



United States  
International Trade Commission

Annual  
Performance  
Plan,  
FY 2022–23 and  
Annual  
Performance  
Report, FY 2021



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# Abbreviations and Acronyms

Acronyms	Term
AD/CVD	antidumping/countervailing duty
ALJ	Administrative Law Judge
AMCA	American Manufacturing Competitiveness Act of 2016
ATO	Authority to Operate
CBERA	Caribbean Basin Economic Recovery Act
CBP	U.S. Customs and Border Protection (Department of Homeland Security)
CCM	Cost Center Manager
CDO	Chief Data Officer
CFO	Chief Financial Officer
CIO	Chief Information Officer
Commission	U.S. International Trade Commission
COR	Contracting Officer's Representative
DATA Act	Data Governance Board
DataWeb	Interactive Tariff and Trade Data System
DGB	Data Governance Board
EC	Office of Economics
EDIS	Electronic Document Information System
ER	Office of External Relations
ERM	enterprise risk management
FIN	Office of Finance
GC	Office of the General Counsel
GPRA	Government Performance and Results Act
HR	Office of Human Resources
HTS	Harmonized Tariff Schedule of the United States
ID	initial determination
IDS	Investigations Data System
IND	Office of Industries
INV	Office of Investigations
IT	information technology
MTB	miscellaneous tariff bill
MTBPS	Miscellaneous Tariff Bill Petition System
NAFTA	North American Free Trade Agreement
NTM	nontariff measure
OALJ	Office of the Administrative Law Judges
OARS	Office of Analysis and Research Services
OAS	Office of Administrative Services
OB	Office of Budget

Acronyms	Term
OCFO	Office of the Chief Financial Officer
OCIO	Office of the Chief Information Officer
OEOO	Office of Equal Employment Opportunity
OIG	Office of Inspector General
OP	Office of Operations
OUII	Office of Unfair Import Investigations
PALT	Procurement Action Lead Time
PMSPC	Performance Management and Strategic Planning Committee
PR	Office of Procurement
SE	Office of the Secretary
SSS	Office of Security and Support Services
TATA	Office of Tariff Affairs and Trade Agreements
TRAO	Trade Remedy Assistance Office
URAA	Uruguay Round Agreements Act
USITC	U.S. International Trade Commission
USMCA	United States-Mexico-Canada Agreement
USTR	U.S. Trade Representative
WCO	World Customs Organization
WTO	World Trade Organization

# Message from the Chair

I am pleased to transmit the U.S. International Trade Commission's ("Commission") Annual Performance Plan for Fiscal Year (FY) 2022-2023 and Annual Performance Report for FY 2021. These are structured around the Commission's strategic goals and their supportive objectives outlined in our FY 2022-2026 and FY 2018-2022 Strategic Plans, respectively. Specifically, this annual report documents the Commission's programmatic and management goals through FY 2023, our performance and accomplishments for FY 2021, and our challenges going forward.

The Commission has three long-standing, important statutory mandates: (1) investigate and make determinations in proceedings involving imports claimed to injure a domestic industry, violations of U.S. intellectual property rights, or other unfair methods of competition in connection with imported goods; (2) provide independent analysis and information on tariffs, trade, and competitiveness to the Congress and the President; and (3) maintain the Harmonized Tariff Schedule of the United States (HTS).

In carrying out these mandates, the Commission independently and objectively investigates unfair trade complaints, impartially administers the relevant trade laws, and helps the President and Congress make informed policy decisions by providing accurate, timely, and insightful analysis on an evolving range of international trade matters.

Congress also, on occasion, adds additional mandates to the Commission's mission. For example, the American Manufacturing Competitiveness Act of 2016, now expired, required the Commission to create and maintain an open and transparent process for consideration of petitions for duty suspensions and reductions. Recently, the United States-Mexico-Canada Agreement Implementation Act of 2020 required the Commission to conduct investigations and make determinations in response to petitions alleging material harm to the U.S. long-haul trucking industry due to increased competition from cross-border services provided by Mexican trucking firms in the United States.

## Key Accomplishments in FY 2021

In FY 2021, the Commission completed 67 antidumping and countervailing duty investigations and five-year reviews of existing orders under Title VII of the Tariff Act of 1930. In these proceedings, the Commission determines whether a U.S. industry is materially injured or is threatened with material injury, or whether the establishment of an industry is materially retarded, by reason of dumped or subsidized imports. The Commission also undertook two safeguard investigations, pursuant to the Trade Act of 1974. In a global safeguard investigation,

if the Commission determines that an article is being imported into the United States in such increased quantities as to be a substantial cause of serious injury or threat of serious injury to a domestic industry, it recommends a remedy to the President to address the injury and facilitate industry adjustment to import competition. Such investigations, while historically infrequent, experienced a surge in recent years. They are also more resource intensive than antidumping and countervailing duty investigations, requiring more data collection and remedy recommendations. In FY 2021, import injury investigations, including antidumping and countervailing duty and global safeguard investigations covered a variety of products across industries including: fresh, frozen, or chilled blueberries; utility scale wind towers; walk-behind snow throwers; organic soybean meal; raw honey; twist ties; phosphate fertilizer; mattresses; and passenger vehicle and light truck tires. In conducting these investigations, the Commission continued efforts to streamline proceedings and reduce the burden on the public by refining the use of electronic data collection.

The Commission also adjudicated 64 disputes under section 337 of the Tariff Act of 1930 during the fiscal year. In these disputes, the Commission determines whether imports have infringed intellectual property rights or injured a domestic industry through unfair competition or other unfair acts such as trade secret misappropriation. These investigations most frequently involve allegations of patent or trademark infringement. Allegations of copyright infringement, misappropriation of trade secrets, passing off, false advertising, and antitrust violations also can be litigated under section 337. These investigations are demanding, often involving multiple parties and claims. In FY 2021, these investigations covered a wide range of technologies and products including: mobile and wireless devices and other computer and telecommunications products; artificial eyelashes; stud finders; shingled solar modules; home security and HVAC systems; swabs used in medical testing; and decorative wood grain paper for use in furniture.

To support the development of informed trade policy pursuant to Section 332(g) of the Tariff Act of 1930, the Commission also provided high-quality economic modeling and analyses to the President and Congress to fill critical information gaps for policymakers during the fiscal year. In FY 2021, the Commission's investigations and reports under Section 332 covered a variety of analytically complex topics including: trade in COVID-19-related goods and challenges supplying these goods to the U.S. market; the economic impact of trade agreements implemented under Trade Authority Procedures; the conditions of competition for certain agricultural products, including raspberries for processing; the economic impact of illegal, unreported, and unregulated fishing; the potential effects of renewable energy commitments in Massachusetts; and volume two of a two-part request analyzing the global economic impact of missing and low pesticide maximum residue levels (MRLs).

The Commission also compiled a Preliminary Basic Edition for 2021 and the 2021 Basic Edition of the HTS. Between these HTS editions and the 2020 Basic Edition, the Commission made a total of 18 revisions to the HTS during FY 2021.

The Commission took important steps to ensure that we used taxpayer dollars efficiently in FY 2021. These measures included improvements to our information collection processes and analytic methods for investigations, resulting in continued timeliness of the Commission's determinations, despite a historically high caseload. The Commission also continued efforts to improve data management and, when appropriate, made underlying data and analytic tools available to the public. The Commission invested in information technology services to allow us to continue to effectively operate in a remote environment and facilitate the public's ability to continue engaging with the Commission, including the deployment of public e-service through the Commission's Electronic Document Information System. The Commission also continued enhancing our information technology security, human resources administration, and management of its financial resources. Going forward, the Commission will continue to develop additional ways to make information pertaining to our statutory investigations more readily accessible to the public.

In FY 2021, the Commission continued to apply enterprise-risk-management principles in our planning and budget formulation processes to improve the efficiency and effectiveness of its decisionmaking in these areas. Moreover, the Commission made strides in improving our data governance activities. The Commission's Data Governance Board developed enterprise-wide data governance policies covering data sharing, data quality benchmarks, and data quality plans. The Commission also expanded the release of data on our OpenData page.

During the past fiscal year, the Commission and its staff have excelled in carrying out our mission with independence, integrity, trust, and transparency. Despite the many challenges posed by the ongoing pandemic, maintaining a mostly remote workforce, and a historically heavy workload in all mission areas, the Commission met all of our statutory deadlines and received positive feedback from stakeholders. I expect the Commission to continue to provide high-quality, cutting-edge analysis of international trade issues to the President, Congress, and the American public, and to remain a highly regarded and independent expert that informs U.S. trade policy in the coming years.



Jason E. Kearns, Chair

February 2022

# FY 2022 and 2023 Annual Performance Plan and FY 2021 Annual Performance Report

The U.S. International Trade Commission's Annual Performance Plan is based on the FY 2022–FY 2026 Strategic Plan. This plan describes the specific performance goals and strategies we have laid out to make progress on our strategic goals and strategic objectives through FY 2026. Also included in this document is the Commission's Annual Performance Report for FY 2021, which is based on the agency's FY 2018–FY 2022 Strategic Plan. It compares our FY 2021 results with the performance goals we published in our FY 2021 Annual Performance Plan. Our planning process is carried out in accordance with the provisions of the Government Performance and Results Act of 1990 (GPRA), as amended by the GPRA Modernization Act of 2010, and related guidance from the Office of Management and Budget.

## Mission Statement

Investigate and make determinations in trade remedy proceedings; analyze and provide information on tariffs, trade, and competitiveness; update and maintain the U.S. tariff schedule; and execute the agency's mission with independence, integrity, trust, and transparency.

## Agency Information

### Overview

International trade and investment affect the U.S. and global economies and tariff and nontariff measures can influence the level and composition of global investment and trade. In addition, recent events have radically affected supply chains in the United States and abroad. Trade and investment policy changes can have significant local impacts on industries, workers, and consumers, affecting the overall economy. The Commission's statutory responsibilities in the trade arena are described below.

The Commission has specific responsibilities in the application of U.S. trade remedy laws. As the influence of trade in the U.S. and global economies has grown, the role we play in applying these laws to allegations of unfair trade has remained a key mechanism on which U.S. firms can rely to ensure foreign firms compete fairly in the U.S. market. Our timely completion of import

injury investigations contributes to the confidence of U.S. companies and workers in a fair and impartial international trading system. U.S. industries also value timely resolution of allegations of unfair acts in import trade, most often involving intellectual property disputes. We also assist U.S. Customs and Border Protection (CBP), as needed, to support effective enforcement of Commission orders to exclude unfairly traded imports.

By law, the Commission analyzes the many ways that changes in trade and competitiveness affect U.S. economic growth and employment, and the overall health of the U.S. economy. As an independent, nonpartisan agency, each year we fulfill our mandate to provide the House Committee on Ways and Means, the Senate Committee on Finance, the President, and, by delegation, the U.S. Trade Representative (USTR), with independent, objective, and timely analysis on trade and competitiveness issues. We deploy substantial expertise to supply objective, accurate, cutting-edge insights to Congress and the Administration. Commission reports explain and estimate the effects of policy changes on producers, consumers, workers, and the U.S. economy as a whole.

Since its founding in 1916, the Commission has had a major role in maintaining and analyzing the nation's tariff schedule. Since 1988, we have been responsible for maintaining the official legal document that specifies the tariffs, if any, that apply to all imported goods. We ensure that the tariff schedule is up to date and accurate, reflecting all implemented trade agreements. We also chair the interagency Committee for Statistical Annotation of the Tariff Schedules. These efforts facilitate international trade by contributing to efficient clearance of goods through the nation's 328 ports of entry, enabling the accurate collection of tariff revenues, and permitting the collection and reporting of the nation's trade statistics. In an environment of rapidly changing technology and products, our representation of the United States at the World Customs Organization and our timely maintenance of the U.S. tariff schedule serve to improve the quality of trade information.

Our key statutory responsibilities are shown in box 1.1.

**Box 1.1 Key statutory responsibilities**

**Tariff Act of 1930**

Under Title VII of the 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 imports under investigation 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, 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.)

Under section 337, 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 one or both types of remedial orders authorized by the statute. Exclusion orders direct U.S. Customs and Border Protection (CBP) to prohibit the importation of infringing articles. Cease and desist orders prohibit, among other things, the sale, marketing, or distribution 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 House Committee on Ways and Means, the Senate Committee on Finance, or the President, and, by delegation, the U.S. Trade Representative (USTR), or upon its own motion, the Commission conducts factfinding investigations and prepares reports on matters involving tariffs, trade, and competitiveness. (See section 332, Tariff Act of 1930, 19 U.S.C. § 1332.)

Under section 484, the Commission also cooperates with the Secretary of the Treasury and the Secretary of Commerce to establish statistical subdivisions of the Harmonized Tariff Schedule (HTS) for articles imported into the United States and seeks to ensure that these statistical subdivisions are compatible with domestic statistical programs. (See section 484(f), Tariff Act of 1930, 19 U.S.C. § 1484(f).)

**Trade Act of 1974**

At the request of the President, the Commission provides advice 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.)

At times, certain articles 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 designations. (See sections 131 and 503, Trade Act of 1974, 19 U.S.C. § 2151, 2163.)

The Commission conducts “safeguard” investigations under sections 201–204 of the Trade Act of 1974. The Commission conducts investigations under section 202(b) to determine 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. If the Commission finds serious injury or threat, it recommends to the President the action that would address the serious injury or threat thereof and be most effective in facilitating the efforts of the domestic industry to make a positive adjustment to import competition. The President makes the final decision on whether to take an action and, if so, the form, amount, and duration of the action. During the time that a remedy action is in effect, the Commission, under section 204(a)(1), monitors developments within the domestic industry and, under section 204(a)(2), may be required to provide a report to the President and the Congress on its monitoring. The Commission may also be required under section 204(a)(4) to provide advice to the President regarding a modification of the action and, under section 204(c), investigate to determine whether the action should be extended. After the action terminates, the Commission, under section 204(d), must evaluate the effectiveness of the action and submit a report to the President and the Congress. (See sections 201–204, Trade Act of 1974, 19 U.S.C. § 2252–2254.)

In addition, the USTR, following receipt of a request from a domestic industry that produces a perishable agricultural product or citrus product, may request the Commission to monitor and investigate imports of the concerned product under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)) for the purpose of expediting an investigation under section 202(b) of the Trade Act with respect to imports of such perishable agricultural product or citrus product. (See section 202, Trade Act of 1974, 19 U.S.C. § 2252.)

**Omnibus Trade and Competitiveness Act of 1988**

The Commission is responsible for compiling and publishing the HTS and for keeping it under review. The Commission is also responsible for recommending to the President modifications it considers necessary or appropriate to conform the HTS with amendments to the HS Convention, to ensure that the HTS is kept up to date, and to relieve unnecessary administrative

burdens. (See section 1205, Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. § 3005.)

Along with the Departments of Treasury and Commerce, the Commission is responsible for representing the U.S. government concerning the activities of the World Customs Organization Council (WCO) relating to the Harmonized System (HS) Convention covering the international classification of traded goods. We also work with the Departments of Treasury and Commerce 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.)

**Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

Under the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, the Commission provides the President and the Congress with reports that assess the likely impact of trade agreements entered into with foreign countries, such as the USMCA. The President's authority to enter into trade agreements expired on June 30, 2021. Section 105(f) of the Act required the Commission to submit to the House Committee on Ways and Means and Senate Committee on Finance two reports, one in 2016 and a second in 2021, on the economic impact of trade agreements with respect to which Congress has enacted an implementing bill under trade authorities' procedures since January 1, 1984. (See section 105(c), Bipartisan Congressional Trade Priorities and Accountability Act of 2015, 19 U.S.C. § 4204.)

**American Manufacturing Competitiveness Act of 2016**

The American Manufacturing Competitiveness Act of 2016 (AMCA) established a process under which the Commission, in accordance with a procedure and timetable set out in the statute, would request and receive petitions for temporary duty suspensions and reductions, seek public comment on petitions received and input from the Department of Commerce and U.S. Customs and Border Protection, and place each of the petitions into one of six categories based on the requirements of the Act.

The statute authorized two petitioning cycles, with reports due to the House Committee on Ways and Means and Senate Committee on Finance in August 2017 and August 2020, respectively. A miscellaneous tariff bill based on the Commission's first report was enacted in 2017 and expired at the end of 2020. No bill has been enacted in response to the Commission's 2020 report. (See AMCA, 19 U.S.C. § 1332 note.)

**United States-Mexico-Canada Agreement Implementation Act**

The United States-Mexico-Canada Implementation Act provided new responsibilities for the Commission:

Under section 322 of the United States-Mexico-Canada (USMCA) Implementation Act, the Commission must conduct investigations and make determinations with respect to whether grants of authority, received or requested by Mexican trucking firms or drivers to provide long-haul trucking services in the United States, cause or threaten to cause material harm to U.S. long-haul trucking firms and drivers. (See section 322, USMCA Implementation Act, 19 U.S.C. § 4501 note)

Section 202(A) of the USMCA Implementation Act created special rules for automotive goods. That section created an interagency committee, of which the Chair of the Commission is a member, that advises on and reviews matters concerning the USMCA automotive rules of origin. The Commission also is tasked with preparing biennial reports concerning the economic impact of those rules of origin. (See section 202(A) of USMCA Implementation Act, 19 U.S.C. § 4501 note)

# **Organizational Structure**

## **Commissioners**

The USITC is headed by six commissioners, who are nominated by the President and confirmed by the U.S. Senate. Jason E. Kearns, a Democrat, is serving as Chair of the Commission for a term ending June 16, 2022. Randolph J. Stayin, a Republican, is serving as Vice Chair for a term

ending June 16, 2022. Other commissioners currently serving are, in order of seniority, David S. Johanson, Rhonda K. Schmidlein, and Amy A. Karpel.<sup>1</sup>

Each commissioner serves a term of nine years, unless appointed to fill an unexpired term. The terms are set by statute and are staggered such that a different term expires every 18 months.<sup>2</sup> A commissioner who has served for more than five years is ineligible for reappointment. A commissioner may, however, continue to serve after the expiration of his or her term until a successor is appointed and qualified. No more than three commissioners may be members of the same political party. The Chair and the Vice Chair are designated by the President and serve for a statutory two-year term.<sup>3</sup> The Chair may not be of the same political party as the preceding Chair, nor may the President designate two commissioners of the same political party to serve as the Chair and Vice Chair. Currently three Democrats and two Republicans serve as commissioners.

## **USITC Staff**

Our staff is organized into offices designed to support our mission. These include:

- Office of Administrative Services (OAS), and its subordinate Offices of the Secretary (SE), Human Resources (HR), and Security and Support Services (SSS);
- Office of Equal Employment Opportunity (OEOO);
- Office of External Relations (ER);
- Office of Inspector General (OIG); and
- Office of Internal Control and Risk Management (OICRM);
- Office of Operations (OP), and its subordinate Offices of Investigations (INV), Industries (IND), Economics (EC), Tariff Affairs and Trade Agreements (TATA), Unfair Import Investigations (OUII), Analysis and Research Services (OARS), and Trade Remedy Assistance (TRAO);
- Office of the Administrative Law Judges (OALJ);
- Office of the Chief Financial Officer (OCFO), and its subordinate Offices of Budget (OB), Finance (FIN), and Procurement (PR);
- Office of the Chief Information Officer (OCIO);

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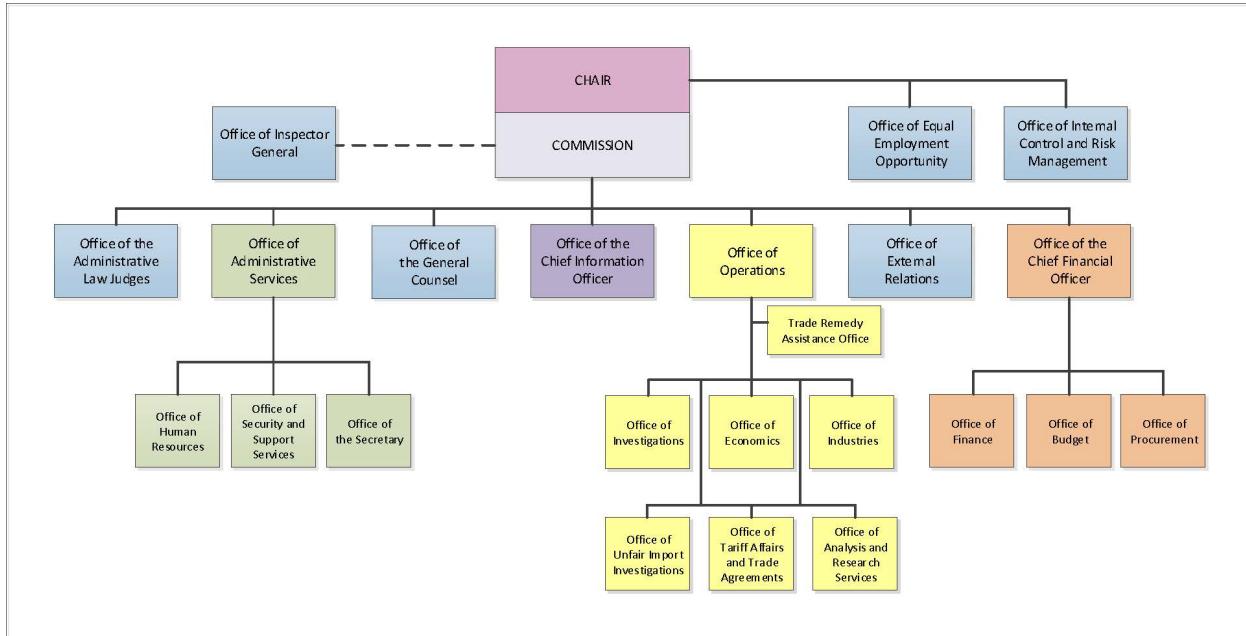
<sup>1</sup>Currently, there is one vacancy.

<sup>2</sup>19 U.S.C. § 1330.

<sup>3</sup>If the President does not designate a Chair, the most senior Commissioner of the relevant political party becomes Chair by operation of law.

- Office of the General Counsel (GC);

See appendix A for more information on the individual offices of the USITC.



## Major Management Priorities, Challenges, and Risks

The Commission recognizes the importance of improving the use of agency resources by including a strategic goal focused on effective and efficient management—to “execute and advance organizational excellence”—in its FY 2022–FY 2026 Strategic Plan. The plan highlights five priority areas: human resources, financial management, information technology, data, and operational effectiveness. Our priority areas and specific annual performance goals align well with various government-wide initiatives such as improving mission-support operations, strengthening cybersecurity, enhancing enterprise risk management, and ensuring open data. The Commission’s Office of Inspector General (OIG) has identified managing data and internal controls as management challenges, and, as such, they are also priorities for the Commission.

Properly managed data are essential for the development of timely, reliable, and accurate reporting. Properly designed reports with relevant and timely information serve to help effectively manage day-to-day operations, support the decision-making process, evaluate performance, and communicate information across the organization. The Commission has

identified and begun to implement systems that will automate and improve the effectiveness of the Commission's operations. These ongoing projects include developing an integrated data system that covers administrative data from import injury, unfair import, and factfinding investigations (IDS), improving the agency's Electronic Document Information System (EDIS), and continuing to refine the Harmonized Tariff Schedule (HTS) business processes and data management system. Furthermore, in connection with the second management challenge, the OIG noted that the Commission continues to recognize the importance of having strong internal controls and has taken action to address internal control weaknesses.

Several of the annual performance goals supporting our strategic goals are designed to address these challenges, by focusing on increasing access to various types of programmatic and financial data to support our managers' decision making, and continuing efforts to update and improve internal controls. In addition, IT management remains one of the agency's priorities with goals that focus on cybersecurity and IT services.

In FY 2021 the Commission made strides in improving its data governance activities. This last year, the Commission's Data Governance Board developed enterprise-wide data governance policies covering data sharing, data quality benchmarks, and data quality plans. The Commission also expanded the release of data on its Open Data page. The Chief Data Officer (CDO) and the Data Governance Board (DGB) continued a systematic assessment of agency data resources during the year. Additionally, the Commission continued to strengthen its cybersecurity posture, continued to upgrade our IT infrastructure, and made progress improving our reporting capabilities. We received our eleventh consecutive unmodified opinion from financial auditors operating independently under the authority of the OIG. In addition, we continued to strengthen our enterprise risk management efforts. In FY 2022, we expect to continue to improve access to program and financial data to provide more refined operational and financial management reports to agency managers.

The COVID-19 pandemic continued to pose a significant challenge during the fiscal year. The Commission continued primarily operating through telework: we were under a mandatory evacuation order until mid-June 2021, when we shifted to maximum telework. Agency leadership continued to maintain guidelines to ensure employee safety and developed protocols for a safe, methodical approach to a return to the building. Senior management also continued to develop and refine procedures for fully electronic processes. Previous investments in platforms to support video-teleconferences allowed the agency to continue public hearings and conferences for its statutory investigations; however, additional investments were required to

acquire a FedRamp certified videoconferencing platform for hearings involving confidential business information. Through the process of navigating pandemic-related disruptions to our operations and managing elevated workloads, the Commission also researched and identified better tools and strategies for efficiently and effectively carrying out its mission. However, many of these improvements require upfront investments to implement, including time spent training staff.

Limited resources, particularly in staffing, posed a significant challenge as our statutory workload increased significantly throughout FY 2021. Despite this increase and the challenges posed by COVID-19, the Commission met statutory deadlines for its import injury and factfinding investigations.

## **Reviews and Evaluations**

Each quarter, agency leaders and other senior staff review progress on our strategic and management objectives and identify and discuss enterprise risks. These reviews, along with the evidence related to specific performance goals and associated risks identified by our managers, inform the development of our Annual Performance Plan and Congressional Budget Justification. We continue to evaluate how to improve our planning and enterprise risk management (ERM) processes and how to make more effective use of the data we collect. During this fiscal year, the Commission implemented a new process for risk evaluation by delegating risks to the relevant Commission's Agency-wide Management Committees for discussion, review, and assessment. Committees provide information to the PMSPC on any changes to the risks and the PMSPC makes a final determination on risks, as they relate to the Top Agency Risks. This new process has resulted in a more in-depth analysis of risks and their importance to the Commission and its ability to meet its mission and achieve its performance goals. In addition, the efforts of the CDO and the DGB will further support the agency's ongoing efforts to more systematically use evidence to support planning and decision-making.

In FY 2021, we made progress on all strategic and management objectives. Appendix B describes our data sources for each of the strategic and management objectives, as well as our verification and validation process.

## Structure of the Report

The remainder of this report consists of two parts. Part 1 presents the Annual Performance Plan for FY 2022–FY 2023. It contains sections for the Commission’s three strategic goals:

- **Investigate: Conduct Reliable and Thorough Investigations**
- **Inform: Develop Sound and Informed Analyses and Determinations**
- **Perform: Execute and Advance Organizational Excellence**

Each section describes objectives and corresponding performance goals through FY 2023 along with the strategies used to make progress on these goals.

Part 2 presents the FY 2021 Annual Performance Report, which is organized by the strategic goals and management goal contained in the agency’s FY 2018–FY 2022 Strategic Plan. The sections highlight significant accomplishments, as well as areas in which we did not meet our annual targets, and list areas in which we will seek to improve performance in FY 2022 and FY 2023. Where possible and relevant, the sections provide historical performance information.

# Part 1: FY 2022 and 2023 Annual Performance Plan

## Strategic Goal 1

### Investigate: Conduct Reliable and Thorough Investigations

The Commission's investigations often involve products or industries that are critical to U.S. productivity, innovation, and competitiveness, and policymakers and businesses may make important decisions based on Commission analysis and determinations.

In its trade remedy proceedings, the Commission administers and applies U.S. laws concerning allegations of subsidized and dumped imports that injure a domestic industry, surges of imports that allegedly injure a domestic industry, and imports that allegedly infringe domestic intellectual property rights or are otherwise involved in unfair acts or methods of competition. U.S. laws and U.S. international obligations require the Commission to conduct thorough investigations and sound factfinding. The resulting determinations must be timely and consistent with the law.

Under its statutory responsibilities, the Commission also provides relevant and independent information, analysis, and data to the Congress, the President, and the United States Trade Representative on a timely basis to inform and support decision-making and policy to address increasingly complex trade and competitiveness-related issues. The Commission's specialized ability to collect, develop, and synthesize primary data and information and provide multidisciplinary analysis supports the development of sound trade policy. Achieving this goal in a timely manner assists policymakers with decisions related to trade negotiations, enacting legislation, or taking other policy actions that affect U.S. workers and the competitiveness of U.S. industries and the overall U.S. economy.

By statute, the Commission publishes and maintains the Harmonized Tariff Schedule of the United States (HTS), which serves as the legal basis for the collection of customs duties and the compilation of trade data. The HTS is vital to U.S. businesses, government agencies, and others involved in trade.

The increasing complexity of the Commission's investigations, the variable and increased case load, and resource constraints challenge the Commission's ability to complete investigations

and provide information and analysis in a timely manner. The Commission must balance the competing goals of timeliness, transparency, due process, and thorough and high-quality determinations and reports.

## **Strategic Objective 1.1**

### **Reliable: Conduct expeditious and transparent proceedings**

The Commission is charged with conducting timely and transparent proceedings. Our proceedings involve many different industries, product markets, and parties often representing a broad array of interests, from single inventors (as in some unfair import investigations) and corporations with revenues of less than one million dollars, to the largest multinational corporations and unions representing thousands of workers. All these groups benefit from Commission proceedings that are fair, timely, and transparent consistent with applicable U.S. law.

Expeditious, reliable decisions are critical to affected industries and policy makers. In import injury proceedings, timely decisions are critical to domestic industries who are injured due to unfairly priced or subsidized imports or surges of imports. The Commission will continue to advance data collection analysis tools and vehicles to collect information from and provide information to internal and external stakeholders to enhance participation in, understanding of, and reliability of the record for import injury investigations. In unfair import proceedings, timely decisions are critical because of the relief they provide industries injured by unfair trade and to avoid legal uncertainties created by prolonged litigation. In factfinding proceedings, timely investigations are critical to the policymakers trying to better understand the competitive conditions in markets being investigated or to prepare for negotiations. The Commission will continue to track and report the length of time it takes to complete various portions of unfair import injury investigations, including whether new techniques to shorten investigations are successful in reducing the overall length. The Commission reports on the timeliness of meeting our statutory requirements, and strives to act expeditiously in all of our proceedings.

Transparency is also critical to ensuring reliable proceedings. The Commission will work to expand public access to Commission documents and statistical information and to ensure that other stakeholders remain knowledgeable about its investigative processes and procedures. We have created performance objectives to promote greater transparency and a fuller

understanding of our investigations for all stakeholders by ensuring that accurate public information about our proceedings is easily accessible as soon as practicable.

The Commission is facing several challenges that may complicate achievement of this strategic objective in future years. These challenges include the increasing or sustained high levels of workload across the Commission's statutory responsibilities over the last several years. We cannot control the number, timing, or breadth of investigation requests or petitions we receive. By statute and regulation, we must respond to these requests and petitions and complete these proceedings within the statutory deadlines, requester-imposed deadlines, or the earliest practical date. In addition, budgetary uncertainty hampers the Commission's ability to enhance systems to increase transparency. There are also challenges and difficulties conducting proceedings due to external factors, such as lapses in funding or the COVID-19 pandemic. The Commission will continue to streamline information collection and further develop analytical tools to address the increased caseload and identify resources to increase overall productivity.

The leader for this strategic objective is the Director of the Office of Unfair Import Investigations (OUII).

The performance goals for this strategic objective are set forth in tabular form and then described below.

### **Performance goal 1.11<sup>4</sup>:**

Deliver 100 percent of import injury investigation determinations and reports to meet the statutory deadline

	FY 2022	FY 2023
Target (%)	100	100
Results (%)	Pending	Pending
Status	Pending	Pending

Performance indicator: Submission of Commission determinations and reports to Commerce.

During an ongoing import injury investigation, uncertainty exists for the industry and markets affected. Making timely determinations and meeting statutory deadlines can mitigate this uncertainty. Despite the statutory deadlines for import injury investigations, the Commission faces challenges to achieve this goal due to the substantial increase in import injury filings coupled with uncertain and bifurcated scheduling of many import injury final phase

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<sup>4</sup> This goal was Performance Goal 1.14 in the FY 2021 Annual Performance Report.

investigations. Resource constraints across the agency further challenged our ability to continue to meet these deadlines in FY 2022 and FY 2023.

