



United States International Trade Commission

Budget Justification

Fiscal Year 2026



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Alphabetical Listing of Abbreviations and Acronyms

| Acronym | Description | Acronym | Description |
|-----------------|--|---------|--|
| AD/CVD | antidumping/countervailing duty | HSPD-12 | Homeland Security Presidential Directive 12 |
| AGOA | African Growth and Opportunity Act | HTS | Harmonized Tariff Schedule of the United States |
| ALJ | administrative law judge | HWM | House Ways and Means Committee |
| APO | administrative protective order | IDS | Investigations Database System |
| ATO | authority to operate | IP | intellectual property |
| CBP | U.S. Customs and Border Protection | IT | information technology |
| CDM | continuous diagnostics and mitigation | KEV | known exploited vulnerability |
| Census | U.S. Census Bureau | NAFTA | North American Free Trade Agreement |
| CISA | Cybersecurity and Infrastructure Security Agency | OIG | Office of Inspector General |
| CIT | U.S. Court of International Trade | OMB | Office of Management and Budget |
| Commerce | U.S. Department of Commerce | PII | personally identifiable information |
| DLP | data loss prevention | SCA | security controls assessment |
| EDIS | Electronic Document Information System | SFC | Senate Finance Committee |
| ERM | enterprise risk management | USITC | U.S. International Trade Commission |
| Federal Circuit | U.S. Court of Appeals for the Federal Circuit | USMCA | United States-Mexico-Canada Agreement |
| FEVS | Federal Employee Viewpoint Survey | USTR | The Office of the United States Trade Representative |
| FY | fiscal year | WCO | World Customs Organization |
| GAO | U.S. Government Accountability Office | WTO | World Trade Organization |

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Introduction

The U.S. International Trade Commission (Commission or USITC) is an independent and nonpartisan, federal agency with specific responsibilities in adjudicating and enforcing certain U.S. trade laws, providing relevant and timely analyses to the President and Congress on trade issues, and maintaining the Harmonized Tariff Schedule of the United States (HTS).

The Commission adjudicates disputes and enforces U.S. laws to ensure that U.S. businesses and workers do not face unfairly traded and injurious imports in the U.S. market. These laws address issues such as injurious dumping, trade-distorting subsidies, and unfairly traded imports.

The Commission also maintains the HTS. The HTS is the official document setting out the classification and tariffs applicable to U.S. imports. Its maintenance is essential to accurately and effectively collecting tariffs imposed on goods entering the United States.

Beyond the HTS and our quasi-judicial work, the Commission analyzes how international trade impacts the U.S. economy and American workers. Congress and the President frequently turn to us for our uniquely nonpartisan and independent expertise, requesting that the Commission conduct studies and provide technical assistance on a range of issues to inform U.S. trade policy. In recent years, the Commission has provided Congress and the President with reports on a variety of requested topics including the competitiveness of foreign apparel suppliers to the United States, the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) flexibilities for COVID-19 diagnostics and therapeutics, the impact of Section 232 and 301 tariffs, usage of the African Growth and Opportunity Act (AGOA) program, Pacific Island trade with the United States, and the impact on Haiti of trade with the United States.

Congress also periodically adds additional mandates to the Commission's mission. For example, the Commission received additional responsibilities pursuant to the United States-Mexico-Canada Agreement (USMCA) implementing legislation, such as investigating the impact of the agreement's automotive rules of origin.

Mission

The mission of the USITC is to 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.

Across these mission areas, the Commission provides independent, timely and sound information and analysis. The Commission must remain responsive to evolving global trade issues that require us to develop new analytical methods and expertise to ensure we are able to provide sound analyses. One example of this is a request from the U.S. Trade Representative (USTR) for the Commission to estimate the average greenhouse gas emissions intensity of U.S. steel and aluminum producers. The Commission expanded its analytical and data collection capacity to estimate emissions intensities across a number of steel and aluminum product groupings using a multistage survey.

Responsibilities and Goals

The Commission's investigations fall into three major classes:

- **Import injury investigations**, which include antidumping and countervailing duty (AD/CVD) investigations and five-year reviews of existing AD/CVD orders conducted pursuant to Title VII of the Tariff Act of 1930, global safeguard investigations conducted under section 201 of the Trade Act of 1974, as well as others.
- **Unfair import investigations** conducted pursuant to section 337 of the Tariff Act of 1930, usually based on infringement of intellectual property (IP) rights by imported goods, i.e., patent or trademark infringement, other unfair acts such as trade secret misappropriation, false advertising, and false designation of origin.
- **Factfinding investigations and trade policy support** conducted pursuant to section 332 of the Trade Act of 1930 and various other statutes such as section 131 of the Trade Act of 1974 and statutes for specific trade agreements.

In AD/CVD investigations, we determine 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. If we make affirmative determinations and the U.S. Department of Commerce (Commerce) finds that those imports are being dumped or subsidized, Commerce orders the imposition of additional duties on these imports—antidumping duties that offset the dumping or countervailing duties that offset subsidies.

We also review existing antidumping and countervailing duty orders every five years. During these five-year reviews, we determine whether an order can be revoked without resulting in continued or recurrent injury to a domestic industry. If the Commission determines that injury is not likely to continue or recur (or Commerce determines that dumping or subsidization is not likely to continue or recur), Commerce will revoke the order.

In addition, we have sole responsibility to conduct investigations under section 201 of the Trade Act of 1974. If we determine 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 the domestic industry producing an article like or directly competitive with the imported article, we recommend one or more actions to the President that would remedy the injury and facilitate industry adjustment to import competition. The President makes the final decision on whether to provide a remedy, and the type and duration of any such remedy.

Section 337 investigations examine unfair practices in import trade. These investigations most frequently involve allegations of patent or trademark infringement, copyright infringement, misappropriation of trade secrets, passing off, false advertising, and antitrust violations. If a violation is found, we issue remedial relief, provided that the public interest does not preclude the issuance of such relief. Relief takes the form of exclusion orders, which bar entry of unfairly traded imports, or “cease and desist” orders prohibiting unfair acts in the United States.¹

In our factfinding investigations, we typically analyze the ways that trade, trade policy, and competitiveness affect U.S. workers, producers, consumers, and the U.S. economy. By law, whenever requested, we present the President, and, by delegation, the United States Trade Representative, the Senate Finance Committee (SFC), or the House Ways and Means Committee (HWM) with information and analysis on any matter related to international trade and industry competitiveness. The Commission also has the authority to initiate factfinding investigations on its own initiative. Our analyses help inform policymakers’ decisions on trade policy and international trade negotiations and to better understand the economic and distributional impacts of trade.

The Commission reinforces its commitment to fulfilling these mandates with timely, transparent, thorough, and high-quality determinations and analyses through its strategic goals. The Commission’s first two strategic goals guide how we carry out our investigations, while our third strategic goal and its associated objectives provide the framework for accomplishing our investigative and analytical responsibilities.

¹ If the Commission finds a violation and issues an exclusion order and/or cease and desist order, the President has 60 days to approve or disapprove such relief on policy grounds.

Our first strategic goal: 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. The reliability and thoroughness of our investigations are underpinned by objectives ensuring timely and transparent proceedings and regular engagement with relevant stakeholders and experts, including our statutory requestors, U.S. industries, workers, and the American public.

We typically institute trade remedy proceedings in response to complaints and petitions filed by domestic industries and workers seeking protection from unfairly traded imports. Given the rapid evolution of trade in the U.S. and world economies, this work is important in several ways:

- Our investigations of unfair and injurious trade practices help U.S. firms compete more effectively in an integrated global marketplace.
- Our issuance of sound and timely decisions in import injury investigations helps ensure that U.S. companies and workers can compete on a more level playing field in the domestic market.
- Our timely resolution of complex IP disputes is economically critical to holders of U.S. IP rights and the businesses that rely on those rights to remain competitive, especially where innovation drives rapid technology change.

In enforcing U.S. trade laws, we conduct our investigations under the pertinent statutes, regulations, and case law as interpreted by the federal courts. Our determinations in both AD/CVD and section 337 investigations are subject to review by U.S. courts.

Although most requests for factfinding investigations come to us from the SFC, HWM, and USTR, pursuant to section 332 of the Trade Act of 1930, some of our investigations are required by various other statutes or are self-initiated. In response to requests, the Commission provides information and cutting-edge analyses that inform the development of U.S. trade policy. Providing this information and analysis in a timely manner assists policymakers during trade negotiations, in enacting legislation, or taking other policy actions that affect U.S. workers and the competitiveness of U.S. industries as well as the overall U.S. economy.

The Commission conducts comprehensive outreach and engagement to support its investigations. Regular outreach to bar groups, industry and firm representatives and advocates, requestors of Commission work products, experts, and other representatives and stakeholders helps us support public understanding of the Commission’s work, target Commission capacity-building efforts for

future requests, diversify our knowledge base, and gain valuable feedback on Commission analysis. For example, in response to stakeholder engagement and feedback, the Commission recently promulgated and revised Commission rules to make permanent the elimination of paper filings, which reduced burden on parties across all Commission mission areas.

Our second strategic goal: 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. The petitions filed with the Commission in import injury investigations reflect increasing firm and industry complexity. These investigations face analytical challenges associated with interconnectedness of firm relationships, structure of multinational firms and conditions of competition, wide-ranging nature of market participation, rapidly changing technology, and evolution of the supply chain—all of which are conducted in a quasi-judicial forum. To address the depth and scope of these investigations, we collect large, detailed, and primarily confidential data and information from the relevant industries, provide multiple perspectives of analysis reflecting industry and market structure, and develop comprehensive records and issue opinions that can withstand litigation and judicial review. Similarly, in unfair import investigations parties produce large amounts of detailed, primarily confidential information and data either through primary sources or expert opinions that results in a comprehensive record from which the Commission can develop a sound and informed determination.

Similarly, policymakers have expanded the range of complex industry and economic analysis they request from the Commission. Our requestors recognize that due to our economic and trade expertise, we can generate primary data, analyze specific industries and supply chains, and provide insights unavailable elsewhere. To improve our analyses, we also regularly develop new tools, such as economic models that measure the effects of trade on U.S. workers, on specific U.S. industries, and on U.S. companies operating abroad. The goal for developing sound and informed analyses and determinations is underpinned by objectives to apply innovative analysis developed through investment in regularly updated research priority areas and to provide clear, relevant, and accurate information in Commission work products.

As a vital part of this strategic goal, we also maintain and analyze the HTS. The HTS is the official document that sets out the classifications of imported goods and the U.S. tariffs that apply to each category. We make sure that the U.S. tariff schedule is up to date and accurately reflects tariff modifications adopted by Congress or the President. In addition, to further U.S. competitiveness, we work to ensure that changes in the international Harmonized System for goods classification, which is administered by the World Customs Organization, reflect the interests of U.S. stakeholders.

To meet our existing mission and any new mandates, we must maintain the staff, analytic tools, and other resources needed to

conduct fair and efficient investigations, maintain the HTS, and provide high-quality, accurate, and objective information and analysis on a wide array of issues. The FY 2026 budget request will allow the Commission to continue to invest in the development of highly skilled analysts, economists, and attorneys; re-engineer the HTS to increase the efficiency of implementing tariff changes and improve accessibility and functionality for users; create new databases and data systems; collaborate with other organizations to enhance our own research; and acquire new, or upgrade existing, advanced analytic tools.

Our third strategic goal: Perform: execute and advance organizational excellence

The first strategic objective that relates to executing and advancing organizational excellence is to attract, develop, and retain a skilled, diverse, and versatile workforce, essential to meeting the varying workload and new mission requirements. In previous years, we have used our capacity for flexible staffing to successfully fulfill new legislative mandates. With new legislative mandates, an increased focus on tariffs, and an investigative workload that remains high and continues to increase, that strategy is not sustainable, and we have a growing workforce requirement gap that must be closed to fulfill our mission in FY 2025 and FY 2026. To continue our success in executing and advancing organizational excellence through a talented and diverse workforce, and to prevent staff burnout and accelerating departures, we need to recruit and train more staff. In FYs 2022 and 2023, we received much-needed increases in our appropriations. In FY 2023, we began a long-overdue hiring initiative that aims to provide staffing levels commensurate with our workload and replace any departures as they occur to ensure that we are efficiently and effectively advancing the Commission’s mission. The Chief Human Capital Officer ensures that such recruitment targets a diverse applicant pool. Further, the Commission provides robust training for new employees that includes a comprehensive onboarding process, mentorship programs, a robust performance management process, and access to our internal Learning Management System.

Our human capital objective is consistent with maintaining our recruitment draw. In FY 2024, the Commission was rated as the #10 Partnership for Public Service’s Best Place to Work in the small agency category. Our ability to not only attract, but also to retain, a high-quality workforce has consistently been reflected in our Federal Employee Viewpoint Survey (FEVS) scores in global satisfaction and employee engagement and in responses to questions about hiring practices and career development. Overall, our FEVS scores improved in FY 2024, however, the Commission saw declines in FEVS scores concerning workload reasonableness.

Our second strategic objective for this goal is to ensure good stewardship of taxpayer funds, during FY 2024 we accomplished this as follows.

- We evaluated 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.

- We reviewed our contracting processes and contract files to ensure they meet the needs of customers in a timely way, that the files are accurate and complete, and that the Commission’s contracting officer’s representatives are properly trained and are faithfully carrying out their duties.
- We ensured that financial controls are documented, implemented, reviewed, and refined on a regular basis to maintain an annual unmodified audit opinion.
- We required managers to tie budget requests for personnel and non-personnel funding to risk assessments and projected workloads, and provide linkage to performance planning, i.e., specific outcomes.

