

United States International Trade Commission

Draft Strategic Plan

FY 2014–2018

Overview

The United States economy is increasingly engaged in international commerce. Trade grew as a share of GDP from 17 percent in 1974 to 32 percent in 2011, expanding in a progressively dynamic and fluid environment. Total foreign direct investment inflows and outflows averaged 3.8 percent of GDP between 2008 and 2012, with inflows averaging 1.5 percent of GDP and outflows averaging 2.3 percent. These trends, collectively reflecting globalization, are evident in many other countries, particularly emerging countries such as India, China, and Brazil.

Traditional merchandise trade has grown, with exports often providing U.S. producers and workers with greater sales and better wages. Imports have also grown, providing U.S. consumers with greater variety and lower prices. However, increased competition from foreign producers can raise concerns for U.S. producers and workers.

As U.S. and foreign firms look to invest in each other's markets, services and service-related trade increases. Firms increasingly adjust their supply chains here and in other countries to increase competitiveness. The growing digital economy magnifies how these forces affect the U.S. and the global economy. Over time, as tariff rates have declined through the enactment of successive multilateral and bilateral agreements, non-tariff policies affecting trade and investment have become an increasingly important issue for global commerce. This evolving economic landscape and its implications for all U.S. citizens are of great interest to Congress and the President and for that reason they depend on the U.S. International Trade Commission (Commission) to provide clear and accurate information and analysis on the various ways that goods and services exports and imports and inward and outward foreign investment affect the U.S. economy, employment and growth.

The Commission, by law, plays an important role in analyzing the many ways that changes in trade and competitiveness affect U.S. economic growth, employment, and the health of its economy. For decades, the Commission, an independent, nonpartisan agency, has fulfilled its mandate to provide Congress and the President with objective, thorough, and clear analysis on the most critical trade issues of the day. The agency, with a staff of around 400, is located in Washington, DC.

While growing imports are often a sign of economic strength and vitality, they may also be a product of unfair trade practices. As the role of trade in the U.S. and global economy has grown, the application of U.S. trade laws with respect to allegations of unfair trade has remained an important mechanism for ensuring that U.S. firms can compete on a level playing field. The Commission's provision of sound and timely import injury determinations is critical to maintaining the confidence of U.S. companies and workers in a fair and impartial international trading system that supports their ability to compete in the global economy.

Globalization has increased the pace of product development and innovation as well as flexibility in terms of the location of production. As a result, globalization often introduces complex issues into the agency's consideration of allegations that unfairly subsidized or dumped imports are injuring a domestic industry. Moreover, the Commission's timely resolution of complex intellectual property disputes can be of paramount economic importance to holders of valid intellectual property rights in the United States. However, the cost of participating in Commission intellectual property investigation is of growing concern to companies. Enforcement of the Commission's exclusion orders is also a concern. As U.S. Customs and Border Protection (CBP) actually enforces exclusion orders at the border, the Commission must work closely with

CBP to ensure effective enforcement, recognizing that CBP has restraints on its resources and other missions to carry out. Since 1916 the Commission has had a major role in analyzing and maintaining the nation's tariff schedule, and since 1988 has had the responsibility for maintaining the official legal document that specifies the appropriate tariff, if any, applied to imported goods. The Commission ensures that the tariff schedule is up-to-date and accurate, reflecting all implemented trade agreements, which in turn facilitates international trade by ensuring efficient clearance of goods through the nation's 329 ports of entry, enables the accurate collection of tariff revenues, and permits the collection and reporting of the nation's trade statistics. In a rapidly changing technology and product environment, Commission participation in the World Customs Organization and maintaining up-to-date classification systems serves to improve the quality of trade information. High quality trade information is a critical component of trade policy formation and analysis within the framework of a fair and rules-based global trading system. Such information also helps U.S. manufacturers to compete in the global economy.

In numerous trade-related acts, Congress has noted that the expansion of international trade is vital to national security and critical to the economic growth and strength of the United States. Congress has also identified, among its principal objectives for negotiations, the following areas in which the Commission's mission is to provide support to trade policy agencies pursuing these objectives:

- Expanding competitive market opportunities for U.S. exports and to obtain reciprocal tariff and nontariff barrier elimination
- Reducing or eliminating barriers in international trade to services, including regulatory and other barriers
- Reducing or eliminating artificial or trade-distorting barriers to investment
- Promoting adequate and effective protection of intellectual property rights
- Ensuring current obligations, rules, disciplines and commitments under the WTO apply to E-commerce
- Reducing barriers to U.S. agricultural exports
- Dispute settlement and enforcement of trade remedy laws¹

These are all areas in which the Commission has developed substantial expertise so as to provide objective, accurate, leading edge insights for Congress and the Administration. The Commission's reports to Congress and the Administration provide important information and reflect the Commission's expanding abilities to quantify the effects of policy changes on the U.S. economy as a whole, producers, consumers, employment, and wages.