## **Performance goal 1.12:**

Deliver 100 percent of statutory factfinding investigations to meet the deadlines set by statute or the requestor.

	FY 2022	FY 2023
Target (%)	100	100
Results (%)	Pending	Pending
Status	Pending	Pending

Performance indicator: Submission of Commission reports to Requester.

Goal 1.12 seeks to ensure the timeliness of the Commissions statutory factfinding investigations by requiring that every report is delivered to the requestor by the date as stated in the request letter or statute. Resource constraints, the increased complexity of investigations, and expanded policy priorities will make meeting statutory deadlines increasingly challenging in FY 2022 and FY 2023.

## **Performance goal 1.13:**

Prepare timeliness measurements and transparency goals, if warranted, related to any future reenactment of the AMCA.

	FY 2022	FY 2023
Target	Report outlining recommended performance goals for inclusion in FY 2023 APP	Implementation of and reporting out on new performance goals in 2023 APP
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Submission of report to Commission.

Performance Goal 1.13 is directed towards the possible reauthorization of the AMCA, which requires the Commission to review, investigate and make recommendation regarding providing tariff relief to aid domestic manufactures. This goal serves as a place holder for the Commission to consider regarding the timeliness of these proceedings and transparency consideration should the legislation be authorized in at the end of FY 2021 or in FY 2022.

## **Performance goal 1.14<sup>5</sup>:**

Conclude investigations into alleged section 337 violations within timeframes that are consistent with the Uruguay Round Agreements Act implementing report by FY 2026<sup>a</sup>

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<sup>5</sup> This goal was Performance Goal 1.11 in the FY 2021 Annual Performance Report.

	FY 2022	FY 2023
Target	15 months	15 months
Results	Pending	Pending
Status	Pending	Pending

<sup>a</sup> S. Rep. No. 103-412 at 119 (1994). The report states that “Under current law, the ITC must make its determination within one year (or 18 months in more complicated cases). . . Although the fixed deadlines for the completion of section 337 investigations have been eliminated, the [Senate Finance] Committee expects that, given its experience in administering the law under the deadlines in current law, the ITC will nonetheless normally complete its investigations in approximately the same amount of time as is currently the practice.” Based on the current composition of 337 investigations, the Commission determined that a 15-month average timeframe satisfies the intent of the Committee Report.

Performance indicator: Annual average length of investigations concluded on the merits.

Performance goal 1.14 is directed to enhance the timeliness of Commission final determinations by shortening the average length of section 337 investigations. Specifically, we are seeking to reduce the average length of these investigations to 15 months by FY 2026. This goal continues to be a challenge for Commission due to the sustained high level of active investigations and novel issues raised including types of unfair acts alleged, complex domestic industry analysis, and complex technology.

### **Performance goal 1.14(a)<sup>6</sup>:**

Shorten average time between section 337 Final ALJ Initial Determination (ID) and the Commission’s final determination

	FY 2022	FY 2023
Target	Average length of time between Final ID and completion of the Commission’s final determination is less in FY 2022 than it was in FY 2021	Average length of time between Final ID and completion of the Commission’s final determination is less in FY 2023 than it was in FY 2022
Result	Pending	Pending
Status	Pending	Pending

Performance indicator: Number of months between Final ID and the issuance of the Commission’s final determination.

### **Performance goal 1.14(b)<sup>7</sup>:**

Shorten average time between institution of investigation and issuance of final ID

	FY 2022	FY 2023
Target	Average length of time between the institution of an investigation and the issuance of the final ID is less in FY 2022 than it was in FY 2021	Average length of time between the institution of an investigation and the issuance of the final ID is less in FY 2023 than it was in FY 2022
Result	Pending	Pending
Status	Pending	Pending

<sup>6</sup> This goal was Performance Goal 1.11(d) in the FY 2021 Annual Performance Report.

<sup>7</sup> This goal was Performance Goal 1.11(e) in the FY 2021 Annual Performance Report.

Performance indicator: Number of months between institution of investigation and issuance of Final ID for investigations in which a final Commission determination on the merits has issued during the fiscal year.

Performance goals 1.14(a) and (b) allow the Commission and its stakeholders to assess in a more granular way whether process improvements need to be made to increase efficiencies to reduce overall target date length to meet Performance goal 1.14. Specifically, Performance goal 1.14(a) looks at the average time an investigation is before the Commission (the period between the Final Initial Determination and the Commission's Final Determination) and Performance goal 1.14(b) looks at the average length of time an investigation is before the Administrative Law Judge (the period between institution and the issuance of the Final Initial Determination). These time periods may be affected by many factors, such as number of active investigations, the overall Commission workload, novel or complex legal issues, and funding constraints.

### **Performance goal 1.14(c)<sup>8</sup>:**

Assess effectiveness of early disposition program and implement changes if appropriate

	FY 2022	FY 2023
Target	Information assessed; improvements implemented	Information assessed; improvements implemented
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Report on assessment of effectiveness.

### **Performance goal 1.14(d)<sup>9</sup>:**

Assess effectiveness of severing rules and implement changes, if appropriate

	FY 2022	FY 2023
Target	Complete assessment and implement changes, if warranted	Complete assessment and implement changes, if warranted
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Assessment; proposal.

Note: See the USITC's Annual Performance Plan, FY 2019–FY 2020 and Annual Performance Report, FY 2018, for previous goals designed to shorten average target dates.

Performance goals 1.14(c) and (d) assess the impact of two tools implemented by the Commission in rulemaking to assist with overall length of section 337 investigations tracked in Performance goal 1.14. In FY 2018, the Commission promulgated new rules regarding an existing pilot program whereby the Commission orders the ALJs to decide a potentially case-dispositive issue (an issue that would resolve the entire case) within the first 100 days of an

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<sup>8</sup> This goal was Performance Goal 1.11(b) in the FY 2021 Annual Performance Report.

<sup>9</sup> This goal was Performance Goal 1.11(a) in the FY 2021 Annual Performance Report.

investigation and severing investigations (*i.e.*, dividing one complaint into multiple separate investigations) when complaints involve multiple technologies or unrelated patents. For Performance goal 1.14(c), the Commission will assess whether the issue was dispositive and how placement in the early disposition program impacted the assigned ALJ's docket in terms of length of that investigation, the impact on other investigations on the ALJ's docket, and overall investigation length of all investigations. For Performance goal 1.14(d), the Commission will assess how and when these rules were used and whether there was an impact on caseload management and overall length of the investigation. These assessments may also include recommendations for improvements to these two programs, which would then be discussed and implemented if appropriate.

## **Performance goal 1.15<sup>10</sup>:**

Improve the timeliness of section 337 ancillary proceedings by meeting targets for or reducing the average length of ancillary proceedings as follows:

	FY 2022	FY 2023
<b>Enforcement</b>		
Target	12 months	12 months
Result	Pending	Pending
Status	Pending	Pending
<b>Federal Circuit remand</b>		
Target	12 months	12 months
Results	Pending	Pending
Status	Pending	Pending
<b>Consolidated ancillaries</b>		
Target	15 months	15 months
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Length of ancillary proceedings concluded on the merits.

Contextual indicator: Whether evidentiary hearing is held; whether matter needs to be delegated to the ALJ.

Performance goal 1.15 provides the public and parties with the Commission's goal for the average length of various ancillary proceedings (these proceedings occur after there has been a finding of violation and remedial orders have been issued) in unfair import investigations. Conducting these proceedings in a timely way is important to reduce the business uncertainty caused by these disputes, especially in markets where fast-changing technologies can quickly make products obsolete.

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<sup>10</sup> This goal was Performance Goal 1.12 in the FY 2021 Annual Performance Report.

## Performance goal 1.16<sup>11</sup>:

Individual offices complete their portions of section 337 modifications and advisory proceedings under the pilot program within specified timeframes

	FY 2022	FY 2023
<b>Modification: GC</b>		
Target	2–3 months	2–3 months
Results	Pending	Pending
Status	Pending	Pending
<b>Modification: OUII</b>		
Target	3–6 months	3–6 months
Results	Pending	Pending
Status	Pending	Pending
<b>Modification: ALJ</b>		
Target	6–9 months	6–9 months
Results	Pending	Pending
Status	Pending	Pending
<b>Advisory: GC</b>		
Target	2–3 months	2–3 months
Results	Pending	Pending
Status	Pending	Pending
<b>Advisory: OUII</b>		
Target	3–6 months	3–6 months
Results	Pending	Pending
Status	Pending	Pending
<b>Advisory: ALJ</b>		
Target	6–9 months	6–9 months
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Number of months to complete 337 modifications and advisory proceedings covered by the pilot program.

Performance goal 1.16 tracks the time particular Commission offices take to conduct such ancillary proceedings under the Commission's ancillary pilot programs. To reduce business uncertainty, the Commission initiated this pilot program to determine whether redesigned products are within the scope of a Commission remedial order under more expeditious timeframes for certain ancillary proceedings (advisory opinion and modification proceedings). The Commission will continue to track these time frames to determine whether the timeframes for modifications and advisories can be reliably reduced.

<sup>11</sup> This goal was Performance Goal 1.13 in the FY 2021 Annual Performance Report.

## Performance goal 1.17<sup>12</sup>:

Post information on import injury investigations within specific time frames

	FY 2022	FY 2023
Target	85% of information posted within 48 hours and 90% within 72 hours of issuance; evaluate changes to products and processes to conform to implementation of investigations data system.	85% of information posted within 48 hours and 90% within 72 hours of issuance; evaluate changes to products and processes to conform to implementation of investigations data system.
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Investigation-related information posted.

Making statistical and procedural information in import injury investigations available to the parties and the public promotes transparency. Prompt availability of investigative information enhances the ability of parties to participate in import injury proceedings, providing the Commission with a more complete record upon which to base sound determinations. Furthermore, rapid availability of information on deadlines, determinations, and scopes of investigations can help mitigate uncertainty for firms in the marketplace. This performance goal drives comprehensive information dissemination; we have set performance goals through FY 2023 to ensure that information about our investigations is available in a timely way. Successful implementation of import injury (Title VII) functionality in the new Investigations Data System (IDS) will provide consistent information access to parties and the public and may permit the retirement of this performance goal.

## Performance goal 1.18<sup>13</sup>:

Post documents to the Electronic Document Information System (EDIS) within specified timeframes

	FY 2022	FY 2023
<b>Import injury: 24 hours</b>		
Target (%)	85	85
Results (%)		
Status	Pending	Pending
<b>Import injury: 48 hours</b>		
Target (%)	95	95
Results (%)		
Status	Pending	Pending

<sup>12</sup> This goal was Performance Goal 1.22 in the FY 2021 Annual Performance Report.

<sup>13</sup> This goal was Performance Goal 1.25 in the FY 2021 Annual Performance Report.

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	FY 2022	FY 2023
Section 337: 24 hours		
Target (%)	85	85
Results (%)		
Status	Pending	Pending
Section 337: 48 hours		
Target (%)	95	95
Results (%)		
Status	Pending	Pending

Performance indicator: Percentage of documents posted.

This performance goal reflects the Commissions effort to improve the transparency of the documents filed in its trade remedy investigations. The Commission has set a goal to upload documents onto EDIS within certain timeframes so that interested parties may readily access them. There are challenges in meeting this goal including the continued high investigative workload in section 337, and substantial increases in investigative workload in Title VII.

### **Performance goal 1.19<sup>14</sup>:**

Post public versions of confidential section 337 final IDs and Commission opinions within specified timeframes

	FY 2022	FY 2023
Target	Average length of time to post public versions of confidential section 337 Final IDs and Commission opinions is 30 days or less	Average length of time to post public versions of confidential section 337 Final IDs and Commission opinions is 30 days or less
Result	Pending	Pending
Status	Pending	Pending

Performance indicator: Number of days between issuance of confidential Commission section 337 opinions and posting of the public version.

Like Performance goal 1.18, Performance goal 1.19 is directed to Commission efforts to promote transparency in its unfair import investigations. Commission Rules require the Commission to issue public versions of these decisions within 30 days absent good cause.<sup>15</sup> It is important to release public versions of Final IDs and Commission opinions in section 337 investigations in a timely manner to allow the public to understand the Commission reasoning for its determinations. Good cause may include delays caused by private parties' disagreement regarding whether some information is confidential. This goal ensures that we are meeting the requirement to issue these opinions in a timely manner.

<sup>14</sup> This goal was Performance Goal 1.26 in the FY 2021 Annual Performance Report.

<sup>15</sup> 19 CFR 210.5(f).

## **Strategic Objective 1.2**

### **Thorough: Engage the public, including stakeholders and experts, and collect all relevant data to inform and support investigations**

The Commission is committed to the rigorous examination and thoughtful assessment of the trade and competitiveness-related issues that come before it. This commitment extends across all mission areas and to stakeholders and the public at large, as well as to requestors and other key policymakers.

Substantive engagement and comprehensive information collection are fundamental characteristics of the Commission's adjudicative-focused and its factfinding activities and are essential to sound decision-making and preservation of the public trust. Regular engagement of U.S. and international legal and technical expertise ensures the accuracy and reliability of the HTSUS, thereby providing a sound basis for decision-making and compliance.

Public engagement and access to agency information and processes promote transparency and stakeholder understanding of Commission proceedings. The Commission regularly conducts outreach and solicits feedback from its requestors and key stakeholders. The Commission uses formal tools such as *Federal Register* notices, surveys, and briefings to solicit feedback and to identify emerging areas of interest from stakeholders and other private parties. The Commission allows the public to stay updated on its activities through the agency's website and mailing lists. Commission staff also engage stakeholders at key points during proceedings and in the process of developing requested analysis and information. Information received from stakeholders is regularly reviewed and integrated as necessary into investigation , as well as process and communication improvement efforts.

To maintain an environment that encourages public engagement as well as the collection of data relevant to that Commission's mission areas, the Commission has established a number of performance goals. The leader for this strategic objective and its collective performance goals is the Director of Investigations. The performance goals for this strategic objective are set forth in tabular form and then described below.

## Performance goal 1.21<sup>16</sup>:

Conduct outreach to bar groups and other stakeholders in import injury and unfair import investigations to ensure they understand Commission capabilities and processes.

	FY 2022	FY 2023
Target	Efforts made each quarter	Efforts made each quarter
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Outreach efforts.

Commission staff use regular outreach and other in-person (including remote) efforts to explain our investigative process to the public. For example, speaking at and attending conferences allow Commission staff an opportunity to discuss and answer questions about a variety of topics relating to import injury and unfair import investigations and procedures, thereby enhancing stakeholder engagement and operational transparency. Moreover, Commission staff have combined public outreach with efforts to broaden data collection, particularly in proceedings involving participants that are not familiar with the agency's investigative process.<sup>17</sup> These public outreach efforts will continue .

## Performance goal 1.22<sup>18</sup>:

Engage Commission requestors and other U.S. and international experts to enhance agency capabilities in order to inform and support analysis, data, and nomenclature services.

	FY 2022–FY 2023
Target	Briefings and meetings with requestor and non-requestor experts and stakeholders generate actionable feedback
Results	Ongoing
Status	Ongoing

Performance indicator: Feedback provided during briefings and meetings.

Other indicator: Share of delivered, Commission requestor requested products for which briefings are conducted.

Note: Prior to FY 2020, the goal was "Engage Commission customers and other U.S. and international experts to enhance agency capabilities in order to provide effective and responsive analysis, data, and nomenclature services." Similar changes were made to subsidiary performance goals designated "a" and "b" and "c".

Strategies employed to advance these goals include engaging directly with requestors and with interested stakeholders and experts. We engage policymakers, stakeholders, and other experts such as representatives from industries, unions, non-governmental organizations (NGOs), and academics on emerging issues to showcase Commission research, and to gain valuable

<sup>16</sup> This goal was Performance Goal 1.23 in the FY 2021 Annual Performance Report.

<sup>17</sup> Examples include the American Frozen Food Institute; the North American Blueberry Council; the United States Highbush Blueberry Council; and the Wild Blueberry Committee.

<sup>18</sup> This goal was Performance Goal 2.21 (with subsidiary goals a / b/ c) in the FY 2021 Annual Performance Report.

feedback on Commission products. This engagement includes meetings, presentations, seminars, and Commission roundtables. These discussions are essential to remaining informed on our requestors' priorities and helping us target Commission capacity-building efforts for future requests.

### **Performance goal 1.22(a):**

Engage Commission requestors on Commission work products, understand their priorities, and seek feedback for future Commission work.

	FY 2022	FY 2023
Target	Engagement with requestors related to Commission work product generates feedback; actions taken, as appropriate.	Engagement with requestors related to Commission work product generates feedback; actions taken, as appropriate.
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Feedback provided during briefings, meetings, and other engagements; actions taken.

### **Performance goal 1.22(b):**

Engage non-requestor experts and stakeholders to expand staff expertise, diversify knowledge base, and improve analytical tools to inform and support agency capabilities.

	FY 2022	FY 2023
Target	Engagement with academics, NGOs, industry representatives, and other experts on issues related to trade research and analysis; actions taken, as appropriate.	Engagement with academics, NGOs, industry representatives, and other experts on issues related to trade research and analysis; actions taken, as appropriate.
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Feedback provided during briefings, meetings, and other engagements; actions taken.

### **Performance goal 1.22(c):**

Engage requestors, industry experts, and other key stakeholders by hosting at least one trade issue roundtable as well as at least one additional event each fiscal year.

	FY 2022	FY 2023
Target	At least one roundtable and one additional outreach event held per fiscal year	At least one roundtable and one additional outreach event held per fiscal year
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Roundtables held.

## Performance goal 1.23<sup>19</sup>:

Issue regular feedback surveys to stakeholders to assess effectiveness and efficiency of Title VII investigation processes and procedures. Implement proposed new processes/procedures as appropriate.

	FY 2022	FY 2023
Target	Based on assessment of survey, update processes and/or procedures	Surveys issued, responses compiled, and assessed
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Survey issuance; process/procedure updates.

Title VII investigation participants can provide critical insight and feedback on how to best improve the agency's processes and procedures. In recent years, the Commission has collected feedback on preliminary-phase investigation activities, and subsequently modified pre-conference staff procedures to provide clearer communication between staff and counsel representing parties to Commission investigations, particularly with respect to the organization of staff conferences. We have solicited feedback on web- and extraction-enabled collection options across several vehicles used to obtain investigative information, and subsequently used this information to inform our development of requirements for the structure and features of the web-based portal for responses to notices of institution (e.g., ability to attach documents and comments, ease of usability, multiple access ability) and ongoing efforts to improve the questionnaire collection process. Most recently, to inform processes for future efforts for antidumping and countervailing duty investigation hearings and staff conferences, the Commission collected feedback on the benefits and challenges associated with its virtual hearings and conferences.

## Performance goal 1.24<sup>20</sup>:

Develop and implement an online vehicle and related processes to streamline the collection, analysis, and presentation of responses to notices of institution for sunset/review investigations.

	FY 2022	FY 2023
Target	Continue pilot project; assess and update requirements and process; transition to alternative collection vehicle and process	Evaluate the effectiveness of the pilot project. Modify and refine requirements as appropriate.
Results	Pending	Pending
Status	Pending	Pending

<sup>19</sup> This goal was Performance Goal 1.24 in the FY 2021 Annual Performance Report.

<sup>20</sup> This goal was Performance Goal 1.16 in the FY 2021 Annual Performance Report.

Performance indicator: Number of responses filed; options to reduce reporting burden

Under current practice, the notice of institution, issued at the outset of each five-year review, is issued as a multi-page *Federal Register* notice. Responses to this notice, in turn, are provided in paper or PDF format, but are not extractable. Transitioning from non-extractable hard-copy submissions to extractable submissions would reduce the reporting and processing burden associated with our current practice. This performance goal is designed to provide the basis for this transition.

Comprehensive external pilot testing of a new portal capable of accepting extractable submissions was delayed during FY 2021. In FY 2022, we intend to integrate the platform with existing internal record collection infrastructure, communicate the change to external parties, and externally test online data collection platform. We intend to assess the collection vehicle to identify potential improvement areas and utilize this information to make any updates necessary to expand implementation and use. Successful completion of this project will allow us to retire this performance goal.

## **Performance goal 1.25<sup>21</sup>:**

Complete development of electronic service of confidential documents by the end of FY 2022 to improve the flow of information to authorized parties

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FY 2022	
Target	Serve Commission confidential documents subject to Administrative Protective Order on the parties via electronic means
Results	Pending
Status	Pending

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Performance indicator: Confidential electronic service capability implemented and deployed.

Performance goal 1.25 is directed at improving the way in which the Commission serves documents on external parties in its various proceedings. Commission investigations involve a large number of documents from many parties, often coupled with fast-paced schedules. Electronic service via EDIS is a key component in providing efficient, expedient, and secure service of documents to parties. E-service will enhance the ability of parties to fully participate by ensuring that time-sensitive documents are available on a timely basis. It will also significantly improve our continuity of operations by alleviating the past practice of serving documents on physical media, while reducing the number of exposure points and risks associated with serving confidential business and proprietary information. Currently, the Commission anticipates completing this goal in FY 2022, but meeting this goal is dependent on

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<sup>21</sup> This goal was Performance Goal 1.21(b) in the FY 2021 Annual Performance Report.

budgetary funding. Without sufficient funding, advancement of electronic service of confidential documents will be postponed to future fiscal years. This goal is also addressed in Performance goal 3.44.

## Strategic Goal 2

### Inform: Develop Sound and Informed Analyses and Determinations

In recent years, changes in the global trading environment have brought new issues to the Commission's investigations and determinations, while policymakers have expanded the complexity and scope of analysis they have requested from the Commission. Policymakers need high-quality information to evaluate complex tradeoffs between competing policy goals and to inform and support their decision making. To fulfill its mission, the Commission must independently provide sound and informed analysis to U.S. policymakers, whether they are engaged in trade negotiations or considering legislation or other trade-related policy actions that affect the U.S. economy and industry competitiveness.

By law, the Commission is responsible for providing advice, analysis, data, and other information to Congress, the President, and the Office of the U.S. Trade Representative (USTR). In response to U.S. policymakers' requests or upon its own motion, the Commission supplies sound and informed analysis on numerous trade and competitiveness topics. Our unique ability to collect, develop, and synthesize primary information and provide multidisciplinary analyses supports the development of well-informed trade policy. To ensure that we develop and maintain the technical expertise needed to fulfill our statutory responsibilities, we also identify and pursue research on priority issues in international trade, industry competitiveness, and the U.S. and global economies.

The Commission is responsible for administering and applying U.S. laws concerning allegations of subsidized and dumped imports that injure a domestic industry, surges of imports that allegedly injure a domestic industry, and imports that allegedly infringe domestic intellectual property rights or are otherwise unfairly imported. 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.

In addition, we publish and maintain the Harmonized Tariff Schedule of the United States (HTS), which serves as the basis for collecting customs duties, compiling trade data, and formulating many trade actions. We play a significant role in developing the terminology used worldwide to classify traded goods ("trade nomenclature"). We also help U.S. businesses seeking U.S. classification information and guide the development of the statistical categories used to

monitor trade. Our staff provides advice to all involved agencies on the implementation of tariff-related actions under U.S. laws and ensures that such actions are properly reflected in the HTS. Our HTS-related work 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**

### **Sound: Apply innovative analysis and make objective determinations**

The Commission applies innovative analysis to address the requests we receive from policymakers that cover growing priorities in global trade, which often have not been evaluated extensively by academics or policy analysts. The requests may involve applying different analytic approaches and cover topics on which there is limited publicly available data. These circumstances require us to continually improve our expertise and enhance our information collection processes, analytical methods, and ways of maintaining and providing information.

The Commission is responsible for making objective determinations in trade remedy proceedings and ensuring the objectivity of its factfinding investigations. The active and engaged efforts of the agency's staff are necessary to produce objective work products and support expeditious, efficient, and technically sound decisions. Import injury and factfinding investigations typically are staffed with a multidisciplinary team of investigators, economists, industry and financial analysts, statisticians, and attorneys. The Commission must also develop and maintain expertise to respond quickly and effectively to policymakers and to petitions filed with the Commission. To continually strengthen its technical expertise, the Commission also identifies priority research areas related to new developments in trade, industry competitiveness, and the U.S. and global economies. To accomplish our mission, we must ensure appropriate acquisition of reliable information, development of analytical tools, and investment in human capital.

The Commission continues to advance data collection analysis to address the increasing levels of complexity in its investigations and to maintain record integrity essential to reliable and objective determinations. Complexity is driven by evolving industry structures, investigations involving a large number of subject countries, and new and emerging products and industries.

Statutory and requestor requirements drive our efforts to develop the knowledge and skills needed to anticipate policymakers' priorities, spot emerging international trade trends, and develop or adopt advances in analytical techniques and methods. These efforts include developing new economic models and databases, enhancing analytical skills and tools, examining firm and industry behavior, and finding and acquiring new information resources.

Moreover, policymakers and other members of the trade community rely on us to develop and maintain up-to-date HTS nomenclature information. This includes tariff-related trade actions under U.S. trade laws, some of which had not been used for decades until recently. Accurate tariff information is essential in collecting the correct duties and generating accurate information on U.S. trade flows.

The Commission's strategies for meeting these goals include remaining engaged with policymakers to understand their priorities and to prioritize strategic investment in analytic tools and staff skills based on its analysis of anticipated policy priorities and trade needs.

The leader for this strategic objective is the Director of the Office of Economics (EC).

The performance goals for this strategic objective are set forth in tabular form and then described below.

## **Performance goal 2.11<sup>22</sup>:**

Enhance capabilities to analyze priority issues in trade and industry competitiveness

	FY 2022	FY 2023
Target	Enhance capabilities to analyze priority issues such as: <b>1. Expand research on:</b> gravity modeling of trade and trade policy; the effects of the 2020 economic downturn on the U.S. economy; partial equilibrium and sector-specific analysis; impact of trade and trade policy on employment, wages, and their distributional effects; global supply chains; methods to assess industry competitiveness; NTMs affecting goods and services; foreign direct investment; China; and trade and climate change/environment. <b>2. Deepen expertise on trade agreement provisions, trade-related agreements, and U.S. trade relationships.</b>	Enhance capabilities to analyze priority issues such as: <b>1. Expand research on:</b> gravity modeling of trade and trade policy; partial equilibrium and sector-specific analysis; impact of trade and trade policy on employment, wages, and their distributional effects; global supply chains; methods to assess industry competitiveness; NTMs affecting goods and services; foreign direct investment; China; and trade and climate change/ environment. <b>2. Deepen expertise on trade agreement provisions, trade-related agreements, and U.S. trade relationships.</b>
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Priority areas identified and vetted.

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<sup>22</sup> This goal was Performance Goal 2.11(a) in the FY 2021 Annual Performance Report.

Note: Prior to FY 2019, the goal language was “building capacity to analyze new issues” rather than “improving capacity to analyze all issues.”

During FY 2022 and FY 2023, we will focus on enhancing our capabilities for assessing the effects of growing trade policy priorities. We will continue to focus on global supply chains, effects of trade on U.S. workers and its distributional effects, and cross-cutting trade issues such as the effects of trade on the environment.

## **Performance goal 2.12<sup>23</sup>:**

Incorporate new capabilities and improved analytical tools in statutory work products

	FY 2022	FY 2023
Target	70% of capacity-building research is reflected in statutory work products	70% of capacity-building research is reflected in statutory work products
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Share of staff research time reflected in statutory products.

Assessing the extent to which staff research is used in subsequent statutory work products allows us to manage resources more effectively. Because research is forward-looking, it often takes some time before it is applied in requested work, so we examine the application of our strategic research over a rolling 3-year window.

## **Strategic Objective 2.2**

### **Informed: Provide clear, relevant, and accurate information in Commission work product**

To fulfill its mission, the Commission must provide clear, relevant, and accurate information and analysis to its requestors and stakeholders in a timely manner. Clear and accurate information in Commission work product underpins the Commission’s reputation as an objective and unbiased adjudicator of import injury and unfair import proceedings and a reliable, objective, and independent provider of advice, analysis, data, and other information to the Congress, the President, and USTR. The Commission’s specialized ability and multidisciplinary approach to synthesize primary data and information, identify relevant

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<sup>23</sup> This goal was Performance Goal 2.12(a) in the FY 2021 Annual Performance Report.

information and present it clearly and accurately supports the development of well-informed trade policy.

The Commission continually seeks to improve public access to Commission documents and statistical information and the underlying data that support its products, subject to legal requirements to protect proprietary and confidential information. Its efforts to provide public access to underlying data and information contributes to greater transparency and understanding of Commission work product. The Commission has also developed and implemented the initial, internal release of what will be a public searchable database that compiles and tracks information concerning Commission investigations including import injury, unfair import, and factfinding investigations. The Commission is expanding its use of interactive graphics and other ways of improving the accessibility and availability of data used in Commission reports. The Commission continues to increase accessibility of work product through compliance with Section 508 of the Rehabilitation Act of 1973.

Under its statutory mandate, the Commission publishes and maintains the Harmonized Tariff Schedule of the United States (HTS), which is a system used to classify categories of imported goods and serves as the legal basis for the collection of customs duties and the compilation of trade data. The HTS provides critical product-specific information for the public and serves as an integral part of other government agencies' work, enabling the accurate collection of tariff revenues and data on trade flows. The Commission plays a significant role in maintaining and updating the HTS and the international Harmonized System (HS) nomenclature for traded goods, and in drafting classification provisions at the national level. The Commission also guides the development of the statistical categories used to monitor trade. To provide clear, relevant, and accurate tariff information, and enable the accurate collection of tariff revenues, the Commission will be focusing on enhancing the functionality of the HTS data management system (HTS DMS). Over the next four years, the Commission plans to improve the HTS DMS by upgrading its search capabilities to improve the accuracy and clarity of the information in the HTS DMS, which will benefit both internal users (for investigative work) and for external stakeholders (companies importing goods and other federal government agencies that rely on the HTS for their work).<sup>24</sup>

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<sup>24</sup> Improving HTS search and HTS data management is addressed in greater detail in performance goals 3.42, 3.43, and 3.44, from the perspective of data integrity, management, and governance.

The Commission strategies for meeting these goals include continuously assessing the accuracy and accessibility of Commission products and information as well as identifying tools and distribution strategies to enhance these products.

The leader for this strategic objective is the Director of the Office of Industries (ID).

The performance goals for this strategic objective are set forth in tabular form and then described below.

### **Performance goal 2.21<sup>25</sup>:**

Improve utility of tariff and trade information for requestors and the public by developing and producing digital and interactive Commission products

	<b>FY 2022</b>	<b>FY 2023</b>
Target	At least one new or updated digital or interactive Commission product available to requestors and the public	At least one new or updated digital or interactive Commission product available to requestors and the public
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: New digital or interactive Commission product produced for requestors and the public.

### **Performance goal 2.22<sup>26</sup>:**

Improve the accessibility and clarity of Commission factfinding investigations by providing underlying data and models when appropriate

	<b>FY 2022</b>	<b>FY 2023</b>
Target	Publish non-proprietary input data and source code that underlie Commission factfinding investigations completed in the fiscal year, for all investigations for which disclosure is appropriate	Publish non-proprietary input data and source code that underlie Commission factfinding investigations completed in the fiscal year, for all investigations for which disclosure is appropriate
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Information posted to the Commission's website.

Providing underlying information in our reports to the public increases credibility by providing clarity on information in Commission work products and supporting international economic research.

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<sup>25</sup> This goal was Performance Goal 2.22 in the FY 2021 Annual Performance Report.

<sup>26</sup> This goal was Performance Goal 2.24 in the FY 2021 Annual Performance Report.

## Performance goal 2.23<sup>27</sup>:

Improve 508 compliance of public information

	FY 2022	FY 2023
Target	Continue to develop templates or processes for additional types of public documents; use templates developed in FY 2020 to produce a wider range of 508 compliant documents	Continue to develop templates or processes for additional types of public documents; use templates developed in FY 2022 to produce a wider range of 508 compliant documents
Results	Pending	Pending
Status	Pending	Pending

Performance indicators:

- USITC.gov content analysis report
- Number of templates created for 508 conversions

Over the next two years, the Commission will continue its efforts to increase the accessibility of the written materials it provides the public by achieving full 508 compliance for all of its public documents. This supports its broader efforts to provide clear and accurate work products and customer service.