Our budget formulation process directly ties resource requests to risk and performance. Our procurement process includes reviewing the timeliness and efficiency of contract activity and reporting the status of procurement actions on a real-time basis. Our accounting processes are reviewed regularly to ensure that key financial controls are identifiable and operational and working as documented. These financial processes are reviewed and updated annually, are summarized in our Financial Management Manual and, accompanied by our control evaluations, supported the achievement of our fourteenth consecutive unmodified financial audit opinion during FY 2024. In FY 2025, we will continue to explore ways to reduce costs and further streamline our financial management processes.

Our third strategic objective is to implement reliable and secure systems that promote resilience, innovation, and efficiency. Our IT performance goals quantify how the Office of the Chief Information Officer (OCIO) supports this objective. The Chief Information Officer, as the leader for this strategic objective, ensures that critical IT systems are continuously available, accessible, and optimized to conduct Commission operations with little to no loss of efficiency and capability. Additionally, the OCIO continues to ensure our IT security by complying with federal cybersecurity priorities and best practices.

To achieve our third strategic objective and address government-wide priorities and initiatives, we:

- maintain the availability of core IT systems
- verify and validate our ability to restore business information in emergency situations, compromise, or attack by threat actors
- adhere to strict security configurations
- follow a well-defined vulnerability patch process that prioritizes the remediation of known exploitable vulnerabilities
- ensure that our systems have a valid Authority to Operate
- continuously monitor the effectiveness of security controls

- maintain a modern IT infrastructure
- utilize virtualization and automation to consolidate resources, improve network and system availability, and optimize performance
- migrate appropriate applications and services to a hybrid architecture, combining local and cloud-based resources into one cohesive architecture

Our fourth strategic objective is to manage and leverage data as an asset. 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. To achieve this objective, we:

- strive to strengthen agency-wide data governance by establishing enterprise-wide strategies, objectives, and policies for managing data
- seek 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
- ensure data are leveraged as a strategic asset by making them discoverable
- strive 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

Our fifth strategic objective is to increase our operational effectiveness by evaluating and improving processes and communication. 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 enterprise risk management (ERM) to identify risks and establish priorities to inform agency decision makers
- refocusing available resources to support agency-wide policy development
- investing in and modernizing our IT environment and management systems

The Commission recognizes that resource constraints, unexpected external requirements, and other priorities may slow efforts to fully accomplish all planned initiatives. During FY 2024, the Commission continued to make improvements to operational processes and procedures and to its use of risk analysis. For factfinding investigations, the Commission dedicated additional resources to modernizing its review processes and ensuring accurate and consistent citing of sources across reports. We continue to evaluate how to improve our planning and ERM processes and how to make more effective use of the data that we collect. Our

management committees provide information to the Performance Management and Strategic Planning Committee (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.

Detailed performance goals for program and management activities are presented in our *Annual Performance Plan, FY 2025–2026*, and our *Annual Performance Report, FY 2024*, both of which can be found at https://www.usitc.gov/strategic_plan.htm.

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Budget Highlights

For FY 2026, the Commission requests \$134 million to carry out our mission and functions. The request is required to sustain the human capital investments we have made in FY 2024 and the first part of FY 2025 and must continue to make during the remainder of FY 2025 to achieve our staffing goals. The volume and complexity of our workload demand a challenging level of effort by our current number of staff. In FY 2024, we continued a long-overdue hiring initiative that aims to provide staffing levels commensurate with our workload. Our FY 2025 staffing goal is to have an average staffing level (i.e., full-time equivalents, or FTE) of 437. As of mid-January 2025, our onboard staffing level is 430, with vacancy rates as high as 17 percent in offices responsible for statutory workload. Our hiring initiative is focused on filling the most critical positions necessary to accomplish the Commission's mission and mitigate risks, as determined by a data-driven and risk-informed analysis performed by the Human Capital Committee and Performance Management and Strategic Planning Committee.

The request also provides resources for IT investments needed to continuously advance the security and capabilities of our IT infrastructure, continue timely equipment lifecycle replacements, improve web-based applications, and re-engineer the Harmonized Tariff Schedule of the United States (HTS) to increase the efficiency of implementing tariff changes and improve accessibility and functionality for users. The request also ensures the availability and accessibility of our public-facing IT systems, as well as ensuring they are in compliance with mandated standards and best practices. Specific FY 2026 IT investments include replacement of end-of-life networking equipment, the continuation of third-party cybersecurity assessments and testing, the migration of file shares to the cloud for redundancy, increased backup capabilities, and the reengineering of the HTS application. Additionally, this request includes funds to continuously optimize and maintain virtual hearing capabilities used to provide a higher level of availability and accessibility to public and intra-governmental customers who use our facilities, such as the Office of the United States Trade Representative.

Workload Drivers

The Commission continues to experience high and increasing caseload levels in AD/CVD investigations and a higher number of unfair import investigations as described below, and we have been devoting more resources to conducting or supporting other investigations and Administration initiatives. Due to recent increases in petition filings in import injury investigations coupled with low levels of terminated orders, the average number of instituted and completed investigations has almost doubled in the last decade with commensurate increases in monthly import injury activity levels. In the fourth quarter of FY 2024 the Commission recorded its highest-ever number of active import injury investigations and has sustained these levels through the first quarter of 2025. This workload is expected to remain at high levels due to an increased number of original investigations as well as investigations returning for five-year reviews. Although AD/CVD investigations represent the bulk of import injury activity, the Commission continues to handle litigation-related activity and intermittent global safeguard investigations, such as the fine denier polyester staple fiber investigation.

In FY 2024, our section 337 monthly workload increased, matching the ten-year average, mainly due to a higher number of new complaints being filed compared to the previous year. The settlement rate in section 337 remained low, so we expect the majority of current unfair import investigations to remain before the Commission for longer, terminating either at or close to their target date. With the increase in complaints filed and investigations lasting longer, the overall upward trend of the nearly two decades in new investigations filed year over year continued, and we expect the trend to continue in FYs 2025 and 2026.

At the same time, the increased complexity of factfinding investigations and trade policy support requests have required more research and resources. The increasing number of complex reports with broad scope, such as *Distributional Effects of Trade and Trade Policy on U.S. Workers, Greenhouse Gas Emissions in the Steel and Aluminum Industries, and the USMCA Automotive Rules of Origin*, have increased requirements for innovative analysis and increased the number of staff and hours devoted to these reports. Hours spent per investigation have risen more than 40 percent over the past five years.

In addition, we have had to amend the HTS more often in recent years to incorporate changes brought about by Administration initiatives. Prior to FY 2018, we would typically publish the HTS two or three times per year. Since FY 2018, we have averaged 17 HTS publications per year. In FY 2024, we published the HTS 10 times and we expect a greater number of publications in FYs 2025 and 2026.

Program Overview

Antidumping/Countervailing Duty Investigations and Unfair Import Investigations (Section 337)

The Commission provides a venue for private sector firms and other qualifying entities to bring allegations of certain unfair or injurious trade practices involving imports before an independent, objective, and expert quasi-judicial governmental body. Our trade remedy investigations caseload continues to grow in volume and complexity. In FY 2024, the Commission experienced a surge in the number of AD/CVD petition filings, reaching its second-highest level in the last two decades. The caseload is expected to continue to remain elevated in FYs 2025 and 2026, driven by both original investigations (preliminary and final phases) and the structural increase in reviews of existing orders required every five years after imposition. In FY 2024, new unfair import matters under section 337 rose to be consistent with the ten-year monthly average after a slight decline in activity in FY 2023, and we are expecting caseload to increase in FYs 2025 and 2026.

AD/CVD Caseload is at Record High Levels

In the last quarter of FY 2024 and continuing into the first quarter of FY 2025, we reached record high levels of active investigations. In FY 2024 we received near-record levels of petitions and anticipate receiving record levels in FY 2025. In FY 2024, 22 petitions were filed under Title VII of the Tariff Act of 1930. In FY 2024, more than one-half of the petitions involved imports from multiple countries. Domestic industries filing petitions in FY 2024 produced a range of products, including various chemical, steel and metal, retail/consumer goods, intermediate products, and aquaculture. Most of the investigations covered chemical (8), retail/consumer (6), and intermediate products (5). Additional investigations covered aquaculture products (1) and steel-related intermediate products (2). Some investigations were notable because of the size and/or complexity of the U.S. industry and market, including corrosion-resistant steel, 2-4-D, and aluminum extrusions. In addition to new investigations, we instituted 37 reviews of existing AD/CVD orders in FY 2024 and anticipate instituting 34 in FY 2025 and 45 in FY 2026. While the number of import injury review activity increased, the amount of safeguard activity was consistent with recent activity levels. In FY 2024, the Commission completed one safeguard monitoring investigation on crystalline silicon photovoltaic cells and modules (solar products) and completed injury and remedy phases for fine denier polyester staple fiber. Overall, the Commission instituted 75 investigations and reviews and completed 64 investigations and reviews in FY 2024. Recent activity reflects an increase in filing

activity and continued increases in 5-year review caseload. We anticipate continued high caseload levels; in FY 2025, we anticipate instituting 90 proceedings and completing 88. In FY 2026, we anticipate instituting 84 proceedings and completing 87.

During FY 2024, we continued our efforts to increase the transparency of our proceedings and reduce the burden on participating parties, as well as increase investigative efficiency. We transitioned to more-stable platform for securely collecting questionnaires from external firms and counsel. This new approach substantially improves our ability to efficiently gather information and enables more effective questionnaire processing. We met with stakeholders and used feedback to develop plans for updates to the Commission's import injury website. In FY 2024, we continued development of documentation and standard operating procedures for the Investigations Database System, or IDS, as well as compiling version 2 requirements to continually improve the system.

Unfair Import Investigations Caseload Remains High

After peaking in FY 2022, our section 337 workload returned to the ten-year average levels of monthly activity, as the number of new complaints rose in FY 2024 by 30 percent over the previous year. As a result of the increased number of complaints filed last year and the low settlement rate, we anticipate that there will likely be an increased number of active investigations in FY 2025 into FY 2026.

Our proceedings provide for timely resolution of matters involving imported goods alleged to infringe U.S. intellectual property (IP) rights and imports that are involved with other unfair acts or methods of competition, such as trade secret misappropriation, that harm domestic industries. Indeed, it has been reported that nearly a quarter of the patent trials in the United States occur at the Commission. Section 337 authorizes relief in the form of exclusion of infringing or otherwise unfairly traded imports at the border, as well as cease and desist orders that prohibit domestic marketing and sales of the unfairly traded imports. IP-intensive domestic industries that seek relief against unfair imports under section 337 account for a large number of high-wage jobs in U.S. industries that generate significant exports.

The range of technologies covered in these investigations is quite broad, encompassing, among other things, various electronic devices, pharmaceutical and medical devices, transportation-related products, and other consumer goods such as ceiling fans, vaping devices, eyewear products, decorative wood, firearm disassembly thongs, eye cosmetic packaging, storage containers, hair extensions, raised garden beds, fitness devices, and compact wallets. Section 337 investigations typically involve allegations of patent infringement and other unfair acts such as trademark infringement, trade dress infringement, false advertising, and trade

secret misappropriation, the latter of which is an area of heightened concern for U.S. companies and Congress.

Work is ongoing to ensure that section 337 investigations are completed expeditiously, in line with congressional intent. We continue to build and develop the necessary staff and resources to conduct evidentiary hearings in section 337 investigations, focusing on making the process more efficient and less costly for both litigants and the agency. Our efforts include continued improvements to courtroom infrastructure to streamline technology in the courtrooms to allow for better presentations of evidence and witnesses, whether the witnesses appear remotely or in person, improvements to our rules of procedure, procedural pilot programs, and continued investments in our Electronic Document Information System (EDIS). In FY 2021, we implemented electronic service of public documents through EDIS and bulk downloading of documents in FY 2024. In FY 2025, we plan to implement electronic service of confidential documents through EDIS, and we plan to develop and launch version 2 of the Investigations Database System by the end of calendar year 2025. These technology projects necessitate an adequate level of funding to maintain these important spaces and technology systems that support the Commission's mission.

Synergies between EDIS and IDS have helped us to better manage our large volume of investigation-related materials while making our investigative process more transparent. These systems also comply with government Open Data rules, furthering our efforts to make our data more accessible to and usable by other agencies and the public. Funding these types of improvements will help us to address the challenges of resolving section 337 matters expeditiously and will keep the public informed on these matters.

Analysis and Information on Tariffs, Trade, and Competitiveness

The Commission supplies the executive branch, Congress, and the public with objective analyses of significant trade issues. We provide industry and economic research, tariff and trade information, and trade policy support through investigations and other expert advice. Given our independent economic and trade expertise, we offer cutting-edge data and insights that support the development of sound U.S. trade policy. The caseload for industry and economic analysis dipped in FY 2024, but the number of requests is projected to increase in FYs 2025 and 2026.

We Continue to Develop New Approaches in Our Industry and Economic Analyses

International trade touches nearly all sectors of the U.S. economy. As with section 337 and Title VII investigations, we constantly develop and refine our capabilities to meet requests for increasingly complex analyses in emerging areas of international trade,

trade policy, and competitiveness. We gather primary data to provide unique insights into emerging issues, assembling this information via a variety of instruments, including carefully crafted industry surveys.