The breadth of the Commission's statutory responsibilities in this dynamic setting provides it with great opportunities and significant challenges. Key statutory responsibilities are shown in figure 1. The Commission must continue to meet its responsibilities on very important matters affecting the U.S. economy and inform policymakers on increasingly complex issues. The Commission must also serve the public by ensuring the transparency of its rules and procedures and making available its reports and other information, as appropriate. These efforts align with and are reinforced by various government-wide initiatives and requirements. At the same time, the agency must balance its use of resources to meet its strategic goals with its need to apply resources to meet administrative challenges. The agency must adjust to tighter budgets, and changes in the labor market that pose challenges to recruiting staff with requisite technical skills. The agency

¹ Pub. L. 107-210.

Figure 1 Key statutory responsibilities

Tariff Act of 1930

The Commission and the U.S. Department of Commerce (Commerce) are responsible for conducting antidumping (AD) and countervailing duty (CVD) (subsidy) investigations and five-year (sunset) reviews. Commerce determines whether specific imports are dumped or subsidized, and if so, the margin of dumping or amount of subsidy. The Commission determines whether a U.S. industry is materially injured or threatened with material injury by reason of the imports under investigation. If both Commerce and the Commission reach affirmative final determinations, then Commerce will issue an antidumping duty order to offset the dumping or a countervailing duty order to offset the subsidy. (See Title VII, Tariff Act of 1930, 19 U.S.C. 1671 et seq.)

The Commission investigates unfair methods of competition and unfair acts involving imported articles, including infringement of U.S. patents, trademarks, and copyrights. If a violation is found, the Commission may issue a remedial order, most typically an exclusion order directing U.S. Customs and Border Protection to prohibit the importation of infringing articles. (See section 337, Tariff Act of 1930, 19 U.S.C. 1337)

Under section 332, the Commission investigates a wide variety of trade matters. Upon request from the President, the House Committee on Ways and Means, the Senate Committee on Finance, or the U.S. Trade Representative, or upon its own motion, the Commission conducts fact-finding investigations and prepares reports on matters involving tariffs or international trade. (See section 332 of the Tariff Act of 1930, 19 U.S.C. 1332)

The Commission, in cooperation with the Secretary of the Treasury and the Secretary of Commerce, establishes for statistical purposes an enumeration of articles imported into the United States and exported from the United States and seeks to establish comparability of such statistics with statistical programs for domestic production. (See section 484(f), Tariff Act of 1930, 19 U.S.C. 1484(f))

Trade Act of 1974

The Commission advises the President as to the probable economic effect on domestic industries and consumers of modification of duties and other barriers to trade that may be considered for inclusion in any proposed trade agreement with foreign countries. (See section 131, Trade Act of 1974, 19 U.S.C. 2151)

With respect to articles that may be designated as eligible for duty-free treatment when imported from designated developing countries, the Commission advises the President as to the probable economic effect on the domestic industry and on consumers of such designation. (See sections 131 and 503, Trade Act of 1974, 19 U.S.C. 2151, 2163)

The Commission conducts "safeguard" investigations under section 202 of the Trade Act of 1974 concerning whether an article is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing a like or directly competitive article. The Commission also conducts safeguard investigations under section 421 of the Trade Act of 1974 with respect to imports from China.

Omnibus Trade and Competitiveness Act of 1988

The Commission has responsibility, along with the Department of the Treasury and the Department of Commerce, to represent the U.S. government concerning the activities of the Customs Cooperation Council (now informally known as the World Customs Organization Council, or WCO) relating to the Harmonized System Convention and to formulate U.S. government positions on technical and procedural issues relating to the Convention. (See section 1210, Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3010)

The Commission is responsible for compiling and publishing the Harmonized Tariff Schedule (HTS), keeping it under review, and recommending to the President such modifications as it considers necessary or appropriate to conform the HTS with amendments to the Harmonized System Convention, to ensure that the HTS is kept up to date, and to alleviate unnecessary administrative burdens. (See section 1205, Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3005)

Trade Act of 2002

Under the Bipartisan Trade Promotion Authority Act of 2002, the Commission provides the President and the Congress with reports that assesses the likely impact on the U.S. economy as a whole and on specific sectors and the interests of U.S. consumers of trade agreements entered into with foreign countries. (See section 2104(f), Trade Act of 2002, 19 U.S.C. 3804(f)) The President's authority to enter into trade agreements with foreign countries under this act expired on June 30, 2007.

must also comply with growing federal standards regarding financial management and reporting, human resource functions, and personal and physical security. Lastly, the agency must meet in an era of increasingly more stringent standards the challenges of developing and protecting enhanced information technology (IT) systems that provide better information and analysis while improving customer access and reducing overall costs.