## Performance goal 2.24<sup>28</sup>:

Improve the accuracy of published version of the HTS

	FY 2022	FY 2023
Target	HTS updates are at least 98% error-free on publication	HTS updates are at least 98% error free on publication
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Identified and corrected information.

The accuracy of the HTS is of utmost importance to the trade community, other government agencies, and the public. The Commission is committed to improving its processes to better ensure its accuracy.

## Performance goal 2.25<sup>29</sup>:

Define, document, and implement the requirements to reengineer the HTS DMS and HTS Search<sup>30</sup>

<sup>27</sup> This goal was Performance Goal M1.44 in the FY 2021 Annual Performance Report.

<sup>28</sup> This goal was Performance Goal 2.13 in the FY 2021 Annual Performance Report.

<sup>29</sup> This goal was Performance Goal 2.14(a) in the FY 2021 Annual Performance Report.

<sup>30</sup> The HTS data management and search is addressed in greater detail in performance goals 3.42, 3.43, and 3.44, from the perspective of data integrity, management, and governance and future enhancements are part performance goal 3.44.

<b>FY 2022</b>	
Target	Develop and implement requirements for improvements to the HTS DMS and HTS Search by end of FY 2022
Results	Pending
Status	Pending

Performance indicator: Requirements documented; HTS system capability developed.

As noted earlier, the HTS is a critical resource for the trade community and other government agencies. Improving and upgrading the HTS DMS is integral to ensuring system reliability and accuracy for both internal users for investigative and research work and for external users, such as private companies and other government entities, for accurate tariff classification.

## **Performance goal 2.26<sup>31</sup>:**

Improve timeliness of tariff and customs information provided in response to emails submitted through online help system

	<b>FY 2022</b>	<b>FY 2023</b>
Target	97% of emails received through online help and search systems receive responses within 7 working days	97% of emails received through online help and search systems receive responses within 7 working days
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Email responses to HTS inquiries.

Performance goal 2.26 is directed to providing timely responses to users of the HTS to promote accurate use of the HTS by external entities. Subject matter experts are tasked with responding to email inquiries within seven days, but when there are high levels of work load this task becomes increasingly challenging.

## **Performance goal 2.27:**

Evaluate internal factfinding review processes and procedures and implement ways to make this process more efficient and effective through FY 2023

	<b>FY 2022</b>	<b>FY 2023</b>
Target	Evaluate factfinding review processes and procedures and make recommendations for improvements and implement those improvements as appropriate	Implement and evaluate improvements to the factfinding review processes and procedures and make recommendations for additional improvements as appropriate
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Factfinding process improvements identified and implemented.

<sup>31</sup> This goal was Performance Goal 2.23 in the FY 2021 Annual Performance Report.

Factfinding review processes and procedures play a crucial role in ensuring the relevance, accuracy, and clarity of Commission work product. As the Commission's factfinding investigations evolve in complexity, the review process has also expanded to screen for different issues. A comprehensive evaluation of the review process for efficiency and effectiveness will ensure an appropriate balance between preserving time for report development and providing a thorough, multidisciplinary review of the entire report for relevance, accuracy, and clarity.

## **Strategic Goal 3**

### **Perform: Execute and Advance Organizational Excellence**

The Commission is committed to continuous process improvement and support for the agency's strategic goals and mission. The five strategic objectives described below support our strategic goal of executing and advancing our mission by achieving organizational excellence. The objectives focus on: human resources; budget, acquisitions, and finance; information technology; data; and organizational effectiveness. The performance goals identified for FY 2022 and FY 2023 reflect our management priorities.

#### **Strategic Objective 3.1**

##### **People: Attract, develop, and retain a skilled, diverse, and versatile workforce**

To carry out our mission in a constantly evolving business environment, we must recruit, develop, and retain a diverse and versatile workforce sufficient in number to meet the demands of our increasing workload. Efficiency and effectiveness in all human capital management practices are vital to our ability to position ourselves as an attractive employer in a highly competitive labor market. Meeting service level agreements for hiring actions, providing accurate status reports, maintaining accurate and up-to-date records, and striving to maximize stakeholder satisfaction with human capital management practices contribute to optimal efficiency and effectiveness. We will continue to strive for improved performance in these areas. The Commission regularly seeks feedback from its requestors, stakeholders, and employees on various aspects of its operations. Among other information sources, we use results from the Federal Employee Viewpoint Survey (FEVS) to prioritize improvements to agency operations.

The Chief Human Capital Officer (CHCO) is the leader for this strategic objective and for each of the performance goals identified below. These include (1) institutionalizing the process for updating position description to facilitate prompt and effective hiring, (2) a Recruitment Working Group to develop strategies for increasing on-board staffing to meet record workload

levels, (3) developing and implementing a dynamic diversity, equity, and inclusion (DEI) program to promote employee engagement, (4) establishing an agency-wide intern program, consistent with DEI principles, that provides opportunity for permanent employment, and (5) sponsoring selected employees for participation in a variety of development programs.

Up-to-date and accurate position descriptions (PDs) are central to ensuring that the Commission can accurately evaluate and develop its workforce. Now that all General Schedule PDs have been updated, the Commission must maintain accurate PDs to facilitate prompt and effective hiring. This will require ongoing review of existing PDs by hiring officials and HR to ensure no PD is more than four years old. All PDs should be updated whenever they are used for a job announcement.

Commission workload is currently at record levels and shows no signs of abatement. Additional staff are needed in virtually all major areas. Departures and budget uncertainty have often offset hiring initiatives. Current and projected workload levels make it imperative to add staff resources in critical areas.

The Recruitment Working Group developed and implemented strategies to help the Commission achieve those goals. The expansion of staff resources provided an opportunity to expand outreach and other recruitment efforts to develop a more diverse workforce while ensuring mission accomplishment. Any future hiring initiatives can build on that progress. The Recruitment Working Group, in consultation with the Director of OHR, and with input from the Director of EEO, identified strategies to be employed agency-wide and by particular offices to improve the diversity of the applicant pool and, in turn, the diversity of the new group of hires. Progress occurred with respect to veteran hiring, previously an under-represented group. Targeted outreach to other underrepresented groups was combined with a nationwide recruitment strategy to ensure a diverse pool of applicants. Ensuring diversity in the group of people involved in hiring for each office helps to promote a diverse group of new hires. The Commission is implementing recruitment and retention incentives to increase diversity, such as a Student Loan Repayment Program (SLRP).

Regarding the existing workforce, there are presently two initiatives the Commission is pursuing to improve job skills and diversity of opinions and viewpoints. The Commission has committed to placing employees in internal and external details as well as providing employees with leadership development opportunities. To that end, the Commission sponsored eight internal detail opportunities for employees and sponsored three employees for leadership development

programs in 2021. The Commission will continue to strive to develop its workforce through detail opportunities and leadership programs to better support its mission.

Satisfaction with hiring practices and career development reflects the perception of the efficiency and effectiveness of our performance in those areas (performance goals S3.11, S3.12, and S3.14). Low satisfaction in any area signals a need for corrective action, whether by remedial efforts within HR or educational efforts with employees to ensure they are familiar with human capital management processes. Feedback from employees via intermittent and annual surveys helps us to see which facets of the hiring and career development processes employees are most concerned about, and therefore helps us focus our efforts to improve employee satisfaction. We will continue our efforts to elicit feedback from employees during the upcoming fiscal years to gauge satisfaction in hiring and career development.

### **Performance goal 3.11:**

Improve employee satisfaction and commitment to the agency as measured by the FEVS by achieving continuous improvement through FY 2023.

#### **Performance goal 3.11(a)<sup>32</sup>:**

Maintain agency results in specific areas measured in the FEVS

	FY 2022	FY 2023
Target	Set baseline based on results	Improvement over FY 2022 results
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: FEVS results.

#### **Performance goal 3.11(b)<sup>33</sup>:**

Improve results of bottom 20 percent of assessable offices as measured by the FEVS employee engagement index

	FY 2022	FY 2023
Target	Set baseline for identified questions that compose employee engagement index (EEI) for bottom 20 percent of assessable offices or aggregations of offices with too few responses to be listed separately.	5 percentage point improvement over FY 2022.
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: FEVS results.

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<sup>32</sup> This goal was Performance Goal M1.11(a) in the FY 2021 Annual Performance Report.

<sup>33</sup> This goal was Performance Goal M1.11(b) in the FY 2021 Annual Performance Report.

## Performance goal 3.12<sup>34</sup>:

Increase stakeholder satisfaction with the extent to which recruiting efforts bring in the right human capital in an efficient way

	FY 2022	FY 2023
Target	Set baseline based on results.	Improvement over FY 2022 results.
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: FEVS annual survey.

## Performance goal 3.13:

All hiring actions for permanent positions resulting in an acceptance of an offer meet service level agreements.

	FY 2022	FY 2023
Target	Meet 80% of overall service level of agreements	Improvement over FY 2022
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Signed service level agreement forms.

## Performance goal 3.14<sup>35</sup>:

Improve stakeholder satisfaction regarding opportunities for professional development to help retain human capital

	FY 2022	FY 2023
Target	Set baseline based on results	Improvement over FY 2022 results.
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Results of FEVS questions related to this area.

## Performance goal 3.15:

Foster an inclusive workplace environment by improving training and development opportunities through FY 2023.

### Performance goal 3.15(a)<sup>36</sup>:

Identify and implement developmental details within the Commission

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<sup>34</sup> This goal was Performance Goal M1.12 in the FY 2021 Annual Performance Report.

<sup>35</sup> This goal was Performance Goal M1.14 in the FY 2021 Annual Performance Report.

<sup>36</sup> This goal corresponds to Performance Goal M1.15(a) in the FY 2021 Annual Performance Report.

	FY 2022	FY 2023
Target	Provide at least 2 competitive opportunities for staff across the agency to apply for developmental details.	Provide at least 2 competitive opportunities for staff across the agency to apply for developmental details
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Number of Commission development details.

### Performance goal 3.15(b)<sup>37</sup>:

Sponsor opportunities for Commission staff to participate in a variety of leadership development programs

	FY 2022	FY 2023
Target	Sponsor at least three individuals at the Commission in FY 2022	Sponsor at least three individuals at the Commission in FY 2023
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Number of individuals sponsored by the Commission.

### Performance goal 3.15(c):

Develop and implement summer internship program

	FY 2022	FY 2023
Target	Develop and initiate program	At least one internship for each office with over 10 employees
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Program policy issuance and internship levels.

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<sup>37</sup> This goal was Performance Goal M1.15(b) in the FY 2021 Annual Performance Report.

## **Strategic Objective 3.2**

### **Money: Ensure good stewardship of taxpayer funds**

Financial oversight and stewardship of appropriated funds are fundamental to the accountability and transparency that taxpayers demand. Current and past administrations have directed federal agencies to improve their efforts in this area, to improve data management, and to deliver more and higher-quality services. To accomplish these objectives, we have created four performance goals: (1) assess the Commission's financial management operations, (2) maintain the efficiency and effectiveness of the acquisition process, (3) maintain an annual unmodified audit opinion on our financial statements, and (4) continually improve the budget process. The Chief Financial Officer (CFO) is the leader for this management objective and each performance goal.

The strategies to achieve these performance goals are as follows:

- Evaluate the structure of the Office of the Chief Financial Officer, and its systems (accounting, procurement, budget, and travel), practices, and policies, to determine if they are suited to meet the current and future needs of the Commission.
- Review our contract award processes and contract files on a quarterly basis to ensure that the Office of Procurement's acquisition process meets the needs of its customers in a timely way; that the files are accurate and complete; that the Commission's Contracting Officer's Representatives are properly trained and are faithfully carrying out their duties; and, transition from paper to electronic files.
- Ensure that financial controls are documented, implemented, and reviewed and refined on a regular basis in order to maintain an annual unmodified financial audit opinion, and to ensure DATA Act reporting is timely and accurate.
- Require managers to tie budget requests for personnel and non-personnel funding to projected workloads and provide linkage to performance planning.

The four goals described above and reflected in the tabular presentations below demonstrate our commitment to provide good stewardship of taxpayer funds.

## Performance goal 3.21:

Evaluate the structure of the Office of the Chief Financial Officer (OCFO), its systems, practices, and policies, to determine if it is suited to meet the current and future needs of the Commission, especially given the expected continued use of telework.

FY 2022–FY 2023	
Target	Determine if the structure, systems, practices, and policies of the OCFO are suited to meet the current and future needs of the Commission.
Results	Pending
Status	Pending

Performance indicators: Financial management reports that are fully consistent and timely; feedback is received from cost center managers and office directors on relevance of reports.

### Performance goal 3.21(a):

Analyze current OCFO structure, compare it to similar sized agencies, investigate and evaluate system offerings, review Commission policies, and align the foregoing with the operational needs and budgetary realities of the Commission.

	FY 2022	FY 2023
Target	Analyze existing OCFO office structure, systems, practices, and policies to determine what changes, if any, are needed to meet the needs of the Commission, and draw up change plans as appropriate	Begin to execute change plan within confines of budget
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Report our results of research and analysis, recommend changes and timelines by established deadlines, and begin to execute plans.

During FY 2022 the OCFO plans to analyze its existing structure, systems, practices, and policies to determine if they can meet the changing needs of the Commission going forward. Given that expanded telework is expected to be the future norm, this includes moving from paper to electronic files, automating manual processes, and determining if the current systems can support such changes. The OCFO will reach out to similar sized agencies and existing government-wide councils and committees and identify best practices. Assuming necessary changes are identified, an execution plan that is married to budgetary reality will be drawn up. During FY 2023, the plan will be executed.

## Performance goal 3.22<sup>38</sup>:

Maintain a high level of acquisition effectiveness and efficiency during FY 2022–FY 2023

<sup>38</sup> This goal was Performance Goal M1.22 in the FY 2021 Annual Performance Report.

FY 2022–FY 2023	
Target	Quarterly reviews and annual surveys indicate an effective and efficient acquisition process
Results	Pending
Status	Pending

Performance indicators: Timeliness and accuracy of procurement actions; customer feedback.

## Performance goal 3.22(a)<sup>39</sup>:

97% of procurement actions meet the Procurement Action Lead Time (PALT)

FY 2022		FY 2023
Target	Quarterly PALT reviews show that 97% of procurement actions meet the PALT	Quarterly PALT reviews show that 97% of procurement actions meet the PALT
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Share of procurement actions that meet the PALT.

## Performance goal 3.22(b)<sup>40</sup>:

Gauge satisfaction with procurement process, including efforts to incorporate suggestions/feedback into process, via internal surveys

FY 2022		FY 2023
Target	Maintain or improve satisfaction level relative to FY 2021	Maintain or improve satisfaction level relative to FY 2022
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Survey results.

## Performance goal 3.22(c)<sup>41</sup>:

Ensure that all agency Contracting Officer Representatives (CORs) have been properly trained and are maintaining proper COR files

FY 2022		FY 2023
Target	At least 90% of sampled COR files are maintained properly, and COR training is offered as needed	At least 90% of sampled COR files are maintained properly, and COR training is offered as needed
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Random Sampling of Contract Files

The Commission has made great strides in improving its acquisition processes over the last several years, and going forward the goal is to maintain our high level of effectiveness and efficiency. We plan to do so by keeping our stretch goal of 97 percent of procurement actions meeting the PALT, and at the same time surveying users to gauge their satisfaction with the process and the level of service they received. While meeting the stretch PALT goal is

<sup>39</sup> This goal was Performance Goal M1.22(a) in the FY 2021 Annual Performance Report.

<sup>40</sup> This goal was Performance Goal M1.22(c) in the FY 2021 Annual Performance Report.

<sup>41</sup> This goal was Performance Goal M1.22(d) in the FY 2021 Annual Performance Report.

significant, user's satisfaction with the process is in many respects even more important. We are also maintaining our goal of ensuring CORs are properly trained by offering COR training classes, sampling COR files for completeness and accuracy, and providing each COR supervisor input during the annual appraisal process on how the CORs performed their duties during the year.

### **Performance goal 3.23<sup>42</sup>:**

Maintain a robust system of financial management and internal controls to achieve an annual unmodified audit opinion on the agency's financial statements, with no material weaknesses

	FY 2022	FY 2023
Target	Unmodified audit opinion, no material weaknesses	Unmodified audit opinion, no material weaknesses
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Audit opinion on the agency financial statements.

The Commission has met its goal of obtaining an unmodified audit opinion for 11 consecutive years, the last several with no material weaknesses or significant deficiencies in the design and operation of internal controls over financial reporting. Thus, we are refining our goal by stipulating that, in addition to obtaining an unmodified opinion, our auditors would also not note any material weaknesses. To meet this goal, we constantly review, document, test, and refine our financial management practices.

### **Performance goal 3.24<sup>43</sup>:**

Maintain a budget process that broadly increases Commission participation and responsibility at all levels, and that clearly links budget formulation with performance planning

	FY 2022	FY 2023
Target	Managers at all levels project workloads; estimate and justify the personnel and other resources needed; and clearly link budget formulation to performance planning to provide justification for requests. Also ensure that any requests by Commissioners to amend /improve process are addressed.	Managers at all levels project workloads; estimate and justify the personnel and other resources needed; and clearly link budget formulation to performance planning to provide justification for requests. Also ensure that any requests by Commissioners to amend /improve process are addressed.
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Increased participation by managers in budget process; documentation to support resource requests.

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<sup>42</sup> This goal was Performance Goal M1.23 in the FY 2021 Annual Performance Report.

<sup>43</sup> This goal was Performance Goal M1.24 in the FY 2021 Annual Performance Report.

The Commission has developed a well-defined budget process over the past several years. Our goal is to ensure individual managers and the management committees continue to broaden their participation in the process. For example, managers must estimate and justify the personnel and non-personnel resources they needed based upon projected workloads; budget formulation must be linked to performance planning in the justification process; and the process will be evaluated to ensure it is as transparent and inclusive as possible.

## **Strategic Objective 3.3**

### **Technology: Implement reliable and secure systems that promote resilience, innovation, and efficiency**

The USITC is committed to providing reliable and secure systems to its entire user community. These systems must not only promote resilience, thus ensuring availability and accessibility, but must also provide for innovation and efficiency. These systems must be comprised of current technologies and promote business process improvements and improved usability. These solutions must also comply with federal mandates. To support this objective, the Commission continues to provide technology, security, infrastructure, planning, consulting, acquisition, implementation, testing, and ongoing technical support for all its IT services.

The Commission continues to modernize its infrastructure, improve systems availability and accessibility, advance the agency's cybersecurity posture, and improve its operating efficiency. The Commission accomplishes this by implementing cloud solutions, supporting mobile technology initiatives, utilizing commercially available solutions, and taking advantage of shared services, where applicable, while strictly adhering to a secure configuration throughout its architecture. The USITC recognizes the importance of effective information resources management and focuses significant effort and resources on addressing its needs in this area, including priorities contained in various federal initiatives.

Strategic Objective 3.3 is intended to ensure that IT resources support the USITC with performance goals for FY 2022 and 2023 that quantify how the Office of the Chief Information Officer (OCIO) intends to support this objective. The CIO is the leader for each performance goal related to this objective. Performance goal 3.31 strives to maintain a high level of delivery and support of IT services. We continue measuring the availability of core IT systems to ensure

they consistently support our mission ensuring the agency can conduct its operations with little to no impact on efficiency and capability. Performance goal 3.32 ensures agency IT security compliance with federal cybersecurity priorities. The OCIO continues to manage and mature its processes and procedures for implementing and maintaining security configuration baselines for workstations and servers (both Windows and Linux) throughout the enterprise.

Performance goal 3.33 focuses on the utilization of cloud services, where feasible, to promote resilience, innovation, and efficiency of business applications.

The performance goals for this strategic objective are set forth in tabular form and then described below. It is important to note that prior to FY 2022 this objective was M1.3, with corresponding performance goals M1.31, M1.32, and M1.34. This section has been renumbered from previous years to reflect its change to a strategic objective and associated formatting change. Previous years' metrics can be found in Part 2, under M1.3.

## **Performance goal 3.31<sup>44</sup>:**

Implement reliable IT solutions that promote resilience, innovation, and efficiency to better support the Commission's user community through FY 2023

FY 2022–FY 2023	
Target	Continuation of program
Results	See 3.31 (a)
Status	Pending

Performance indicators: Continued refinement of program for tracking percentage availability to users of IT systems that are important to internal and external customers.

## **Performance goal 3.31(a):**

Maintain availability of essential systems

	FY 2022	FY 2023
Target	Maintain system uptime of at least an average of 99.0% availability or meeting SLA for cloud-based services for all measured systems excluding scheduled maintenance.	Maintain system uptime of at least an average of 99.0% availability or meeting SLA for cloud-based services for all measured systems excluding scheduled maintenance.
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Percentage of availability to users of the following systems: Local Area Network (LAN), Remote Access, EDIS, HTS, and MS 365. Meeting SLA for Cloud Email service.

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<sup>44</sup> This goal was Performance Goal M1.31 in the FY 2021 Annual Performance Report and 3.31(a) corresponds to M1.31(a) in that report.

## Performance goal 3.32<sup>45</sup>:

Implement secure IT solutions that promote resilience, innovation, and efficiency to better support the Commission's user community through FY 2023

FY 2022–FY 2023	
Target	Priorities established annually
Results	Pending
Status	Pending

Performance indicators: Development of capabilities consistent with government-wide priorities.

### Performance goal 3.32(a)<sup>46</sup>:

Implement and verify secure configuration baselines on all new workstations and servers for 100% of baseline settings

	FY 2022	FY 2023
Target	Secure configuration baselines on 100% of new workstations and servers implementing 100% of baseline settings.	Secure configuration baselines on 100% of new workstations and servers implementing 100% of baseline settings.
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Scans of new production devices show 100% compliance of baseline settings upon delivery to production. Reported as a percent of number of new devices issued which are 100% compliant.

### Performance goal 3.32(b)<sup>47</sup>:

Ensure Commission information systems have a valid Authorization to Operate

	FY 2022	FY 2023
Target	100%	100%
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Number of Commission information systems with an ATO divided by the total number of Commission information systems.

### Performance goal 3.32(c)<sup>48</sup>:

Maintain and verify secure configuration baselines on all baselined workstations and servers for 99% of baseline settings

<sup>45</sup> This goal was Performance Goal M1.32 in the FY 2021 Annual Performance Report.

<sup>46</sup> This goal was Performance Goal M1.32(a) in the FY 2021 Annual Performance Report.

<sup>47</sup> This goal was Performance Goal M1.32(b) in the FY 2021 Annual Performance Report.

<sup>48</sup> This goal was Performance Goal M1.32(c) in the FY 2021 Annual Performance Report.

	FY 2022	FY 2023
Target	Secure configurations maintained on baselined servers and workstations. Approved deviations documented and validated. Compliance rate equal to or higher than previous reporting period.	Secure configurations maintained on baselined servers and workstations. Approved deviations documented and validated. Compliance rate equal to or higher than previous reporting period.
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Performance indicator will be improvement over the previous year's score.

## Performance goal 3.33<sup>49</sup>:

Utilize cloud services where feasible to promote resilience, innovation, and efficiency of business applications

FY 2022–FY 2023	
Target	Determined annually
Results	Ongoing
Status	Ongoing

Performance indicators: Identified services and infrastructure are fully migrated to the cloud provider.

### FY 2022

Implement cloud-based solutions identified in FY 2021

FY 2022	
Target	Implement priorities established at the end of FY 2021
Results	Pending
Status	Pending

Performance indicator: TBD.

### FY 2023

Implement cloud-based solutions identified in FY 2022

FY 2023	
Target	Implement priorities established at the end of FY 2022
Results	Pending
Status	Pending

Performance indicator: TBD.

Through its judicious management of IT resources and the implementation of new technologies, the Commission remains committed to implementing reliable and secure systems that promote resilience, innovation, and efficiency. Additionally, it will continue to meet all mandates, improve its security posture, and increase the availability of its systems.

<sup>49</sup> This goal was Performance Goal M1.34 in the FY 2021 Annual Performance Report.

## **Strategic Objective 3.4**

### **Data: Manage and leverage data as an asset**

Managing and leveraging data as an asset is critical to accomplishing the agency's mission. To support Commission and government-wide goals and objectives, the Commission will continue to enhance its data governance policies and practices. Data is essential to all of the Commission's work. These goals ensure a fully cohesive data-centered approach to supporting the agency's mission.

We recognize the importance of leveraging data as an asset and are focusing significant effort and resources on addressing our needs in this area, including priorities contained in various federal initiatives.

The Commission's strategic objective 3.4 is intended to ensure that data support our mission. We will use several strategies to meet this strategic objective and our performance goals quantify how the Chief Data Officer (CDO) intends to support this objective. The CDO is the leader for this strategic objective and for each performance goal.

Performance goal 3.41 strives to strengthen agency-wide data governance by establishing enterprise-wide strategies, objectives, and policies for managing data. A key strategy for this goal is to continue to update and expand the agency guidance on data governance.

Performance goal 3.42 seeks to advance the agency's strategic use of data by identifying priority questions of decision makers and deploying accurate, timely, insightful, and relevant information to answer them. A key strategy to accomplish this goal is to leverage technology to make information available to decision makers in the form and format that they need.

Performance goal 3.43 ensures data are leveraged as a strategic asset by making them discoverable. To do this the Commission is committed to ensuring that data assets are identified, described, documented, and inventoried.

Performance goal 3.44 strives to foster transparency by developing and deploying cutting-edge technologies to improve the flow of information; and develop controls to ensure data are appropriately protected from creation through destruction. It also helps improve data access, transparency, and protections by deploying appropriate data systems that safeguard data while making it discoverable. To do this data search and extraction tools must be maintained and periodically upgraded.

The performance goals for this strategic objective are set forth in tabular form and then described below.

## Performance goal 3.41:

Data governance guidance is issued that strengthens enterprise-wide data management through FY 2023

	FY 2022	FY 2023
Target	Priorities established annually	Priorities established annually
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Additions to the Data Governance Manual by the Data Governance Board.

## Performance goal 3.42:

To advance the agency's mission identify, maintain, and make accessible accurate, timely, and complete information necessary to answer priority questions through FY 2023

	FY 2022	FY 2023
Target	Priorities established annually	Priorities established annually
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Documentation of prioritization of key management questions, data systems documentation, and reports deployed.

## Performance goal 3.43:

### FY 2022–FY 2026

Core agency applications and administrative data systems are documented by FY 2026

	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Target	20 percent of the identified data systems are documented	20 percent of the identified data systems are documented	20 percent of the identified data systems are documented	20 percent of the identified data systems are documented	20 percent of the identified data systems are documented
Results	Pending	Pending	Pending	Pending	Pending
Status	Pending	Pending	Pending	Pending	Pending

Performance indicators: Meta data, inclusion in the managing data inventory, data quality plans, data glossaries, SOPs, data quality review practices.

## Performance goal 3.44:

### FY 2022–FY 2026

Ensure application database systems are continuously maintained and periodically upgraded

	FY 2022–FY 2026
Target	Develop and implement strengthened functionality, capacity, and security across core Commission database systems by FY 2026.
Results	Pending
Status	Pending

Performance indicators: Requirement's documentation; components developed or enhanced; tools developed and deployed; feedback collected and evaluated.

## Performance goal 3.44(a):

### FY 2022–FY 2026

Continuously improve core Commission database systems

#### HTS DMS/HTS Search<sup>50</sup>:

	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
Target	Develop and implement improvements to the HTS DMS and HTS Search	Evaluate the effectiveness of the implemented solution and document deficiencies.	Document requirements for improving the deployed solution addressing deficiencies.	Develop and implement improvements to the HTS DMS and HTS Search	Evaluate implemented functionality, capacity, and security.
Results Status	Pending	Pending	Pending	Pending	Pending
	Pending	Pending	Pending	Pending	Pending

#### DataWeb<sup>51</sup>:

	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
Target		Develop and implement improvements to DataWeb	Evaluate the effectiveness of the implemented solution and document deficiencies.	Document requirements for improving the deployed solution addressing deficiencies.	Develop and implement improvements to DataWeb
Results Status		Pending	Pending	Pending	Pending
	Pending	Pending	Pending	Pending	Pending

#### EDIS<sup>52</sup>:

	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
Target	Develop and implement improvements to EDIS	Evaluate the effectiveness of the implemented solution and document deficiencies.	Document requirements for improving the deployed solution addressing deficiencies.	Develop and implement improvements to EDIS	Evaluate the effectiveness of the implemented solution and document deficiencies.
Results Status	Pending	Pending	Pending	Pending	Pending
	Pending	Pending	Pending	Pending	Pending

#### IDS<sup>53</sup>:

	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
Target	Evaluate the effectiveness of the implemented solution and	Document requirements for improving the deployed solution	Develop and implement improvements to IDS	Evaluate the effectiveness of the implemented solution and	Document requirements for improving the deployed solution

<sup>50</sup> This goal was Performance Goal 2.13 and 2.14(a) in the FY 2021 Annual Performance Report.

<sup>51</sup> This goal was Performance Goal 2.22(b) in the FY 2021 Annual Performance Report.

<sup>52</sup> This goal was Performance Goal 1.21(b) in the FY 2021 Annual Performance Report.

<sup>53</sup> This goal was Performance Goal 1.21(a) in the FY 2021 Annual Performance Report.

	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
	document deficiencies.	addressing deficiencies.		document deficiencies.	addressing deficiencies.
Results	Pending	Pending	Pending	Pending	Pending
Status	Pending	Pending	Pending	Pending	Pending

Performance indicators: Requirement's documentation; components developed or enhanced; tools developed and deployed; feedback collected and evaluated.

## Performance goal 3.44(b)<sup>54</sup>:

Ensure integrity, delivery, and usability of USITC data assets by enabling access to 100% of the Commission's applicable major datasets using Open Data-compliant machine-readable formats.

### FY 2022–FY 2023

All new major systems deployed to production are Open Data compliant

	FY 2022	FY 2023
Target	Public data behind all new major systems deployed to production in FY 2022 will be available in machine-readable format and accessible on the USITC Open Data webpage	Public data behind all new major systems deployed to production in FY 2023 will be available in machine-readable format and accessible on the USITC Open Data webpage
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Availability of information systems providing Open Data.

## Strategic Objective 3.5

### Ongoing Operational Improvements: Evaluate and improve processes and communications

Operational effectiveness is about continually improving functional performance. To accomplish this, managers lead and control the functional activities within the agency, and continually measure and improve the processes for which they are responsible.

Strategies we will continue to use to meet this strategic objective include:

- using ERM to identify risks and establish priorities to inform agency decision makers
- refocusing available resources to support agency-wide policy development

<sup>54</sup> This goal was Performance Goal M1.33 in the FY 2021 Annual Performance Report.

- investing and modernizing our IT infrastructure and management systems

The Commission recognizes that resource constraints, unexpected external requirements, and other priorities may slow efforts to fully accomplish all its planned initiatives in the near future. However, we believe that recent developments—in particular, expanded IT capabilities both within and outside of the OCIO, and increased managerial focus on this and related issues—may mitigate these constraints.

In addition, the Commission is committed to maintaining a safe and secure operating environment for all its employees. We will continue to cultivate a culture of awareness of physical and personnel safety and security concerns. Strategies to promote physical and personnel safety and security include:

- Communicating important security information to promote employee confidence with the Commissions security posture
- Providing appropriate information regarding employee health and safety to address employee concerns about the Commission's working environment
- Providing agency-wide training for employees on security threats in FY 2021
- Maintaining progress on the Position Description Review Project while fully integrating the review of position risk and sensitivity designations into that periodic review

The leader for this strategic objective is the Director of Operations (OP). Appendix B provides information on the lead offices responsible for each of the performance goals supporting this strategic objective.

The performance goals for this strategic objective are set forth in tabular form and then described below.

## **Performance goal 3.51<sup>55</sup>:**

### **FY 2022–FY 2023**

Improve the efficiency and timely delivery of Commission products by evaluating and implementing improved processes of the agency through FY 2023

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<sup>55</sup>This goal corresponds to Performance Goal M1.41(a) in the FY 2021 Annual Performance Report.

## Annual Performance Plan and Annual Performance Report

	<b>FY 2022</b>	<b>FY 2023</b>
Target	Use internal and external performance audits, as well as performance management, ERM, budget and expenditure plan data, and annual Statement of Assurance reporting activities to identify agency processes most in need of improvement; evaluate and implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes	Use internal and external performance audits, as well as performance management, ERM, budget and expenditure plan data, and annual Statement of Assurance reporting activities to identify agency processes most in need of improvement; evaluate and implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Number of major processes identified; process improvements identified, implemented, and evaluated.