Our staff also develops new methods to produce high-quality economic analysis to meet analytical priorities relevant to our requestors. During FY 2024, our priority effort for model innovation was improving modeling tools to quantify the effects of trade policy on U.S. workers, regions, and underserved communities. We also created new models to estimate the impact of trade and investment in industries such as motor vehicles, critical minerals, shipbuilding, and solar modules. During FYs 2025 and 2026, we plan to examine risks and vulnerabilities in U.S. supply chains, with a focus on trade in critical minerals and materials; transitions of U.S. workers to new industries and regions; the impact of nontariff measures; the impact of specific provisions in trade agreements; the estimation of greenhouse gas emissions intensity of U.S. industries; and industry competitiveness.

Our work in industry and economic analysis spans a wide variety of issues and responds to both specific requests and areas of potential interest from the President and Congress. A few examples include:

- the performance of U.S. industries in critical supply chains and the effects of global disruptions
- how trade and investment barriers, rules of origin, and standards affect U.S. firms, workers, and consumers
- the possibilities—and pitfalls—of new technologies, industries, and business models
- the intersection of trade and the environment
- assessments of industry competitiveness
- economic analysis of U.S. trade agreements, both proposed and completed, and
- technical support to policymakers during trade negotiations

To effectively support the requests of trade policymakers, we must maintain a staff with expert knowledge and skills to provide relevant and timely insights on trade, investment, and the international competitiveness of U.S. companies in the global marketplace.

The Harmonized Tariff Schedule Needs Technology and Process Improvements

Our work to maintain and update the HTS, as discussed above, also impacts other U.S. agencies, private parties, and other stakeholders. U.S. Customs and Border Protection (CBP) relies upon the HTS for collecting tariff revenues on imported goods. Private firms use the HTS to learn the duties that they will pay on imported goods. U.S. exporters and importers depend on our work in the

World Customs Organization to ensure that international nomenclature is harmonized and considers stakeholder interests and changing patterns of trade. Compared to two or three revisions in a typical year, in FY 2024, we prepared and published the HTS 10 times, including the annual Basic Edition in January 2024. Revisions were made to reflect trade actions with respect to, inter alia, modifications to section 301 duties on articles of China resulting from USTR's four-year review of the section 301 investigation of China, granting exclusions to the section 301 duties on articles of China, modifications to Section 232 duties on steel and aluminum products, technical updates to the United States-Korea Free Trade Agreement rules of origin, modification of the quota limit on crystalline silicon photovoltaic cells under the Section 201 solar cells action, and extension of the suspension of Section 232 duties on steel and steel derivative products from Ukraine as well as other conforming or technical amendments.

The HTS provides the foundation for the U.S. trade data maintained by the U.S. Census Bureau (Census), and it enables CBP to manage its trade and enforcement activities. We ensure that the HTS is both accurate and up to date so that it meets the demands for trade and tariff information from Census, CBP, U.S. exporters and importers, the Administration, and policymakers in Congress. Due to the size and openness of the U.S. economy and the volume of U.S. trade, the HTS is the most heavily used tariff schedule in the world. In FY 2024, the HTS was accessed more than 10 million times, more than twice as many visits seen a decade earlier. It is, therefore, critical that the HTS contain accurate and timely information in an accessible and navigable system. To this end, in FY 2024, we evaluated the effectiveness of the current system that supports the HTS and documented deficiencies. We identified the following deficiencies: 1) challenging experience for novice users to find the information they seek in the HTS, 2) difficulty in integrating other types of import information, 3) counterintuitive ability to compare changes in the HTS, 4) lack of flexibility in user experience maintaining HTS information, and 5) outdated technology presents maintenance and security challenges. We concluded that, to most benefit the U.S. government and the private sector that rely upon the HTS, the current system requires a major upgrade and development effort. In FY 2025, we will document requirements for this upgrade, such that development of the upgraded system can commence in FY 2026. The requirements gathering phase will entail engaging with our government partners, stakeholders, and the public. The development phase, in FY 2026, will involve implementing the requirements and iterative testing of the new application with both internal and external stakeholders. This critical work requires significant resources—both information technology (IT) and subject matter experts. These are the same resources needed to maintain the current HTS, which entails not only updating information in the system, but also supplying expertise in national and international fora to ensure terminology is consistently used, and tariff actions are properly reflected, in the HTS. If the number of tariff-related actions increases in number or complexity in the next few fiscal years, the success of the needed upgrade to the HTS system will be at risk without a commensurate increase in IT and staff resources.

Trade Policy Support Remains a Key Focus Requiring Deep Expertise

Congress and the Administration place a high value on our staff's ability to produce timely, objective, and independent information related to their most urgent issues. We draw heavily on staff in all agency program areas to respond to requests for trade policy support from Congress and the Administration. In FY 2024, we supplied rapid responses on a broad array of issues and topics, such as supporting interagency working groups, assessments of remedies in safeguard investigations, and litigation support in international tribunals. Moreover, behind-the-border issues related to regulation and services trade have required us to refocus our resources, apply new analytic techniques, and develop new trade-related databases. Our staff often provides support to policymakers developing new or revising existing trade programs and policies as well as negotiators working on proposed trade agreements or adjustments to existing agreements. We supply information, expertise, and software-based tools to support U.S. negotiating teams.

Information Technology Overview

The USITC continues to advance our technical infrastructure and support by continuously monitoring and maturing our cybersecurity, infrastructure, and software development programs by the timely implementation of relevant guidance, technical advancements, and best business practices. We continue to enhance our cybersecurity program by staying current with mandates and directives, vigorously tracking and remediating vulnerabilities, and actively identifying and defending against threat and attack vectors utilizing in-house and third-party expertise. Life-cycle replacements of critical network and server infrastructure will continue in FY 2026, as we replace legacy hardware with more efficient variants to not only improve performance and reliability but to also continue to reduce our footprint.

Building off work begun in FY 2025, a complete reengineering of the HTS application is schedule for FY 2026. This web-based application is the Commission's most accessed system, initiating over 10 million user sessions in FY 2024. This application will incorporate a new technology stack allowing for a future-proof, data-driven system more suitable to address current and future use cases.

In FY 2026, we will continue strengthening our IT security posture by investing in new technologies, processes, and capabilities. In addition to the previously noted activities, planned improvements include the following:

- continued evaluation and maturing of our incident response and intrusion detection processes

- improved flexibility and security in application development utilizing containerization both locally and in the cloud
- enhancements to the Commission’s continuous monitoring program
- ongoing participation in the Cybersecurity and Infrastructure Security Agency’s Continuous Diagnostics and Mitigation program
- continued use of bug bounty and penetration testing programs to validate and enhance our security posture
- fully realizing the gains in efficiencies and functionality by evaluating the return on investment of IT expenditures and projects

Remote and Cloud Computing

USITC maintains a secure and modernized remote access solution that ensures high levels of availability and accessibility. Operating a remote datacenter that utilizes multiple service providers, coupled with a mix of cloud- and locally based technologies, USITC is able to exceed its average availability metric across all core applications and systems. We will continue to evaluate the need for additional compute capabilities in the cloud to provide even higher levels of redundancy and performance for remote and local users.

The Commission continues to implement non-proprietary development techniques and technologies to ensure flexibility and portability in cloud deployments, while maintaining the necessary levels of IT security. In FY 2026, we expect to continue utilizing a hybrid, cloud-based architecture to improve the availability and accessibility of our systems, increase our redundancy, and reduce our dependence on physical datacenters.

Risk Management and Planning

We have an enterprise risk management (ERM) process to establish, maintain, monitor, evaluate, and report on agency risks. The process is led by the Director of the Office of Internal Control and Risk Management, who reports to the Chief Financial Officer. ERM is an integral part of all strategic planning, performance management, budget, IT, and human capital functions and activities. As part of this effort, we maintain an ERM database, which supports categorizing, documenting, and evaluating risks to the agency.

Management performs ongoing assessments to identify, manage, and update the risks in the ERM database. Our risk profile is developed from the database and ranks risks from an agency-wide perspective. The profile is discussed, prioritized, and reviewed by the Commission’s Performance Management and Strategic Planning Committee. The primary purpose of the risk profile is to

assess how the risks we face from operations, mission-support activities, and external factors influence our ability to meet the agency's mission and achieve its performance goals.

The Office of Management and Budget (OMB) provides agencies with guidance related to risk management in certain specialized areas, including cybersecurity. OMB directs agencies to assess their cybersecurity risk, to manage the cybersecurity component of enterprise risk, and to adopt the National Institute of Standards and Technology's Framework for Improving Critical Infrastructure Cybersecurity. The Commission manages risk in a way that is commensurate with the magnitude of the harm that would result from unauthorized access, use, disclosure, disruption, modification, or destruction of a federal information system or federal information. The Commission complies with all cybersecurity reporting requirements.

Each quarter, agency leaders and 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 and implement improvements in our planning and ERM processes to make more effective use of the data we collect.

Good Accounting Obligation in Government Act

The Good Accounting Obligation in Government Act requires each agency to include in its annual budget justification a report that lists each public recommendation issued by the Government Accountability Office (GAO) and the agency's Office of Inspector General (OIG) that has remained unimplemented for one year or more from the annual budget justification submission date. The Commission does not have any open GAO recommendations. The Commission also does not have any OIG recommendations that have been open for more than one year.

Publications Proposed for Elimination

The Commission has identified two publications that it has proposed for elimination or streamlining in response to requirements of the GPRA Modernization Act of 2010. Specifically, the Commission has requested elimination of the requirement found in 19 U.S.C. § 3204 to provide the *Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution* report. The requirement is outdated because the President's authority to provide trade preferences under the Act expired in 2013 and has not been extended by Congress. Thus, none of the four eligible countries has participated in the

program since 2013. As a result, there is no continued benefit to issuing the report.

Similarly, the Commission requested that Congress streamline the production of the HTS by eliminating the requirement at 19 U.S.C. § 3007(a) to print a hard copy of it. The statute requires the Commission to prepare a hard-copy version of the HTS (the current version totals 4,400 pages) and authorizes it to publish an electronic version. Users of the HTS rely almost exclusively on the electronic version. The requirement of a hard copy duplicates the electronic version. In addition, the hard-copy version often becomes outdated soon after issuance due to the numerous modifications, and it therefore provides little benefit to the public.

Preparing for Future of Work and Physical Space Reconfiguration

Agency leadership is engaging with mission owners and human capital, IT, and real property mission support functions to determine the most effective and efficient business practices to meet mission requirements in the post-pandemic era. This analysis includes an assessment of our physical space requirements considering changes in work processes and hybrid work. Of particular concern to the agency when assessing future work and physical space configuration is ensuring optimal hybrid operations of our public courtroom complex. At the end of FY 2024, the agency entered a contract to have an updated program of requirements developed for our existing and future office space needs, considering changes in the way work is performed and updates to federal space standards, since the agency's current lease was entered in 2016. This effort will guide decision-making on potential space reconfiguration and redesign to optimize the environment for the way employees work today and will work in the future. The agency may be able to achieve cost savings over the long term through a reduction in leased space, though a reduction in leased space would come with upfront costs in terms of required reconfiguration of remaining office space and, if done prior to expiration of the lease term (2032), associated penalties.

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Appropriations Language

Salaries and Expenses

“For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$2,250 for official reception and representation expenses, \$134,000,000, to remain available until expended.”

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Trade Remedy Investigations

The Commission plays an important role in administering and applying U.S. trade remedy laws by conducting several types of investigative proceedings. These proceedings focus on allegations that subsidized and dumped imports are injuring a domestic industry; that a surge of imports is injuring a domestic industry; or that imports are infringing domestic intellectual property (IP) rights or are involved in unfair acts that injure or threaten a domestic industry.

Our first strategic goal is to “investigate: conduct reliable and thorough investigations” by making them expeditious and transparent and engaging the public, including stakeholders and experts, and collecting relevant data to inform and support investigations. Our enforcement work supports U.S. industries and their workers’ efforts to compete in the United States and in the global economy on a level playing field. In addition, our timely resolution of complaints filed by domestic industries that seek relief against unfairly traded imports under section 337, including complex IP disputes, can be of paramount economic importance to domestic industries, their workers, and their ability to make continued investments in the United States.

Import Injury Investigations

We conduct investigations to determine whether unfairly traded imports cause or threaten material injury to a U.S. industry, or materially retard an industry’s establishment, under Title VII of the Tariff Act of 1930. Under this law, unfair imports can be remedied through antidumping and countervailing duty (AD/CVD) orders imposing duties on the goods in question. The U.S. Department of Commerce (Commerce) issues and administers these orders. We conduct five-year reviews of existing AD/CVD orders to determine whether their revocation would be likely to cause material injury to a U.S. industry to continue or recur. We have independent litigation authority to defend our decisions in appeals to the U.S. Court of International Trade and the U.S. Court of Appeals for the Federal Circuit (Federal Circuit), as well as in proceedings under the United States-Mexico-Canada Agreement (USMCA, formerly NAFTA). We also give extensive assistance to the United States Trade Representative (USTR) in resolving disputes before the World Trade Organization (WTO).

Unfair imports, whether subsidized by a foreign government or “dumped” for sale at prices below the foreign market price or the cost of production, can injure U.S. companies. Congress enacted the AD/CVD laws to give U.S. producers and labor unions a way to

obtain remedies when we find material injury or threat of material injury stemming from imports that Commerce has determined to be unfairly traded. The remedies take the form of AD/CVD duties on imported merchandise equivalent in value to the dumping margin and/or subsidy rate found for foreign producers by Commerce.