Mission

Consistent with its statutory mandate, the Commission makes determinations in proceedings involving imports claimed to injure a domestic industry or violate U.S. intellectual property rights; provides independent tariff, trade and competitiveness-related analysis and information; and maintains the U.S. tariff schedule.

Vision

Independently and objectively investigate unfair trade complaints by providing impartial administration of relevant trade laws and clear, analytically sound and legally correct decisions.

Enable informed policy decisions by providing Executive and Congressional customers accurate, timely, and insightful information and objective analysis of the evolving range of international trade matters through adaptive interdisciplinary industry, economic, legal, nomenclature, and regional expertise, utilizing enhanced skills and tools.

VALUES

Independence
Objectivity
Accuracy
Transparency
Timeliness

And its people are:

Expert
Innovative
Flexible

Stakeholder Engagement

The Commission has identified two mission-related strategic goals, as discussed below. These goals reflect the interests of its principal customers: the President, the USTR, and Congress, and thereby also serve U.S. industry, workers and the general public.

[In developing this Strategic Plan, the Commission consulted with Congress and the U.S. Trade Representative. The Commission also posted the draft Strategic Plan on its website for public comment.]
(Edit and add information, as appropriate.)

The Commission regularly, both formally and informally, provides outreach and solicits feedback from its key stakeholders. The Commission uses formal feedback tools such as Federal Register notices and surveys to solicit performance assessments and process suggestions from external customers and private parties. Commission staff also engage stakeholders at key points during the process of developing requested analysis and information, per agency protocols. Information received from stakeholders is regularly reviewed and integrated as necessary into process and communication improvement efforts. Regular stakeholder

engagement is also used to identify emerging areas of interest to Commission customers and the public. This stakeholder engagement and feedback is used to develop the Commission's strategic objectives and performance goals. Stakeholders have identified increasingly shorter response times, expanded research capacity and scope, expanded information needs, and improved facility in information access as important.

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Strategic Goal 1

Investigate and decide: Produce sound, objective, and timely determinations in investigative proceedings

Given the importance of international trade to the U.S. economy, Commission determinations in its investigative proceedings regarding imports can have significant impacts on competitive conditions, profitability, and employment in affected U.S. industries. The investigations also often involve products that are critical to U.S. productivity, innovation, and competitiveness. The investigations generally are requested by private sector entities operating in the United States and businesses may make important decisions as a result of Commission determinations.

The Commission is responsible for administering and applying U.S. laws concerning subsidized and dumped imports that injure a domestic industry, surges of fairly traded imports that injure a domestic industry, and imports that infringe a domestic intellectual property right or otherwise unfairly injure a domestic industry. U.S. laws, court decisions, and U.S. international obligations require the Commission to reach its determinations based on transparent procedures and a well-developed record. The Commission, and Administrative Law Judges in unfair import investigations under section 337 (which are most often intellectual property-based) must consistently engage in thorough investigation and sound fact-finding. The record in each investigation must be examined in an objectively unbiased manner, and the resulting determinations must be well-reasoned, timely, and consistent with the law. The Commission is challenged in these efforts by the increasing complexity of its investigations, the variable and increased case load, scrutiny by reviewing courts and tribunals, and resource constraints.

Timeliness is an important requirement in the Commission's investigations. Import injury investigations operate on statutorily defined timetables with deadlines for determinations that the Commission must meet. Moreover, Congress has directed that section 337 investigations be resolved "at the earliest practicable time after the date of publication of the notice of such investigation." The Commission must balance the competing goals of timeliness, due process, and sound determinations.

In developing the strategic objectives for this goal, the Commission drew on evidence developed during a 2011 review of its operations in section 337 investigations. One recommendation from the review was that the Commission develop and implement a tool to compile, analyze, and track information concerning these investigations both to provide for greater transparency and to use to effect programmatic changes to improve efficiency. The agency has nearly completed the development of this case management database and is already employing it in assessing possible operational improvements. The agency is in the process of extending this effort to cover its operations in import injury investigations.