Over the next few years, the Commission will continue to focus efforts on improving the production and delivery of Commission products and identifying other operational improvements that can be made to agency processes. The Commission will use several methods such as internal and external performance audits, as well as performance management, Enterprise Risk Management (ERM), and annual Statement of Assurance reporting activities, and budget and expenditure plan data to identify areas most in need of improvement. The agency will also evaluate the effectiveness of the process changes to determine whether the changes resulted in expected improvements in the quality or efficiency of the agency's operations.

### **Performance goal 3.52<sup>56</sup>:**

Maintain an agency portfolio of enterprise risks through FY 2023.

	<b>FY 2022</b>	<b>FY 2023</b>
Target	PMSPC reviews 100% of identified risks at least on a quarterly basis	PMSPC reviews 100% of identified risks at least on a quarterly basis
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Quarterly top agency risk summary generated by the Performance Management and Strategic Planning Committee (PMSPC) for the Chair's review.

The Commission uses an ERM framework to manage risks and consider opportunities related to achievement of objectives. This framework allows the Commission to monitor risks in all areas of the agency and better ensure organizational efficiency and effectiveness. Over the next two years, the Commission will continue to further mature the ERM framework by further integrating risk management practices into the organizational culture and processes.

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<sup>56</sup> This goal corresponds to Performance Goal M1.42(b) in the FY 2021 Annual Performance Report.

## Performance goal 3.53<sup>57</sup>:

Develop and update key policies and procedures for issuance in the system of internal rules and meet key development and review deadlines in a timely manner.

### FY 2022–FY 2023

Meet collaboratively established project deadlines for internal rule development, updating, and review.

	FY 2022	FY 2023
Target	Meet 80 percent of project deadlines.	Meet 80 percent of project deadlines.
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: IAC Priority Ranking Tool, IAC Project Tracking Tool, and System of Internal Rules Application

The Commission's system of internal rules communicates policies, procedures, guidance, and other material related to the activities of the agency. Policies delegate authority, designate roles, assign responsibilities, and require accountability to meet agency objectives. Policies also set the tone for employee conduct and expected behavior and set the direction for how the Commission complies with certain laws and regulations in its daily operations. For policies to be effective they should be current, relevant, readily accessible, and easily understood. The Commission strives to provide personnel with information in the right place, at the right time, and in a useful format.

The Commission will revise its internal rules targets to focus on tracking how well participants in the rule development, updating, and review process meet timelines established in collaboration with the Internal Administration Committee.

## Performance goal 3.54:

Improve resource use, performance management, and internal controls by using improved management reports.

### FY 2022–FY 2023

Conduct annual evaluations of programs or processes identified as priorities

	FY 2022	FY 2023
Target	PMSPC develops priorities for evaluations	Evaluate one or more programs or processes
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Priority list developed; Evaluation conducted.

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<sup>57</sup> This goal corresponds to Performance Goal M1.43 in the FY 2021 Annual Performance Report.

In recent years the Commission has made significant improvements in the management of its administrative and program operations. Over the next two years, our goal is to enhance our overall efficiency and effectiveness by using our ERM process to identify priority areas for improving resource management

## **Performance goal 3.55<sup>58</sup>:**

Continuously enhance the Commission's web presence by integrating current technologies and standards in web design that benefit the Commission's user community and lead to improvements in user satisfaction

	FY 2022	FY 2023
Target	Overall satisfaction with Commission's website is consistent with the average for other executive branch agencies (not more than 3 points less than the average benchmark score for Executive Branch federal agencies); needs identified in annual assessments of technology portfolio are incorporated into planning and scoping documents	Overall satisfaction with Commission's website is consistent with the average for other executive branch agencies (not more than 3 points less than the average benchmark score for Executive Branch federal agencies); needs identified in annual assessments of technology portfolio are incorporated into planning and scoping documents
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: ForeSee survey results, assessment of use of new technologies.

In FY 2022 and FY 2023, the Commission will continue to maintain and enhance its website based on user feedback, operational need, and federal mandates. Planned activities include incorporating information related to both Title VII and section 337 investigations obtained from the new IDS, ongoing modifications to ensure compliance with the 21<sup>st</sup> Century Integrated Digital Experience Act, and upgrading the underlying technology of the website to maintain an available and secure web presence.

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<sup>58</sup> This goal corresponds to Performance Goal M1.46 in the FY 2021 Annual Performance Report.

## Performance goal 3.56<sup>59</sup>:

Monitor and ensure the safety and security of our workplace through FY 2023.

### Performance goal 3.56(a):

#### FY 2022–FY 2023

Improve awareness of physical and personnel safety and security policies and procedures

	FY 2022	FY 2023
Target	Hold at least one physical and personnel safety and security training session annually. Disseminate regular agency-wide updates on physical and personnel safety and security issues. Promote awareness and compliance with CDC guidelines regarding COVID-19 remedial practices for facility and personnel management.	Hold at least one physical and personnel safety and security training session annually. Disseminate regular agency-wide updates on physical and personnel safety and security issues.
Results	Pending	Pending
Status	Pending	Pending

Performance indicators: Physical and personnel safety and security sessions and updates.

### Performance goal 3.56(b):

#### FY 2022

Ensure the appropriate security investigation for new employees and the appropriate reinvestigation for current employees based on the risk and sensitivity designation of their positions

	FY 2022
Target	Coordinate and track the review of position risk and sensitivity designations with the Office of Human Resources.
Results	Pending
Status	Pending

Performance indicator: Reviews of position risk and sensitivity designations.

### Performance goal 3.56(c):

#### FY 2022–FY 2023

Track results from the Federal Employee Viewpoint Survey related to safety

	FY 2022	FY 2023
Target	Set baseline for favorable response rate for agency FEVS or internal survey question	Improvement over FY 2022 results

<sup>59</sup> This goal was Performance Goal M1.47 in the FY 2021 Annual Performance Report and Performance Goals 3.56(a), (b), (c), and (d) are M1.47(a), (b), (c), and (d), respectively.

	FY 2022	FY 2023
	"Employees are protected from health and safety hazards on the job"	
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Annual FEVS results or results from an internal survey.

## Performance goal 3.56(d):

### FY 2022–FY 2023

Track results from the Federal Employee Viewpoint Survey related to security

	FY 2022	FY 2023
Target	Set baseline for favorable response rate for agency FEVS or internal survey question "My organization has prepared employees for security threats"	Improvement over FY 2022 results
Results	Pending	Pending
Status	Pending	Pending

Performance indicator: Annual FEVS results or results from an internal survey.

During FY 2022–FY 2023, the Commission will continue to assess employee views on health, safety, and security at the Commission. Ensuring that USITC employees feel adequately protected from hazards to their health and safety and that employees feel prepared to respond to security threats is a critical priority for the Commission. Using either FEVS data or internal surveys, the Commission will continue to assess employees' views in these areas.

The Commission intends to continue meeting these targets in the coming fiscal years.

## Part 2: FY 2021 Annual Performance Report

### Strategic Goal 1

#### Investigate and Decide: Make Sound, Objective, and Timely Determinations in Trade Remedy Proceedings

Strategic Goal 1 in the Annual Performance Report largely corresponds to Strategic Goal 1 in the Annual Performance Plan, although there have been a number of changes to Strategic Objectives 1.1 and 1.2 under Strategic Goal 1. For a description of Strategic Goal 1 in the Annual Performance Report, see pages 10–11 of the USITC’s Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

In FY 2021, the import injury investigations workload remained at historically elevated levels, with high levels of original investigation activity and overall increases in ongoing five-year review activity stemming from the increased level of original investigations during the past decade. The record number of petitions filed in FY 2020 resulted in a record number of final phase investigations in FY 2021; the Commission completed 25 final phase investigations in FY 2021—five (or 25 percent) more than the prior fiscal year. In, the Commission completed the safeguard investigation regarding fresh, chilled, or frozen blueberries in March 2021, and received two petitions related to solar panels and cells in August 2021, which were initiated as a combined safeguard extension investigation covering both petitions. The Commission also expended extensive efforts in preparation for implementation of the USMCA long-haul trucking safeguard provisions.

Unfair import investigations had a record-high active workload this fiscal year. The Commission worked through a backlog of investigations affected by the COVID-19 pandemic, which slowed discovery in many investigations due to inaccessibility of foreign and domestic witnesses, and travel restrictions that prevented in-person evidentiary hearings. These hearings were also delayed while the Commission procured a FedRAMP-certified video-teleconferencing platform

to hold these hearings via videoconferencing while ensuring confidential business information is protected.

## **Strategic Objective 1.1**

### **Reliable Process: Conduct expeditious and sound investigative proceedings**

Strategic Objective 1.1 in the Annual Performance Report largely corresponds to Strategic Objective 1.1 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Strategic Objective 1.1. For a description of Strategic Objective 1.1 in the Annual Performance Report, see pages 11–12 of the USITC’s Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

This past fiscal year, we met many of the performance goals we set for Strategic Objective 1.1. We continued to make strides in assessing whether various procedures increased efficiencies or reduced costs to parties. We continue to evaluate these procedures and use the assessments to measure whether the procedures are helping us to meet our strategic objective.

The Commission is facing a number of challenges that may complicate achievement of this strategic objective in future years. These challenges include the increasing and sustained high levels of investigative caseload across the Commission’s statutory responsibilities over the last several years and difficulties conducting proceedings due to COVID-19.

We cannot control the number, timing, or breadth of investigation requests we receive. By statute or regulation, we must respond to investigation requests and conclude import injury investigations within statutory deadlines and section 337 investigations at the earliest practicable date after institution. The substantial increase in import injury filings, coupled with uncertain and bifurcated scheduling of many import injury final phase investigations, as well as the historically high volume of 337 investigations and resource constraints across the agency, further challenged our ability to continue to meet these deadlines and could impact our progress on this objective.

The leader for this strategic objective is the Director of the Office of Unfair Import Investigations (OUII). Appendix B provides information on the lead offices which are responsible for each of the performance goals supporting this strategic objective.

The performance goals for this strategic objective are set forth in tabular form and then described below.

## **Performance goal 1.11:**

Conclude investigations into alleged section 337 violations within timeframes that are consistent with the Uruguay Round Agreements Act implementing report by FY 2022<sup>a</sup>

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Target	—	—	—	—	—	15 months
Results	15.1 months On track to meet FY 2022 target	15.85 months On track to meet FY 2022 target	17.7 months Not on track to meet FY 2022 target	18.6 months Not on track to meet FY 2022 target	18.2 months Not on track to meet FY 2022 target	Pending
Status						Pending

<sup>a</sup> S. Rep. No. 103-412 at 119 (1994). The report states that “Under current law, the ITC must make its determination within one year (or 18 months in more complicated cases). . . Although the fixed deadlines for the completion of section 337 investigations have been eliminated, the [Senate Finance] Committee expects that, given its experience in administering the law under the deadlines in current law, the ITC will nonetheless normally complete its investigations in approximately the same amount of time as is currently the practice.” Based on the current composition of 337 investigations, the Commission determined that a 15-month average timeframe satisfies the intent of the Committee Report.

Performance indicator: annual average length of investigations concluded on the merits.

Other indicators relevant to the performance indicator:

- number of original investigations and ancillary proceedings instituted per fiscal year
- number of co-pending investigations
- number of subpoenas that are enforced

### Historical data

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Annual average length of investigations concluded on the merits	18.4 months	13.7 months	16.5 months	19.7 months	17.1 months	15.6 months	15.8 months

Performance goal 1.11 is directed to shortening the average length of section 337 investigations. Specifically, we are seeking to reduce the average length of these investigations to 15 months by FY 2022. In FY 2021, the Commission made some progress in reducing the average length from 18.6 months in FY 2020 to 18.2 months in FY 2021. This overall reduction occurred despite the challenges of the pandemic and the large number of new complaint filings and ancillary proceedings following the Commission’s adoption of our new secure video-conferencing technology for hearings.

In FY 2020, COVID-19 delayed the Commission’s ability to obtain necessary discovery, made it difficult for witnesses to participate in many investigations, and delayed full evidentiary hearings until the Commission procured a FedRAMP-certified video-teleconferencing platform. These delays affected the average investigation length for investigations completed on the merits in FY 2021. Only a few investigations affected by COVID-19 delays remain pending.

## Performance goal 1.11(a):

### FY 2019–FY 2021

Assess implementation and effectiveness of severing rules

	FY 2019	FY 2020	FY 2021
Target	Complete assessment and provide proposal, if warranted	Complete assessment and provide proposal, if warranted	Complete assessment and provide proposal, if warranted
Results	Assessment completed	Assessment completed	Assessment completed
Status	Target met	Target met	Target met

Performance indicator: Assessment; proposal.

Note: See the USITC's Annual Performance Plan, FY 2019–FY 2020 and Annual Performance Report, FY 2018, for previous goals designed to shorten average target dates.

In FY 2018, the Commission promulgated new rules regarding severing section 337 investigations (i.e., dividing one complaint into multiple separate investigations) when complaints involve multiple technologies or unrelated patents. This year, we assessed how and when these rules were used and whether there was an impact on caseload management (performance goal 1.11(a)). Looking at a series of investigations that stemmed from the same complaint, there was a positive impact on overall investigation length. In the three complaints that have been severed to date, only one of the resulting investigations proceeded to a decision on the merits after an evidentiary hearing. In two of the pending investigations, complainant is seeking a summary determination on violation. With respect to the remaining investigations, the allegations were either withdrawn or the parties settled and the investigations were terminated.

Another new rule promulgated in FY 2018 codifies an existing pilot program (see below) whereby the Commission orders the ALJs to decide a potentially case-dispositive issue (an issue that would resolve the entire case) within the first 100 days of an investigation. Examples of such issues include patent standing or the statute's domestic industry requirement. This rule was assessed under Performance goal 1.11(b).

## Performance goal 1.11(b):

### FY 2016

Measure effectiveness of early disposition pilot program and implement changes if appropriate

	FY 2016
Target	Information assessed; improvements implemented
Results	Recommendations made
Status	Target met

Performance indicator: Assessment of effectiveness.

## FY 2017

Measure effectiveness of early disposition program and implement changes if appropriate; consider developing mechanism to assess any other impacts of program

FY 2017	
Target	Information assessed; improvements implemented; mechanism developed
Results	Assessment completed and recommendations made
Status	Target met

Performance indicator: Report on assessment of effectiveness.

## FY 2018–FY 2021

Measure effectiveness of early disposition program and implement changes if appropriate

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Information assessed; improvements implemented	Information assessed; improvements implemented	Information assessed; improvements implemented	Information assessed; improvements implemented
Results	Assessment completed; recommendations made; changes implemented	Assessment completed; recommendations made	Assessment completed; recommendations made	Assessment completed; recommendations made
Status	Target met	Target met	Target met	Target met

Performance indicator: Report on assessment of effectiveness.

In FY 2021, the Commission conducted the requisite assessment. The assessment continued to show that the early disposition investigations are more likely to terminate before the date set for the Commission's final determination. There were no changes recommended to this program at this time, except to continue to assess the effectiveness of the early disposition program using revised criteria developed in FY 2018 to monitor the use of the program.

## Performance goal 1.11(c):

Shorten average time between section 337 Final ALJ Initial Determination (ID) and the Commission's final determination

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Average length of time between Final ID and completion of Commission review is less in FY 2018 than it was in FY 2017	Average length of time between Final ID and completion of Commission review is less in FY 2019 than it was in FY 2018	Average length of time between Final ID and completion of the Commission's final determination is less in FY 2020 than it was in FY 2019	Average length of time between Final ID and completion of the Commission's final determination is less in FY 2021 than it was in FY 2020
Result	4.51 months (less than the 5-month average in FY 2017)	5.26 months	5.43 months	4.94 months
Status	Target met	Target not met	Target not met	Target Met

Performance indicator: Number of months between Final ID and the issuance of the Commission's final determination.

Note: Prior to FY 2020, the goal was "Improve average time between section 337 Final ALJ Initial Determination (ID) and completion of Commission review."

## Performance goal 1.11(d):

Shorten average time between institution of investigation and issuance of final ID

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Establish average length of time between the institution of investigation and issuance of the final ID in FY 2018	Average length of time between the institution of an investigation and the issuance of the final ID is less in FY 2019 than it was in FY 2018	Average length of time between the institution of an investigation and the issuance of the final ID is less in FY 2020 than it was in FY 2019	Average length of time between the institution of an investigation and the issuance of the final ID is less in FY 2021 than it was in FY 2020
Result	11.34 months	12.48 months	13.21 months	13.26 months
Status	Target met	Target not met	Target not met	Target not met

Performance indicator: Number of months between institution of investigation and issuance of Final ID for investigations in which a final Commission determination on the merits has issued during the fiscal year.

Note: Prior to FY 2020, the goal was "Improve average time between institution of investigation and issuance of final ID."

In FY 2018, the Commission added performance goals with respect to the average time an investigation is before the Commission (Performance goal 1.11(d)) and the average length of time an investigation is before the Administrative Law Judge (Performance goal 1.11(e)). This information allows the Commission and its stakeholders to assess in a more granular way where process improvements need to be made to increase efficiencies. During FY 2021, the length of time decreased between the final ID and completion of the investigation. But the length of time increased between institution and the final initial determination, in part due to

the impact of delays due to the COVID-19 pandemic and historically high caseload in unfair import investigations

## Performance goal 1.12:

Improve the timeliness of section 337 ancillary proceedings by meeting targets for or reducing the average length of ancillary proceedings as follows:

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Modification						
Target	6 months	6 months	6 months	6 months	6 months	6 months
Results	2.9 months	1.6 months	7.9 months	None	0.03 months	5 months
Status	Target met	Target met	Target not met	—	Target met	Target met
Advisory						
Target	9 months	9 months	9 months	9 months	9 months	9 months
Results	2.3 months	4.2 months	None	None	None	None
Status	Target met	Target met	—	—	—	—
Enforcement						
Target	12 months	12 months	12 months	12 months	12 months	12 months
Results	None	None	17 months	14.7 months	None	None
Status	—	—	Target not met	Target not met	—	—
Federal Circuit remand						
Target	12 months	12 months	12 months	12 months	12 months	12 months
Results	9.0 months	8.7 months	None	2.97 months	18.32 months	27.2 months
Status	Target met	Target met	—	Target met	Target not met	Target not met
Consolidated ancillaries						
Target	15 months	15 months	15 months	15 months	15 months	15 months
Results	None	11.8 months	None	None	None	None
Status	—	Target met	—	—	—	—

Performance indicator: Length of ancillary proceedings concluded on the merits.

Contextual indicator: Whether evidentiary hearing is held; whether matter needs to be delegated to the ALJ.

Note: prior to FY 2019, the goal was: "Improve the timeliness of ancillary proceedings by reducing the average length of ancillary proceedings as follows."

During this fiscal year there were a number of ancillary proceedings commenced and several completed on the merits, including one Federal Circuit remand, two advisories, and two modifications. Some of these ancillaries were placed in the Commission's pilot program on ancillaries and as a result the time for completion may have been modified to comply with the pilot timelines, which differ depending on the office assigned the ancillary. In FY 2018, we included pilot ancillaries in the averages for performance goal 1.12. When assessing ancillaries, we separated the pilot ancillaries from non-pilot ancillaries. While the Commission met its

targets for the length of modifications outside the pilot program, The Commission did not meet its performance targets for completions of Federal Circuit remands this year.

## Performance goal 1.13:

Individual offices complete their portions of section 337 modifications and advisory proceedings under the pilot program within specified timeframes

	FY 2018	FY 2019	FY 2020	FY 2021
<b>Modification: GC</b>				
Target	2–3 months	2–3 months	2–3 months	2–3 months
Results	1.2 months	3.4 months	None	None
Status	Target met	Target not met	—	—
<b>Modification: OUII</b>				
Target	3–6 months	3–6 months	3–6 months	3–6 months
Results	None	None	None	None
Status	—	—	—	—
<b>Modification: ALJ</b>				
Target	6–9 months	6–9 months	6–9 months	6–9 months
Results	10.4 months	11.6 month	7.2 months	10.4 months
Status	Target not met	Target not met	Target met	Target not met
<b>Advisory: GC</b>				
Target	2–3 months	2–3 months	2–3 months	2–3 months
Results	None	None	None	3 months
Status	—	—	—	Target met
<b>Advisory: OUII</b>				
Target	3–6 months	3–6 months	3–6 months	3–6 months
Results	None	None	None	None
Status	—	—	—	—
<b>Advisory: ALJ</b>				
Target	6–9 months	6–9 months	6–9 months	6–9 months
Results	7.4 months	None	None	6.2 months
Status	Target met	—	—	Target met

Performance indicator: Number of months to complete 337 modifications and advisory proceedings covered by the pilot program.

The Commission has a pilot program that establishes more expeditious timeframes for ancillary proceedings (advisory opinion and modification proceedings) that determine whether redesigned products are within the scope of a Commission remedial order. Performance goal (1.13) tracks the time Commission offices take to conduct such ancillary proceedings to ensure we are meeting the pilot's goals.

The Commission was successful at meeting its targets for advisories under this pilot program. The Commission did not meet the targets for modifications before the ALJs under the pilot.

## Performance goal 1.14:

Deliver 100 percent of import injury investigation determinations and reports by the statutory deadline

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target (%)	100	100	100	100	100	100
Results (%)	100	100	100	100	100	100
Status	Target met					

Performance indicator: Submission of Commission determinations and reports to Commerce.

During an ongoing import injury investigation, uncertainty exists for the industry and markets affected. Making timely determinations and meeting statutory deadlines can mitigate this uncertainty. In FY 2021, with sustained historically high caseload levels, we continued to meet our statutory deadlines.

## Performance goal 1.15:

Evaluate the paper burden of responding to notices of institution during the adequacy phase of five-year reviews of AD/CVD orders and develop and implement an option to reduce this burden

	FY 2019	FY 2020	FY 2021
Target	Report the number of responses filed; develop requirements to transition responses to notices from non-extractable to extractable formats	Refine requirements based on FY 2019 external feedback survey; initiate pilot project	Continue pilot project; assess and update requirements and process; transition to alternative collection vehicle and process
Results	Memos provided to management summarizing responses and requirements based on survey and subject matter experts.	Initial internal INV-Office testing was completed, and the process of engaging other ITC stakeholders began, but not the externally focused pilot test due to prioritization of the Investigations Database System (IDS) and limited staff and management bandwidth coupled with historically high caseload.	Commission staff developed and tested a portal for collection of information submitted in response to notices of institution. Challenges with interoffice processing and rules. Commission staff will be collaborating with internal stakeholders to address these constraints, where possible.
Status	Target met	Target partially met	Target partially met

Performance indicator: Number of responses filed; options to reduce reporting burden

Under current practice, the notice of institution, issued at the outset of each five-year review, is issued as a multi-page *Federal Register* notice. Responses to this notice, in turn, are provided in paper or PDF format, but are not extractable. Transitioning from non-extractable hard-copy submissions to extractable submissions would reduce the reporting and processing burden associated with our current practice. Performance goal 1.15 is designed to provide the basis for this transition.

During the fiscal year, Commission staff developed and tested a technically workable portal using Qualtrics for collection of quantitative and qualitative information as well as attachments for responses to notices of institution. Challenges with interoffice processing (e.g., ability to transition the information to EDIS, responses to late filings) and rules/regulations (e.g., ability to accept public versions 24 hours later and compliance with EDIS/portal information consistency) require a reassessment of the platform and processes. OARS and INV staff are reassessing the platform and processes, as well as working with GC and OSE to identify rule changes that support efficient ability to continuously leverage technology without ongoing rule package/changes.

## **Strategic Objective 1.2**

### **Clear Proceedings: Promote transparency and understanding of investigative proceedings**

Strategic Objective 1.2 in the Annual Performance Report largely corresponds to Strategic Objective 1.2 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Strategic Objective 1.2. For a description of Strategic Objective 1.2 in the Annual Performance Report, see pages 22–24 of the USITC’s Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf))

We have invested substantial time and resources into developing data systems for our trade remedy cases (performance goals 1.21(a) through 1.21(c)). In FY 2014, we introduced [337Info](#), a publicly available data system which offers a wide range of information about section 337 investigations. Among other things, it assists us with the efficient and accurate reporting of statistical information and helps to inform caseload management decisions. It also provides members of the public with quick access to useful information about our investigations. Development of a similar data system for import injury (Title VII) investigations was deferred because of fiscal and personnel resource constraints, as well as a new Congressionally mandated role in the miscellaneous tariff bill (MTB) petition process, which required development of online tools and a web-based portal. This effort was completed in FY 2017. In FY 2018, after reviewing system requirements considering agency-wide needs, staff determined that it would be beneficial to develop a single underlying data system encompassing all types of Commission investigations, rather than developing separate systems for each type. Staff therefore shifted to revising the requirements of the underlying system to comprehensively cover Title VII, factfinding, and section 337 investigations. Development efforts on these

requirements began in FY 2018 and continued throughout FY 2021 with substantial advancement made towards implementing the core components, functionality, and framework of the system known as the Investigations Database System (IDS). During FY 2021, we completed development of the internal instance of the IDS to create, manage, and provide access to investigation records for factfinding, import injury (Title VII), and section 337 investigations (performance goal 1.21(a)), and we migrated the core foundational data sources. IDS was placed into production and is in daily use by staff. We also continued to advance work needed for comprehensive data migration, development on the external instance, search enhancements, and developing reports using the enterprise reporting solution. With an eye toward continual improvements, Commission staff also developed a list of “version 2” priorities that will inform future major development cycles for IDS. Full post-mortem analysis is deferred to FY 2022, after the external instance and advanced search components are complete.

The Commission has undertaken two initiatives to modernize the Commission’s Electronic Document Information System (EDIS) to improve the flow of investigative information and access to it by external parties. One initiative—an effort to update EDIS filing and search capabilities—was completed and deployed in late FY 2018.<sup>60</sup> The second initiative will allow the Commission to electronically serve documents containing controlled unclassified information (such as business proprietary or confidential business information) to parties to an investigation (performance goal 1.21(b)). We defined the requirements for electronic service of documents in FY 2019, and in FY 2020, we initiated incremental development to implement the required capabilities. This development effort was closely integrated with the development of the IDS with investigation information being shared between the two systems.

During FY 2021, the Commission developed, deployed, and enabled an initial set of features and capabilities to electronically serve public documents in 337 investigations including: capture of participant and representative information when filing Complaints and Notices of Appearance; electronic management of service lists; selection and generation of a Certificate of Service for a document to be served; and accessibility of served documents in the Service Inbox of the selected service recipients. The development of electronic service for confidential documents in both import injury and 337 investigations continued in FY 2021 and into FY 2022, with a focus on integrating a new multi-factor authentication mechanism to adhere to security

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<sup>60</sup> Although this initiative is not tied to a specific performance goal, it is an important component of our overall effort to improve stakeholder access to and use of EDIS. EDIS contains all documents and transcripts of the official administrative record in our investigations.

requirements. Efforts to communicate these advancements with the wider community who use EDIS were conducted in order to expeditiously inform users on how to make use of these features and gain access to information on investigations available on EDIS, IDS and our public website.

The leader for this strategic objective is the Director of the Office of Investigations (INV). Appendix B provides information on the lead offices responsible for each of the performance goals supporting this strategic objective.

The performance goals for this strategic objective are set forth in tabular form and then described below.

## **Performance goal 1.21:**

Leverage existing and developing technologies to improve the flow of information to interested parties and the general public during FY 2018–FY 2022

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### **FY 2018–FY 2022**

Target	Projects identified and implemented each year
Results	See results of 1.21 (a) below
Status	Pending

Performance indicators: Development and implementation of projects.

## **Performance goal 1.21(a):**

### **FY 2016**

Improve availability of investigation-related information by commencing development of the Title VII data system in FY 2016

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### **FY 2016**

Target	Title VII data system under development by the end of the third quarter of FY 2016
Results	Development on the Title VII data system was deferred to FY 2017 due to reprioritization of resources to support the MTB mandate and to align with award of a new IT programming services contract.
Status	Deferred

Performance indicator: Title VII data system.

### **FY 2017**

Improve availability of investigation-related information by commencing development of the Title VII data system by the end of FY 2017

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### **FY 2017**

Target	Data management and query tools for Title VII data system under development by the end of FY 2017
Results	Commissioner vote database development under way. Development continuing on full system in FY 2018
Status	Target met

Performance indicator: Title VII data system.

## FY 2018—FY 2021

Improve access to investigation-related information by completing development of data search and extraction tools for investigations data system

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Data management and query tools for the Title VII data system under development in FY 2018, with completion in FY 2019	Complete development of investigation definition component of overall data system (Title VII, 337, and factfinding); Develop components for votes and investigation data and query tools based on established priorities	Complete development of query tools for investigation data based on established priorities; prepare to add functionality to the Title VII component of the system to support business operations	Complete development of query tools for investigation data based on established priorities; add functionality to the Title VII component of the system to support business operations. Conduct interim analysis of what was accomplished, lessons learned and potential future business needs or system enhancements for possible future prioritization, if appropriate.
Results	Database architecture development commenced.	Development of investigation definition component and query tools complete; components for votes and investigation data not complete	Although required data elements and certain functionality to support maintaining all three investigation types were implemented, some functionality needs modification to adequately support operations and will be addressed in FY 2021. The system received an authorization to operate on 9/15, ensuring compliance with required security controls.	Development of the internal instance of IDS was completed and foundational data sources were migrated. The application is in production and being used by staff. Additional data source migration, development on the external instance, and search enhancements are ongoing. Initial reports have been developed utilizing the enterprise reporting solution. Full post-mortem analysis is deferred to FY 2022.
Status	Target not met	Target partially met	Target met	Target met

Performance indicators: Investigation data system; components developed or enhanced; tools developed and deployed.

Requirements for the import injury (Title VII) component of the IDS were initially defined during FY 2016, but we deferred development through FY 2017 to implement the unfunded Miscellaneous Tariff Bill Petition System (MTBPS). In FY 2018, additional refinement of requirements continued with development efforts commencing, focusing on the underlying database design. Development continued through FY 2019, FY 2020, and into FY 2021 as we completed implementing required features for creating,

managing, and accessing investigation information and Commission votes relevant to all investigation types to include 337, Title VII, and factfinding investigations. During FY 2021, the Commission made substantial advancement implementing the remaining required features for the IDS, including viewing and managing unfair import orders and Commerce orders; investigation titling, copying and severing; procedural history; and numerous data validation and business rules. Commission staff advanced data migration efforts, including foundational data and data from 337Info, the Factfinding Cases Database, the Votes Database, and SchOP1 (an internally developed task and work schedule tool for import injury investigations). In addition, IDS was closely integrated with EDIS to share investigation information and support electronic service of documents. IDS was completed and made available for internal use in FY 2021, while development continued on additional search enhancements and features necessary for external deployment.

## **Performance goal 1.21(b):**

### **FY 2016**

Improve flow of confidential information to authorized parties by deploying electronic service of documents by the end of FY 2016

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#### **FY 2016**

Target	Serve Commission documents to parties under Administrative Protective Order via electronic means
Results	This initiative was deferred to FY 2017–FY 2018.
Status	Deferred

Performance indicator: Electronic service capability implemented and deployed.

### **FY 2017**

Commence development of electronic service of public documents by the end of FY 2017 to improve the flow of information to parties

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#### **FY 2017**

Target	Begin developing capability to electronically serve public documents to parties
Results	IT software contract awarded, but substantive development work delayed until first quarter FY 2018 due to competing IT projects.
Status	Target not met

Performance indicator: Development of electronic service of public documents begun by end of FY 2017.

### **FY 2018**

Employ electronic service of confidential documents by the end of FY 2018 to improve the flow of information to authorized parties

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#### **FY 2018**

Target	Serve Commission documents subject to Administrative Protective Order on the parties via electronic means
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### FY 2018

Results	Development of electronic service of documents was deferred to complete the EDIS re-engineering effort.
Status	Target not met

Performance indicator: Confidential electronic service capability implemented and deployed.

## FY 2019

Employ electronic service of public documents by the end of FY 2019 to improve the flow of information to authorized parties

### FY 2019

Target	Serve Commission public documents on the parties via electronic means and finalize requirements for service of documents subject to Administrative Protective Orders
Results	Definition of functional requirements for electronic services completed; development activities were not initiated
Status	Target not met

Performance indicator: Public electronic service capability implemented and deployed.