Historically, AD/CVD petitions have covered a broad range of products representing many sectors of the economy. In FY 2024, we instituted 22 preliminary-phase investigations covering a wide variety of industries in the U.S. economy. In FY 2024, more than one-half of the petitions involved imports from multiple countries. Domestic industries filing petitions in FY 2024 produced a range of products, including various chemical, steel and metal, retail/consumer goods, intermediate products, and aquaculture. Most of the investigations covered chemical (8, such as hexamine, vanillin, esters, epoxy resin, ferrosilicon, and 2-4-D), retail/consumer (6, such as paper plates, aluminum containers, low-speed personal transportation vehicles, top-mount refrigerator freezers, and solar panels), and intermediate products (5, such as grinding media, tungsten shot, brake drums, and tires). Additional investigations covered aquaculture products (shrimp) and steel-related intermediate products (such as aluminum extrusions and corrosion-resistant steel). In addition to the increase in petitions in FY 2024, the sustained high level of import injury activity over the last decade has contributed to a structural increase in the number of AD/CVD orders returning for five-year reviews. We instituted 37 reviews of existing AD/CVD orders in FY 2024 and anticipate instituting 34 and 45 in FYs 2025 and 2026, respectively. The five-year average number of review institutions increased from 19 in FY 2013 to 22 in FY 2018 to 31 in FY 2023. In FY 2024, the Commission completed one safeguard monitoring investigation on crystalline silicon photovoltaic cells and modules (solar products) and completed injury and remedy phases for fine denier polyester staple fiber global safeguard investigation.

In FY 2024, the Commission instituted 75 investigations and reviews (compared to 53 in FY 2023) and completed 64 investigations and reviews (same as in FY 2023). The large gap between institutions and completions reflects late-fiscal year petition filings that will increase overall caseload in FY 2025. As of the first quarter of FY 2025, the Commission is handling record high levels of active cases (investigations plus reviews), reached in July 2024 and remaining at that level since. At 22, petition filings in FY 2024 were high, reaching the second highest number of petitions filed in a fiscal year. The caseload levels reflect both the cyclical as well as upward trending nature of AD/CVD cases (the FY 2014-to-FY 2023 average for institutions and completions was 58).

In FY 2024, 13 of the 22 petitions filed involved imports from multiple countries, ranging from 2 to 15 countries per filing, totaling 30 countries, with China and India being the predominant import sources (included in 12 and 8 petitions, respectively). Collectively, AD/CVD investigations resulting from petitions filed in FY 2024 involved about \$84.2 billion in U.S. consumption, \$43.9 billion in

imports, and just under 58,000 U.S. production employees. These investigations involved a range of industries such as corrosion-resistant steel, solar products, truck and bus tires, ceramic tiles, and paper plates.

To conduct import injury investigations and reviews, we assemble multidisciplinary teams that compile information from several sources, including questionnaire responses from domestic and foreign firms, publicly available information, plant tours, testimony at USITC staff conferences and hearings, and legal briefs from parties. Our investigative teams prepare fact-based reports on which the commissioners rely to make their determinations. Interested parties' representatives approved under administrative protective orders (APOs) have access to the information that we examine, including confidential information released under the APO. All hearings are open or available to the public, and public versions of reports, votes, party submissions, and opinions are available on our website, offering timely and useful information to companies and individuals.

Our investigative processes are fair and transparent. We ensure that investigative records are complete and contain information from all parties so the commissioners can make sound and objective determinations that can withstand judicial scrutiny. We continually seek to upgrade our processes in terms of speed, efficiency, and technical soundness. In FY 2023, the Commission completed development and rollout of the Investigations Database System, or IDS, which provides more complete, timely, and accessible investigative information across all major Commission mission areas, including import injury investigative information. And in FY 2024, the Commission continued efficiency and improvement efforts by developing supporting documentation and identifying requirements for version 2 of IDS.

In FY 2024, we reached out to import-injury mission area stakeholders to discuss investigative processes and procedures, and to get feedback regarding ongoing efforts. Representatives across Commission import-injury mission offices met with representatives of the Customs and International Trade Bar Association (CITBA) to identify and discuss key areas for feedback and improvement. As a result of this communication effort, the Commission and CITBA collaborated on soliciting feedback in preparation for updates to the Commission's AD/CVD handbook, and to test and provide feedback on the transition to a more stable questionnaire collection platform. These efforts improve our investigative processes by improving their transparency and increasing investigative efficiency of data collection. Throughout FY 2024, we continued to make publicly available investigations-related content on our website, and despite the very high workload, the Commission met 100 percent of deadlines set by statute for agency determinations and reports.

Our workload in import injury investigations is a function of both new filings and reviews of existing orders. While we can be more

certain of the number of reviews in the near future – 5 to 6 years – there is substantially more uncertainty in estimating the number of future filings. As a result, the Commission’s overall AD/CVD caseload (i.e., new filings plus reviews) continues to fluctuate with an upward trend. During FYs 2010–14, annual institutions fluctuated between 32 and 43, with an average of 38; during FYs 2015–19, institutions fluctuated between 47 and 66, with an average of 57; and during FYs 2020–24, institutions fluctuated between 53 and 75, with an average of 66. This upward shift was driven by several years of relatively high petition filings that began in FY 2015, with FY 2025 anticipated to be at record levels. The average number of petitions in the nine years preceding and including FY 2015 was 10, whereas the average was 17 in the nine years following FY 2015. The growth in cases instituted per year has also been the result of fewer trade-remedy orders being revoked than being issued, resulting in a stock of orders that has increased substantially in the past five years. The rolling five-year average of instituted reviews has steadily increased from 17 in FY 2011 to 34 in FY 2024; the projected rolling five-year average for FYs 2025–29 is 38. We reached a record high level of active investigations in July 2024, which was sustained into the first quarter of FY 2025; in FY 2025, we anticipate instituting 90 proceedings and completing 88. In FY 2026, we anticipate instituting 84 proceedings and completing 87. In addition to the steadily increasing caseload, a complicating factor is the large share of staggered cases (i.e., multiple-country investigations that have more than one final determination date) because of the uncertainty they cause regarding investigation start dates and overall duration. Because of these issues, staggered cases further complicate the administrative and scheduling challenges across an existing heavy caseload.

Another significant portion of our workload in this area is defending our determinations in response to domestic litigation challenging them. This litigation is conducted at the U.S. Court of International Trade (CIT), the Federal Circuit, and binational review panels under NAFTA (or under USMCA for cases initiated after July 1, 2020). In addition, our staff assists USTR in WTO disputes defending our import injury determinations, challenging injury determinations made by other WTO members that affect U.S. exports, or providing third-party comments on legal issues that are of institutional interest.

A significant share of employee resources in the Office of the General Counsel (OGC) are dedicated to defending Commission Title VII determinations in domestic courts, as well as before WTO and USMCA dispute settlement panels. The Commission also assists USTR in defending U.S. safeguard determinations in WTO dispute settlement proceedings. In FY 2024, there were five new appeals related to Commission Title VII proceedings to the CIT, seven new appeals to the Federal Circuit, and one new appeal to a USMCA dispute settlement panel. At the close of FY 2024, there were 16 Commission import injury cases pending in the CIT, seven pending cases in the Federal Circuit, and one pending case before a USMCA dispute settlement panel. During FY 2024, there was one active dispute involving a challenge to a Commission antidumping determination pending at the WTO, in addition to two disputes that

have been appealed to the Appellate Body.

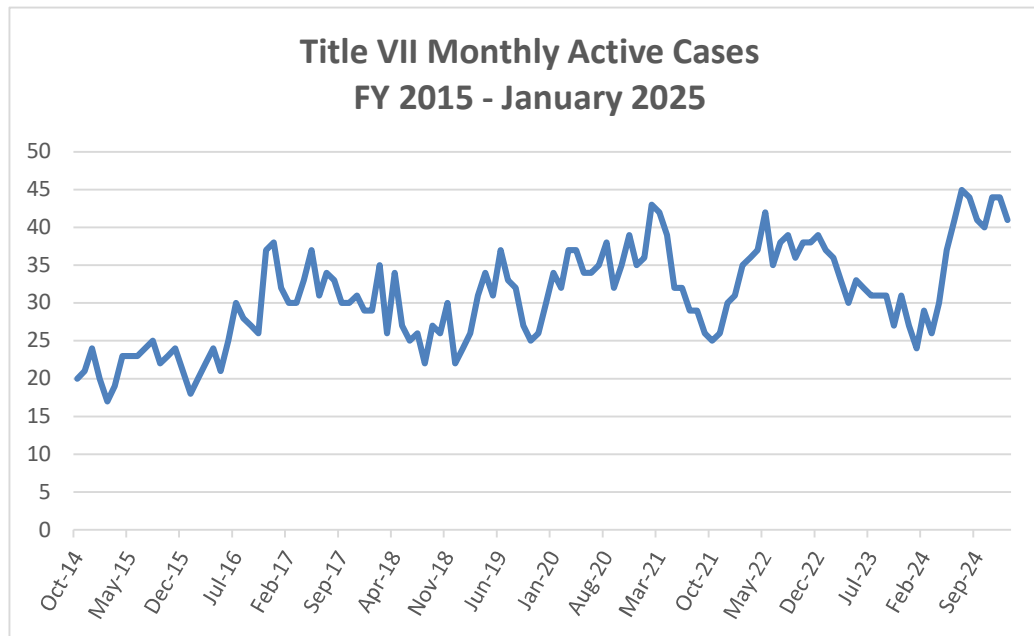
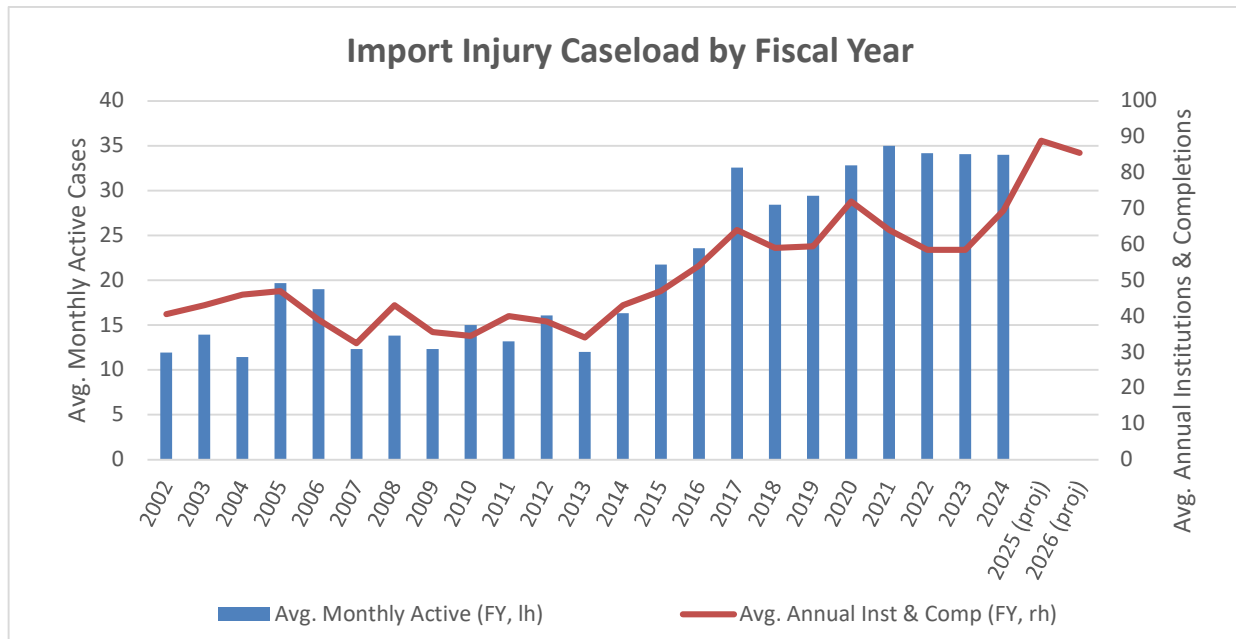
While appeals can be even harder to project than caseload, for FYs 2025 and 2026, we project that the number of new appeals challenging our import injury determinations will continue to remain high or increase, reflecting the increased number of new petitions filed in FYs 2023 and 2024, as well as the number of active investigations and five-year reviews that were recently completed in FY 2024 or will be completed in FY 2025.