Strategic Objective 1.1

Reliable Process: Conduct expeditious, efficient, and technically sound investigative proceedings

Maintaining a reputation for prompt, thorough, and independent investigations and decision-making is critical to retaining, as well as improving, confidence in Commission proceedings. Parties to Commission

investigative proceedings often represent a broad array of interests, and investigations involve many different industries and product markets. From single inventors (as in some section 337 investigations) and corporations with revenues of less than one million dollars, to the largest multi-national corporations with unions representing thousands of workers, parties to Commission proceedings seek reliable processes that ensure fair and timely decisions, consistent with applicable U.S. laws.

The Commission's governing statutes set specific deadlines for determinations in import injury investigations and require that section 337 investigations be resolved as expeditiously as possible. Timely decisions are critical to participants because legal uncertainties also create business uncertainties. Moreover, such concerns are particularly acute in investigations concerning rapidly evolving technologies that can make the products at issue obsolete in a few years. The Commission recognizes that the soundness and timeliness of its investigations must be appropriately balanced.

The Commission will employ several strategies to continue to provide an expeditious, efficient, and technically sound investigative and decision-making process. First, it will ensure that Commission determinations are based on sufficient record evidence. It will focus on feedback both from the agency's decision-makers, as well as the reviewing courts and dispute resolution panels, and look for opportunities for improvements. Such improvements may include enhanced employee development efforts, for example. Second, the Commission will monitor its ability to continue to meet external deadlines. It is the Commission's express intent to deliver all import injury reports by the statutory deadline and all court documents by mandated deadlines. The Commission also intends to make tangible progress towards shortening the average length of section 337 investigations. After a period of careful study of available historical data, including leveraging the Commission's recent investment in a comprehensive case management database, the Commission will adopt processes, procedures, or policies designed to improve the efficient resolution of section 337 investigations. The Commission will assess the outcome, and take further actions consistent with the successful measures. The Commission's pursuit of this objective may be challenged by budgetary constraints and because the Commission cannot control the number, timing, or breadth of the investigation requests that it receives and must respond to by statute. The agency's Commissioners are the ultimate decision-makers and finders of fact in its investigative proceedings. However, many offices throughout the agency make important contributions to the conduct of expeditious, efficient, and technically sound investigations. In the case of section 337 investigations, which are conducted pursuant to the Administrative Procedure Act, its Administrative Law Judges preside over hearings, take evidence, and make initial determinations. Other notable contributing offices include the Office of the General Counsel, the Office of Operations and its constituent offices; Offices of the Commissioners; and the Office of the Secretary. The active and engaged efforts of the agency's staff are a necessary element of the Commission's efforts to fulfill its statutory obligations.

The Commission recognizes that the goal of complainants is to obtain exclusion orders in section 337 investigations. While CBP is responsible for enforcement at the borders, effective enforcement can be enhanced by cooperation between the Commission and CBP. Therefore, the Commission will continue to engage with CBP to promote its effective enforcement of the Commission's orders.

Over the next several years, the Commission will focus on the following long-term performance goals to support this strategic objective. First, the Commission will institute measures designed to improve the timeliness of section 337 investigations and reduce the length of these investigations (which are concluded on

the merits) to timeframes consistent with the URAA implementing report.² The Commission will also complete ancillary proceedings within guidelines. The Commission will evaluate and improve the efficiency of key labor-intensive investigative processes (e.g., questionnaire data processing, collection of lost sales and lost revenue data). Finally, the Commission will continue to institute measures designed to limit the costs to parties of participating in its proceedings.

Strategic Objective 1.2

Clear Proceedings: Promote transparency and understanding of investigative proceedings

The Commission recognizes the benefit to stakeholders in import injury and section 337 investigations of greater access to information that is relevant to Commission decision-making. The stakeholders can include parties to an investigation, their business partners, other market participants, the general public, other federal agencies, Congress, and foreign governments.

Promoting transparency and understanding of Commission proceedings reflects the overriding principle of public access to agency information. For example, most section 337 investigations are governed largely by the Administrative Procedure Act, which incorporates the concepts of due process and notice and opportunity to be heard. Similarly, import injury investigations require both public notice and, in most cases, public staff conferences and/or hearings, and result in the publication of determinations, Commission opinions, and public staff reports. Additionally, continued transparency of the Commission's investigations and procedures will facilitate private sector utilization of these statutory provisions.