## FY 2020

Employ electronic service of public documents by the end of FY 2020 to improve the flow of information to authorized parties

### FY 2020

Target	Advance efforts to serve public documents and begin to develop electronic service of Commission confidential documents subject to Administrative Protective Order on the parties via electronic means
Results	Development for electronic service of public documents via EDIS has made substantial progress, including capabilities to capture participant and representative information, manage service lists, and prepare certificates of service, as well as implanting most integration points with IDS. Additional functionality remains to be implemented, including the actual service of documents.

Status	Partially met
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Performance indicator: Public electronic service capability implemented and deployed.

## FY 2021

Complete development of electronic service of public documents and continue development of electronic service of confidential documents by the end of FY 2021 to improve the flow of information to authorized parties

### FY 2021

Target	Continue developing ability to serve Commission confidential documents subject to Administrative Protective Order on the parties via electronic means
Results	Development of the capability to electronically serve public documents in 337 investigations was completed and deployed as EDIS 3.11. All primary required features were implemented including: 1) capture of participants and representatives when filing Complaints and Notices of Appearance, 2) electronic management of service lists, 3) selection and generation of a Certificate of Service for a document to be served, and 4) accessibility of served documents in the Service Inbox of the selected service recipients.

Status	Target met
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Performance indicator: Confidential electronic service capability implemented and deployed.

Note: This goal originally was "Employ electronic service of confidential documents by the end of FY 2021 to improve

the flow of information to authorized parties.” The Commission revised the goal because cross-system dependencies required concurrent deployment with IDS and delayed the expected completion of e-service of public documents to FY 2021.

In FY 2018, the EDIS system was re-engineered and deployed with new technologies and new secure-baselined infrastructure to establish the secure platform for implementing electronic service of confidential documents. Although development of the electronic service requirements began in FY 2019, the 35-day lapse in funding and the onset of work needed on the MTB portal slowed development. In FY 2020, the Commission continued to develop much of the functionality for public service and to meet Commission requirements for confidential service. During FY 2021, the Commission made significant progress implementing many primary features including: 1) capture of participants and representatives, 2) electronic management of service lists, 3) selection and generation of a Certificate of Service for a document to be served, and 4) accessibility of served documents. All features to electronically serve public documents in 337 investigations were completed, enabled, and deployed as EDIS 3.11, while development of e-service for confidential documents in import injury investigations focused on implementing a new authentication mechanism to address an Executive Order and to fulfill e-authentication requirements.

## **Performance goal 1.22:**

Post information on import injury investigation case webpages within specific time frames<sup>a</sup>

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	85% of information posted within 48 hours and 90% within 72 hours of issuance	85% of information posted within 48 hours and 90% within 72 hours of issuance	85% of information posted within 48 hours and 90% within 72 hours of issuance	85% of information posted within 48 hours and 90% within 72 hours of issuance; evaluate changes to products and processes to conform to implementation of investigations data system.
Results	Posting targets were met or exceeded during the FY	Posting targets were met or exceeded during the FY	Posting targets were met or exceeded during the FY	Posting targets were met or exceeded during the FY
Status	Target met	Target met	Target met	Target met

<sup>a</sup> Posting targets were met or exceeded during the FY 2016 and FY 2017.

Performance indicator: Investigation-related information posted.

We continued to track the posting of documents during FY 2021. In FY 2021, the Commission posted more than 90 percent of documents issued by the agency or published in the *Federal Register* within two business days, and more than 95 percent within three business days.

## Performance goal 1.23:

Conduct outreach to bar groups and other stakeholders to ensure they understand Commission capabilities and processes

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	Efforts made each quarter					
Results	Outreach conducted					
Status	Target met					

Performance indicator: Outreach efforts.

During FY 2021, our staff once again conducted such outreach efforts throughout the fiscal year.

## Performance goal 1.24:

Issue regular feedback surveys to external stakeholders to assess effectiveness and efficiency of Title VII investigation processes and procedures. Implement proposed new processes/procedures as appropriate

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	Surveys issued	Surveys issued	Processes and/or procedures updated	Surveys issued	Assess survey responses and update processes and/or procedures	Surveys issued, responses compiled, and assessed
Results	Shifted to bi-annual cycle	Survey issued and responses assessed.	Feedback incorporated into staff conference preparation process.	Survey issued and responses assessed.	Features of ongoing NOI portal structure reflects feedback gained from external survey.	External survey issued on the benefits and challenges of virtual hearings and conferences. Responses were assessed and summary was provided to internal stakeholders.
Status	Target not met	Target met	Target met	Target met	Target met	Target met

Performance indicator: Survey issuance; process/procedure updates.

In FY 2016, we shifted from an annual to a two-year survey cycle in order to give staff more time to test and implement process changes. The FY 2019 survey solicited feedback on web- and extraction-enabled collection options across several vehicles used to obtain investigative information, and staff compiled these results to identify the main insights and key takeaways.

In FY 2020, we used this information from respondents to inform our development of requirements for the structure and features of the web-based portal for responses to notices of institution (e.g., ability to attach documents and comments, usability ease, multiple access ability) and ongoing efforts to improve the questionnaire collection process. The FY 2021 survey solicited feedback on the benefits and challenges of Commission virtual hearings and staff conferences for external parties. We plan to review the results and apply information toward our ongoing virtual/hybrid hearings efforts.

## **Performance goal 1.25:**

Post documents to EDIS within specified timeframes

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Import Injury: 24 hours						
Target (%)	85	85	85	85	85	85
Results (%)	95.9	95.8	94.3	96.8	97.5	98.1
Status	Target met					
Import Injury: 48 Hours						
Target (%)	95	95	95	95	95	95
Results (%)	99.7	99.1	98.8	99.1	99.7	99.6
Status	Target met					
Section 337: 24 hours						
Target (%)	85	85	85	85	85	85
Results (%)	96	96	95	95	98.9	99.4
Status	Target met					
Section 337: 48 Hours						
Target (%)	95	95	95	95	95	95
Results (%)	99.4	99.1	98.7	97.2	99.8	99.8
Status	Target met					

Performance indicator: Percentage of documents posted.

In an effort to improve the transparency of the documents filed in its investigations, the Commission has set a goal to upload documents onto EDIS within certain timeframes. Despite the challenges associated with COVID-19, the continued high investigative workload in section 337, and substantial increases in investigative workload in Title VII, we met this performance goal in FY 2021.

## **Performance goal 1.26:**

Post public versions of confidential section 337 final IDs and Commission opinions within specified timeframes

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	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Average length of time to post public versions of confidential section 337 Final IDs and Commission opinions is 30 days or less	Average length of time to post public versions of confidential section 337 Final IDs and Commission opinions is 30 days or less	Average length of time to post public versions of confidential section 337 Final IDs and Commission opinions is 30 days or less	Average length of time to post public versions of confidential section 337 Final IDs and Commission opinions is 30 days or less
Result	26 days to issue public final IDs and 23.7 days to issue public version of Commission Opinions	25.3 days, on average, to issue public final IDs and 35.5 days, on average, to issue public version of Commission Opinions	31.1, days on average, to issue public final IDs and 21.2 days, on average, to issue public versions of Commission Opinions	24 days on average to issue public final IDs and 22 days on average to issue public Commission Opinions
Status	Target met	Target not met	Partially met	Target met

Performance indicator: Number of days between issuance of confidential Commission section 337 opinions and posting of the public version.

During FY 2021, the Administrative Law Judges and the Commission issued public versions of final initial determinations and Commission opinions in compliance with the Commission Rules.

## **Strategic Goal 2**

### **Inform: Provide Independent, Objective, and Timely Analysis and Information on Tariffs, Trade, and Competitiveness**

Strategic Goal 2 in the Annual Performance Report largely corresponds to Strategic Goal 2 in the Annual Performance Plan, although there have been a number of changes to Strategic Objectives 2.1 and 2.2 under Strategic Goal 2. For a description of Strategic Goal 2 in the Annual Performance Report, see pages 34 and 35 of the USITC's Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated

([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

In FY 2021, we instituted six factfinding investigations and completed six, as well as produced reports for five recurring investigations (appendix C). Our staff continued to provide significant technical assistance to agency requestors throughout the fiscal year. In FY 2021, we also prepared and published a total of 18 revisions to the HTS to implement tariff actions taken by the U.S. government. This level of activity is higher than average and was aided by actions the agency has taken in recent years to manage tariff information in digital form.

#### **Strategic Objective 2.1**

#### **Innovation: Improve analysis and information**

Strategic Objective 1.1 in the Annual Performance Report largely corresponds to Strategic Objective 1.1 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Strategic Objective 1.1. For a description of Strategic Objective 1.1 in the Annual Performance Report, see pages 11–12 of the USITC's Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated

([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

In FY 2021, we covered a variety of topics in analytically complex investigations, including: trade in COVID-19-related goods and challenges supplying these goods to the U.S. market; the economic impact of trade agreements implemented under Trade Authority Procedures; the conditions of competition for certain agricultural products, including raspberries for processing; the economic impact of illegal, unreported, and unregulated fishing; potential effects of

renewable energy commitments in Massachusetts; and volume two of a two-part request analyzing the global economic impact of missing and low pesticide MRLs.

The leader for this strategic objective is the Director of the Office of Industries (IND). Appendix B provides information on the lead offices responsible for each of the performance goals supporting this strategic objective.

The performance goals for this strategic objective are set forth in tabular form and then described below.

### **Performance goal 2.11:**

Identify and prioritize areas to improve capabilities to analyze important new issues in trade and industry competitiveness through 2022

FY 2018–FY 2022	
Target	Capabilities developed in new areas annually
Results	Ongoing
Status	Ongoing

Performance indicators: Priority areas vetted and established annually through 2022.

## Performance goal 2.11(a):

Identify and prioritize areas to enhance capabilities to analyze issues in trade and industry competitiveness

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Improved capabilities in priority areas such as:  1. <b>Expand research on:</b> the effects of trade on different U.S. geographic regions; partial equilibrium and sector-specific analysis; the impact of trade on labor adjustments and costs; global supply chains; methods to assess industry competitiveness; trade in digital goods and services; and NTMs affecting goods and services.  2. <b>Increase expertise on trade-related agreements and U.S. trade relationships.</b>	Improved capabilities in priority areas such as:  1. <b>Expand research on:</b> gravity modeling of trade and trade policy; the effects of trade on different U.S. geographic regions and different types of firms; partial equilibrium and sector-specific analysis; impact of trade and trade policy on workers and wages; global supply chains; methods to assess industry competitiveness; trade in digital goods and services; NTMs affecting goods and services; foreign direct investment; and China.  2. <b>Increase expertise on trade-related agreements and U.S. trade relationships.</b>	Improved capabilities in priority areas such as:  1. <b>Expand research on:</b> gravity modeling of trade and trade policy; the effects of trade on different U.S. geographic regions and different types of firms; partial equilibrium and sector-specific analysis; impact of trade and trade policy on workers and wages; global supply chains; methods to assess industry competitiveness; trade in digital goods and services; NTMs affecting goods and services; foreign direct investment; China; and the impact of trade policy uncertainty on trade and investment.  2. <b>Increase expertise on trade-related agreements and U.S. trade relationships.</b>	Improved capabilities in priority areas such as:  1. <b>Expand research on:</b> gravity modeling of trade and trade policy; the effects of the 2020 economic downturn on the U.S. economy; partial equilibrium and sector-specific analysis; impact of trade and trade policy on workers, wages, and inequality; global supply chains; methods to assess industry competitiveness; NTMs affecting goods and services; foreign direct investment; China; and the impact of trade policy uncertainty on trade and investment.  2. <b>Increase expertise on trade-related agreements and U.S. trade relationships.</b>
Results	Significant improvements in capabilities in all priority areas	Significant improvements in capabilities in all priority areas	Significant improvements in capabilities in all priority areas	Significant improvements in capabilities in all priority areas
Status	Target met	Target met	Target met	Target met

Performance indicator: Priority areas identified and vetted.

Note: Prior to FY 2019, the goal language was “building capacity to analyze new issues” rather than “improving capacity to analyze all issues.”

In FY 2021, we significantly upgraded our economic modeling capabilities, in part by working with experts at U.S. universities and leading international institutions, including Purdue University via The Center for Global Trade Analysis and the Center of Policy Studies in Melbourne, Australia. Additionally, we worked with ICF International to improve our surveying capabilities in factfinding reports. These experts contributed to our understanding and analytical capabilities of dynamic trade models, gravity analysis, trade and labor, and trade policy uncertainty.

We have expanded our modeling capabilities to improve the analysis and information that we provide to our requestors. We have improved the estimation of labor market effects in our trade and trade policy models, with the goal of better capturing distributional effects, regional effects, unemployment, and labor mobility. We have improved our capabilities in sector-specific analysis, making numerous models available to the public through the working paper series and in factfinding reports. In addition, in FY 2021 we organized and held a virtual services trade roundtable and a modeling symposium on recent advances in trade policy modeling that brought academic, private sector, and other experts together to discuss current issues pertaining to this subject.

## **Performance goal 2.12:**

Improved analytical tools and new capabilities are reflected in statutory work products through FY 2022

		FY 2018–FY 2022
Target		Continuous improvement through FY 2022
Results		Pending
Status		Pending

Performance indicator: Share of staff research time reflected in statutory products.

## **Performance goal 2.12(a):**

Improved analytical tools and new capabilities are reflected in statutory work products

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	Improved analytical tools and new capabilities are reflected in statutory work products	Improved analytical tools and new capabilities are reflected in statutory work products	Improved analytical tools and new capabilities are reflected in statutory work products	Improved analytical tools and new capabilities are reflected in statutory work products	Improved analytical tools and new capabilities are reflected in statutory work products
Results	83 percent of the strategic research generated in 2014 was used in statutory work products by 2017.	87.7 percent of the strategic research generated in 2015 was used in statutory work products by 2018.	76.1 percent of the strategic research generated in 2016 was used in statutory work products by 2019.	78.2 percent of the strategic research generated in 2017 was used in statutory work products by 2020.	77.7 percent of the strategic research generated in 2018 was used in statutory work products by 2021.
Status	Target met	Target met	Target met	Target met	Target met

Performance indicator: Share of staff research time reflected in statutory products.

Assessing the extent to which staff research is used in subsequent statutory work products allows us to more effectively manage resources. Because research is forward-looking, it often takes some time before it is applied in requested work, so we examine the application of our strategic research over a rolling 4-year window. Over three-quarters (77.7 percent) of the time

spent on research in 2018 was devoted to topics that were incorporated into one or more statutory products by the end of FY 2021.

## **Performance goal 2.13:**

Improve processes to identify and correct errors at the prepublication stage for HTS files through 2022

FY 2018–FY 2022	
Target	Determined each year
Results	Ongoing
Status	Ongoing

Performance indicators: Identified and corrected information.

### **Performance goal 2.13(a):**

#### **FY 2016–FY 2018**

Improve efficiency of HTS publication process to ensure accuracy of published version

	FY 2016	FY 2017	FY 2018
Target	HTS updates are at least 97% error-free on publication	HTS updates are at least 97% error-free on publication	HTS updates are at least 97% error-free on publication
Results	95.1% accuracy rate. Steps are being taken to upgrade the review function to improve the accuracy rate for the next cycle.	9,189 total changes made to HTS in FY 2017, with 198 error corrections and 8,991 legal changes. Total accuracy rate for FY 2017 is 97.85%, exceeding 97% target.	Individual changes made to the HTS during FY 2018 totaled 11,175. There were 37 technical corrections; the total accuracy rate was $11,138/11,175 = 99.7\%$ .
Status	Target not met	Target met	Target met

Performance indicator: Identified and corrected information.

#### **FY 2019–FY 2021**

Improve the accuracy of published version of the HTS

	FY 2019	FY 2020	FY 2021
Target	HTS updates are at least 98% error-free on publication	HTS updates are at least 98% error-free on publication	HTS updates are at least 98% error-free on publication
Results	6,760 total cumulative changes made to HTS in 14 revisions and the basic edition during the fiscal year, with only 22 post-publication errors. Accuracy rate for FY 2019 is 99.7%.	15,148 total cumulative changes made to the HTS in 30 revisions during the fiscal year, with 27 post-publication errors. Accuracy rate for FY 2020 is 99.8%	4,318 total cumulative changes made to the HTS in 18 revisions (and the basic edition) during the fiscal year, with 11 post-production errors. Accuracy rate for FY 2021 is 99.7%
Status	Target met	Target met	Target met

Performance indicator: Identified and corrected information.

We have used the HTS Data Management System (DMS) to produce all updates of the HTS since FY 2016. Given the continued high number of HTS revisions, this goal is critical to maintaining high-quality data for public and private users, and will be continued in FY 2021 and FY 2022. We met our performance targets for the last three fiscal years. In FY 2021, the Commission continued to complete revisions to the HTS at a historically high level. In addition to the Basic Edition published annually on January 1, the agency issued an additional 18 revisions to implement multiple tariff changes.

## **Performance goal 2.14:**

Improve the HTS Search function based on ongoing analysis of user search results during FY 2018–FY 2022

<b>FY 2018–FY 2022</b>	
Target	Analyze HTS search logs on a regular basis and improve the HTS search tool accordingly
Results	Ongoing
Status	Ongoing

Performance indicator: Reduction in “no results” outcomes.

### **Performance goal 2.14(a):**

#### **FY 2018–FY 2020**

Analyze logs of “no results” HTS searches to develop a thesaurus of terms to add to the HTS Search database

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Target	Identify all search terms with more than 10 “no results” outcomes	Identify all search terms with more than 10 “no results” outcomes	Identify all search terms with more than 10 “no results” outcomes
Results	OCIO provided information on all searches for which a specific term provided “no results” more than 10 times for the year. This will enable TATA to provide a lexicon to OCIO in FY 2020 to pull into HTS Search, in compliance with the FY 2020 performance goal.	FY 2019 data extraction added to the data extraction conducted in FY 2018. Due to the volume of data, the number of search terms was limited to 5,000 to prioritize analysis of the most used search terms.	Commission staff were unable to work on this during FY 2020 due to the unusually heavy workload.
Status	Target met	Target met	Target not met

Performance indicator: HTS logs of “no results” HTS searches.

#### **FY 2021**

Define, document, and implement the requirements to reengineer the HTS Data Management System and HTS Search Database

	<b>FY 2021</b>
Target	Define and document requirements for improvements to the HTS DMS and HTS Search by end of FY 2021.

FY 2021	
Results	Business requirements for improving HTS DMS and HTS were drafted.
Status	Target met

Performance indicator: Requirements documented; HTS system capability developed.

Note: This goal originally was “Develop and deploy capability within HTS Search to use terms in thesaurus to reduce “no results” outcomes.” The Commission revised the goal because it has become evident that it would be more efficient to more comprehensively update and improve the HTS DMS as well as HTS search functionality.

As a result of the unusually heavy workload affecting staff in the Office of Tariff Affairs and Trade Agreements, the HTS search project was put on hold during FY 2020. During FY 2021, the Commission began the process of evaluating the existing HTS DMS to begin the project of updating/re-engineering the system. The HTS-DMS re-engineering working group completed the solicitation of comments from clients (users). In FY 2022, that feedback will be incorporated into the list of system requirements with a goal of completion of the updates to the system being completed in FY 2022.

## **Strategic Objective 2.2**

### **Communication: Engage and respond to inform and support decision-making on U.S. trade matters**

Strategic Objective 2.2 in the Annual Performance Report largely corresponds to Strategic Objective 2.2 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Strategic Objective 2.2. For a description of Strategic Objective 2.2 in the Annual Performance Report, see pages 42 and 43 of the USITC’s Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

The performance goals for this strategic objective focus on two general areas: engaging requestors and external stakeholders to understand their emerging priorities and needs and providing information in a more accessible and timely way—often by upgrading the content and performance of web-based products. To meet this objective, we are developing and applying information technology (IT) solutions to make our products more accessible, flexible, and useful. This includes providing stakeholders interactive digital products so that data may be focused more narrowly on the interest of the user.

Strategies employed to solicit feedback include: (1) engaging directly with requestors and other interested stakeholders to obtain feedback on existing analytic methods and digital products; (2) assessing emerging issues by engaging policy makers and representatives from industries, unions, non-governmental organizations (NGOs); and (3) involving academic experts in conferences and roundtable discussions on emerging issues, to showcase new Commission research and digital products.

The leader for this strategic objective is the Director of the Office of Economics (EC). Appendix B provides information on the lead offices responsible for each of the performance goals supporting this strategic objective.

The performance goals for this strategic objective are set forth in tabular form and then described below.

## Performance goal 2.21:

Engage Commission requestors and other U.S. and international experts to enhance agency capabilities in order to provide effective and responsive analysis, data, and nomenclature services

FY 2018–FY 2022	
Target	Briefings and meetings with requestors conducted after report delivery generate feedback
Results	Ongoing
Status	Ongoing

Performance indicator: Feedback provided during briefings and meetings.

Other indicator: Share of delivered, Commission requestor requested products for which briefings are conducted.

Note: Prior to FY 2020, the goal was “Engage Commission customers and other U.S. and international experts to enhance agency capabilities in order to provide effective and responsive analysis, data, and nomenclature services.” Similar changes were made to performance goals 2.21(a), 2.21(b), and 2.21(c).

## Performance goal 2.21(a):

### FY 2016–FY 2018

Engage Commission customers and international and research organizations to improve analytical tools and to advance agency capabilities to provide effective and responsive analysis, data, and nomenclature services

	FY 2016	FY 2017	FY 2018
Target	Engagement with customers and other organizations related to Commission reports and other research efforts generates feedback; actions taken, as appropriate	Engagement with customers and other organizations related to Commission reports and other research efforts generates feedback; actions taken, as appropriate	Engagement with customers related to Commission reports and other research efforts generates feedback; actions taken, as appropriate
Results	Post-delivery briefings were conducted for four reports concluded in FY 2016, including numerous briefings concerning the TPP report. Staff participated in meetings, forums, sessions, and workshops concerning subjects such as best practices in trade policy modeling, measurement of trade in value added, and measures of e-commerce. Feedback from meetings and briefings informed research priorities set under performance goal 2.22 (changed to 2.11).	Post-delivery briefings were conducted for reports concluded in FY 2017, including numerous briefings concerning the Global Digital Trade report. Staff participated in meetings, forums, sessions, and workshops concerning subjects such as best practices in trade policy modeling, measurement of trade in value added, and measures of e-commerce. Feedback from meetings and briefings informed research priorities set under performance goal 2.22 (changed to 2.11).	Post-delivery briefings were conducted for reports concluded in FY 2018, including numerous briefings concerning examining modifications to tariff treatment for automobiles under the U.S.-Korea FTA, and growth opportunities for U.S. trade and investment with sub-Saharan Africa. Staff participated in meetings, forums, sessions and workshops concerning subjects such as best practices in trade policy modeling, measurement of trade in value added, and measures of e-commerce. Feedback from meetings and briefings informed research priorities set under performance goal 2.22 (changed to 2.11).
Status	Target met	Target met	Target met

Performance indicator: Feedback provided during briefings, meetings, and other engagements; actions taken.

## FY 2019–FY 2021

Engage requestors to understand their priorities and seek feedback on Commission work

	FY 2019	FY 2020	FY 2021
Target	Engagement with customers related to Commission reports and other products generates feedback; actions taken, as appropriate	Engagement with requestors related to Commission reports and other products generates feedback; actions taken, as appropriate.	Engagement with requestors related to Commission reports and other products generates feedback; actions taken, as appropriate.
Results	Post-delivery briefings were conducted in FY 2019, including numerous briefings for USMCA, GSP, and the US-UK SME reports. Staff participated in meetings, forums, sessions and workshops concerning subjects such as best practices in trade policy modeling and measurement of integration in global value chains. Feedback from meetings and briefings informed research priorities set under performance goal 2.11.	Post-delivery briefings were conducted in FY 2020, including briefings for the Kenya, GSP, and the MRL reports. Staff participated in meetings concerning subjects such as barriers to international trade in services. Feedback from meetings and briefings informed research priorities set under performance goal 2.11.	Post-delivery briefings conducted in FY 2021, including briefings for the TPA Retrospective and Raspberries reports. In addition, we provided USTR briefings on the distributional effects of trade and multiple other topics. We also provided multiple industry briefings on the Hill: on EV battery supply chains and semiconductors. Feedback from meetings and briefings informed research priorities set under performance goal 2.11.
Status	Target met	Target met	Target met

Performance indicator: Feedback provided during briefings, meetings, and other engagements; actions taken.

## Performance goal 2.21(b):

### FY 2018–FY 2021

Engage non-requestor experts to expand staff expertise, diversify knowledge base, and improve analytical tools to advance agency capabilities

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Engagement with academics, NGOs, industry representatives, and other experts on issues related to trade research and analysis; actions taken, as appropriate.	Engagement with academics, NGOs, industry representatives, and other experts on issues related to trade research and analysis; actions taken, as appropriate.	Engagement with academics, NGOs, industry representatives, and other experts on issues related to trade research and analysis; actions taken, as appropriate.	Engagement with academics, NGOs, industry representatives, and other experts on issues related to trade research and analysis; actions taken, as appropriate.
Results	Engaged with academics, NGOs, and industry representatives on issues related to trade research and analysis	Engaged with academics, NGOs, and industry representatives on issues related to trade research and analysis	Engaged with academics, NGOs, and industry representatives on issues related to trade policy modeling and integration in global supply chains	Engaged with academics, NGOs, other government agencies (TPSC, GAO); industry representatives and international organizations on issues related to trade policy modeling and integration in global supply chains
Status	Target met	Target met	Target met	Target met

Performance indicator: Feedback provided during briefings, meetings, and other engagements; actions taken.

## Performance goal 2.21(c):

### FY 2018–FY 2021

Engage requestors, industry experts, and other key stakeholders by hosting at least one trade issue roundtable per year

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	At least one roundtable hosted in FY 2018	At least one roundtable held in FY 2019	At least one roundtable held in FY 2020	At least one roundtable held in FY 2021
Results	Held Services Roundtable	Held Services Roundtable	Held Services Roundtable	Held Services Roundtable
Status	Target met	Target met	Target met	Target met

Performance indicator: Roundtables held.

For performance goal 2.21, we met our FY 2021 targets. Our staff regularly engaged our requestors to discuss analytical capabilities and priorities. Staff provided briefings on completed reports, most notably the Trade Promotion Authority Retrospective; Illegal, Unreported, and Unregulated Fishing; and Raspberries reports, and met with statutory

requestors to discuss possible studies. This year, international engagement was down due to the pandemic, including virtual meetings, while the number of briefings with other government agencies increased. Meetings with requestors and international trade and research organizations helped set analytical priorities and enhanced our ability to provide effective analysis on topics of increasing importance to our requestors, such as the impact of trade on U.S. workers and the impact of nontariff provisions in U.S. free trade agreements.

## Performance goal 2.22:

Improve utility of tariff and trade information for requestors and the public by developing and producing digital and interactive Commission products by FY 2022

FY 2018–FY 2022	
Target	Make five digital or interactive Commission products available to the public by FY 2022.
Results	Ongoing
Status	Ongoing

Performance indicators:

- Development of tools and knowledge to enable production of digital and interactive products.
- Implementation of solutions as measured by the number of digital and interactive Commission products produced by 2022.

Note: Prior to FY 2020 the performance goal was “Improve utility of tariff and trade information for customers and the public by developing and producing digital and interactive Commission products by FY 2022.” References to “customers” have been changed to “requestors” in performance goal 2.22(a).

## Performance goal 2.22(a):

### FY 2016–FY 2019

Develop new digital or interactive Commission products during the fiscal year

	FY 2016	FY 2017	FY 2018	FY 2019
Target	One additional new or updated digital or interactive Commission product available to customers and the public	One additional new or updated digital or interactive Commission product available to customers and the public	One additional new or updated digital or interactive Commission product available to customers and the public	One additional new or updated digital or interactive Commission product available to customers and the public
Results	Updated interactive graphics for <i>Trade Shifts</i> , and developed new interactive graphics for <i>Recent Trends in U.S. Services Trade</i>	Developed new interactive graphics for <i>Trade Shifts and Recent Trends in U.S. Services Trade</i>	Enhanced interactive graphics were published for <i>Trade Shifts 2017, Recent Trends in U.S. Services Trade, Year in Trade 2017</i> and a new interactive data portal was deployed for Gravity Data	Enhanced interactive graphics were published for <i>Trade Shifts 2018, Recent Trends in U.S. Services Trade, Year in Trade 2018</i> ; and a new public portal was deployed for sector-specific partial equilibrium modeling
Status	Target met	Target met	Target met	Target met

Performance indicator: New digital or interactive Commission product produced for requestors and the public.

**FY 2020–FY 2021**

## Develop new digital or interactive Commission products during the fiscal year

	<b>FY 2020</b>	<b>FY 2021</b>
Target	One additional new or updated digital or interactive Commission product available to requestors and the public	One additional new or updated digital or interactive Commission product available to requestors and the public
Results	Enhanced interactive graphics were published for <i>Trade Shifts 2019</i> , <i>Recent Trends in U.S. Services Trade</i> , <i>Year in Trade 2019</i> , and <i>MTB Effects investigations</i>	Enhanced interactive graphics were published for <i>Recent Trends in U.S. Services Trade 2021</i> , <i>Raspberries for Processing</i> , and <i>Year in Trade 2020</i> .
Status	Target met	Target met

Performance indicator: New digital or interactive Commission product produced for requestors and the public.

**Performance goal 2.22(b):****FY 2016**

## Develop new trade data system to upgrade the DataWeb by the end of FY 2016

	<b>FY 2016</b>
Target	Deploy new trade data system
Results	Development of the redesigned DataWeb system was delayed due to reprioritization of resources for the miscellaneous tariff bill petition system (MTBPS)
Status	Target not met

Performance indicator: Modernized trade data system.

**FY 2017**

## Implement Miscellaneous Tariff Bill Petition System (MTBPS) to meet required statutory deadlines

	<b>FY 2017</b>
Target	Implement capability to receive MTB petitions and comments, process them, and deliver preliminary and final reports to Congress
Results	The MTBPS Portal was developed and deployed on October 14, 2016 and closed on December 12, 2016 as required by the AMCA. The Commission subsequently reopened the Portal twice to accept comments on the petitions from the public. Operation of the system was essentially flawless.
Status	Target met

Performance indicator: Deployment of MTBPS components.

## FY 2018

Develop and implement strengthened functionality, capacity, and security, as needed, for the HTS Data Management System and DataWeb by the end of FY 2018

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### FY 2018

Target	Functionality, capacity, and security improvements developed and implemented, as needed
Results	Beta release of reengineered DataWeb continued throughout 4th quarter. Legacy DataWeb was decommissioned October 31, 2018. New functionality includes commodity and country grouping, sortation of results, and rate provision breakouts. Also, improvements were made to the HTS editor to include updates to facilitate implementation of the China 301 and MTB changes.
Status	Target met

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Performance indicator: Improvements to data systems implemented.

## FY 2019

Implement required functional enhancements to the Miscellaneous Tariff Bill Petition System (MTBPS) during FY 2019

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### FY 2019

Target	Functionality and usability of MTBPS improved based on user feedback
Results	Updated system deployed by deadline.
Status	Target met

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Performance indicator: Deployment of updated system.

## FY 2021

Upgrade DataWeb to provide enhanced reporting capabilities by the end of FY 2022

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### FY 2021

Target	Develop requirements for improvements to DataWeb based on user feedback
Results	Business requirements drafted for the overhaul of DataWeb querying and data management systems.
Status	Target met

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Performance indicators: Requirements documented; deployment of updated system.

During FY 2020, we put work on this performance goal on hold, and focused our IT development resources on Strategic Objective 1.2. In FY 2021, we focused our efforts on soliciting feedback from users and developing user-centric requirements to update the DataWeb data querying tool.

## Performance goal 2.23:

Improve timeliness of tariff and customs information provided in response to emails submitted through online help system

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	95% of emails received through online help system receive responses within 7 working days	96% of emails received through online help system receive responses within 7 working days	97% of emails received through online help system receive responses within 7 working days	97% of emails received through online help and search systems receive responses within 7 working days	97% of emails received through online help and search systems receive responses within 7 working days
Results	1,999 of 2,026 total email inquiries responded to in FY 2017 within 7 days of receipt for a 98.7% timely rate	For the full year 2,084 of 2,162 responded to within the 7-day window, for 96.4% compliance rate.	For the year, the response rate was 1,712 responses within the target range out of 1,920 email requests or an 89.2% success rate. The 35-day government shutdown prevented the staff from meeting this goal.	For this year, 1,791 of 1,862 (96.2%) responses were within the target range.	For FY 2021, 1,280 of 1,323 (96.7%) responses were within the target date range.
Status	Target met	Target met	Target not met	Target not met	Target not met

Performance indicator: Email responses to HTS inquiries.