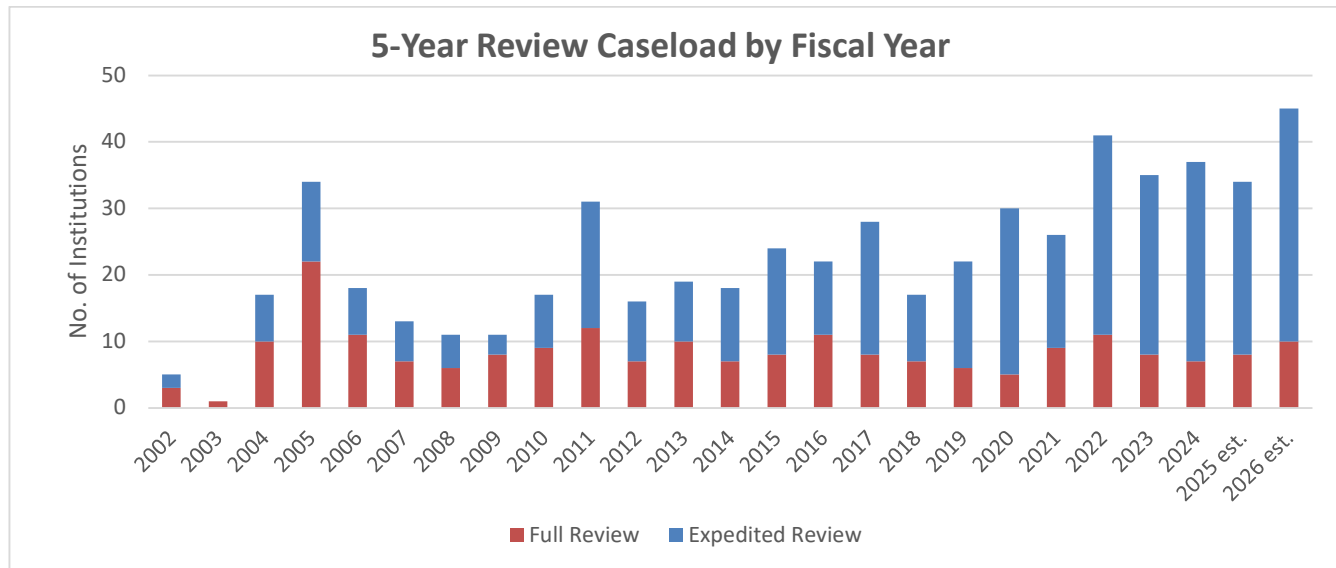
Trends in the investigative caseload and caseload estimates for FYs 2025 and 2026 are shown below.

Import Injury Investigations Caseload

Instituted and Completed Investigations

| | Instituted | | | | | | | Completed | | | | | | |
|-----------------------|----------------|----------------|----------------|----------------|----------------|------------------|------------------|----------------|----------------|----------------|----------------|----------------|------------------|------------------|
| | FY 2020 Actual | FY 2021 Actual | FY 2022 Actual | FY 2023 Actual | FY 2024 Actual | FY 2025 Estimate | FY 2026 Estimate | FY 2020 Actual | FY 2021 Actual | FY 2022 Actual | FY 2023 Actual | FY 2024 Actual | FY 2025 Estimate | FY 2026 Estimate |
| Preliminary Title VII | 26 | 11 | 10 | 10 | 22 | 26 | 17 | 25 | 12 | 10 | 10 | 21 | 24 | 21 |
| Final Title VII | 16 | 23 | 14 | 6 | 13 | 28 | 20 | 20 | 25 | 13 | 9 | 10 | 24 | 24 |
| Other | 3 | 1 | 0 | 2 | 3 | 2 | 2 | 2 | 2 | 1 | 1 | 4 | 2 | 2 |
| Full Review | 5 | 9 | 11 | 8 | 7 | 8 | 10 | 6 | 5 | 6 | 11 | 9 | 6 | 9 |
| Expedited Review | 25 | 17 | 30 | 27 | 30 | 26 | 35 | 16 | 23 | 22 | 33 | 20 | 32 | 31 |
| Total | 75 | 61 | 65 | 53 | 75 | 90 | 84 | 69 | 67 | 52 | 64 | 64 | 88 | 87 |

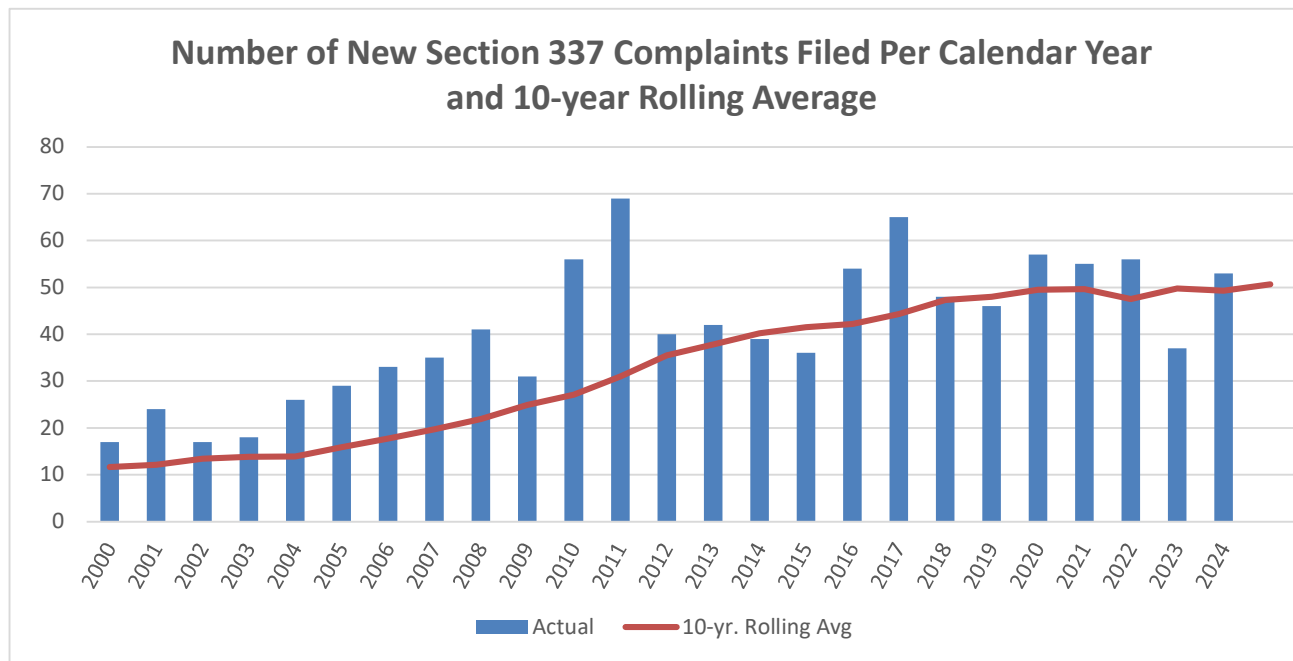




Unfair Import Investigations

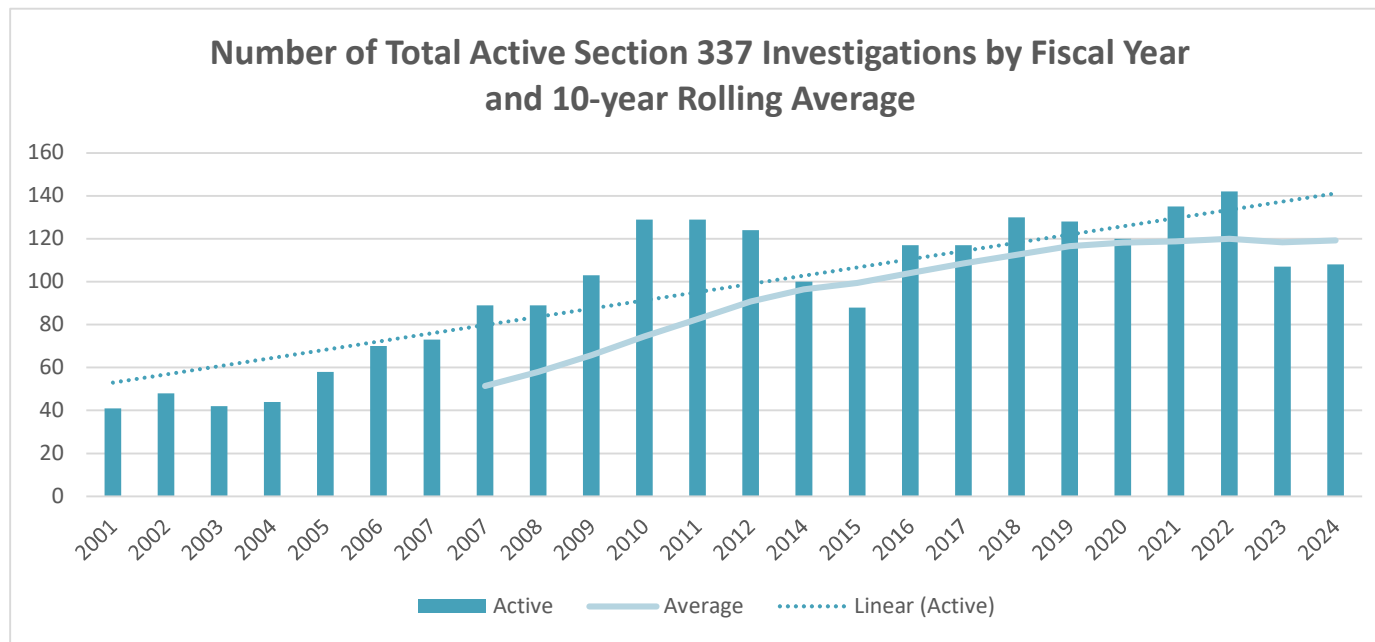
The Commission investigates unfair methods of competition and unfair acts involving imported articles under section 337 of the Tariff Act of 1930. These investigations are brought by U.S. industries that seek to obtain timely relief against unfair competition from imports, including imports that infringe their U.S. statutory IP rights, primarily patent rights, or imports that benefit from unfair methods of competition and unfair acts that injure U.S. industries. IP is a key driver of the U.S. economy and a critical element in U.S. competitiveness. The Commission provides relief to domestic industries from imports that infringe their U.S. IP rights and harm U.S. industries through unfair competition. The primary relief available under section 337 is exclusion of goods at the border. The Commission has earned a reputation for providing fair, timely, and expert adjudication of complex IP disputes. As a result, many IP rights holders, particularly in industries where the product life cycle is short, have come to see the Commission as a vital forum for the redress of IP infringement. This interest is reflected in the number of complaints requesting relief against unfair imports that we have received in recent years and in reporting indicating that nearly a quarter of all patent trials held in the United States are conducted at the Commission.

For nearly two decades, there has been an overall upward trend in new complaints filed year over year (as illustrated in the chart below). In FY 2024, we saw the upward trend continue after a plateau in FY 2023. Based on the number of complaints filed during the first quarter of FY 2025, 17, we expect this level of new filings to at least remain at the current level or increase in FYs 2025 and 2026. The number of complaints filed provides an indication of the level of work flowing into the agency because under section 337, prior to institution of an investigation, all complaints must be examined for (1) sufficiency and compliance with the applicable rules to determine whether they were properly filed; (2) identification of sources of relevant information; and (3) assurance of the probable availability of evidence therein. This involves a substantial amount of work by the Commission and Office of Unfair Import Investigations. Thus, the chart below indicates how many complaints are being considered each calendar year.

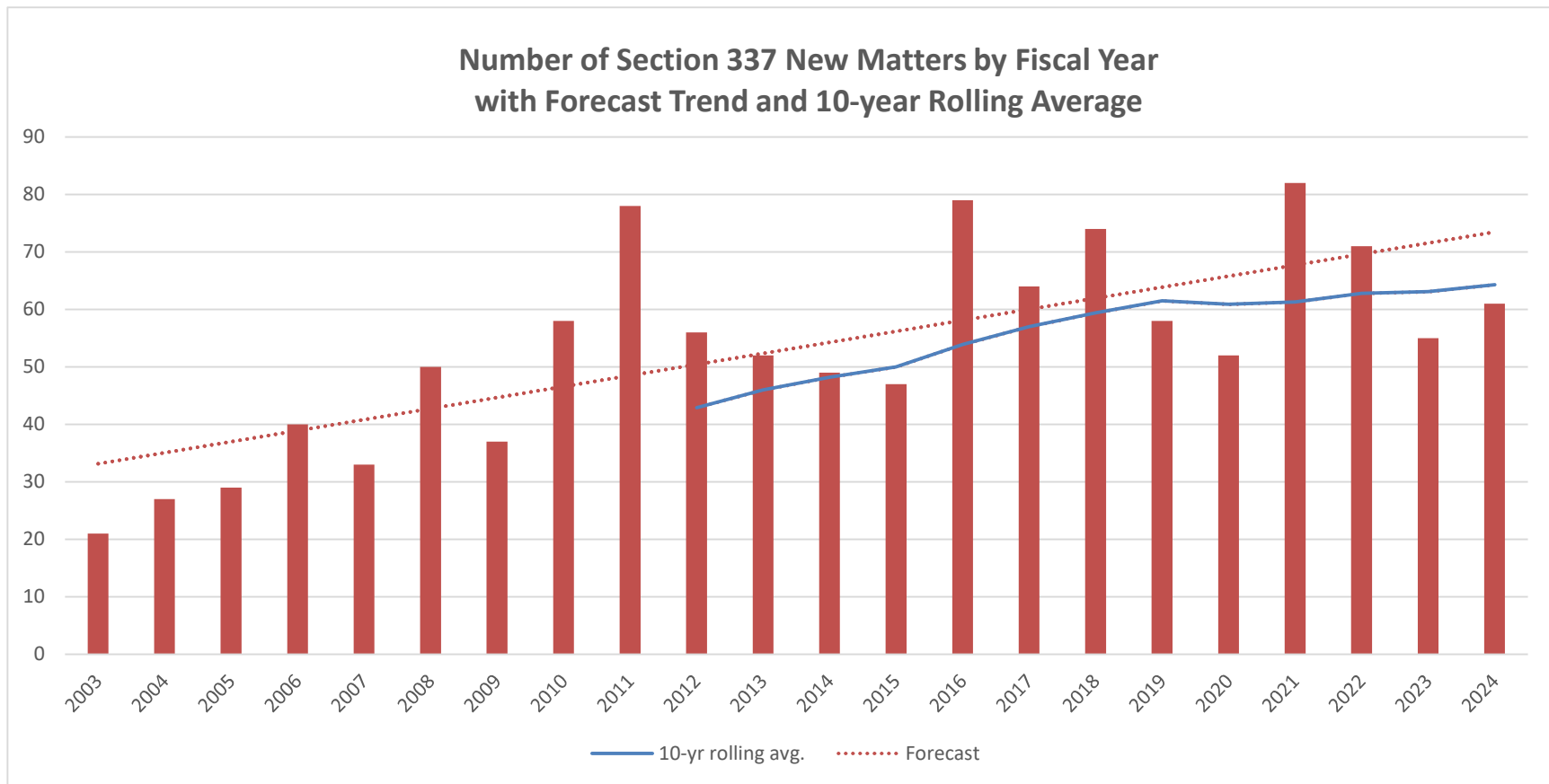


Another metric that reflects our current workload trends is the number of active investigations by fiscal year. This number reveals how many section 337 investigations are active at the agency, not just the number of incoming complaints illustrated in the previous graph. The active investigation number is influenced by the incoming number of investigations and ancillary proceedings, the

settlement rate, and any delays in reaching a final determination, whether internal or external. As the charts below demonstrate, the number of overall active investigations in FY 2024 was slightly higher than that of FY 2023, due to the number of investigations that carried over into the fiscal year. Thus, the ten-year rolling average rose slightly continuing the overall upward trend over the last 10 years.