The Commission will continually seek to promote greater transparency and understanding of its investigations by ensuring that accurate public information is easily accessible as soon as practicable. This can be accomplished by employing strategies such as improving access to public versions of relevant Commission documents and statistical information, by conducting public outreach, and by ensuring that its employees and officials remain current and knowledgeable about its investigative processes and procedures. The aim of providing complete information, however, must be balanced against the legal requirement to protect business proprietary and confidential business information from disclosure. Such protection is also necessary to ensure that individuals and entities will be willing to provide this necessary information in future investigations. Because information is provided to the Commission by the parties or others (e.g., third parties, industry participants through surveys or questionnaires), the Commission must often thoroughly review the public portion of its record or seek approval of the information provider before making its reports public. Thus, the timeliness of publishing information is not always within the Commission's control.

Many offices contribute to ensuring that the Commission's determinations and decision-making are transparent, and contribute to the understanding of its proceedings. These include the Commissioners and their staffs; the Office of the General Counsel; the Office of Operations and its constituent offices; the Office of the Secretary; and the Office of Administrative Law Judges. The active and engaged efforts of the agency's staff are a necessary element of the Commission's efforts to fulfill its statutory obligations.

Over the next several years the Commission will pursue one long-term performance goal to support this strategic objective. The Commission will seek to leverage existing and developing technologies to improve the

² S. Rep. No. 103-412, at 119 (1994).

flow of information to interested parties and the general public. Activities such as completion of comprehensive databases on investigation information and enhancing information available to the public on the agency's website will promote both transparency and a greater understanding of Commission activities.

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Strategic Goal 2

Inform: Produce objective high-quality, responsive tariff, trade and competitiveness-related analysis and information

Policymakers require high quality information to evaluate complex trade-offs between competing policy goals and to inform and support decision-making. To fulfill its mission, the Commission must independently provide the highest caliber of information and analysis to U.S. policymakers in a timely manner to assist them when they are securing benefits to the United States in trade negotiations and when they enact legislation or take other policy actions that affect the U.S. economy and industry competitiveness.

The Commission has numerous statutory responsibilities to provide advice, analysis, data and other information, and reports to the Congress, the President and USTR. In response to U.S. policymakers' requests, the Commission and its staff provide objective independent information and analysis on numerous topics, both through formal investigations and informal expert advice. The Commission's unique capability to collect, develop, and synthesize primary information and provide multidisciplinary analysis supports the development of well-informed trade policy. To ensure the development and maintenance of requisite technical expertise to fulfill its statutory requirements, the Commission also identifies priority research areas related to international trade, industry competitiveness, and the U.S. and global economies.

The Commission publishes and maintains the Harmonized Tariff Schedule of the United States (HTS), which serves as the basis for the collection of customs duties, the compilation of trade data, and the formulation of many trade actions. The Commission plays a significant role in the development of the international nomenclature for goods in trade and in drafting classification provisions at the national level. The Commission also guides the development of the statistical categories used to monitor trade. As a whole, the HTS is vital to U.S. businesses, government agencies, and others involved in trade that depend upon accurate, current tariff rates and useful trade data.

Strategic Objective 2.1

Timely: Deliver timely and accessible analysis and information

The Commission recognizes the importance to policymakers of receiving timely, accessible information to inform their decision-making. The Commission's customers expect the agency to adhere to statutory deadlines and requested delivery dates. For information to be accessible, it must be presented clearly, easily located and obtained by interested individuals, and in compliance with relevant regulations.

Timely updates to the HTS provide critical product-specific information for the public and are an integral part of other government agencies' work, as well as enable the accurate collection of tariff revenues. As technology and the global commercial environment change, the Commission will need to provide information to users in different ways. The Commission intends to actively develop and implement changes to ensure that the tariff information is accessible and transparent, and reflects current international nomenclature, as well as accurate and relevant national legal and statistical information.

Although some requested reports and maintenance of the HTS are recurring obligations, the number and subject of most requests for analysis and information are unpredictable and reflect evolving national policy priorities. Consequently, the Commission employs several strategies to ensure timely delivery of requested

products. Internal evaluations have pointed to the need to further develop information on the cost of conducting investigations to optimize resource allocation. Business process mapping, in conjunction with targeted IT investments, allow the Commission to refine its internal processes and improve the efficiency and effectiveness of product delivery. Enhanced compilation and analysis of such information will support evidence-based decisions to improve programmatic efficiency.