The Commission strives to provide timely assistance to users of the HTS. In FY 2021, the unusually high workload made it challenging for subject matter experts to meet the target of responding to email inquiries within seven days. Commission staff completed 18 revisions to the HTS; conducted a 1205 investigation providing recommendations to the President on modifications to the HTS to conform to the recommended amendments to the Harmonized System adopted by the WCO; and engaged in significant activity for the 484(f) Committee on requested statistical breakouts in the HTS. Despite the elevated tariff-related workload for the Commission, this goal was only very narrowly missed (96.7% result vs. 97% goal).

## Performance goal 2.24:

Improve the transparency of Commission factfinding investigations by providing underlying data when appropriate

## Annual Performance Plan and Annual Performance Report

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Publish non-proprietary data that underlie Commission estimates in factfinding investigations completed in FY 2018	Publish non-proprietary input data that underlie Commission estimates in factfinding investigations completed in FY 2019	Publish non-proprietary input data that underlie Commission estimates in factfinding investigations completed in FY 2020	Publish non-proprietary input data that underlie Commission estimates in factfinding investigations completed in FY 2021
Results	Published non-proprietary input data for Investigation 332-564 (U.S. Trade and Investment with sub-Saharan Africa: Recent Developments)	Published non-proprietary input data for Investigation TPA 105-003 (USMCA); provided all input data and model for Investigation 332-227 (CBERA)	Published non-proprietary input data for several investigations including Inv. 332-571 (Sub-Saharan Africa); Inv. 332-565 (AMCA); Inv. 332-576 (COVID-19)	Published non-proprietary input data for several investigations including: 332-574 (Renewable Electricity); 332-575 (Seafood Obtained via Illegal, Unreported, and Unregulated Fishing); 332-577 (Raspberries for Processing); TPA-105-005 (Economic Impact of Trade Agreements Implemented Under Trade Authorities Procedures); and 332-227 (CBERA)
Status	Target met	Target met	Target met	Target met

Performance indicator: Information posted to the Commission's website.

During FY 2021, the Commission made available underlying data from its investigations on renewable electricity, seafood obtained outside of market standards, raspberries, trade agreements implemented under TPA, and CBERA.

## **Management Goal**

### **Manage: Efficiently and Effectively Advance the Agency's Mission**

This Management Goal in the Annual Performance Report largely corresponds to Strategic Goal 3 in the Annual Performance Plan, although there have been a number of changes to the Objectives under this Goal. For a description of this Management Goal in the Annual Performance Report, see page 52 of the USITC's Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

#### **Management Objective M1.1**

##### **People: Attract and develop a skilled, diverse, and flexible workforce**

Management Objective M1.1 in the Annual Performance Report largely corresponds to Strategic Objective 3.1 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Management Objective M1.1. For a description of Management Objective M1.1 in the Annual Performance Report, see pages 52–54 of the USITC's Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

The Chief Human Capital Officer (CHCO) is the leader for this strategic objective and for each of the performance goals identified below. These include (1) a Position Description Update Project, (2) a Recruitment Workgroup to develop strategies for increasing on-board staffing to meet record workload levels, (3) development and utilization of “skill sharing” tools to maximize staff flexibility, and (4) sponsoring selected employees for participation in a variety of leadership development programs.

In FY 2018, the Commission convened a working group to update all of its current position descriptions over a four-year period and developed a repository for supervisors to access and review them. The Office of Human Resources has completed updating all General Schedule position descriptions and has deployed the repository in which the position descriptions are housed. This completes the project with successful updating of all but a few Schedule C and SES positions that require Commission input.

The Recruitment Workgroup is succeeding in that we have been able to staff up to over 400 on board and maintain staffing levels above 400 for over two years. Further progress has been deferred due to budget uncertainty. The expansion of staff resources provides an opportunity to expand outreach and other recruitment efforts to develop a more diverse workforce while ensuring mission accomplishment. The Recruitment Working Group, in consultation with the Director of OHR, and with input from the Director of EEO, identified strategies to be employed agency-wide and by particular offices to improve the diversity of the applicant pool and, in turn, the diversity of the new group of hires. Progress has already occurred with respect to veteran hiring, previously an under-represented group. Targeted outreach to other underrepresented groups was combined with a nationwide recruitment strategy to ensure a diverse pool of applicants.

Regarding the existing workforce, there are presently two initiatives the Commission is pursuing to improve job skills and diversity of opinions and viewpoints. The Commission has committed to placing employees in internal and external details as well as providing employees with leadership development opportunities. To that end, the Commission sponsored ten internal detail opportunities for employees and sponsored eight employees for leadership development programs in 2021.

### **Performance goal M1.11:**

Improve employee satisfaction and commitment to the agency as measured by the FEVS by achieving continuous improvement through FY 2022.

## Performance goal M1.11(a):

### FY 2016–FY 2019

Improve agency results in specific areas measured in the FEVS

	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
Target	Improvement over FY 2015 baseline on identified questions	Improvement over FY 2016 results on identified questions	Improvement over FY 2017 results on identified questions	Improvement over FY 2018 results on identified questions
Results	Employee Engagement Index 2015 Result: 73% 2016 Result: 77% Improvement = +4%	Global Satisfaction Index 2016 = 74.48% 2017 = 74.06% Decrease of -0.41	Global Satisfaction = 5.37% positive response increase over 2017	Global Satisfaction Index 2019 Improvement = +1.94% over FY 2018
	Global Satisfaction Index 2015 Result: 70% 2016 Result: 74% Improvement=+4%	Employee Engagement 2016 = 77.31% 2017 = 78.53 Improvement of 1.22%	Employee Engagement = 4.29% positive response increase over 2017	Employee Engagement Index 2019 Improvement = +1.38% over FY 2018
Status	Target met	Target partially met	Target met	Target met

Performance indicator: FEVS results.

### FY 2020–FY 2021

Maintain agency results in specific areas measured in the FEVS

	<b>FY 2020</b>	<b>FY 2021</b>
Target	Maintain FY 2019 results	Maintain FY 2019 results
Results	Global Satisfaction Index 2020 = -1.11% below FY 2019  Employee Engagement Index 2020 = +1.27% over FY 2019	N/A- FY 2021 FEVS not deployed until November 2021
Status	Target partially met	N/A- FY 2021 FEVS not deployed until November 2021

Performance indicator: FEVS results.

## Performance goal M1.11(b):

Improve results of bottom 20 percent of assessable offices as measured by the FEVS employee engagement index

	FY 2020	FY 2021
Target	Improvement of 5 percent over FY 2019 results on identified questions that compose employee engagement index (EEI) for bottom 20 percent of assessable offices or aggregations of offices with too few responses to be listed separately.	Improvement of 5 percent over FY 2020 results on identified questions that compose employee engagement index (EEI) for bottom 20 percent of assessable offices or aggregations of offices with too few responses to be listed separately.
Results	<p>Of the 12 assessable organizations from FY 2019, the Offices of the General Counsel (GC), Economics (EC), and Investigations (INV) (~25% of assessable orgs) scored lowest on EEI: 75%, 78%, and 74% respectively.</p> <p>GC FY 2020 EEI Result: 81%            EC FY 2020 EEI Result: 86%            INV FY 2020 EEI Result: 91%</p> <p>Total average improvement for all three offices:            10.43%</p>	N/A- FY 2021 FEVS not deployed until November 2021
Status	Target met	N/A

Performance indicator: FEVS results.

## Performance goal M1.12:

### FY 2016–FY 2018

Increase stakeholder satisfaction with the extent to which recruiting efforts bring in the right human capital in an efficient way

	FY 2016	FY 2017	FY 2018
Target	Improvement over the FY 2015 average in the rate of positive responses to FEVS questions	Improvement over FY 2016 average in rate of positive responses to FEVS questions, or, if 2016 results indicate widespread satisfaction, maintain 2016 satisfaction level	Improvement over FY 2017 average in rate of positive responses to FEVS questions, or, if 2017 results indicate widespread satisfaction, maintain 2017 satisfaction level
Results	+3.3 percentage point improvement over FY 2015 score (2015 Average: 73.2% 2016 Average 76.6% = +3.3%).	FY 2017 Index Average = 78.17% 1.6% improvement over 2016 score of 76.57%	5.37% positive response increase over 2017
Status	Target met	Target met	Target met

Performance indicators: FEVS annual survey.

### FY 2019–FY 2021

Increase stakeholder satisfaction with the extent to which recruiting efforts bring in the right human capital in an efficient way

## Annual Performance Plan and Annual Performance Report

	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Improvement over FY 2018 average in rate of positive responses to FEVS questions, or, if 2018 results indicate widespread satisfaction, maintain 2018 satisfaction level	Improvement over FY 2019 average in rate of positive responses to FEVS questions, or, if 2019 results indicate widespread satisfaction, maintain 2019 satisfaction level	Maintain FY 2019 Results
Results	Satisfaction with Hiring Practices Index 2019 Improvement = + 2.09% over FY 2018	Due to the change in questions on the 2020 FEVS, only one of the three questions comprising the Hiring Practices Index was asked. The positive response rate improved by 3% for that question.	N/A- FY 2021 FEVS not deployed until November 2021
Status	Target met	Target partially met	N/A- FY 2021 FEVS not deployed until November 2021

Performance indicators: FEVS annual survey.

### **Performance goal M1.13:**

All position descriptions for onboard personnel are reviewed and revised within the last four years to ensure that they are up to date (FY 2018–FY 2021). In the following years, the database will be validated on an ongoing basis.

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	At least 25% of out-of-date position descriptions are reviewed and revised	At least 25% of out-of-date position descriptions are reviewed and revised	At least 25% of out-of-date position descriptions are reviewed and revised	At least 25% of out-of-date position descriptions are reviewed and revised, bringing project to completion.
Results	Classified PDs for 101 people in FY 2018, of about 380 employees	Classified PDs covering 144 people in FY 2019, of about 400 employees	Classified 98 PDs covering 105 positions in FY 2020, of about 410 employees	All GS PDs have been updated. The only remaining PDs are those of a few SES and others reporting directly to the Chair. The project has been completed successfully.
Status	Target met	Target met	Target met	Target met

Performance indicator: Reviewed/revised position descriptions.

## Performance goal M1.14:

### FY 2016–FY 2018

Improve stakeholder satisfaction regarding opportunities for professional development to help retain human capital

	FY 2016	FY 2017	FY 2018
Target	Improvement over FY 2015 results baseline on FEVS questions related to this area	Improvement over FY 2016 average in rate of positive responses to FEVS questions or, if 2016 result indicates widespread satisfaction, maintain 2016 satisfaction level	Improvement over FY 2017 average in rate of positive responses to FEVS questions, or, if 2017 result indicates widespread satisfaction, maintain 2017 satisfaction level
Results	2.9 percentage point improvement over FY 2015 score (2015 Average: 65.3% 2016 Average 68.2%).	FY 2017 Index Average = 68.85% 0.7 percentage point improvement over 2016 score of 68.15%	4.29 percentage point increase over 2017 in positive response
Status	Target met	Target met	Target met

Performance indicator: Results of FEVS questions related to this area.

### FY 2019–FY 2021

Improve stakeholder satisfaction regarding opportunities for professional development to help retain human capital

	FY 2019	FY 2020	FY 2021
Target	Improvement over FY 2018 average in rate of positive responses to FEVS questions, or, if 2018 result indicates widespread satisfaction, maintain 2018 satisfaction level	Improvement over FY 2019 average in rate of positive responses to FEVS questions, or, if 2019 result indicates widespread satisfaction, maintain 2019 satisfaction level	Maintain 2019 satisfaction level
Results	Satisfaction with Career Development Opportunities Index 2019 Improvement = +4.49% over FY 2018.	Due to the change in questions on the 2020 FEVS, only two of the six questions composing the Career Development Opportunities Index were asked. The average positive response rate improved by 0.41% for those two questions.	N/A- FY 2021 FEVS not deployed until November 2021
Status	Target met	Target partially met	N/A- FY 2021 FEVS not deployed until November 2021

Performance indicator: Results of FEVS questions related to this area.

## Performance goal M1.15:

Foster an inclusive workplace environment by improving training and development opportunities through FY 2022.

### Performance goal M1.15(a):

Identify and implement project-based or rotational/developmental details within the Commission

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Provide opportunities for staff across the agency to apply for details	Provide opportunities for staff across the agency to apply for details	Provide opportunities for staff across the agency to apply for details	Provide opportunities for staff across the agency to apply for details
Results	OP's Pilot of Skill Share tool underway. Will transition the tool to broader use in FY19.	11+ detail opportunities provided during FY 2019. 3 USITC employees selected for detail to Commissioner Offices. 2 USITC Employees were selected for external details. 6 Employees were placed in Executive Leadership Program, each participating in a detail as part of the program.	5 internal detail opportunities within the Commission were provided during FY 2020. 2 USITC employees selected for detail to Commissioner Offices. 3 USITC employees selected for detail to the Office of Economics.	11 total detail opportunities. The Commission provided 10 internal opportunities within the Commission and one external detail. 2 USITC employees selected for detail to Commissioner offices. Other internal details include Inspector General (2), Economics (3), OPs front office (1), OGC (1), ALJ (1)
Status	Target partially met	Target met	Target met	Target met

Performance indicator: Number of Commission project-based or rotational/development details.

## Performance goal M1.15(b):

Sponsor opportunities for Commission staff to participate in a variety of leadership development programs

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Sponsor at least two individuals at the Commission in FY 2018	Sponsor at least two individuals at the Commission in FY 2019	Sponsor at least three individuals at the Commission in FY 2020	Sponsor at least three individuals at the Commission in FY 2021
Results	The Commission has sponsored 12 staff members to participate in the Partnership for Public Service's Excellence in Government Fellowship, which focuses on developing new Federal leaders. Additionally, USITC sent a candidate to the International Career Advancement Program at the Aspen Institute.	10 employees sponsored for leadership programs. 6 employees were selected for the Executive Potential Program at the Graduate School; 3 employees were selected to attend the Federal Executive Institute; 1 employee was selected to attend the Harvard Senior Executive Fellows Program; and 2 employees were selected for the International Career Advancement Program.	20 employees sponsored: 6 started the Executive Potential Program at the Graduate School; 2 attended two-day leadership course sponsored by the SAC; 3 selected for the GS 7-11 New Leader Program at the Graduate School; 4 selected for executive coaching; 3 selected (1 recalled) for the Executive Leadership Program; 2 selected for the International Career Development Program	8 employees sponsored for leadership programs. 2 selected for Leadership and Management for Non-Managers and Aspiring Supervisors; 1 employee selected for New Leader Program at Graduate School; 1 employee selected for Executive Leadership Potential at Graduate School; 3 employees selected for Executive Leadership Program at Graduate Program; Additionally, USITC sponsored a candidate for the International Career Advancement Program.
Status	Target met	Target met	Target met	Target met

Performance indicator: Number of individuals sponsored by the Commission.

In FY 2021, we met all tracked performance goals related to Management Objective M1.1 for which information was available.

FY 2021 was the fourth and final year for the USITC's position description classification project, the goal of which is to build a library of up-to-date position descriptions for every employee in the agency over four years. The USITC met its target of updating position descriptions and should be able to maintain updated position descriptions in the future.

Finally, the Commission met both of its targets for performance goal M1.15. For goal M1.15(a), the Commission sponsored 10 internal and 1 external detail opportunities for employees. For goal M1.15(b) the Commission sponsored eight employees for leadership development programs.

## **Management Objective M1.2**

### **Money: Ensure good stewardship of taxpayer funds**

Management Objective M1.2 in the Annual Performance Report largely corresponds to Strategic Objective 3.2 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Management Objective M1.2. For a description of Management Objective M1.2 in the Annual Performance Report, see pages 61 and 62 of the USITC's Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020–Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf))

During FY 2021, the Office of the CFO (OCFO) once again refined and expanded its financial management practices and reporting capabilities. The Office of Budget incorporated lessons learned and feedback from previous years' budget building exercise to again improve the annual Budget Review Board (BRB) process. The Budget Director worked with managers to clearly link personnel and non-personnel requests to performance goals, and the Commission's management committees actively balanced office requests with risks and financial reality. The Office of Budget also updated BudgetX20, the tool that combines expenditure plan data with requisition due dates, based upon user feedback. The tool allows the Cost Centers and the Office of Procurement to plan their workload, and gives the Commission a comprehensive framework for tracking execution and projecting surpluses.

The Director of Procurement continued to pivot from paper-based to electronic contract files, and again reviewed contract activity each quarter to determine the extent to which established Procurement Action Lead Times (PALT) deadlines were met. It also continued to provide weekly reports on the status of, and the activity on, each outstanding procurement request, and measured customers' satisfaction with the procurement process through a survey. Training was again offered to Contracting Officer's Representatives (CORs), the procurement office continued to review COR files, and it provided input to the COR appraisal process.

The Director of Finance continued to review, document, and test accounting processes each quarter to ensure that key financial controls are identified, documented, and are working as documented. These financial process and control evaluations supported the achievement of our eleventh consecutive unmodified financial audit opinion during FY 2021.

## Performance goal M1.21:

Provide accurate, timely, insightful and relevant financial management reports to agency leadership on a monthly basis through FY 2022

FY 2018–FY 2022	
Target	Consistent reports; reports issued monthly; positive feedback from agency leadership about relevance and accuracy of reports
Results	Pending
Status	Pending

Performance indicators: Financial management reports that are fully consistent and timely; feedback is received from cost center managers and office directors on relevance of reports.

### Performance goal M1.21(a):

Issue financial management reports that meet the needs of managers throughout the Commission

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	Accurate, useful reports	Accurate, useful reports	Accurate, useful reports	Accurate reports	Accurate, relevant reports
Results	Reports were accurate, and increasingly useful	Reports were accurate; more detailed reports requested	Reports were accurate, and more detailed reports have been issued	Reports were accurate, and more detailed reports have been issued	Reports were accurate, and more detailed reports have been issued
Status	Target partially met	Target partially met	Target partially met	Target partially met	Target partially met

Performance indicator: Reports are fully consistent with financial accounts; reports reflect improvements in response to user feedback.

Note: The target of “Accurate reports” was met for this performance goal in FY 2015 and FY 2016.

## Performance goal M1.21(b):

Issue monthly financial management reports on a timely basis

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	Reports issued monthly	Reports issued monthly	Reports issued monthly	Reports issued monthly	Reports issued timely, at least monthly	Reports issued with increased frequency, mostly weekly or bi-weekly
Results	Reports were timely.	Reports were timely.	Reports were timely	Reports were timely	Reports were timely	Reports were timely
Status	Target met	Target met				

Performance indicator: Timely issuance of reports.

During FY 2021 the OCFO revised and upgraded its budget reporting – BudgetX20 – based upon user feedback. The tool allows the Cost Centers and the Office of Procurement to plan their workload and gives the Commission a comprehensive framework for tracking execution and projecting surpluses.

## Performance goal M1.22:

Improve effectiveness and efficiency of acquisitions during FY 2018–FY 2022 by making continuous process improvements

	FY 2018–FY 2022
Target	Quarterly review reports demonstrate incremental improvements in effectiveness and efficiency of acquisitions
Results	Pending
Status	Pending

Performance indicators: Timeliness and accuracy of procurement actions; cost savings to the government.

Other indicator: Customer feedback.

## Performance goal M1.22(a):

### FY 2016–FY 2018

Reduce the share of procurement actions that exceed the Procurement Action Lead Time (PALT)

FY 2016	
Target	Quarterly PALT reviews that show a 2% reduction of procurement actions that exceed the PALT in FY 2016 from the FY 2015 level
Results	During FY 2016, 90.5% of procurement actions met the PALT.
Status	Target not met

Performance indicator: Share of procurement actions that exceed the PALT.

### FY 2019–FY 2021

97% of procurement actions meet the PALT

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	Quarterly PALT reviews show that 97% of procurement actions meet the PALT in FY 2017	Quarterly PALT reviews show that 97% of procurement actions meet the PALT in FY 2018	Quarterly PALT reviews show that 97% of procurement actions meet the PALT in FY 2019	Quarterly PALT reviews show that 97% of procurement actions met the PALT in FY 2020	Quarterly PALT reviews show that 97% of procurement actions met the PALT in FY 2021
Results	92.2% of actions met the PALT	95.3% of actions met the PALT	95.4% of actions met the PALT	92.9% of actions met the PALT	90.3% of actions met the PALT
Status	Target not met	Target not met	Target not met	Target not met	Target not met

Performance indicator: Share of procurement actions that meet the PALT.

## Performance goal M1.22(b):

### FY 2016

Refine and reduce PALT timelines to the extent possible by the end of FY 2016 to enhance procurement's efficiency in contributing to the agency's mission, and gauge management satisfaction with procurement process via internal survey

FY 2016	
Target	PALT timelines are refined and reduced, as appropriate; gauge management satisfaction with procurement process through internal surveys
Results	PALT timelines were reviewed and reduced as appropriate. We do not expect to reduce them further over the next few years. The survey results showed improvement from 2015 levels, as 80 percent of those responding were very satisfied with the procurement process (67 percent in FY 2015), with the remaining 20 percent satisfied with the process (33 percent in FY 2015).
Status	Target met

Performance indicators: PALT timelines.

## FY 2017–FY 2019

Gauge satisfaction with procurement process, including efforts to incorporate suggestions/feedback into process, via internal surveys

	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
Target	Gauge satisfaction with procurement process, including efforts to incorporate suggestions/feedback into process, through internal surveys	Improve satisfaction level relative to performance in FY 2017	Improve satisfaction level relative to performance in FY 2018
Results	Pending—delay in issuing survey	Although the results of the survey were essentially the same as previous results, there was a much larger response rate, suggesting broader satisfaction with the process	Strong improvement, as the % of respondents indicating they strongly agreed, agreed, were neutral, or disagreed when asked if they were satisfied with the procurement process improved from 60/29/9/2 in FY 2018 to 88/11/1/0 in FY 2019
Status	Target not met	Target met	Target met

Performance indicators: Survey results.

## FY 2020–FY 2021

Gauge satisfaction with procurement process, including efforts to incorporate suggestions/feedback into process, via internal surveys

	<b>FY 2020</b>	<b>FY 2021</b>
Target	Maintain or improve satisfaction level relative to FY 2019	Maintain or improve satisfaction level relative to FY 2020
Results	Continued improvement, as the % of respondents indicating they strongly agreed, agreed, were neutral, or disagreed when asked if they were satisfied with the procurement process improved from 88/11/1/0 in FY 2019 to 95/5/0/0 in FY 2020	The 2021 survey again returned very positive results, with a marginally better response rate in 2021 (44%) than in 2020 (39%). Seventy-five to one hundred percent of the respondents were very satisfied with the different measures of the procurement process, such as technical knowledge, professionalism, problem solving, and availability, while the remaining respondents were satisfied. Approximately 90% were very satisfied with the process overall.
Status	Target met	Target met

Performance indicators: Survey results.

## Performance goal M1.22(c):

Ensure that all agency Contract Officer Representatives (CORs) have been properly trained and are maintaining proper COR files

	FY 2018	FY 2019	FY 2020	FY 2021
Target	At least 70% of sampled COR files are maintained properly	At least 85% of sampled COR files are maintained properly.	At least 85% of sampled COR files are maintained properly, and COR training is offered as needed	At least 90% of sampled COR files are maintained properly, and COR training is offered as needed
Results	Two well-attended on-site COR training classes were offered. While the sampling of COR files was delayed until FY 2019, new online COR workspaces were created during the FY and are ready for use.	Two well-attended on-site COR training classes were offered. The Office of Procurement also began sampling COR files and providing feedback to the CORs.	A well-attended on-site COR training class was offered; the Office of Procurement sampled COR files every quarter and found them to be complete and accurate; and, for the 1st time, the Office of Procurement provided each COR supervisor input during the annual appraisal process on how the CORs performed their duties during the year.	A well-attended and well-received on-site COR training class was offered; the Office of Procurement sampled COR files and found them to be complete and accurate; and, for the Office of Procurement again provided each COR supervisor input during the annual appraisal process on how the CORs performed their duties during the year.
Status	Target partially met	Target partially met	Target met	Target met

Performance indicator: Random Sampling of Contract Files for Q2/Q3.

The Commission continued to refine its acquisition processes during FY 2021. We moved from paper-based to electronic contract files, met our goals for issuing timely and accurate reports, provided a well-received COR training class, continued to sample COR files for completeness and accuracy, and again provided each COR supervisor input during the annual appraisal process on how the CORs performed their duties during the year. While the stretch goal of 97 percent of procurement actions meeting the PALT was not met, there were no lapses in contracts or delays in receiving equipment as a result. The 2021 procurement survey again returned very positive results. Seventy-five to one hundred percent of the respondents were very satisfied with the different measures of the procurement process, and the remaining respondents were satisfied. Approximately 90 percent were very satisfied with the process overall.

## Performance goal M1.23:

Maintain a robust and effective system of financial management and internal controls to achieve an annual unmodified audit opinion on the agency's financial statements from FY 2018 through FY 2022

FY 2018–FY 2022	
Target	Unmodified audit opinion
Results	Pending
Status	Pending

Performance indicator: Audit opinion on the agency financial statements.

## Performance goal M1.23(a):

Maintain a robust system of financial management and internal controls to achieve an annual unmodified audit opinion on the agency's financial statements

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	Unmodified audit opinion	Unmodified audit opinion with no more than one material weakness				
Results	Unmodified audit opinion with no material weaknesses	Unmodified audit opinion with no material weaknesses				
Status	Target met	Target met				

Performance indicators: Audit opinion on the agency financial statements.

Note: Beginning with FY 2021, the Commission is strengthening the target by striving to limit or eliminate material weaknesses.

The goal of obtaining an unmodified audit opinion on the Commission's financial statements was met for the 11th consecutive year. Furthermore, the auditors found no material weaknesses or significant deficiencies in the design and operation of internal controls over financial reporting. Additionally, the audit of the Commission's DATA Act reporting by external auditors resulted in a grade of "excellent." In order to ensure we continue to receive an unmodified opinion, we constantly review, document, test, and refine our financial management practices.

## Performance goal M1.24:

### FY 2018–2021

Develop and implement a budget process that broadly increases Commission participation and responsibility at all levels, and that clearly links budget formulation with performance planning

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Managers at all levels project workloads; estimate and justify the personnel and other resources needed; and clearly link budget formulation to performance planning to provide justification for requests	Managers at all levels project workloads; estimate and justify the personnel and other resources needed; and clearly link budget formulation to performance planning to provide justification for requests	Managers at all levels project workloads; estimate and justify the personnel and other resources needed; and clearly link budget formulation to performance planning to provide justification for requests. Also ensure that any requests by Commissioners to amend /improve process are addressed.	Managers at all levels project workloads; estimate and justify the personnel and other resources needed; and clearly link budget formulation to performance planning to provide justification for requests. Also ensure that any requests by Commissioners to amend /improve process are addressed.
Results	Managers at all levels projected workloads, estimated and justified the personnel and other resources needed, and clearly linked budget formulation to performance planning to provide justification for requests. Moreover, changes made to the process this year were well received and made the process more transparent and inclusive.	Managers at all levels projected workloads, estimated and justified the personnel and other resources needed, and clearly linked budget formulation to performance planning to provide justification for requests. Moreover, changes made to the process this year were well received and made the process more transparent and inclusive.	Managers again estimated and justified the personnel and non-personnel resources they needed based upon projected workloads; budget formulation was linked to performance planning in the justification process; and the process was modified this year to streamline it and make it even more transparent and inclusive. We received only positive comments on the budget review board process from the Commissioners and their staff, and the Commissioners were able to unanimously approve the FY 2021 Expenditure Plan and FY 2022 Budget Request in a timely manner.	Needed personnel and non-personnel resources were again estimated and justified by managers based upon projected workloads, and budget formulation was linked to performance planning in the justification process. We received only positive comments on the budget review board process from the Commissioners and their staff, and the Commissioners were able to unanimously approve the FY 2022 Expenditure Plan and FY 2023 Budget Request in a timely manner.
Status	Target met	Target met	Target met	Target met

Performance indicators: Increased participation by managers in budget process; documentation to support resource requests.

The goal was met as individual managers and the management committees continued to broaden their participation in the process. Managers again estimated and justified the personnel and non-personnel resources they needed based upon projected workloads; budget

formulation was linked to performance planning in the justification process; and the process was modified this year to streamline it and make it even more transparent and inclusive. We received only positive comments on the budget review board process from the Commissioners and their staff, and the Commissioners were able to unanimously approve the FY 2022 Expenditure Plan and FY 2023 Budget Request in a timely manner.

## **Management Objective M1.3**

### **Technology: Identify, deliver, and secure reliable enterprise information systems**

Management Objective M1.3 in the Annual Performance Report largely corresponds to Strategic Objective 3.3 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Management Objective M1.3. For a description of Management Objective M1.3 in the Annual Performance Report, see pages 71 and 72 of the USITC's Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020-Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

In accordance with performance goals M1.31 and M1.32, the Commission maintained a high level of delivery and support of IT services and ensured agency IT security compliance with federal cybersecurity priorities.

The leader for this strategic objective is the Director of the Office of the Chief Information Officer (OCIO). Appendix B provides information on the lead offices responsible for each of the performance goals supporting this strategic objective.

The performance goals for this strategic objective are set forth in tabular form and then described below.

## **Performance goal M1.31:**

Improve delivery of IT solutions to better support the Commission's user community through FY 2022

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### **FY 2018–FY 2022**

Target	Continuation of program
Results	See M1.31 (a)
Status	Pending

Performance indicators: Continued refinement of program for tracking percentage availability to users of IT systems that are important to internal and external customers.

Note: Prior to FY 2020, the performance goal was "Improve delivery of IT solutions to better support Commission customers through FY 2022."

## **Performance goal M1.31(a):**

### **FY 2016**

Maintain or improve system availability to users of important IT systems over FY 2015 levels by end of FY 2016

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### **FY 2016**

Target	Maintain or improve over previous FY
Results	System uptime improved in FY 2016 over FY 2015 for all six systems measured.
Status	Target met

Performance indicator: Percentage of availability to users of important IT systems.

**FY 2017–FY 2021****Maintain high level of system availability to users of important IT systems**

	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Maintain system uptime of at least an average of 99.0% availability for all measured systems.	Maintain system uptime of at least an average of 99.0% availability for all measured systems excluding scheduled maintenance.	Maintain system uptime of at least an average of 99.0% availability or meeting the service level agreement (SLA) for cloud-based services for all measured systems excluding scheduled maintenance.	Maintain system uptime of at least an average of 99.0% availability or meeting SLA for cloud-based services for all measured systems excluding scheduled maintenance.	Maintain system uptime of at least an average of 99.0% availability or meeting SLA for cloud-based services for all measured systems excluding scheduled maintenance.
Results	Five of six measured systems exceeded the baseline of 99.0% availability, which did not meet the target of all measured systems. Email availability was measured at 98.66% available.	Four of six measured systems exceeded the baseline of 99.0% availability, which did not meet the target of all measured systems. Not meeting the baseline availability were Email at 96.23% and SharePoint at 98.21%.	All measured systems exceeded the established baseline of 99.0% availability.	All measured systems exceeded the established baseline of 99.0% availability.	All measured systems exceeded the established baseline of 99.0% availability.

Status	Target not met	Target not met	Target met	Target met	Target met
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Performance indicators: Percentage of availability to users of the following systems: Local Area Network (LAN), Remote Access, EDIS, HTS, and SharePoint. Meeting SLA for Cloud Email service.

Note: When services move to the cloud this uptime performance indicator may be modified to reflect the contractual SLA. Beginning in FY 2021, the HTS system will replace SharePoint which was moved to the cloud-based SharePoint Online service covered under the same contractual SLA as Cloud Email service.

**Performance goal M1.32:**

Ensure a robust security posture by successfully developing capabilities consistent with government-wide cyber security priorities

**FY 2018–FY 2022**

Target	Priorities established annually
Results	Pending
Status	Pending

Performance indicators: Development of capabilities consistent with government-wide priorities.