In FY 2024, the settlement rate of section 337 investigations (i.e., the rate at which private parties settled their disputes or complaints were withdrawn) fell to 37.5 percent, from 46 percent in FY 2023 and in FY 2022. While settlement rates did not reach their all-time low of 34 percent in FY 2020, this continued level of settlements indicates that investigations are less likely to end in a settlement, consent order, or a complaint being withdrawn, meaning investigations are more likely to continue being litigated in subsequent years. As a result, the investigations instituted in FY 2024 will continue to have an impact on workload in FY 2025 and possibly 2026 as the Commission institutes new investigations and ancillary matters each year. As the table below indicates, the trend of these institutions and their effect on the active caseload in subsequent years continues to increase over time, even in years where the number of new matters instituted declined. These new investigations add to the overall number of active investigations.



The average length of an investigation completed on the merits in FY 2024 increased to 18 months from 17.5 months in FY 2023 and 17.1 months in FY 2022. The Commission conducts all evidentiary hearings in person but will use its FedRAMP-certified video teleconferencing platform to secure testimony of witnesses who are unable to attend a hearing in person, e.g., due to illness. The Commission also uses its video teleconferencing platform for many other types of hearings, such as claim construction and case management conferences to reduce expense to the private parties.

Section 337 remains an important tool to protect the domestic industries in the United States, including protecting the IP rights of those industries. The U.S. Patent and Trademark Office found that industries that intensely use IP account for nearly 41

percent of U.S. GDP and 33 percent of all U.S. employment.² Domestic industries typically seek relief against unfair imports that infringe their U.S. patent rights. There has also been a consistent number of domestic industries that have sought relief against imports that injure their industries by reason of unfair acts and methods of competition other than patent infringement, including claims based on trademarks, trade dress, false advertising, false designation of origin, and trade secret misappropriation. Approximately 10 percent of our investigations involve the protection of trade secrets, which has been a focus in both the executive and legislative branches in recent years.

The spectrum of products and IP rights at issue in section 337 investigations is quite broad. There continues to be a steady number of investigations seeking general exclusion orders for consumer goods. The docket has included many investigations involving the importation of sophisticated electronic devices, such as smartphones, tablets, laptops, memory devices, and other 5G devices and this will likely continue. In FY 2024, we also adjudicated investigations involving pharmaceuticals and medical devices, transportation-related products, and products such as ceiling fans, vaping devices, eyewear products, decorative wood, firearm disassembly thongs, eye cosmetic packaging, storage containers, hair extensions, raised garden beds, fitness devices, and compact wallets.

There is a substantial overlap between the industries that dominate our IP docket and the industries found in a Department of Commerce study to be the most IP-intensive in the United States.³ The study found that these IP-intensive industries represent 29.8 percent of all jobs in the United States; that wages of private sector workers in IP-intensive industries were 46 percent higher than those of workers in non-IP-intensive industries; and that wages for workers in patent-intensive industries were over 74 percent higher than those of workers in non-IP-intensive industries. Our IP enforcement efforts to stop unfair imports at the border therefore contribute to strengthening U.S. industries and their workers and enabling them to continue to invest in the United States.

To adjudicate section 337 investigations, our administrative law judges (ALJs), in accordance with the Administrative Procedure Act, conduct evidentiary hearings, issue initial determinations, and facilitate dispute settlement. Our Office of Unfair Import Investigations reviews complaints before investigations are instituted, advises the commissioners on institution determinations, participates (when appropriate) as an independent investigator to the proceedings, and aids in facilitating

² U.S. Patent and Trademark Office, *Intellectual property and the U.S. economy: Third edition*, 13 (2021).

³ U.S. Patent and Trademark Office, *Intellectual property and the U.S. economy: Third edition*, 15-19 (2021); U.S. Department of Commerce, *Intellectual Property and the U.S. Economy: 2016 Update*, 2016.

settlements. The ALJs' initial determinations are subject to review by the commissioners, and the Commission's final determinations in section 337 investigations can be appealed to the U.S. Court of Appeals for the Federal Circuit. Our Office of the General Counsel provides advice to the commissioners during each investigation and defends the agency's final decision during any subsequent appeals. Each of these offices employ attorneys with technical backgrounds who have spent years developing expertise not only in patent and competition law, but also in the law of section 337.

As noted above, one of our strategic goals is to conduct reliable and thorough investigations. The Commission aims to make unfair import investigations expeditious and transparent. It also seeks to engage the public, including stakeholders and experts, and to collect all relevant data to inform and support investigations. The timely resolution of section 337 disputes is particularly important to patent holders because the duration of patents is limited. Speed is even more crucial when disputes involve high-technology products that tend to have short commercial life cycles. Thus, in accordance with congressional intent, it is important to conclude our unfair import-based investigations as quickly as possible. This goal has been challenging in recent years because of the volume and complexity of investigations. We continue to examine various options for shortening the length of investigations. For instance, we have implemented rules under which, in selected investigations, the Commission may identify a potentially case-dispositive issue at institution for the ALJ to adjudicate within the first 100 days of the investigation. Since inception, fourteen investigations have been in this program. All but two of these investigations (or 85 percent) were completed prior to their initial target date. The existence of this program has also led to more fulsome complaints.

The Commission also introduced rules regarding the severing of investigations with unrelated patents and technologies into multiple investigations to divide a larger, more complex investigation into more manageable investigations. The Commission has introduced a new pilot whereby an ALJ may identify an issue to resolve early in an investigation, take evidence on that issue, and then issue an interim initial determination. Two investigations have used this new pilot. The purpose of these rules is to help us meet our strategic goal of issuing timely decisions while providing due process to litigants, allowing us to build sufficient factual records and maintain quality decision making.

We are also assessing ways to improve the effectiveness of the remedial orders that we issue. One issue frequently raised in this area is whether new and redesigned products are covered by an existing Commission exclusion order, cease and desist order, or consent order. U.S. importers, would-be importers, and IP rights holders have all expressed concern in recent years about how they can obtain timely, transparent, and binding decisions in this regard. In response, in FY 2015 we announced a pilot program to test the use of expedited modification and advisory opinion procedures to evaluate and rule on redesigned and new products that are

potentially covered by our remedial orders. While modification and advisory opinion procedures have been available for years, we have set performance goals to streamline them to better meet the needs of those who may be affected by remedial orders. We have tested this pilot in 22 investigations since FY 2016. Overall, this pilot decreased the length of time for these redesign proceedings.

We continue to improve both our ability to report data involving section 337 investigations and the transparency of our data to the public. In FY 2023, we launched IDS, a searchable database providing data on investigations instituted since FY 2009. Accessible from our website, IDS offers members of the public easy access to information on scheduling, parties involved, patents at issue and unfair acts alleged, staff assigned, disposition of the investigation, and any appeals. IDS assists the Commission in managing its investigation data. We use information captured in IDS to generate statistics to respond to internal and external inquiries about section 337. IDS continues to improve the process of capturing additional information and automating some of our reporting processes. In FY 2024, we developed requirements to improve IDS in FY 2025.

We continue to encourage and support settlement of cases by the parties involved in our section 337 investigations in several ways. These include ALJs ordering settlement discussions throughout the investigation; some ALJs requiring formal mediation; investigative attorneys fostering settlement efforts in those investigations in which they participate; and all parties having access to our mediation program. While our settlement rate remains low, settlements reduce the number of investigations in which we must make final determinations and conserve the resources of both litigants and the agency.

Office of the General Counsel's Appellate Litigation Stemming from Unfair Import Investigations (Section 337)

| Status | FY 2019 Actual | FY 2020 Actual | FY 2021 Actual | FY 2022 Actual | FY 2023 Actual | FY 2024 Actual | FY 2025 Estimate |
|-------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------|
| Number of appeals pending end of FY | 17 | 26 | 17 | 24 | 23 | 22 | 25 |

A significant share of employee resources in the Office of the General Counsel (OGC) are dedicated to appellate litigation pending at the U.S. Court of Appeals for the Federal Circuit stemming from section 337 investigations. The Office of the General Counsel is typically successful in defending the Commission’s determinations before the Federal Circuit. The table above displays the number of pending appeals at the end of each fiscal year, FYs 2019–25. This is only a snapshot of the appellate litigation challenging section 337 determinations handled by OGC, and it does not capture the full number of active cases handled during any particular year

(while many cases last beyond a single fiscal year, others open and close during the same fiscal year and are not reflected). For example, during FY 2024, OGC handled 34 active section 337 litigation appellate matters all before the Federal Circuit. OGC also handles district court litigation involving subpoena enforcement and assists the Department of Justice in other section 337-related litigation.

Caseload estimates for FYs 2025 and 2026 are shown below.

Unfair Import Investigations Caseload

Instituted and Completed Original and Ancillary Investigations

| Status | FY 2020 Actual | FY 2021 Actual | FY 2022 Actual | FY 2023 Actual | FY 2024 Actual | FY 2025 Estimate | FY 2026 Estimate |
|------------|----------------|----------------|----------------|----------------|----------------|------------------|------------------|
| Instituted | 52 | 82 | 71 | 55 | 61 | 63 | 65 |
| Completed | 67 | 64 | 90 | 60 | 46 | 55 | 60 |

Tariff, Trade, and Competitiveness-related Analysis and Information

To fulfill our mission, we must respond with timely, objective, sound information and analysis when federal policymakers request us to help them in negotiating trade agreements and evaluating the effect of legislation or other trade policy actions on the U.S. economy and industry competitiveness.

We have statutory responsibilities to provide information at our disposal to Congress and the President, who has delegated the President's request authority to the United States Trade Representative (USTR). In response to these policymakers' requests, or on our own initiative, we supply independent research on numerous topics, both through factfinding investigations (industry and economic research and analysis) and expert advice (tariff-related services and trade policy support). To ensure that we develop and maintain the technical expertise needed for this work, we also identify and research priority areas in international trade, industry competitiveness, and the U.S. and global economies.

Except for requested confidential studies, we make available our industry and economic analysis and research freely to the public.

Industry and Economic Analysis Investigations

We conduct factfinding investigations at the request of the House Committee on Ways and Means (HWM), the Senate Committee on Finance (SFC), the President, and by delegation, the U.S. Trade Representative (USTR), self-initiated, and/or as directed by legislation on a wide range of international trade and competitiveness issues of interest to U.S. policymakers and that affect firms, industries, workers, and consumers. Authority for most of our investigations is granted by section 332 of the Tariff Act of 1930, but also by various implementation statutes for specific trade agreements and by several general trade statutes.

External events that impact U.S. international trade and domestic competitiveness shape our requestors' needs and interests. Consequently, the nature, timing, and complexity of requests for these investigations are unpredictable and lead to wide variations

in resources required to complete any specific investigation. Resource needs depend on such factors as the state of global competition in specific sectors or with certain trading partners, emerging interests of policymakers in the Administration and Congress, the scope and scale of policymakers' requests, and the level of public information available related to the request. The interplay of these factors and their uncertainty make accurate forecasting of future workloads challenging.

Our industry-specific, competitiveness and economic analysis is widely considered to be expert and objective, and it is routinely cited by parties representing all sides in trade policy debates. Our ability to collect, compile, and assess trade and economic data is widely sought-after by policymakers, who rely on us for authoritative information to support informed decision making.

Our investigations in most cases focus on issues that affect U.S. trade or important parts of the U.S. economy. Policymakers rely on us to produce expert analysis of the global competitiveness of U.S. industries and U.S. trade with specific countries or regions. Policymakers also rely on us to provide expert information about policy changes that may affect the economy as a whole or certain sectors or industries. Investigations completed in FY 2024 include:

- *Apparel: Export Competitiveness of Certain Foreign Suppliers to the United States, Inv. No. 332-602 (Requested by USTR)*
- *U.S.-Pacific Island Trade and Investment: Impediments and Opportunities, Inv. No. 332-593 (USTR)*
- *COVID-19 Diagnostics and Therapeutics: Supply, Demand, and TRIPS Agreement Flexibilities, Inv. No. 332-596 (USTR)*
- *The Year in Trade 2022: Operation of the Trade Agreements Program, 74th Report, Inv. No. 163-002 (Legislation)*
- *The Year in Trade 2023: Operation of the Trade Agreements Program, 75th Report, Inv. No. 163-003 (Legislation)*
- *Recent Trends in U.S. Services Trade: 2024 Annual Report, Inv. No. 332-601 (Self-initiated)*

Moreover, requests often require us to develop or apply new analytic methods; collect and analyze unique primary data obtained through extensive multi-sector questionnaires or other outreach; or research and analyze new industries, competitive conditions, or trade issues. During FY 2024, Commission staff executed multiple industry and economic analysis projects in tandem with other work projects required by statute, such as import injury investigations, trade policy support, and tariff and trade information services.