The Commission continues to develop and apply reliable IT solutions to improve the availability and functionality of Commission products. To be fully effective and fully utilized, the Commission's analysis, information, and expertise must be easily available and functional. Strategies to improve availability and functionality include the development of interactive electronic products—both those available on the agency's website, as well as those provided directly to policymakers. For instance, the Commission has recently committed significant resources to improve the accuracy of the electronic version of the HTS and its usefulness to other government agencies and the public.

This Strategic Objective is carried out by multifunctional teams drawn from across the Office of Operations. Other facilitating Commission offices include the Offices of the Chief Information Officer, the External Relations, and the General Counsel, as well as various administrative offices.

Over the course of this Plan, the Commission's long-term performance goals in pursuit of Strategic Objective 2.1 are to improve the utility of tariff and trade information and the efficiency of timely delivery of Commission products. The agency will accomplish this through utilization of new software or formats to improve functionality and access to products, and by identifying and implementing process improvements and controls.

Strategic Objective 2.2

Effective: Produce high-quality analysis and information and strategic insights to support the development of the U.S. trade agenda

In recent years, the nature of the requests from policy makers directed to the Commission has changed substantially, reflecting new and increasingly complex policy issues. These changes require the Commission to continuously improve and enhance its information collection processes and analytical methods, as well as the way it maintains and provides information. Commission research efforts must draw on the most current information and advanced analytical methods in order to respond to and anticipate customer priorities, emerging international trade issues, and shifting public policy priorities. These research efforts involve ongoing evaluation and development of new economic models and databases, enhancing analytical skills and knowledge regarding firm and industry behavior, and identifying new information resources and adopting new IT applications.

Many of the requests the Commission receives from policymakers cover areas or issues that are either new and have not been evaluated extensively by academics or policy analysts, or that deal with longstanding issues involving a complex array of views and analysis or that have limited publicly available data. Recent customer requests have encompassed emerging issues such as: 1) a richer representation of the development and competitive position of new industries, 2) a broader understanding of tariff and non-tariff barriers to U.S. exports, 3) a better treatment of the role of services and intangible goods in the global economy, 4) a more accurate estimation of the hard to quantify contribution of digital trade to the U.S. economy, and 5) the impact on U.S. exports of the infringement of intellectual property rights by some of its trading partners. Moreover, policymakers and others in the trade community also rely on the Commission to develop and

maintain accurate nomenclature information. Commission workload is subject to high degrees of volatility, unpredictability, and variety in scope and complexity. In addition, the agency's ability to meet its statutory requirements may be challenged by funding or staffing constraints, or an increase in regulatory or administrative requirements. Nevertheless, the changing nature of requests and emergence of new issues in international trade and industry competitiveness require a constant expansion of capabilities. The Commission must develop and maintain sufficient expertise to respond effectively to policymakers. This requires continuous acquisition of information, development of analytical tools, and investment in human capital. In addition, the supply of certain expertise and the extended period it often takes to develop the requisite technical and experiential knowledge requires long-term planning, thoughtful investment, and effective employee retention methods.

The Commission pursues a strategy of regular communication to gather information on customers' needs, to inform customers of its capabilities and to seek feedback on its work. The Commission can therefore ensure that customer quality-related expectations are met, anticipate policymakers' needs, and proactively develop expertise and tools to meet requests for assistance. Under the direction of the Commission, staff also seek feedback and work to identify ways to improve the technical and creative insights of analytical reports.

This Strategic Objective is carried out by multifunctional teams drawn from across the Office of Operations. Other facilitating Commission offices include the Offices of External Relations, the Chief Information Officer and the General Counsel, as well as various administrative offices.

Over the course of this Plan, the Commission's long-term goals include

- developing and improving agency capabilities to provide effective and responsive analysis, data, and nomenclature services, and
- continually improving the Commission's capability to address new issues in trade and industry competitiveness such as non-tariff measures (NTMs) applied to goods and services, supply chains, and intellectual property rights (IPR).

To achieve these goals, the Commission will consult with its customers, regularly evaluate its economic and analytical capabilities to prioritize resources/efforts, and participate in international and other institutional efforts to identify and address trade-related measures such as NTMS and nomenclature.

Management Goal

Achieve agency-wide efficiency and effectiveness to advance agency mission

In order to deliver greater impact through increasing effectiveness and efficiency, the Commission has established a management goal and a set of management objectives. In addition, each year the Commission's Performance Plan addresses the major management challenges identified by the agency's Inspector General in his most recent semiannual report to Congress.