## **Performance goal M1.32(a):**

### **FY 2016**

Implement and verify security configuration baselines for 100% of new enterprise-wide operating systems

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#### **FY 2016**

Target	100% of new production environment hosts have an approved secure baseline configuration
Results	Baseline configuration settings were successfully applied to 98% of all new hosts. Successful application of the baseline configuration to the remaining new hosts is underway.
Status	Target not met

Performance indicators: Scans of production devices.

### **FY 2017**

Implement and verify United States Government Configuration Baseline (USGCB) for 100% of new workstations running Windows operating systems

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#### **FY 2017**

Target	100% of new Windows workstations have an approved secure baseline configuration applied when deployed.
Results	99.92% of 41,584 security configuration baseline settings across 134 new workstations were compliant, just missing the goal of 100% compliance
Status	Target not met

Performance indicator: Scans of production devices.

### **FY 2018**

Implement and verify secure configuration on workstations and servers for 95% of baseline settings

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#### **FY 2018**

Target	Secure configuration baselines on workstations and servers implementing 95% of baseline settings.
Results	99.24% of 94,332 baseline security configuration settings passed for 483 new workstations and servers, exceeding the goal by 4.2 percentage points
Status	Target met

Performance indicator: Scans of production devices. Reported as a percent of total configuration baseline settings.

## FY 2019–FY 2021

Implement and verify secure configuration baselines on all new workstations and servers for 100% of baseline settings

	FY 2019	FY 2020	FY 2021
Target	Secure configuration baselines on 100% of new workstations and servers implementing 100% of baseline settings.	Secure configuration baselines on 100% of new workstations and servers implementing 100% of baseline settings.	Secure configuration baselines on 100% of new workstations and servers implementing 100% of baseline settings.
Results	100% of new servers and workstations implemented with secure configuration baselines	100% of new servers (89/89) and workstations (262/262) implemented with secure configuration baselines.	100% of new servers and workstations implemented with secure configuration baselines.
Status	Target met	Target met	Target met

Performance indicators: Scans of new production devices show 100% compliance of baseline settings upon delivery to production. Reported as a percent of number of new devices issued which are 100% compliant. If one setting fails when issued, then the device is not compliant.

## Performance goal M1.32(b):

### FY 2016–FY 2021

Ensure Commission information systems have a valid Authorization to Operate

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Target	100% (subject to availability of resources)	100% (subject to availability of resources)	100%	100%	100%	100%
Results	One out of five (20%) Commission information systems have a valid Authorization to Operate (ATO).	One out of six (16.67%) Commission information systems have a valid ATO.	One out of three (33.33%) Commission information systems have a valid ATO.	All defined Commission systems have a valid ATO.	All defined Commission systems have a valid ATO. EDIS ATO re-issued in FY 2020.	All defined Commission systems have a valid ATO.
Status	Target not met	Target not met	Target not met	Target met	Target met	Target met

Performance indicator: Number of Commission information systems with an ATO divided by the total number of Commission information systems.

Note: The change in the number of systems was due to a reassessment and realignment of defined system boundaries.

## Performance goal M1.32(c):

### FY 2019–FY 2021

Maintain and verify secure configuration baselines on all baselined workstations and servers for 99% of baseline settings

	FY 2019	FY 2020	FY 2021
Target	99% of secure configuration baseline settings maintained on all baselined workstations and servers.	Monitoring of metric has provided an opportunity for improvement which requires a significant level of effort to implement. Improvements to be in place by end of FY 2020. Metric reporting to resume in FY 2021.	Secure configurations maintained on baselined servers and workstations. Approved deviations documented and validated. 100% compliance.
Results	100% of sampled workstations maintained a secure baseline. 90% of servers maintained a secure baseline.	New security configuration monitoring plan in place. Enterprise compliance score calculated at end of Q4 to establish baseline metric.	Increased number of secure configurations maintained on baselined servers and workstations. Approved deviations documented and validated.
Status	Target not met	Target met	Target met

Performance indicators: Scans of production devices baselined upon issuance. Reported as a percent of compliant servers and workstations. Servers and workstations reported separately. The FY 2020 performance indicator is to establish a new security configuration monitoring plan and the baseline metric for an enterprise compliance score based on scans of production devices. The FY 2021 indicator is improvement over the previous year's score.

## Performance goal M1.33:

Improve integrity, delivery, and usability of USITC information assets by enabling access to 100% of the Commission's applicable major datasets using Open Data-compliant machine-readable formats by the end of FY 2022.<sup>61</sup>

### Performance goal M1.33(a):

#### FY 2018–FY 2021

All new major systems deployed to production will be Open Data compliant

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Public data behind all new major systems deployed to production in FY 2018 will be available in machine-readable format and accessible on the USITC Open Data webpage	Public data behind all new major systems deployed to production in FY 2019 will be available in machine-readable format and accessible on the USITC Open Data webpage	Public data behind all new major systems deployed to production in FY 2020 will be available in machine-readable format and accessible on the USITC Open Data webpage	Public data behind all new major systems deployed to production in FY 2021 will be available in machine-readable format and accessible on the USITC Open Data webpage
Results	Updates were implemented to include all new 2018 datasets on the Open Data webpage, but technical issues have prevented all the data from currently appearing on the data.gov website.	Technical issues resolved by data.gov support. All applicable datasets available.	No new major systems were deployed in FY 2020. All eligible data sets identified by the Chief Data Officer are available and up to date on the Open Data website.	No new major systems were deployed in FY 2021. All eligible data sets identified by the Chief Data Officer are available and up to date on the Open Data website.
Status	Target partially met	Target met	Target met	Target met

Performance indicator: Availability of information systems providing Open Data.

## Performance goal M1.34:

Utilize cloud services where feasible to reduce infrastructure resource requirements, increase flexibility, and improve availability and accessibility of business applications

FY 2018–FY 2022	
Target	Determined annually
Results	Ongoing
Status	Ongoing

Performance indicators: Identified services and infrastructure are fully migrated to the cloud provider.

<sup>61</sup> Originally, we set this goal for completion in FY 2015.

## FY 2018

Research, procure, and implement cloud-based email solution

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### FY 2018

Target	All staff able to utilize email solution and access migrated content. Determine priorities for FY 2019.
Results	Cloud-based email services were acquired, and most email accounts were migrated by the end of FY 2018.
Status	Target met

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Performance indicator: Email services fully migrated to cloud provider.

## FY 2019

Research, procure, and implement cloud-based solutions for surveys and Office 365

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### FY 2019

Target	Acquire and utilize cloud-based services for issuing surveys and providing Microsoft Office 365. Determine priorities for FY 2020.
Results	Commission implemented enterprise wide, cloud-based solutions BOX and Qualtrics during the reporting period. Significant progress made on O365 implementation.
Status	Target met

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Performance indicator: Contract for service to create and issue surveys and receive responses awarded. Survey service enabled and utilized. In-house survey tool de-commissioned. Contract to provide Microsoft Office 365 services awarded and utilized by staff.

## FY 2020

Implement cloud-based solutions identified in FY 2019

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### FY 2020

Target	Implement priorities established at the end of FY 2019
Results	Completed migration to Microsoft 365 for cloud-based email and Office services and SharePoint Online.
Status	Target met

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Performance indicator: Priorities established in FY 2019 implemented.

## FY 2021

Implement cloud-based solutions identified in FY 2020

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### FY 2021

Target	Implement priorities established at the end of FY 2020
Results	Continued adding enhanced MS365 functionality to portfolio.
Status	Target met

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Performance indicator: Priorities established in FY 2020 implemented, to include further implementation of Microsoft 365 G5 functionality.

In FY 2021, the Commission remained committed to improving the accessibility and availability of its IT systems. Through judicious management of its IT resources and the implementation of new technologies, it was able to meet all mandates, improve its security posture, increase the availability of its systems, and increase the amount of information it makes available to the public.

## **Management Objective M1.4**

### **Operational Effectiveness: Evaluate and improve processes and communication**

Management Objective M1.4 in the Annual Performance Report largely corresponds to Strategic Objective 3.5 in the Annual Performance Plan, although there have been a number of changes to performance goals included in Management Objective M1.4. For a description of Management Objective M1.4 in the Annual Performance Report, see pages 80 and 81 of the USITC's Annual Performance Plan, FY 2021–22 and Annual Performance Report, FY 2020–Updated ([https://www.usitc.gov/documents/usitc\\_fy\\_2021-2022\\_app\\_fy\\_2020\\_apr.pdf](https://www.usitc.gov/documents/usitc_fy_2021-2022_app_fy_2020_apr.pdf)).

Operational effectiveness is about continually improving functional performance. To accomplish this, managers lead and control the functional activities within the agency, and continually measure and improve the processes for which they are responsible.

Strategies we will continue to use in order to meet this management objective include:

- using ERM to identify risks and establish priorities to inform agency decision makers
- refocusing available resources to support agency-wide policy development
- investing and modernizing our IT infrastructure and management systems

The Commission recognizes that resource constraints, unexpected external requirements, and other priorities may slow efforts to fully accomplish all of its planned initiatives in the near future. However, we believe that recent developments—in particular, expanded IT capabilities both within and outside of the OCIO, and increased managerial focus on this and related issues—may mitigate these constraints.

In addition, the Commission is committed to maintaining a safe and secure operating environment for all its employees. We will continue to cultivate a culture of awareness of physical and personnel safety and security concerns. Strategies to promote physical and personnel safety and security include:

- Communicating important security information to promote employee confidence with the agency's security posture
- Providing information regarding employee health and safety to address employee concerns about the Commission's working environment
- Providing agency-wide training for employees on security threats in FY 2020

- Maintaining progress on the Position Description Review Project while fully integrating the review of position risk and sensitivity designations into that periodic review

The leader for this strategic objective is the Director of Operations (OP). Appendix B provides information on the lead offices responsible for each of the performance goals supporting this strategic objective.

The performance goals for this strategic objective are set forth in tabular form and then described below.

## **Performance goal M1.41:**

Improve the efficiency and timely delivery of Commission products by evaluating and implementing improved processes of the agency through FY 2022.

### **Performance goal M1.41(a):**

#### **FY 2017**

Improve the efficiency and timely delivery of Commission products by evaluating and implementing improved production processes

<b>FY 2017</b>	
Target	Implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes; complete evaluation of one additional process.
Results	Identified and implemented process improvements for factfinding investigations based on input from project teams and management. Conducted process mapping for Round Tables and the 484f Committee.
Status	Target met

Performance indicators: Number of major production processes identified; process improvements identified, implemented, and evaluated.

Note: Performance goal M1.41 (a) was changed for FY 2018 and FY 2019 to more broadly cover Commission production and operational processes. FY 2017 performance results for this performance goal (formerly performance goal 2.12(b)) are reported above. FY 2014–FY 2016 performance results for performance goal 2.12(b) are reported in the Commission’s Annual Performance Plan, FY 2017–2018 and Annual Performance Report, FY 2016.

## FY 2018–FY 2021

Improve the production and timely delivery of Commission products and identify other process improvements that can be made throughout the agency by evaluating and implementing improved processes

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Use internal and external performance audits, as well as performance management, ERM, and annual Statement of Assurance reporting activities to identify agency processes most in need of improvement; evaluate and implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes.	Use internal and external performance audits, as well as performance management, ERM, and annual Statement of Assurance reporting activities to identify agency processes most in need of improvement; evaluate and implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes	Use internal and external performance audits, as well as performance management, ERM, budget and expenditure plan data, and annual Statement of Assurance reporting activities to identify agency processes most in need of improvement; evaluate and implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes	Use internal and external performance audits, as well as performance management, ERM, budget and expenditure plan data, and annual Statement of Assurance reporting activities to identify agency processes most in need of improvement; evaluate and implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes
Results	Continued refinement of various agency processes such as those pertaining to factfinding investigations, records retention, budget formulation, and the MTB petitions.	Continued refinement of various agency processes such as those pertaining to factfinding investigations, records retention, budget formulation, and the MTB petitions.	Continued refinement of various agency processes such as those pertaining to factfinding investigations, records retention, budget formulation, and expenditure plan execution.	Continued refinement of various agency processes such as those pertaining to factfinding investigations, records retention, budget formulation, and expenditure plan execution.
Status	Target met	Target met	Target met	Target met

Performance indicators: Number of major processes identified; process improvements identified, implemented, and evaluated.

During FY 2021, agency staff continued to improve processes for factfinding and other investigations, other agency reports, and its administrative matters. For example, staff dedicated additional resources to increase the accuracy of our factfinding reports, including new internal procedures for fact-checking and review of regulatory issues. Also, staff participation in the budget formulation process increased across the agency, as we continued to integrate performance planning and enterprise risk management into the process. Also, with respect to the budget process, we incorporated certain process changes (lessons learned from previous years), leading to a streamlined and more transparent and inclusive process, and therefore an improved end product. We also revised, based upon user input and feedback, the financial management report during the year that combined detailed expenditure plan data

with a calendar containing due dates for requisitions. The tool provides Cost Center managers and the Office of Procurement an improved method to plan their workload, and also gives the Commission a comprehensive framework for tracking expenditure plan execution and projecting surpluses or deficits.

## **Performance goal M1.42:**

Maintain an agency portfolio of enterprise risks through FY 2022.

### **Performance goal M1.42(a):**

100% of offices throughout the agency conduct assessments for new risks and review of 100% of previously identified risks at least on a quarterly basis (FY 2018–FY 2021)

	FY 2018	FY 2019	FY 2020	FY 2021
Target	100% of offices throughout the agency conduct assessments for new risks and review of all previously identified risks at least on a quarterly basis	100% of offices throughout the agency conduct assessments for new risks and review of all previously identified risks at least on a quarterly basis	100% of offices throughout the agency conduct assessments for new risks and review of all previously identified risks at least on a quarterly basis	100% of offices throughout the agency conduct assessments for new risks and review of all previously identified risks at least on a quarterly basis
Results	Office Directors performed ongoing assessments to identify, manage, and update risks in the Enterprise Risk Management (ERM) database. Performance of this assessment/review was documented within the ERM database and provided to the Performance Management and Strategic Planning Committee for further discussion as exemplified in the results for performance goal M1.42(b)	Office Directors performed ongoing assessments to identify, manage, and update risks in the ERM database. Performance of this assessment/review was documented within the ERM database and provided to the Performance Management and Strategic Planning Committee for further discussion as exemplified in the results for performance goal M1.42(b)	Office Directors performed ongoing assessments to identify, manage, and update risks in the ERM database. Performance of this assessment/review was documented within the ERM database and provided to the Performance Management and Strategic Planning Committee for further discussion as exemplified in the results for performance goal M1.42(b)	Office Directors performed ongoing assessments to identify, manage, and update risks in the ERM database. Performance of this assessment/review was documented within the ERM database and provided to the Performance Management and Strategic Planning Committee for further discussion as exemplified in the results for performance goal M1.42(b)
Status	Target met	Target met	Target met	Target met

Performance indicators: Office Directors' certification of quarterly assessment for new risks/review of previously identified risks. Performance of this assessment/review is documented within the ERM database.

## Performance goal M1.42(b):

100% of identified agency risks are reviewed by the Performance Management and Strategic Planning Committee (PMSPC) at least on a quarterly basis (FY 2018–FY 2021)

	FY 2018	FY 2019	FY 2020	FY 2021
Target	PMSPC reviews 100% of identified risks at least on a quarterly basis	PMSPC reviews 100% of identified risks at least on a quarterly basis	PMSPC reviews 100% of identified risks at least on a quarterly basis	PMSPC reviews 100% of identified risks at least on a quarterly basis
Results	The PMSPC used the risk profile developed from the risks identified by Office Directors in the ERM database to rank risks from an agency-wide perspective. Risks were discussed, prioritized, and reviewed to provide the Chair and other Commissioners an assessment of the risks the agency faces arising from its operations and mission-support activities.	The PMSPC used the risk profile developed from the ERM database to rank risks from an agency-wide perspective. Risks were discussed, reviewed, and prioritized to provide the Chair and other Commissioners an assessment of the risks the agency faces arising from its operations and mission-support activities.	The PMSPC used the risk profile developed from the ERM database to rank risks from an agency-wide perspective. Risks were discussed, reviewed, and prioritized to provide the Chair and other Commissioners an assessment of the risks the agency faces arising from its operations and mission-support activities.	The PMSPC used the risk profile developed from the ERM database to rank risks from an agency-wide perspective. Risks were discussed, reviewed, and prioritized to provide the Chair and other Commissioners an assessment of the risks the agency faces arising from its operations and mission-support activities. PMSPC met monthly and more frequently as needed.
Status	Target met	Target met	Target met	Target met

Performance indicators: PMSPC-generated quarterly top agency risk summary for Chair's review.

The Commission uses an Enterprise Risk Management (ERM) framework to manage risks and consider opportunities related to achievement of objectives. This framework allows the Commission to monitor risks in all areas of the agency and better ensure organizational efficiency and effectiveness. During FY 2021, senior executives and managers regularly assessed agency risks and used that information to inform planning and budget formulation decisions. The Commission refined its process of risk assessment by engaging Agency-wide Management Committees (e.g., Human Capital Committee, Budget Committee) to regularly discuss and evaluate risks related to the scope of the Committee's responsibilities. This allowed for more in-depth discussions at the Committee level which provided the PMSPC with better information to evaluate and rank top agency-wide risks.

## Performance goal M1.43:

Redesign policies and procedures for managing the system of internal rules and update all content within it through FY 2022

### Performance goal M1.43(a):

#### FY 2018

Obtain Commission approval and begin implementation of proposed system of internal rules

FY 2018	
Target	Obtain Commission approval for new system of internal rules, issue or update mission and function Statement Directives for all USITC offices, issue or update all committee charter Directives for all agency-wide management committees, issue System of Internal Rules Handbook.
Results	Commission approved new system. Multiple Directives and Designation issued.
Status	Target partially met

Performance indicator: Approved and recorded Directives establishing the new system of internal rules, approved and recorded Directives containing Mission and Functions statements for all USITC offices and agency-wide activities, and Internal Rules Handbook.

#### FY 2019

Implement a new electronic repository of record that ensures accessibility and usability of rules and update of internal rules and update, issue, and consolidate most critical policies and procedures

FY 2019	
Target	Fully deploy new internal rules application with improved metadata and search; identify and issue or update most critical policy Directives; identify and reissue most critical policies currently in Administrative Orders as (or consolidate into) Directives; and identify and issue most critical procedures as Handbooks.
Results	New system of internal rules application deployed during Q3 of FY 2019; Critical policy Directives, including Directive for Merit Promotion and USITC's 508 Program issued
Status	Target partially met

Performance indicator: Repository of record for the system of internal rules deployed to all USITC employees, USITC Administrative action tracking tool, tentatively called "Workhorse", currently in development.

#### FY 2020

Update, issue, and consolidate most critical policies and procedures

FY 2020	
Target	Identify and issue or update most critical policy Directives, identify and reissue most critical policies currently in Administrative Orders as (or consolidate into) Directives, and identify and issue most critical procedures as Handbooks.
Results	The USITC issued 9 Directives during FY 2020 and the Internal Administrative Committee has approved an additional 5 for Chair review and issuance.
Status	Target partially met

Performance indicator: New and updated most critical policy Directives; most critical procedures Handbooks

## FY 2021

Meet collaboratively established project deadlines for internal rule development, updating, and review

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### FY 2021

Target Establish a baseline for meeting project deadlines, with an initial goal of meeting at least 80 percent.

Results The USITC issued 7 Directives during FY 2021

Status Target partially met

Performance indicator: IAC Priority Ranking Tool and System of Internal Rules Application

In FY 2018, the Commission redesigned its system of internal rules and approved a plan to update its entire system of internal rules by FY 2022. The Commission has established the Internal Administration Committee to lead all of its internal policy and procedures development, updating, and review activities. In FY 2020, the agency issued key Directives, including all remaining Mission and Functions Statements for USITC offices, Directives chartering each agency-wide management committee and key policy and program Directives, including the Ethics program. During FY 2021, the Commission issued Directives for the five agency-wide management committees and two other policy directives. Although progress was made during FY 2021, the COVID-19 pandemic and reopening efforts occupied a significant amount of legal and administrative resources that are also required for internal rule development and review, which caused delays. However, the Internal Administration Committee began a project plan to close out the material weaknesses associated with the internal rules which will be completed in FY 2022.

## Performance goal M1.44:

Improve 508 compliance of agency information through FY 2022.

### FY 2016

USITC-generated documents related to factfinding investigations requested in FY 2016 and recurring reports and staff research products initiated in FY 2016 are 508 compliant

FY 2016	
Target	100% 508 compliance for fact finding investigation documents posted to the USITC website; 100% 508 compliance for staff research products ( <i>Journal of International Commerce and Economics</i> and working papers) posted to the USITC website
Results	All requested reports and recurring reports completed during the period were 508 compliant. All working papers initiated during FY 2016 were 508 compliant. JICE articles initiated and published during the fiscal year were also 508 compliant.
Status	Target met

Performance indicator: USITC-generated documents posted to the website related to investigations requested in FY 2016; staff research initiated in FY 2016.

### FY 2017

USITC-generated documents related to factfinding investigations requested in FY 2017 and recurring reports and staff research products initiated in FY 2017 are 508 compliant

FY 2017	
Target	100% 508 compliance for fact finding investigation documents posted to the USITC website; 100% 508 compliance for staff research products (JICE and working papers) posted to the USITC website
Results	All factfinding investigations, staff working papers, and JICE articles were 508-compliant
Status	Target met

Performance indicator: USITC-generated documents posted to the website related to investigations requested in FY 2017.

**FY 2018–FY 2021****Improve 508 compliance of public information**

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	100% 508 compliance for factfinding investigation documents posted to the USITC website; 100% 508 compliance for staff research products (JICE and working papers) posted to the USITC website; develop templates to expand scope of compliance	Continue to develop templates or processes for additional types of public documents; Use templates developed in FY 2018 to produce a wider range of 508 compliant documents	Continue to develop templates or processes for additional types of public documents; Use templates developed in FY 2019 to produce a wider range of 508 compliant documents	Continue to develop templates or processes for additional types of public documents; Use templates developed in FY 2020 to produce a wider range of 508 compliant documents
Results	All factfinding investigations, staff working papers, and JICE articles were 508-compliant; Commission staff developed a plan to bring Title VII investigation documents into compliance.	All published factfinding investigations, staff working papers, JICE articles, and administrative reports were 508-compliant; Significant progress was made on Title VII investigation documents, with report text compliant by end of FY 2019. Figures and tables are expected to be compliant by the end of Q1 of FY 2020.	All published factfinding investigations, staff working papers, JICE articles, and administrative reports were 508-compliant; Although Commission staff made progress in meeting 508 compliance for Title VII investigation documents, historically high statutory workload levels, constrained staffing, and the effort required to adjust processes to accommodate fulltime telework made it difficult to fully meet this performance goal.	All published factfinding investigations, staff working papers, JICE articles, and administrative reports were 508-compliant. Commission reports for Title VII investigations included 508 compliant formatting, text, and tables.
Status	Target met	Target met	Target partially met	Target met

## Performance indicators:

- USITC.gov content analysis report
- Number of templates created for 508 conversions

In FY 2021 we continued to publish 508-compliant factfinding reports as well as various staff publications. In addition, other non-investigative agency publications were 508-compliant. Commission staff made significant progress on bringing Title VII publications into 508 compliance, and by the end of FY 2021 all preliminary and final phase, as well as full review investigation reports contained 508-compliant formatting, text, and tables.

## **Performance goal M1.45:**

Improve resource use, performance management, and internal controls by utilizing business intelligence software to develop and provide Commission managers with useful management reports through FY 2022.

### **Performance goal M1.45(a):**

#### **FY 2017**

Using recently acquired business intelligence software, determine the reporting needs of managers, set a schedule to deliver the reports, and begin development and delivery of selected reports by the end of FY 2017

FY 2017	
Target	Identification of reporting needs and schedule completed; selected reports developed and delivered
Results	Reporting needs documented, prototype for budget report developed
Status	Target partially met

Performance indicator: Development and deployment milestones; effective reports.

Note: In FY 2014, 2015, and FY 2016, the agency established goals to improve agency-wide reporting to support more effective enterprise management. Resource constraints slowed progress toward meeting the goal of developing an enterprise management system. For additional detail, see the Commission's Annual Performance Plan FY 2017–FY 2018 and Annual Performance Report, FY 2016, performance goal C2.1 (a).

## FY 2018–FY 2021

### Continue to identify, refine, and deliver agency-wide management reports

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Timely delivery of and continual improvement of management reports identified in FY 2017; continued development of new reports based on feedback from managers	Timely delivery and continual improvement of management reports, including financial management reports; continued development of new reports based on feedback from managers	Timely delivery and continual improvement of management reports, including financial management reports; continued development of new reports based on feedback from managers	Timely delivery and continual improvement of management reports, including financial management reports; continued development of new reports based on feedback from managers
Results	While reports were accurate, we continue to work on timeliness and the ability to provide more detailed reports	Two key management reports were substantially improved during the year – an expanded version of the expenditure plan and a calendar with each office's procurement due dates. Additionally, most reports will be delivered on a weekly or bi-weekly basis, an improvement over the current monthly schedule.	Improvements were made to one financial management report during the fiscal year, but additional work is required to refine the report.	Improvements were made to a key financial management report during the fiscal year based upon user input and feedback.
Status	Target partially met	Target met	Target partially met	Target met

Performance indicators: Effective and timely management reports; feedback results from managers.

In recent years, the Commission has made significant improvements in the management of its administrative and program operations. We have made, and continue to make, incremental improvements in our ability to capture and report financial and operational data that meet the needs of our managers. We recognize that resource constraints and other priorities may slow efforts to fully address our reporting needs in the near future. However, we believe that recent developments—in particular, expanded IT capabilities both within and outside of the OCIO and increased managerial focus on this and related issues—may alleviate these constraints.

During FY 2021, the agency updated BudgetX20, the tool that combines expenditure plan data with requisition due dates, based upon user feedback. The tool allows the Cost Centers and the Office of Procurement to plan their workload, and gives the Commission a comprehensive framework for tracking execution and projecting surpluses. The agency developed one new financial management report, but continues to work on refining it.

## Performance goal M1.46:

Make continuous improvements to the Commission's web presence, including use of other evolving technologies (e.g., mobile applications, streaming video, rich Internet capabilities) that benefit the Commission's user community and lead to improvements in user satisfaction

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Overall satisfaction with Commission's website is consistent with the average for other executive branch agencies (not more than 3 points less than the average benchmark score for executive branch agencies); needs identified in annual assessments of technology portfolio are incorporated into planning and scoping documents	Overall satisfaction with Commission's website is consistent with the average for other executive branch agencies (not more than 3 points less than the average benchmark score for Executive Branch federal agencies); needs identified in annual assessments of technology portfolio are incorporated into planning and scoping documents	Overall satisfaction with Commission's website is consistent with the average for other executive branch agencies (not more than 3 points less than the average benchmark score for Executive Branch federal agencies); needs identified in annual assessments of technology portfolio are incorporated into planning and scoping documents	Overall satisfaction with Commission's website is consistent with the average for other executive branch agencies (not more than 3 points less than the average benchmark score for Executive Branch federal agencies); needs identified in annual assessments of technology portfolio are incorporated into planning and scoping documents
Results	USITC score of 72.0 is within +3 of benchmark score of 72.7 for executive branch federal agencies	USITC score of 72.1 is within +3 of benchmark score of 74.2 for executive branch federal agencies	USITC score of 74.2 is within +3 of benchmark score of 75.4 for executive branch federal agencies	USITC score of 70.1 is not within the +3 of benchmark score of 74.6 for executive branch federal agencies
Status	Target met	Target met	Target met	Target not met

Performance indicator: ForeSee survey results, assessment of use of new technologies.

In FY 2021, the Commission did not meet its goal for user satisfaction with the public website, as measured using the score obtained through the Foresee survey service. Our user satisfaction score decreased by 4.1 points to 70.1 and was 4.5 points lower than the overall satisfaction score for all executive branch agencies (as measured by Foresee), which is used as the benchmark, and was not within the 3-point range of variability.

This decline in satisfaction is a result of the low scores from users of DataWeb. During FY 2021, the Commission added the reCaptcha function for security reasons, which requires verification, and DataWeb users have responded negatively to this added feature.

## Performance goal M1.47:

Monitor and ensure the safety and security of our workplace through FY 2022.

### Performance goal M1.47(a):

#### FY 2018–FY 2022

Improve awareness of physical and personnel safety and security policies and procedures

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Target	Develop and hold at least one physical and personnel safety and security training session annually. Develop and disseminate regular agency-wide updates on physical and personnel safety and security issues.	Hold at least one physical and personnel safety and security training session annually. Disseminate regular agency-wide updates on physical and personnel safety and security issues.	Hold at least one physical and personnel safety and security training session annually. Disseminate regular agency-wide updates on physical and personnel safety and security issues.	Hold at least one physical and personnel safety and security training session annually. Disseminate regular agency-wide updates on physical and personnel safety and security issues. Promote awareness and compliance with CDC guidelines regarding COVID-19 remedial practices for facility and personnel management
Results	Held two training courses with two sessions for each.	OSSS held “DC Emergency Awareness” presentations by the <i>DC Homeland Security and Emergency Management Agency</i> on May 14 and 16, 2019.	The USITC promoted “Cardiac Awareness Month” in Q1 and OSSS held American Red Cross CPR and First Aid certification training online during Q4.	Held online training sessions on three separate dates that covered numerous topics that included situational awareness in public areas, personal crime prevention, family-oriented operation security, and workplace violence. Continued to manage controlled facility access with adherence to CDC guidelines and observance of social distancing and masking requirements, and adjusted as necessary as new guidance became available.
Status	Target met	Target met	Target met	Target met

Performance indicators: Physical and personnel safety and security sessions and updates.

## Performance goal M1.47(b):

### FY 2018–FY 2021

Ensure the appropriate security investigation for new employees and the appropriate reinvestigation for current employees based on the risk and sensitivity designation of their positions

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Coordinate and track the review of position risk and sensitivity designations with the Office of Human Resources four-year review of position descriptions.	Coordinate and track the review of position risk and sensitivity designations with the Office of Human Resources four-year review of position descriptions.	Coordinate and track the review of position risk and sensitivity designations with the Office of Human Resources four-year review of position descriptions.	Coordinate and track the review of position risk and sensitivity designations with the Office of Human Resources four-year review of position descriptions.
Results	Reviewed PDs for 101 out of under 400 employees	87 PDs covering 144 employees were reviewed	Reviewed 45 PDs submitted in FY 2020, 40 of which had appropriate designations and 5 of which were deemed to have incorrect designations and required revisions.	Redesignation investigations were initiated on 21 employees, and periodic reinvestigations were initiated on 26 existing employees.
Status	Target met	Target met	Target met	Target met

Performance indicator: Reviews of position risk and sensitivity designations.

This project was a companion part of the Position Description Project (see Management Objective M1.1 and performance goal 1.13) and has also been successfully concluded.

## Performance goal M1.47(c):

### FY 2018–FY 2021

Track results from the Federal Employee Viewpoint Survey related to safety

	FY 2018	FY 2019	FY 2020	FY 2021
Target	85% favorable response rate for agency FEVS question “Employees are protected from health and safety hazards on the job”	85% favorable response rate for agency FEVS question “Employees are protected from health and safety hazards on the job”	85% favorable response rate for agency FEVS question “Employees are protected from health and safety hazards on the job”	90% favorable response rate for agency FEVS question “Employees are protected from health and safety hazards on the job”
Results	FY 2018 response rate was 89.5%	FY 2019 response rate was 91.8%	FY 2020 positive response rate was 90.3%	Data not available as the 2021 FEVS will be conducted during Q1 of FY 2022 (November 2021)
Status	Target met	Target met	Target met	N/A

Performance indicator: Annual FEVS results.

## Performance goal M1.47(d):

### FY 2018–FY 2021

Track results from the Federal Employee Viewpoint Survey related to security

	FY 2018	FY 2019	FY 2020	FY 2021
Target	75% favorable response rate for agency FEVS question “My organization has prepared employees for security threats”	80% favorable response rate for agency FEVS question “My organization has prepared employees for security threats”	80% favorable response rate for agency FEVS question “My organization has prepared employees for security threats”	85% favorable response rate for agency FEVS question “My organization has prepared employees for security threats”
Results	FY 2018 response rate was 73.8%	FY 2019 response rate was 81.3%	This question was not included on the FY 2020 FEVS	Data not available as the 2021 FEVS will be conducted during Q1 of FY 2022 (November)
Status	Target not met	Target met	N/A	N/A

Performance indicator: Annual FEVS results.