Workload Expectations in FYs 2025 and 2026

In FYs 2025 and 2026, we expect the workload for new factfinding investigations and technical assistance to increase over FY 2024,

given the active trade policy agenda of the executive and legislative branches. Requestors continue to engage us with a variety of innovative topics requiring diverse analytical approaches. Our ongoing factfinding investigations require development of new global economic models (*Rice*), updating of previous models (*USMCA Automotive Rules of Origin*), surveys (*Greenhouse Gas Emissions* and *USMCA Automotive Rules of Origin*), and outreach to multiple underserved communities (*Distributional Effects*). In both fiscal years, we expect to administer, develop, and analyze up to two surveys, drawing on a relatively large amount of agency resources. We continue to advance our use of electronic survey tools and methods, which has contributed to productivity gains in recent questionnaire-based investigations, such as *Greenhouse Gas Emissions* (Inv. No 332-598), due to be completed in mid-FY 2025. We anticipate requests for our expertise and analysis in the form of technical assistance to increase in FYs 2025 and 2026 as changes in trade policy are considered and implemented.

Our staff routinely engage with requestors to discuss emerging priorities that may affect Commission work. Our staff also periodically discusses recurring reports with the requestors to ensure their continued interest in the information provided or to learn whether we should furnish additional information to meet emerging needs. For FYs 2025 and 2026, in addition to the recurring reports, we anticipate responding to requests or statutory direction for new reports and technical assistance providing unique data and analysis. The reports and technical assistance will inform federal policymakers' efforts in international trade negotiations or in developing trade and other economic policies.

Factfinding investigations concluded or ongoing in FY 2025 include:

- *Rice: Global Competitiveness and Impacts on Trade and the U.S. Industry (Requested by HWM)*
- *Distributional Effects of Trade and Trade Policy on U.S. Workers, 2026 Report (USTR)*
- *USMCA Automotive Rules of Origin: Economic Impact and Operation, 2025 Report (Legislation)*
- *Recent Trends in U.S. Services Trade: 2025 Annual Report (Self-initiated)*
- *The Year in Trade, 2024 (Legislation)*
- *Greenhouse Gas Emissions Intensities of the U.S. Steel and Aluminum Industries at the Product Level (USTR)*
- *Certain Textile and Apparel Imports from China (Quarterly report) (HWM)*
- *Distributional Effects of Trade and Trade Policy on U.S. Micro, Small, and Medium-Sized Enterprises (USTR)*
- *Caribbean Basin Economic Recovery Act: Impact on U.S. Industries and Consumers and on Beneficiary Countries, Twenty-seventh Report, 2023–2024 (Legislation)*

We anticipate a robust analytic workload in FYs 2025 and 2026 and have a performance goal of expanding our capability to anticipate and address new areas of economic and industry analysis. To achieve this goal, we will focus our research and data development work in high-interest areas with an emphasis on:

- advancing our modeling capabilities, such as increasing the flexibility and capacity to tailor partial equilibrium (PE) analysis to better capture the nuances of specific industries and developing new economic models to better represent U.S. labor markets
- expanding analysis in areas such as trade and the environment; transitions of U.S. workers to new industries and regions; industry competitiveness; and risks and vulnerabilities in U.S. supply chains, with a focus on trade in critical materials
- deepening expertise on provisions in trade agreements and their effects on U.S. trade
- deepening expertise on U.S. trade relationships, including with non-market economies like China

Such preparatory work expands our expertise and can help us respond efficiently and effectively to requests for analytical investigations and technical assistance, while also contributing to our work in import injury cases, tariff schedule maintenance, and trade policy support. These high-interest areas tend to require information and tools that are not readily available. Moreover, such work often requires significant staff effort to refine existing analytic tools or develop new ones. Our research priorities have kept us at the forefront of emerging analytic areas, such as evaluating impacts of disruptions and changes in global supply chains; assessing the effects of trade on U.S. workers; quantifying a wider variety of nontariff measures and nontariff provisions in U.S. agreements; analyzing the growth of digital trade and its impact on a wide range of industries; and evaluating the impacts of government policies and regulations on trade and investment in specific industries. Consistent dedication of resources to support such work is needed to maintain the world-class quality of our work products.

External factors that are likely to influence the scope and number of requests for analytical investigations in FYs 2025 and 2026 include, among others, the following:

- the trade policy focus of the executive and legislative branches
- interest by trade policymakers in the impact of new technologies on the global economy
- economic and trade policy developments in global markets, and other drivers of global economic conditions
- interest in sector-specific factors affecting U.S. industry competitiveness

- challenges and opportunities presented by shifting trade patterns and economic relationships between the United States and major trading partners

To respond to these requests efficiently and effectively, we must recruit, develop, and maintain staff with a high level of expertise in industry, regional, and economic matters. Skilled personnel are our single most important resource and account for most of our budget request. Staff research and external communication and collaboration are vital to honing staff skills and developing information and analytic tools for use in responding to requests. We conduct these activities under the broad authority of sections 332(a) and (b) of the Tariff Act of 1930, often publishing our findings as articles or presenting them at international meetings of experts and multilateral institutions. We also develop expertise and make our research available through direct interaction with many international and domestic agencies, at academic gatherings, and with private sector and worker associations. This engagement offers us an important forum for external technical review of new analytic approaches and frequently suggests new, relevant areas of potential interest. Staff travel is necessary to share and gather knowledge from domestic and international experts and to conduct critical field research for investigations.

During FYs 2025 and 2026, we will continue to invest in both our human capital and other resources to ensure that we can provide high-quality trade- and competitiveness-related analysis and information to policymakers in both the executive and legislative branches. As a first priority, we invest in hiring personnel with skills in areas of high statutory workload and key areas of interest to our requesters at USTR, Senate Finance Committee, and the House Ways and Means Committee. In addition, we invest funds to ensure that we can respond efficiently and effectively to requests from Congress and the Administration through the continuous acquisition, development, and improvement of analytic tools, information resources, and research approaches, including survey methods and statistical, econometric, and simulation analyses. These funds are primarily spent on acquiring or developing databases, expert consulting services, and specialized software. Staff collaborates with outside experts to develop models and databases so that we can better estimate the impact of policies affecting U.S. workers, regions, and communities; labor-related policies in international trade agreements; and the effects of trade restrictions at home and abroad.

Trends in the investigative caseload and caseload estimates for FYs 2025 and 2026 are shown below. Although the number of investigations has declined in recent years, the hours devoted to these reports has increased, reflecting the increased scope and complexity of recent requests. Hours spent per investigation have risen more than 40 percent over the past five years.

Industry and Economic Analysis Investigations Caseload

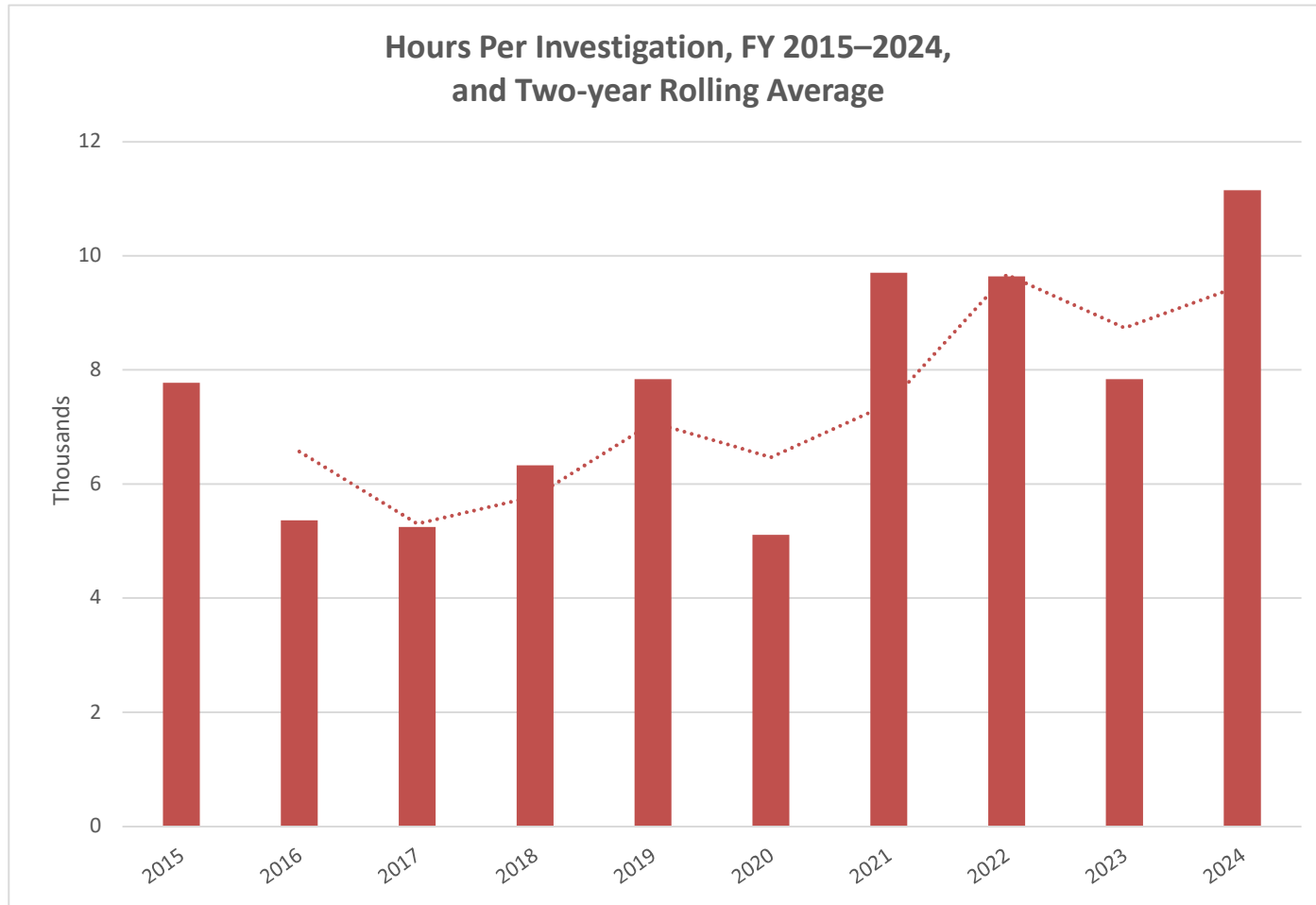
Instituted and Completed Investigations

| | FY 2020 Actual | FY 2021 Actual | FY 2022 Actual | FY 2023 Actual | FY 2024 Actual | FY 2025 Estimate | FY 2026 Estimate |
|------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------|---------------------|
| Instituted | 15 | 9 | 11 | 8 | 6 | 8 | 9 |
| Completed | 14 | 9 | 9 | 12 | 7 | 7 | 9 |

Note: Instituted and completed totals include both recurring and non-recurring reports. Investigation totals reflect the historical record available in IDS, which became available in FY 2023, and may be more complete (higher) than reported in earlier years of this report.

Completed Technical Assistance Requests

| | FY 2020 Actual | FY 2021 Actual | FY 2022 Actual | FY 2023 Actual | FY 2024 Actual | FY 2025 Estimate | FY 2026 Estimate |
|-----------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------|---------------------|
| Completed | 122 | 133 | 143 | 114 | 130 | 123 | 117 |



Tariff and Trade Information Services

The USITC maintains and publishes the Harmonized Tariff Schedule of the United States (HTS) under the Tariff Act of 1930 and section 1207 of the Omnibus Trade and Competitiveness Act of 1988 (1988 Act). In line with this mission, we strive to improve access to high-quality, up-to-date tariff and international trade information and to reinforce our technical expertise in these areas to support the executive and legislative branches, the broader trade community, and the public. We maintain online interactive and in-house databases and an online HTS search tool; chair the U.S. interagency Committee for Statistical Annotation of Tariff Schedules; conduct investigations under section 1205 of the 1988 Act to propose certain HTS amendments to the President to meet our international obligations; and participate in the U.S. delegation to the World Customs Organization (WCO) and World Trade Organization (WTO). Staff expertise in these areas strengthens our investigative work, as well as the trade policy support that we give to the executive and legislative branches.

The Harmonized Tariff Schedule of the United States

Maintaining and ensuring access to an accurate and up-to-date tariff schedule is of critical importance to the U.S. government and the private sector. U.S. Customs and Border Protection (CBP) relies on the HTS for collecting all tariff revenues and fees, which were estimated to be \$109.4 billion assessed on \$4.7 trillion in imports in FY 2024. U.S. importing firms rely on the HTS for accurate information in importing all goods into the country. As noted above, the HTS is the most heavily used tariff schedule in the world, based on the volume of trade covered, and, in FY 2024, the publicly available online system, known as HTS Search was accessed over 10 million times. The HTS underlies the U.S. trade data maintained by the U.S. Census Bureau (Census) and is critical to CBP managing its trade enforcement activities.