The management goal underlines the Commission's commitment to continuous process improvement and support for the Commission's strategic goals and mission. The three management objectives support the Commission's management goal in order to advance the agency mission in an efficient and effective manner. The objectives align with three functional areas: human resources; budget, acquisitions, and finance; and IT. Collaborative in nature, the management goal captures shared responsibilities for agency excellence on behalf of all who rely on the Commission to be efficient and effective guardian of its resources.

Management Objective 1

People: Recruit and develop flexible and capable human capital

The Commission recognizes that its workforce is the key to mission accomplishment. During the next five years, a substantial portion of the agency's workforce will be eligible to retire. In recent years, the agency's overall workload has grown in terms of quantity and complexity. To support the agency's strategic and management goals, while complying with the laws and regulations governing all of its functions, the Commission will need to focus on effective and efficient recruitment of diverse and flexible human capital. The Commission will also need robust succession planning and training in the necessary workforce skills that develop exceptionally competent and engaged managers, team leaders, and staff who understand and support the Commission's strategic and management goals. In response to the current external environment of extended budget uncertainty, the Commission believes it increasingly requires more flexible and adaptable staff with the ability to develop innovative solutions and improve existing processes to meet the mission. This must be accomplished while balancing the need, driven by the interests of our customers and the requirements of our work, to maintain expert knowledge of products, industries, nomenclature systems, analytic methods, countries, regions, and government policies, laws, and regulations affecting trade. The Commission also requires a diverse inventory of skill sets that can navigate between projects and among methodologies in support of the strategic goals. Finally, in an environment of increasing levels of internal and external reporting and government-wide management requirements and the prospect of new statutory obligations, it is especially critical to implement accurate, innovative, and efficient human capital management systems and processes that help to achieve the agency's strategic goals.

This Human Capital objective ensures that the right talent is recruited at the right time and developed for the right positions by attracting, developing, motivating, and retaining an exceptionally skilled and diverse workforce. The support and collaboration of all functional areas is necessary to develop office-specific recruiting, hiring, training, and retention plans.

When considering strategies to carry out this objective, the Commission considered internal factors that impact and are impacted by its human capital management as well as the external factors that shape the business environment in which the Commission carries out its mission. The Commission is globally recognized for making independent determinations in intellectual property and import injury proceedings and for providing complex analyses, as well as tariff and trade information. The Commission is determined to continue meeting its mission using efficient and effective management practices while complying with laws and regulations. As a steward of taxpayer money, this is the Commission's fiduciary duty. However, since the agency's mission can only be carried out through the support, dedication, and knowledge of its human capital, budget constraints can impact its ability to recruit and develop a flexible workforce. As such, failure to attract, develop, and retain the people necessary to perform the agency's mission may hinder the ability to achieve the agency's strategic goals and meet customer requirements. In consideration of these factors, the strategies to carry out this objective include, but are not limited to:

- Evaluate the Commission's human capital needs, implement processes that will enable the Commission to quickly recruit, develop, and retain an exceptionally qualified, diverse workforce best able to support the Commission's strategic goals
- Develop an integrated human capital and accountability plan and use the integrated plan to identify and fulfill current and future mission critical needs
- Develop recruiting, succession, and training plans that focus on developing technical skills in new and emerging areas

Over the course of this plan, the Commission plans to monitor the success of these strategies by setting measurable performance goals which will be tracked on an ongoing basis. These goals include, but are not limited to:

- Converting all human capital management paper processes to electronic processes and integrating existing electronic processes to increase efficiency and proactive customer service and decrease transaction times
- Ensuring that recruiting meets the 80 day end-to-end hiring timeline for relevant recruitment actions and customer service ratings within the Commission demonstrate broad satisfaction with the process

The support and collaboration of all functional areas is necessary to develop office specific recruiting, hiring, training, and retention plans.

Management Objective 2

Money: Provide good stewardship of taxpayer funds

The Commission must make effective use of limited resources to carry out its strategic goals. The Commission recognizes that sound and effective management of the budgetary, acquisition, and financial processes is essential to that effort. Stewardship of appropriated funds and financial oversight are fundamental to establish the accountability and transparency that taxpayers demand and the President has directed Federal agencies to improve, while maintaining and delivering high-quality services. Although always a top priority of the agency, careful management of taxpayer funds is even more important under current budget constraints.