In FY 2021, the Commission met two of the above performance goals, with two pending the results of the 2021 FEVS survey. The Commission improved employee awareness of physical and personnel safety and security by a virtual training session and promoting safety-awareness. (Performance goal M1.47(a)). More specifically, the Commission conducted online training sessions on three separate dates that covered numerous topics that included situational awareness in public areas, personal crime prevention, family-oriented operation security, and workplace violence. The Commission plans on offering additional security awareness training in FY 2022, along with First Aid/CPR training and certification. Further, the agency's physical and personnel security teams worked closely with USITC management to safely manage employee access to the USITC building during the COVID-19 pandemic. During FY 2021, the Commission continued to manage controlled facility access with adherence to CDC guidelines and observance of social distancing and masking requirements. The Commission took necessary steps to ensure appropriate personnel security investigations for all employees by integrating personnel security efforts into the agency-wide position description review project (Performance goal M1.47(b)). This ensures that security designations will be updated at least once every four years.

The final two performance goals (Performance goals M1.47(c) and (d)) are tied to FEVS results. Given that the deployment of the FY 2021 FEVS was delayed until November 2021, the Commission did not have the data available to measure performance on these targets. Despite

this, the Commission will continue to mitigate threats to security so employees can feel safe upon returning more regularly to the building.

## Appendix A

# International Trade Commission Staff Offices

### Office of the Administrative Law Judges

The Commission's **administrative law judges (ALJs)** hold hearings and make initial determinations in investigations under section 337 of the Tariff Act of 1930. If, after receipt of a complaint, the Commission decides to institute an investigation, the matter is referred to this office. The Chief ALJ assigns each case on a rotational basis to one of our ALJs. After a discovery process, a formal evidentiary hearing is held in accordance with the Administrative Procedure Act (APA) (5 U.S.C. § 551 et seq.). The ALJ considers the evidentiary record and the arguments of the parties and makes an initial determination (ID), including findings of fact and conclusions of law. The ID becomes the Commission's determination unless the Commission determines to review it. Upon review, the Commission may affirm, reverse, modify, set aside or remand the matter back to the ALJ for further proceedings. Temporary relief may be granted under the statute.

### Office of the General Counsel

The **General Counsel** serves as the Commission's chief legal advisor. The Office of the General Counsel (GC) provides legal advice and support to the commissioners and staff on investigations and research studies, represents the Commission in court and before dispute resolution panels and administrative tribunals, and provides assistance and advice on all general administrative-law matters, including personnel, ethics, and contractual issues.

### Office of Operations

The Commission's core of investigative, industry, economic, nomenclature, and technical expertise is found within the **Office of Operations (OP)**. The following seven offices are under the supervision of the Director of Operations:

The **Office of Economics (EC)** conducts investigations primarily under section 332 of the Tariff Act of 1930, section 131 of the Trade Act of 1974, and section 105 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. EC also provides expert economic analysis for import injury investigations, as well as other industry and economic analysis products.

The **Office of Industries (IND)** conducts investigations primarily under section 332 of the Tariff Act of 1930, section 131 of the Trade Act of 1974, and section 105 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. IND maintains technical expertise related to the performance and global competitiveness of industries and the impact of international trade on those industries for these studies and for import injury investigations.

The **Office of Investigations (INV)** supports the Commission's mandate to conduct import injury investigations, including those specified in the Tariff Act of 1930, the Trade Act of 1974, the USMCA Implementation Act, and the Uruguay Round Agreements Act (URAA) of 1994.

The **Office of Tariff Affairs and Trade Agreements (TATA)** implements the Commission's responsibilities with respect to the Harmonized Tariff Schedule of the United States and the International Harmonized System.

The **Office of Unfair Import Investigations (OUII)** participates in adjudicatory investigations, usually involving patent and trademark infringement, conducted under section 337 of the Tariff Act of 1930, both during the pre-institution phase and as a party with no commercial interest in the outcome.

The **Office of Analysis and Research Services (OARS)** provides research and investigative support. It comprises our main library, as well as editorial and statistical services.

The **Trade Remedy Assistance Office (TRAO)** provides information about the benefits and remedies available under U.S. trade laws and assists small businesses seeking relief under those laws.

## **Office of External Relations**

The **Office of External Relations (ER)** develops and maintains liaison between the Commission and our external stakeholders and is our point of contact with USTR and other executive branch agencies, Congress, foreign governments, international organizations, the public, and the media.

## **Office of the Chief Information Officer**

The **Office of the Chief Information Officer (OCIO)** provides information technology leadership, a comprehensive services and applications support portfolio, and a sound technology infrastructure to the Commission and our customers. The OCIO seeks to promote, deliver, and manage the secure and efficient application of technology to our business activities. OCIO

comprises a front office and five divisions: Cybersecurity, Service Delivery, Systems Engineering, Network Support, and Data Management.

## **Office of the Chief Financial Officer**

The **Office of the Chief Financial Officer (OCFO)** compiles the Commission's annual budget, prepares the appropriation and authorization requests, and closely monitors budget execution. The OCFO also provides support for acquisitions and is responsible for financial reporting. Component offices include the Office of Budget, Office of Procurement, and the Office of Finance.

## **Office of Administrative Services**

The **Office of Administrative Services (OAS)** provides human resource services—including collective bargaining with union representatives; management of the system of internal rules; cost center management for personnel, facilities, security, support services and administrative services; information and document management; management of work-life issues; and facilities management services. In addition, it is responsible for all of our physical and personnel security matters. Component offices include Human Resources, Security and Support Services, and the Office of the Secretary.

## **Office of Internal Control and Risk Management**

The **Office of Internal Control and Risk Management (OICRM)** provides internal control and risk management oversight. The mission of OICRM is to safeguard the Commission through minimizing risks, protecting assets, promoting operational efficiency, and supporting adherence to laws, regulation, rules, and policies. The OICRM reports to the Chair.

## **Office of Inspector General**

The **Office of Inspector General (OIG)** conducts audit, evaluation, inspection, and investigative activities covering all Commission programs and strategic operations. The mission of the OIG is to promote and preserve our effectiveness, efficiency, and integrity of the USITC. The OIG independently plans and conducts activities in accordance with applicable legal regulations, receiving only broad guidance from the Chair.

## **Office of Equal Employment Opportunity**

The **Office of Equal Employment Opportunity (OEEO)** administers the Commission's equal employment opportunity (EEO) program. The Director advises the Chair, the commissioners,

and USITC managers on all EEO issues; manages and coordinates all EEO activities in accordance with relevant EEO laws and Commission regulations; evaluates the sufficiency of our EEO programs and recommends improvements or corrections, including remedial and disciplinary action; encourages and promotes diversity, equity, and inclusion outreach; and monitors recruitment activities to assure fairness in agency hiring practices.

## Appendix B

# Performance Data Sources

To assess progress toward achieving our goals, the Commission measures performance and takes steps to ensure that the performance data are accurate, reliable, and valid. We do so through quarterly performance reviews and verification. Validation and verification of performance data contribute to accuracy and reliability and help to ensure that the information is credible. Validation ensures that performance data measure what they are supposed to measure. Verification involves reviewing and substantiating the accuracy of the data.

The following tables show the indicators, target, lead office and data sources for each FY 2021 performance goal.

## Strategic Objective 1.1

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
1.11	Conclude investigations into alleged section 337 violations within timeframes that are consistent with the Uruguay Round Agreements Act implementing report by FY 2022.	Annual average length of investigations concluded on the merits.	15 months	OUII	Spreadsheets maintained by OUII and OGC and 337Info
1.11(a)	Assess implementation and effectiveness of severing rules	Assessment; proposal	Complete assessment and provide proposal, if warranted	OUII	EDIS
1.11(b)	Measure effectiveness of early disposition program and implement changes if appropriate.	Report on assessment of effectiveness	Information assessed; improvements implemented	OUII	337Info, EDIS
1.11(c)	Shorten average time between section 337 Final ALJ Initial Determination (ID) and the Commission's final determination	Number of months between Final ID and the issuance of the Commission's final determination	Average length of time between Final ID and completion of the Commission's final determination is less in FY 2021 than it was in FY 2020	OUII	337Info, EDIS
1.11(d)	Shorten average time between institution of investigation and issuance of final ID	Number of months between institution of investigation and issuance of Final ID for investigations in which a final Commission determination on the merits has issued during the fiscal year.	Average length of time between the institution of an investigation and the issuance of the final ID is less in FY 2021 than it was in FY 2020	OUII	337Info, EDIS
1.12	Improve the timeliness of section 337 ancillary proceedings by meeting targets for or reducing the average length of ancillary proceedings	Length of ancillary proceedings concluded on the merits	Modification--6 months Advisory--9 months Enforcement--12 months Fed Circuit remand--12 months Consolidated ancillaries--15 months	OUII	Data gathered by OGC, EDIS and 337Info
1.13	Individual offices complete their portions of section 337 modifications and advisory proceedings under the pilot program within specified timeframes.	Number of months to complete 337 modifications and advisory proceedings covered by the pilot program.	Modification (GC)--2–3 months Modification (OUII)--3–6 months Modification (ALJ)--6–9 months Advisory (GC)--2–3 months Advisory (OUII)--3–6 months Advisory (ALJ)--6–9 months	OUII	Data gathered by GC, EDIS and 337Info

## Annual Performance Plan and Annual Performance Report

<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
1.14	Deliver 100% of import injury investigation determinations and reports by the statutory deadline	Submission of Commission determinations and reports to Commerce	100% delivered by statutory deadline	INV	Log maintained by INV
1.15	Evaluate the paper burden of responding to notices of institution during the adequacy phase of five-year reviews of AD/CVD orders and develop and implement an option to reduce this burden	Number of responses filed; options to reduce reporting burden	Continue pilot project; assess and update requirements and process; transition to alternative collection vehicle and process	INV	EDIS; external survey

## Strategic Objective 1.2

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
1.21	Leverage existing and developing technologies to improve the flow of information to interested parties and the general public during FY 2018–FY 2022	Development and implementation of projects	Projects identified and implemented each year	INV	
1.21(a)	Improve access to investigation-related information by completing development of data search and extraction tools for investigation data system.	Investigation data system; components developed or enhanced; tools developed and deployed.	Complete development of query tools for investigation data based on established priorities; add functionality to the Title VII component of the system to support business operations. Conduct interim analysis of what was accomplished, lessons learned and potential future business needs or system enhancements for possible future prioritization, if appropriate.	OP	Creation of Investigation data system; information input by various offices
1.21(b)	Complete development of electronic service of public documents and continue development of electronic service of confidential documents by the end of FY 2021 to improve the flow of information to authorized parties	Confidential electronic service capability implemented and deployed.	Continue developing ability to serve Commission confidential documents subject to Administrative Protective Order on the parties via electronic means	SE/OC IO	Service Lists and other related information retained in EDIS
1.22	Post information on import injury investigation case webpages within specific timeframe	Investigation-related information posted	85% of information posted within 48 hours and 90% within 72 hours of issuance; evaluate changes to products and processes to conform to implementation of investigations data system.	INV	Spreadsheets created to track {1} FR notices and {2} all other posted information
1.23	Conduct outreach to bar groups and other stakeholders to ensure they understand Commission capabilities and processes.	Outreach efforts	Efforts made each quarter	INV	Logs maintained by various offices tracking outreach efforts

## Annual Performance Plan and Annual Performance Report

<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
1.24	Issue regular feedback surveys to external stakeholders to assess effectiveness and efficiency of Title VII investigation processes and procedures. Implement proposed new processes/procedures as appropriate.	Survey issuance; process/ procedure updates	Surveys issued, responses compiled, and assessed	INV	Initial survey as issued; tabulation and analysis of responses
1.25	Post documents to EDIS within specified time frames.	Percentage of documents posted	Import injury--24 hrs: 85% Import injury--48 hrs: 95% Section 337--24 hrs: 85% Section 337--48 hrs: 95%	SE	Metrics maintained and reported on by SE with assistance from CIO from data in EDIS
1.26	Post public versions of confidential Section 337 Final IDs and Commission opinions within specified timeframes.	Number of days between issuance of confidential Commission Section 337 opinions and posting of the public version	Average length of time to post public versions of confidential Section 337 Final IDs and Commission opinions is 30 days or less	OUII	EDIS

## Strategic Objective 2.1

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
2.11	Identify and prioritize areas to improve capabilities to analyze important new issues in trade and industry competitiveness through 2022.	Priority areas vetted and established annually through 2022	Capabilities developed in new areas annually	IND/EC	
2.11(a)	Identify and prioritize areas to enhance capabilities to analyze new issues in trade and industry competitiveness.	Priority areas identified and vetted	<p><b>Improved capabilities in priority areas such as:</b></p> <p><b>1. Expand research on:</b> gravity modeling of trade and trade policy; the effects of the 2020 economic downturn on the U.S. economy; partial equilibrium and sector-specific analysis; impact of trade and trade policy on workers, wages, and inequality; global supply chains; methods to assess industry competitiveness; NTMs affecting goods and services; foreign direct investment; China; and the impact of trade policy uncertainty on trade and investment.</p> <p><b>2. Increase expertise on trade-related agreements and U.S. trade relationships.</b></p>	IND/EC	Joint EC/IND research spreadsheet; meeting documentation
2.12	Improved analytical tools and new capabilities are reflected in statutory work products through FY 2022.	Share of staff research time reflected in statutory products	Continuous improvement through FY 2022	IND/EC	
2.12(a)	Improved analytical tools and new capabilities are reflected in statutory work products.	Share of staff research time reflected in statutory products	Improved analytical tools and new capabilities are reflected in statutory work products	EC/IND	Labor Cost Code database; work product content database
2.13	Improve processes to identify and correct errors at the prepublication stage for HTS files through 2022.	Identified and corrected information	Determined each year	TATA	Logs show percentage of errors found during review and percentage of errors identified post-publication
2.13(a)	Improve the accuracy of published version of the HTS.	Identified and corrected information	HTS updates are at least 98% error-free on publication	TATA	Logs show percentage of errors found during review and percentage of errors

## Annual Performance Plan and Annual Performance Report

<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
					identified post-publication
2.14	Improve the HTS Search function based on ongoing analysis of user search results during FY 2018–FY 2022.	Reduction in “no results” outcomes	Analyze HTS search logs on a regular basis and improve the HTS search tool accordingly	TATA	HTS search logs; record of improvements
2.14(a)	Define, document, and implement the requirements to reengineer the HTS Data Management System and HTS Search Database	Requirements documented; HTS system capability developed.	Define and document requirements for improvements to the HTS DMS and HTS Search by end of FY 2021.	TATA	HTS search logs; record of changes to thesaurus

## Strategic Objective 2.2

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
2.21	Engage Commission requestors and other U.S. and international experts to enhance agency capabilities in order to provide effective and responsive analysis, data, and nomenclature services	Feedback provided during briefings and meetings	Briefings and meetings with requestors conducted after report delivery generate feedback	IND/EC	
2.21(a)	Engage requestors to understand their priorities and seek feedback on Commission work.	Feedback provided during briefings, meetings, and other engagements; actions taken	Engagement with requestors related to Commission reports and other products generates feedback; actions taken, as appropriate.	IND/EC	Meeting documentation
2.21(b)	Engage non-requestor experts to expand staff expertise, diversify knowledge base, and improve analytical tools to advance agency capabilities	Feedback provided during briefings, meetings, and other engagements; actions taken	Engagement with academics, NGOs, industry representatives, and other experts on issues related to trade research and analysis; actions taken, as appropriate.	IND/EC	Meeting documentation
2.21(c)	Engage requestors, industry experts, and other key stakeholders by hosting at least one trade issue roundtable per year	Roundtables held	At least one roundtable hosted in FY 2021	IND/EC	Roundtable documentation (invite lists, agenda, etc.)
2.22	Improve utility of tariff and trade information for requestors and the public by developing and producing digital and interactive Commission products by FY 2022.	Development of tools and knowledge to enable production of digital and interactive products; Implementation of solutions as measured by the number of digital and interactive Commission products produced by 2022	Make five digital or interactive Commission products available to the public by FY 2022.	EC/IND	
2.22(a)	Develop new digital or interactive Commission products during the fiscal year.	New digital or interactive Commission product produced for requestors and the public	One additional new or updated digital or interactive Commission product available to requestors and the public	EC/IND /OARS	Publications, Web products

## Annual Performance Plan and Annual Performance Report

<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
2.22(b)	Upgrade DataWeb to provide enhanced reporting capabilities by the end of FY 2022	Requirements documented; deployment of updated system	Develop requirements for improvements to DataWeb based on user feedback	OARS	Requirements documentation
2.23	Improve timeliness of tariff and customs information provided in response to emails submitted through online help system.	Email responses to HTS inquiries	97% of emails received through online help and search systems receive responses within 7 working days	TATA	Data compiled by staff and aggregated for reporting purposes
2.24	Improve the transparency of Commission factfinding investigations by providing underlying data when appropriate.	Information posted to the Commission's website.	Publish non-proprietary input data that underlie Commission estimates in factfinding investigations completed in FY 2021	EC, IND	<a href="https://www.usitc.gov/data/index.htm">https://www.usitc.gov/data/index.htm</a>

## Management Objective 1.1

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
M1.11	Improve employee satisfaction and commitment to the agency as measured by the FEVS by achieving continuous improvement through FY 2022.			OAS	FEVS
M1.11(a)	Maintain agency results in specific areas measured in the FEVS	FEVS results	Maintain FY 2020 results	OAS	FEVS
M1.11(b)	Improve results of bottom 20 percent of assessable offices as measured by the FEVS employee engagement index	FEVS results	Improvement of 5 percent over FY 2020 results on identified questions that compose employee engagement index (EEI) for bottom 20 percent of assessable offices or aggregations of offices with too few responses to be listed separately.	OAS	FEVS
M1.12	Increase stakeholder satisfaction with the extent to which recruiting efforts bring in the right human capital in an efficient way.	FEVS annual survey	Maintain FY 2019 results.	OAS	FEVS
M1.13	All position descriptions for onboard personnel are reviewed and revised within the last four years to ensure that they are up to date (FY 2018–FY 2021). In the following years, the database will be validated on an ongoing basis.	Reviewed/revised position descriptions	At least 25% of out-of-date position descriptions are reviewed and revised, bringing project to completion.	OAS	OF-8 (This is the cover sheet of a PD and provides information on the date issued).
M1.14	Improve stakeholder satisfaction regarding opportunities for professional development to help retain human capital.	Results of FEVS questions related to this area	Maintain 2019 satisfaction level	OAS	FEVS
M1.15	Foster an inclusive workplace environment by improving training and development opportunities through FY 2022.				

## Annual Performance Plan and Annual Performance Report

<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
M1.15(a)	Identify and implement project-based or rotational/developmental details within the Commission.	Number of Commission project-based or rotational/development details	Provide opportunities for staff across the agency to apply for details	OAS/HR	Records (log) maintained by HR
M1.15(b)	Sponsor opportunities for Commission staff to participate in a variety of leadership development programs	Number of individuals sponsored by the Commission	Sponsor at least three individuals at the Commission in FY 2021	OAS/HR	Records compiled by HR training officer

## Management Objective 1.2

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
M1.21	Provide accurate, timely, insightful and relevant financial management reports to agency leadership on a monthly basis through FY 2022	Financial management reports that are fully consistent and timely; feedback is received from cost center managers and office directors on relevance of reports	Consistent reports; reports issued monthly; positive feedback from agency leadership about relevance and accuracy of reports	OCFO (Budget, Finance, Procurement)	Oracle Federal Financials (OFF); labor cost database; OCFO Sharepoint site; labor cost reports developed by OARS
M1.21(a)	Issue financial management reports that meet the needs of managers throughout the Commission.	Reports are fully consistent with financial accounts; reports reflect improvements in response to user feedback	Accurate, relevant reports	OCFO (Budget, Finance, Procurement)	OFF; labor cost database; Finance and Budget Committee meetings; labor cost reports developed by OARS
M1.21(b)	Issue monthly financial management reports on a timely basis.	Timely issuance of reports	Reports issued with increased frequency, mostly weekly or bi-weekly	OCFO (Budget, Finance, Procurement)	OFF; labor cost database, OCFO Sharepoint site, discussions with office Directors and CCMs, Finance and Budget Committee meetings
M1.22	Improve effectiveness and efficiency of acquisitions during FY 2018–FY 2022 by making continuous process improvements.	Timeliness and accuracy of procurement actions; cost savings to the government	Quarterly review reports demonstrate incremental improvements in effectiveness and efficiency of acquisitions	OCFO (Procurement, Internal Control/Risk Management)	PRISM; Federal Procurement Data System; Next Generation (FPDS-NG); Procurement Action Lead Times (PALT); contract files
M1.22(a)	97% of procurement actions meet the PALT.	Share of procurement actions that meet the PALT	Quarterly PALT reviews show that 97% of procurement actions meet the PALT in FY 2021	OCFO (Procurement, Internal Control/Risk Management)	PRISM; OFF; contract files; Procurement log; PALT data
M1.22(b)	Gauge satisfaction with procurement process, including efforts to incorporate suggestions/feedback into process, via internal surveys.	Survey results	Maintain or improve satisfaction level relative to FY 2020	OCFO (Procurement, Internal Control/Risk Management)	Internal survey developed by OARS

## Annual Performance Plan and Annual Performance Report

<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
M1.22(c)	Ensure that all agency Contract Officer Representatives (CORs) have been properly trained and are maintaining proper COR files	Random Sampling of Contract Files for Q2/Q3	At least 90% of sampled COR files are maintained properly, and COR training is offered as needed	OCFO (Procurement)	Contract files; COR files; training slides; training attendance log; control file sampling records
M1.23	Maintain a robust and effective system of financial management and internal controls to achieve an annual unmodified audit opinion on the agency's financial statements from FY 2018 through FY 2022.	Audit opinion on the agency financial statements	Unmodified audit opinion	OCFO	OFF; Concur; OCFO Sharepoint site; contract files; reconciliations; purchase card log
M1.23(a)	Maintain a robust system of financial management and internal controls to achieve an annual unmodified audit opinion on the agency's financial statements.	Audit opinion on the agency financial statements	Unmodified audit opinion with no more than one material weakness	OCFO	OFF; Concur; OCFO Sharepoint site; contract files; reconciliations; purchase card log
M1.24	Develop and implement a budget process that broadly increases Commission participation and responsibility at all levels, and that clearly links budget formulation with performance planning	Increased participation by managers in budget process; documentation to support resource requests.	Managers at all levels project workloads; estimate and justify the personnel and other resources needed; and clearly link budget formulation to performance planning to provide justification for requests. Also ensure that any requests by Commissioners to amend /improve process are addressed.	OCFO	Budget and Finance Committee meeting minutes; PMSPC meeting minutes; budget files; ERM database; budget templates; personnel costs

## Management Objective 1.3

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
M1.31	Improve delivery of IT solutions to better support Commission's user community through 2022.	Continued refinement of program for tracking percentage availability to users of IT systems that are important to internal and external customers.	Continuation of program	OCIO	QASP and Manage Engine data
M1.31(a)	Maintain high level of system availability to users of important IT systems.	Percentage of availability to users of the following systems: Local Area Network (LAN), Remote Access, EDIS, HTS, and SharePoint. Meeting SLA for Cloud Email service.	Maintain system uptime of at least an average of 99.0% availability or meeting SLA for cloud-based services for all measured systems excluding scheduled maintenance.	OCIO	Data are pulled via What's Up Gold monitoring tool.
M1.32	Ensure a robust security posture by successfully developing capabilities consistent with government-wide cyber security priorities.	Development of capabilities consistent with government-wide priorities	Priorities established annually	OCIO	
M1.32(a)	Implement and verify secure configuration on all new workstations and servers for 100% of baseline settings.	Scans of new production devices show 100% compliance of baseline settings upon delivery to production. Reported as a percent of number of new devices issued which are 100% compliant. If one setting fails when issued, then the device is not compliant.	Secure configuration baselines on 100% of new workstations and servers implementing 100% of baseline settings.	OCIO	Network scans of production network devices
M1.32(b)	Ensure Commission information systems have a valid Authorization to Operate	Number of Commission information systems with an ATO divided by the total number of Commission information systems	100%	OCIO	ATO memos
M1.32(c)	Maintain and verify secure configuration baselines on all baselined workstations and servers for 99% of baseline settings	: Scans of production devices baselined upon issuance. Reported as a percent of compliant servers and workstations. Servers and workstations reported separately. The FY 2020 performance indicator is to establish a new security configuration	Secure configurations maintained on baselined servers and workstations. Approved deviations documented and validated. 100% compliance.	OCIO	Network scans of production network devices

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<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
		monitoring plan and the baseline metric for an enterprise compliance score based on scans of production devices. The FY 2021 indicator is improvement over the previous year's score			
M1.32(d)	Reduce the number of production workstations and servers without secure configuration baselines applied.	Non-baselined servers and workstations removed from production. Reported as a percent reduction in the number of non-baselined workstations and servers from the beginning of the year.	Reduce the inventory of non-baselined workstations and servers by 20% from the beginning year inventory.	OCIO	Network scans of production network devices
M1.33	Improve integrity, delivery, and usability of USITC information assets by enabling access to 100% of the Commission's applicable major datasets using Open Data-compliant machine-readable formats by the end of FY 2022.			OCIO	See below.
M1.33(a)	All new major systems deployed to production will be Open Data compliant.	Availability of information systems providing Open Data	Public data behind all new major systems deployed to production in FY 2021 will be available in machine-readable format and accessible on the USITC Open Data webpage	OCIO	Open data internet links pointing to EDIS, HTS, investigation data (337Info, Title VII, fact-finding), as these components are deployed. Note that trade data in DataWeb are not included since these data are from Census.
M1.34	Implement cloud-based solutions identified in FY 2020	Priorities established in FY 2020 implemented, to include further implementation of Microsoft 365 G5 functionality.	Implement priorities established at the end of FY 2020	OCIO	Completion of project to migrate to Microsoft Office 365.

## Management Objective 1.4

Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
M1.41	Improve the efficiency and timely delivery of Commission products by evaluating and implementing improved processes of the agency through FY 2022.				See below
M1.41(a)	Improve the production and timely delivery of Commission products and identify other process improvements that can be made throughout the agency by evaluating and implementing improved processes.	Number of major processes identified; process improvements identified, implemented, and evaluated.	Use internal and external performance audits, as well as performance management, ERM, budget and expenditure plan data, and annual Statement of Assurance reporting activities to identify agency processes most in need of improvement; evaluate and implement new processes or process improvements, where identified; evaluate effectiveness of new or amended processes	OP/OCFO	Document, with changes identified in FY 2019; document implementation; assessment of impact of changes
M1.42	Maintain an agency portfolio of enterprise risks through FY 2022.				
M1.42(a)	100% of offices throughout the agency conduct assessments for new risks and review of 100% of previously identified risks at least on a quarterly basis (FY 2018–FY 2022).	Office Directors' certification of quarterly assessment for new risks/review of previously identified risks. Performance of this assessment/review is documented within the ERM database.	100% of offices throughout the agency conduct assessments for new risks and review of all previously identified risks at least on a quarterly basis	OP, OCFO	ERM Quarterly Certification Report
M1.42(b)	100% of all identified agency risks are reviewed by the Performance Management and Strategic Planning Committee at least on a quarterly basis (FY 2018–FY 2022).	PMSPC-generated quarterly top agency risk summary for Chair's review.	PMSPC reviews 100% of identified risks at least on a quarterly basis	OP, OCFO	PMSPC meeting minutes, email, ERM report

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<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
M1.43	Redesign policies and procedures for managing the system of internal rules and update all content within it through FY 2022.				
M1.43(a)	Meet collaboratively established project deadlines for internal rule development, updating, and review	IAC Priority Ranking Tool and System of Internal Rules Application	Establish a baseline for meeting project deadlines, with an initial goal of meeting at least 80 percent.	OAS	Electronic repository of record
M1.44	Improve 508 compliance of public information.	USITC.gov content analysis report; Number of templates created for 508 conversions	Continue to develop templates or processes for additional types of public documents; Use templates developed in FY 2020 to produce a wider range of 508 compliant documents	OP, IND, EC, TATA. Templates and other documents: INV, GC, OUII, OCFO, ER, OARS	508-compliant documents posted to website; templates
M1.45	Improve resource use, performance management, and internal controls by utilizing business intelligence software to develop and provide Commission managers with useful management reports through FY 2022.			OCFO	Personnel, payroll, financial, project-related, records-related
M1.45(a)	Continue to identify, refine, and deliver agency-wide management reports	Effective and timely management reports; feedback results from managers	Timely delivery and continual improvement of management reports, including financial management reports; continued development of new reports based on feedback from managers	OCFO	Personnel, payroll, financial, project-related records-related.
M1.46	Make continuous improvements to the Commission's web presence, including use of other evolving technologies (e.g., mobile applications, streaming video, rich	ForeSee Survey Results, assessment of use of new technologies	Overall satisfaction with Commission's website is consistent with the average for other executive branch agencies (not more than 3 points less than the	CIO	ForeSee

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<b>Goal Number</b>	<b>Performance Goal</b>	<b>Indicators</b>	<b>Target</b>	<b>Lead Office</b>	<b>Data Sources</b>
	Internet capabilities) that benefit Commission user community and lead to improvements in user satisfaction.		average benchmark score for Executive Branch federal agencies); needs identified in annual assessments of technology portfolio are incorporated into planning and scoping documents		
M1.47	Monitor and ensure the safety and security of our workplace through FY 2022.				
M1.47(a)	Improve awareness of physical and personnel safety and security policies and procedures.	Physical and personnel safety and security sessions and updates	Hold at least one physical and personnel safety and security training session annually. Disseminate regular agency-wide updates on physical and personnel safety and security issues. Promote awareness and compliance with CDC guidelines regarding COVID-19 remedial practices for facility and personnel management	OAS/OSSS	Documentation from Outlook
M1.47(b)	Ensure the appropriate security investigation for new employees and the appropriate reinvestigation for current employees based on the risk and sensitivity designation of their positions.	Reviews of position risk and sensitivity designations	Coordinate and track the review of position risk and sensitivity designations with the Office of Human Resources four-year review of position descriptions.	OAS/OSSS	HR maintains source documents
M1.47(c)	Track results from the Federal Employee Viewpoint Survey related to safety	Annual FEVS results	90% favorable response rate for agency FEVS question “Employees are protected from health and safety hazards on the job”	OAS/OSSS	FEVS
M1.47(d)	Track results from the Federal Employee Viewpoint Survey related to security	Annual FEVS results	85% favorable response rate for agency FEVS question “My organization has	OAS/OSSS	FEVS

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Goal Number	Performance Goal	Indicators	Target	Lead Office	Data Sources
			prepared employees for security threats”		

## Appendix C

### Selected Workload Trends

**Table C.1 Summary of Import Injury Investigations, FY 2011–FY 2020**

Status	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Instituted</b>										
Preliminary Title VII	8	13	9	12	18	21	18	15	26	11
Final Title VII	12	5	15	10	16	15	21	19	16	23
Other	0	1	0	1	1	2	0	3	3	1
Full Review	7	10	7	8	11	8	7	6	5	9
Expedited Review	9	9	11	16	11	20	10	16	25	17
Total	36	38	42	47	57	66	56	59	75	61
<b>Completed</b>										
Preliminary Title VII	7	9	13	11	19	17	18	19	25	12
Final Title VII	8	7	9	12	13	19	18	15	20	25
Other	0	1	0	1	1	0	2	2	2	2
Full Review	9	10	7	9	6	11	11	7	6	5
Expedited Review	17	3	15	14	12	15	13	17	16	23
Total	41	30	44	47	51	62	62	60	69	67

**Table C.2 Summary of Unfair Import Investigations and Ancillary Proceedings, FY 2011–FY 2020**

Status	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Instituted	56	52	49	47	79	64	74	59	52	82
Completed	57	72	59	50	64	61	61	60	67	64

**Table C.3 Summary of Industry and Economic Analysis Investigations, FY 2011–FY 2020**

Status	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Instituted	9	10	8	5	7	5	5	7	10	6
Completed	6	12	10	9	9	5	4	9	5	6
Active recurring	6	8	7	6	6	7	6	6	5	5

