency managers have data they need to make decisions (the measure was modified from one that also covered timely provision of information). Contributors: Office of Finance. Data source: Finance.	
Measure	FY 2013 (b) Work toward mitigating material weaknesses and significant deficiencies identified in the annual audit.	FY 2014 (b) Work toward mitigating material weaknesses and significant deficiencies identified in the annual audit.

Targets	FY 2013 Mitigate material weaknesses by 30%.	FY 2014 Mitigate material weaknesses by 30% and mitigate significant deficiencies.
Results	FY 2012: target N/A. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Ensure that the agency uses proper financial practices (the measure replaces one dealing with improper payments). Contributors: Office of Finance. Data source: Finance.	
Measure	FY 2013 (c) Continue to assess the level of compliance and document the internal control structure.	FY 2014 (c) Continue to assess the level of compliance and document the internal control structure.
Targets	FY 2013 Identify and document internal controls.	FY 2014 Refine internal controls and begin rotational testing.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A. FY 2009: N/A.	

Notes	<p>Purpose: Ensure compliance with internal controls (the measure was modified to focus on assessment and documentation).</p> <p>Contributors: Office of Finance, Office of Procurement, Office of Administration, COR's, CCMs, DORs.</p> <p>Data source: Finance.</p>
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Note: The use of "N/A" (for "not applicable") indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Management Goal 4: Improve information technology resources.		
Measure	FY 2013 (a) Increase stakeholder assessment of the contribution of information technology resources to mission accomplishment.	FY 2014 (a) Increase stakeholder assessment of the contribution of information technology resources to mission accomplishment.
Targets	FY 2013 Develop and apply survey; achieve score indicating significant contributions.	FY 2014 5% increase in stakeholder assessment of contributions over FY 2013 level.
Results	FY 2012: N/A. FY 2011: N/A. FY 2010: N/A.	
Notes	<p>Purpose: Ensure that information technology resources contribute to mission accomplishment (new measure).</p> <p>Contributors: All offices.</p> <p>Data source: CIO.</p>	

Measure	FY 2013 (b) Establish initial operating capability of the disaster recovery site.	FY 2014 (b) None.
Targets	FY 2013 Deliver initial operating capacity	FY 2014 None.
Results	FY 2012: N/A. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Established disaster recovery capability (new measure). Contributors: CIO, Office of Procurement. Data source: CIO.	
Measure	FY 2013 (c) Effectively manage Commission records.	FY 2014 (c) Effectively manage Commission records.
Targets	FY 2013 Achieve 80% score on annual NARA self-assessment.	FY 2014 Achieve 80% score on annual NARA self-assessment.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	

Notes	Purpose: Identify and preserve agency records, and transfer permanent records into NARA custody records. Contributors: Agency-wide; records management rules; NARA. Data source: CIO.	
Measure	FY 2013 (d) Ensure network security.	FY 2014 (d) Ensure network security.
Targets	FY 2013 Achieve score of less than 5.0 on Enterprise Vulnerability Index.	FY 2014 Achieve score of less than 5.0 on Enterprise Vulnerability Index.
Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.	
Notes	Purpose: Reduce IT enterprise vulnerability through ongoing, timely patch management and increased IT security awareness. Contributors: Agency-wide; applicable IT security rules. Data source: CIO. The Enterprise Vulnerability Index is an indexed value that relates the current overall attack surface of the USITC network and attached systems. It is calculated using the formula: $\log \sum SN$, where S is the vulnerability score using the Common Vulnerability Scoring System (CVSS) and N is the number of machines affected by that vulnerability. In this system 0 is a perfect score, with higher numbers reflecting a larger attack surface.	
Measure	FY 2013 (e) Use information technology to support productivity gains.	FY 2014 (e) Use information technology to support productivity gains.

Targets	<p>FY 2013</p> <ul style="list-style-type: none"> i. Develop an HTS database and interfaces to enable data maintenance and printable files that satisfy approved requirements of internal and external stakeholders. ii. Work with other office directors to develop other productivity enhancements consistent with available resources. 	<p>FY 2014</p> <ul style="list-style-type: none"> i. For the HTS database, change review and approval workflow to increase data accuracy and improve system usability with enhanced search and display features that satisfy approved requirements of internal and external stakeholders. ii. Work with other office directors to develop other productivity enhancements consistent with available resources.
Results	<p>FY 2012: target N/A. FY 2011: N/A. FY 2010: N/A.</p>	
Notes	<p>Purpose: Enhance systems usability (new measure). Contributors: CIO, TATA. Data source: CIO.</p>	
Measure	<p>FY 2013</p> <p>(f) Ensure system availability for all major USITC platforms.</p>	<p>FY 2014</p> <p>(f) Ensure system availability for all major USITC platforms.</p>
Targets	<p>FY 2013</p> <p>95%.</p>	<p>FY 2014</p> <p>95%.</p>

Results	FY 2012: target met. FY 2011: N/A. FY 2010: N/A.
Notes	Purpose: Provide effective IT tools to allow agency personnel to carry out the agency’s mission. Contributors: CIO, Office of Procurement. Data source: CIO.

Note: The use of “N/A” (for “not applicable”) indicates that no results data are available, normally because a goal is new or no relevant actions occurred during the period.

Guide to abbreviations used in the Plan

Abbreviations	Meanings
AD	antidumping
ALJ	Administrative Law Judge
Blue Book	<i>Antidumping and Countervailing Duty Handbook</i>
CCM	Cost Center Manager
CIO	Office of the Chief Information Officer
COR	Contracting Officer's Representative
CVD	countervailing duty
DOR	designated office representative
EDIS	Electronic Document Information System
EC	Office of Economics
ER	Office of External Relations
GC	Office of the General Counsel
FDI	Foreign direct investment
HR	Office of Human Resources
HTS	Harmonized Tariff Schedule of the United States
ID	initial determination by an ALJ
IND	Office of Industries
INV	Office of Investigations
IT	information technology
NAICS	North American Industry Classification System

Abbreviations	Meanings
NARA	National Archives and Records Administration
NTM	non-tariff measure
OAS	Office of Administrative Services
OALJ	Office of the Administrative Law Judges
OMB	Office of Management and Budget
OP	Office of Operations
OUII	Office of Unfair Import Investigations
Red Book	<i>An Introduction to Administrative Protective Order Practice in Import Injury Investigations</i>
SE	Office of the Secretary
TA	technical assistance
TATA	Office of Tariff Affairs and Trade Agreements
TEO	temporary exclusion order
URAA	Uruguay Round Agreements Act
USAGE	United States of America General Equilibrium
USTR	United States Trade Representative
WCO	World Customs Organization
WTO	World Trade Organization



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