In order to accomplish this objective, the Commission will continue to improve the areas of formulating and executing the agency's budget, directing acquisition activities, managing accounting operations, improving internal controls and identifying organizational risks. This management objective will promote consistency and integrity throughout the organization as the Commission must make effective and efficient use of limited resources. This management objective is built on the following delivery formula:

Identification of Essential Needs + Acquisition of Right Contracts to Provide Best Value + Proper Accounting of Resources = Good Stewardship of Taxpayer Funds

It is only possible to achieve this management objective through the support and collaboration of all functional areas entrusted to use public funds. The key strategies to implement this objective include:

- Evaluate the need for resources across agency activities, align funds to strategic goals and objectives through analysis and prioritization, and incorporate the information in budget preparations and execution
- Evaluate acquisition requests for alignment with the budget information and provide timely, accurate, and best value support
- Enhance the proper accounting of agency resources through improvement of financial internal controls and processes

Changes in funding level and other government-wide financial management requirements could affect the implementation strategy for this objective.

Managers throughout the agency are key process participants in budgetary, financial, and procurement functions. Additionally, meeting the objective will only be possible through partnership with staff of the Office of the Chief Information Officer and Office of Chief Administrative Officer.

A long-term performance goal in support of this objective is to maintain an annual unqualified financial audit opinion. This goal ensures the Commission's funding is fiscally monitored and accurately reported. The financial statement audit determines whether the financial statements are presented fairly in conformance with generally accepted accounting principles, internal controls over financial reporting and compliance with laws and regulations. This performance goal demonstrates the Commission's commitment to provide good stewardship of taxpayer funds.

Management Objective 3

Technology: Deliver high-performing networks and services

High performing IT services are critical to accomplishing the agency's mission. To support the Commission and government-wide goals and objectives, the Commission will continue to provide technology infrastructure, planning, consulting, acquisition, implementation, testing, security, and ongoing technical support.

The Commission will use human resources to focus on technology leadership, strategy, and project/vendor management. It will ensure that all IT activities align appropriately with priorities, strategic goals, and objectives both Commission- and Government-wide. It will communicate within the agency regarding IT activities and initiatives. Contracts will be managed consistently and aligned with IT initiatives and performance-based contracting will be utilized where appropriate. Finally, the agency will continuously advance communication, coordination, and service delivery to external and internal stakeholders.

The key strategies to implement this objective include:

- Implementing IT solutions and programs that align with the Commission's business environment, policy goals, and statutory requirements. This will be accomplished by providing structured management of information repositories in order to improve the integrity, delivery and usability of data; ensuring high availability of all network services; and upgrading the Commission's technical architecture to support the automation of business processes.
- Continuously evolving its risk-based information security program in order to protect information assets entrusted to the Commission. The agency's technical architecture will be managed to balance and optimize performance, security, availability, and accessibility.
- Enhancing the overall management of IT service delivery. This strategy will be addressed by communication with stakeholders regarding strengthening IT controls through effective policies and procedures.

To monitor the success of these strategies, measurable performance goals will be established and tracked. These goals include:

- Ensuring a robust security posture by successfully developing capabilities consistent with government-wide cybersecurity priorities during FY 2014 – FY 2018.
- Maintaining effective policies and procedures by creating, reviewing and updating all OCIO policies and procedures by December 2015. Meeting this goal will only be possible through partnership with other principal agency offices.

Cross-cutting Objective 1

Use feedback to improve agency operations and enhance employee and customer satisfaction

The Commission regularly seeks feedback from its customers and employees on specific aspects of its operations. The agency uses results from the Federal Employee Viewpoint Survey (FEVS) among other sources of information as input to prioritize improvements in the operations of the agency.

The Commission also seeks feedback from the public on the functionality and usefulness of information it provides through its website and web applications. Increasingly, the website is the primary vehicle for provision of information to the public. In addition, participants in the agency's various types of investigations increasingly make use of the Electronic Docket Information System (EDIS)—a web application used both for submissions to the Commission and for information access. The Commission uses the feedback it receives to prioritize efforts to improve web-based content and the functionality of the systems accessed through it.

Performance goals that support this objective include continuously improving agency results as measured by the FEVS through FY 2018 and making improvements to the Commission's website and web applications that respond to user feedback and lead to higher user satisfaction.

Cross-cutting Objective 2

Improve the resource and performance management capabilities of Commission managers

The Commission has made great strides in improving the management of its administrative and program operations over the past decade. To continue this effort, the agency continues to incrementally automate and consolidate its financial, administrative, and operational information. Over the next five years, the Commission's goal is to improve the resource and performance management capabilities of agency managers by implementing an integrated enterprise management system to enhance overall agency efficiency and effectiveness.