In FY 2024, we published the HTS 10 times—a Basic Edition in January 2024, plus nine revisions over the course of the fiscal year. Prior to FY 2018, the USITC typically published the HTS only two or three times annually.

| Number of HTS Publications | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|----------------------------|---------|---------|---------|---------|---------|---------|---------|
| | Actual | Actual | Actual | Actual | Actual | Actual | Actual |
| | 16 | 16 | 31 | 18 | 17 | 14 | 10 |

In FY 2024, we evaluated the effectiveness of the current system that supports the HTS and documented deficiencies. We identified the following deficiencies: 1) challenging experience for novice users to find the information they seek in the HTS, 2) difficulty in integrating other types of import information, 3) counterintuitive ability to compare changes in the HTS, 4) lack of flexibility in user experience maintaining HTS information, and 5) outdated technology presents maintenance and security challenges. We concluded that, to most benefit the U.S. government and the private sector that rely upon the HTS, the current system requires a major upgrade and development effort. In FY 2025, we will document requirements for this upgrade, such that development can commence in FY 2026.

In addition to our tariff schedule management responsibilities, we chair the interagency Committee for Statistical Annotation of the Tariff Schedules in coordination with CBP and Census. That committee administers statistical reporting numbers for tracking specific goods, if certain criteria are met. We also participate in or lead the U.S. delegation to various committees of the WCO. Continued funding for staff to attend WCO-related meetings is an agency priority as part of U.S. government efforts to ensure that the international tariff nomenclature takes U.S. interests into account. In addition, we provide ongoing support to Congress and the USTR on national, bilateral, plurilateral and multilateral trade programs, on topics affecting the HTS such as trade preference programs, trade agreements, rules of origin, and other tariff actions. Finally, we assist the public in understanding the HTS, answering over 2,200 questions received through HTS help channels in FY 2024.

DataWeb

The Commission also provides online trade services, such as the USITC DataWeb. DataWeb is a valuable tool used by our staff, external stakeholders, and the public to organize U.S. import and U.S. export data for analysis. As discussed previously, in FY 2023, the Commission administered a user survey to collect stakeholder feedback to identify requirements to improve the DataWeb. In FY 2024, the Commission worked to develop version 5 of the DataWeb database system. Deployment of the updated version is scheduled for quarter 2 of FY 2025.

Trade Policy Support

We draw on knowledge gained from our formal investigations and other research to respond to expedited requests for technical

expertise and data that trade policymakers can use to inform the development of U.S. international trade policy. This trade policy support, provided under section 332 of the Tariff Act of 1930, includes:

- providing information and analysis on current issues related to trade and competitiveness
- providing technical comments on draft legislation
- preparing draft tariff legislation and annexes for presidential proclamations, memoranda, executive orders, and final decisions by various agencies
- providing information and analysis in briefings and meetings
- temporarily assigning (i.e., detailing) Commission staff to our oversight committees and the USTR
- assisting trade delegations, negotiating teams, and USTR-led litigation teams in international dispute settlement forums

Providing trade policy support falls under our strategic goal of developing sound and informed analyses and determinations. We use regular communication and formalized feedback mechanisms to help us anticipate policymakers' needs and proactively develop expertise to meet a high volume of requests for assistance.

In FY 2024, trade policy support requests covered a broad range of topics and issues. The variety of these requests underscores the wide scope of current trade policy issues, as well as recognition of our unique capabilities and expertise. We anticipate that the volume of trade policy support requests for FYs 2025 and 2026 will remain high. Congressional interest in obtaining real-time assistance with draft legislation and emerging policy issues is expected to continue, as is executive branch interest in our support of negotiating teams, dispute panels, Section 301 investigations, safeguard remedy analysis, and appearances before the World Trade Organization. In some instances, we have met our requestors' requirements by detailing our staff to congressional oversight committees or to the U.S. Trade Representative. As budget and statutory workload permit, we may continue to detail a limited number of staff to these entities, on their request.

Information Technology

General Statement

The Commission is committed to leveraging the power of information technology (IT) to transform agency operations, improve the customer experience, and safeguard our computer networks and information. Our IT program is critical to achieving our strategic goals and objectives, managing risk, and creating value for our stakeholders. Our FY 2026 budget request of \$134 million includes \$14 million to operate and maintain existing IT systems, infrastructure, and security; supply the IT resources needed to enhance systems; accommodate cybersecurity requirements; enhance our disaster recovery and continuity of operations capabilities; and maintain hybrid capabilities.

Approximately 90 percent of our IT budget continues to be directly related to maintaining or enhancing the Commission's cybersecurity posture. As threat actors become more proficient at locating and attacking technical vulnerabilities, it is important that even the most mundane IT administration activities continue unimpeded to mount a viable defense and reduce the number of exploitable vulnerabilities, in both hardware and software. These activities include, but are not limited to, operations and maintenance of existing systems, software upgrades and replacement, lifecycle replacement of key components, continuous monitoring and reporting, and the utilization of external bug bounty and penetration testing services to meet the requirements of vulnerability disclosure and ground truth testing.

We continue to see the number of reported cybersecurity incidents throughout the government increase as threat actors and technologies continue to evolve, especially in the exploitation of known vulnerabilities. We continue to optimize the level of monitoring and reporting on known exploitable vulnerabilities at both the technical and managerial levels. We expect to see an increase in the number of mandates issued to address industry- and government-wide security incidents, thus reinforcing the importance of receiving adequate IT funding.

Supporting the Agency's Mission

Our IT budget contains the resources to operate and maintain, as well as develop, modernize, and enhance, a complex suite of essential systems. These systems support all of our mission areas and the analysis and information that we provide to the public and

our stakeholders. In addition to the ongoing maintenance of all systems to ensure their availability, accessibility, and security, specific funding has been requested to address the following:

Harmonized Tariff Schedule of the United States (HTS): Maintaining and ensuring access to an accurate and up-to-date tariff schedule is of critical importance to the U.S. government and private sector. U.S. Customs and Border Protection relies on the HTS in collecting all tariff revenues and U.S. import firms rely on the HTS for accurate information in importing all goods into the country. The HTS system provides a chapter-by-chapter listing of the Harmonized Tariff Schedule and general notes in an electronic format, providing much more flexible search capabilities and greater accessibility than the printed text. HTS user sessions increased again for FY 2024, with over 10 million sessions initiated. The HTS system is scheduled to be re-engineered in FY 2026 to create a more data-centric application that will allow more efficient updating when tariff changes are made and easier usability by the U.S. government and private sector.

Information Security

We will continue to strengthen our security posture in FY 2026 by investing in, maintaining, and enhancing technologies, processes, and capabilities in line with mandates and best practices.

Continuous Diagnostics and Mitigation (CDM): USITC has worked with the Cybersecurity and Infrastructure Security Agency (CISA) to integrate USITC vulnerability and configuration compliance data into CISA's CDM Capability Shared Service Platform. This platform provides continuous monitoring capabilities for agencies to manage their security posture and provides CISA a means to aggregate security information across the government. In FY 2026, we will continue to participate in the CDM program.

Security Controls Assessments (SCAs): We continue to conduct SCAs on defined local and cloud-based IT systems. An SCA is a due-diligence exercise that uses a comprehensive, documented process to evaluate the extent to which an agency's security controls are implemented correctly, operating as intended, and meeting the security requirements for an information system. These assessments are needed to issue an ongoing Authority to Operate (ATO) for each defined system. USITC has a well-defined ongoing ATO process for both internal and cloud-based systems which utilizes a continuous monitoring model. In FY 2026, we will maintain ATOs for all mission-essential local and cloud-based systems.

Multifactor Authentication: USITC implemented Homeland Security Presidential Directive 12 (HSPD-12) in FY 2016, enforcing

multifactor authentication (i.e., a personal identification verification card plus a personal identification number) for system access. In FY 2026, we will continue using login.gov for public-facing applications as part of our zero-trust architecture.

Data Loss Prevention (DLP): USITC is currently able to detect the transmission of personally identifiable information (PII) via a scanner system that monitors all network transmissions in real time for certain PII patterns (primarily Social Security numbers) and a forensic network packet recorder that records all network transmissions for later retrieval and analysis. This recorder can also search for arbitrary text patterns such as PII keywords. We have implemented a DLP solution that reviews data in emails sent externally from an internal agency address (i.e., email exfiltration) to prevent email containing PII, such as Social Security numbers and dates of birth, from being transmitted outside the agency's network. In FY 2026, we will continue to optimize our monitoring and maintain our ability to retain audit data to better analyze trends.

Privacy Program: We will continue to mature our privacy program in FY 2026 by revising privacy policies that define how we manage and protect the PII that we collect, use, and maintain. Maintaining a robust privacy program will ensure that we continually comply with all relevant privacy requirements, such as the Privacy Act of 1974, the E-Government Act of 2002, and OMB directives, and minimize the risk to individuals whose PII we use in our work.

Maintaining Zero Trust: Zero Trust is a strategic initiative designed to prevent data breaches by eliminating trust within a network architecture. In the event of a successful network breach, a threat actor is prevented from moving from asset to asset. While significantly more complicated to implement in many legacy networks, it provides a greater level of protection. As of FY 2024, USITC maintains a zero trust-based architecture in accordance with the pillars defined in Executive Order 14028, *Improving the Nation's Cybersecurity*. In FY 2026, USITC will continue to build on its successes experienced in previous years while maintaining zero trust throughout our network infrastructure.

Vulnerability Management: USITC utilizes a vulnerability patching policy that prioritizes vulnerabilities that have been exploited or have known exploits as documented in the CISA-maintained Known Exploited Vulnerability (KEV) catalog. All federal civilian executive branch agencies are required to remediate vulnerabilities in the KEV catalog within prescribed timeframes under Binding Operational Directive (BOD) 22-01, *Reducing the Significant Risk of Known Exploited Vulnerabilities*. In FY 2026, we will continue to mature our patch processes and BOD compliance utilizing scanning and monitoring tools that complement our cyber hygiene services.

Digital Systems Modernization

All executive branch agencies are required to improve their digital services and make them more accessible to all users. We consistently review our publicly available website and assess its digital services, ensuring that they provide modern functionality and accessibility. We prioritize ongoing modernization efforts based on those with the most direct user impact. The USITC website (www.usitc.gov) is the most important digital service that we offer for public engagement. It provides tariff information, industry and economic research, and trade data to the public. We have identified four additional Commission digital services as having a significant role in public engagement: the Electronic Document Information System, DataWeb, Investigations Database System, and the HTS web applications. All four services are publicly accessible and meet the technical, functional, and security requirements of new websites and digital services.

The Commission continues to use digital signatures unless handwritten signatures are required by law. We also provide policy and rules on the use of electronic signatures, of which digital signatures are a type, for agency personnel. The Commission requires that new electronic applications and major application revisions support electronic signatures.

Additionally, all factfinding investigations, staff working papers, Journal of International Commerce and Economics articles, administrative reports, and Commission reports for Title VII investigations published in FY 2024 were compliant with Section 508 of the Rehabilitation Act of 1973 (Section 508), along with other federal authority and guidance, which requires all electronic and information technology that is developed, procured, maintained, or used by a federal agency to be accessible to people with disabilities, and this access must be comparable to access available to others. The Commission's accessibility efforts have included training and application of Section 508 accessibility measures both through our reporting and at hearings.

The Office of Inspector General

The U.S. International Trade Commission's Office of Inspector General (OIG) is an independent office that conducts audit, evaluation, inspection, and investigative activities covering all Commission programs and strategic operations. Its mission is to detect fraud, waste, and abuse and to promote integrity, efficiency, and economy in the Commission's programs and operations. By statute, the OIG is required to perform four reviews in FY 2025. The OIG uses contractor support to perform the independent audit of the Commission's annual financial statements and review the Commission's compliance with the Federal Information Security Modernization Act (FISMA). In-house staff will provide oversight of the contractors and perform the remaining two mandatory reviews on improper payments and the agency's charge cards. In addition to these reviews, the OIG has identified five potential areas for discretionary review in the [FY 2025 Annual Audit Plan](#). The plan also contains a list of reserve audits and reviews that the OIG would like to perform if resources become available.

The Inspector General Act of 1978, as amended, 5 U.S.C. § 406(g), requires certain specifications concerning Office of Inspector General budget submissions each fiscal year.

Each Inspector General (IG) is required to transmit a budget request to the head of the establishment or designated Federal entity to which the IG reports specifying:

- the aggregate amount of funds requested for the operations of the OIG
- the portion of this amount requested for OIG training, including a certification from the IG that the amount requested satisfies all OIG training requirements for that fiscal year
- the portion of this amount necessary to support the Council of the Inspectors General on Integrity and Efficiency (CIGIE)

The head of each establishment or designated Federal entity, in transmitting a proposed budget to the President for approval, shall include:

- an aggregate request for the OIG
- the portion of this aggregate request for OIG training

- the portion of this aggregate request for support of the CIGIE
- any comments of the affected IG with respect to the proposal

The President shall include in each budget of the U.S. Government submitted to Congress:

- a separate statement of the budget estimate submitted by each IG
- the amount requested by the President for each OIG
- the amount requested by the President for training of OIGs
- the amount requested by the President for support of the CIGIE
- any comments of the affected IG with respect to the proposal if the IG concludes that the budget submitted by the President would substantially inhibit the IG from performing the duties of the OIG

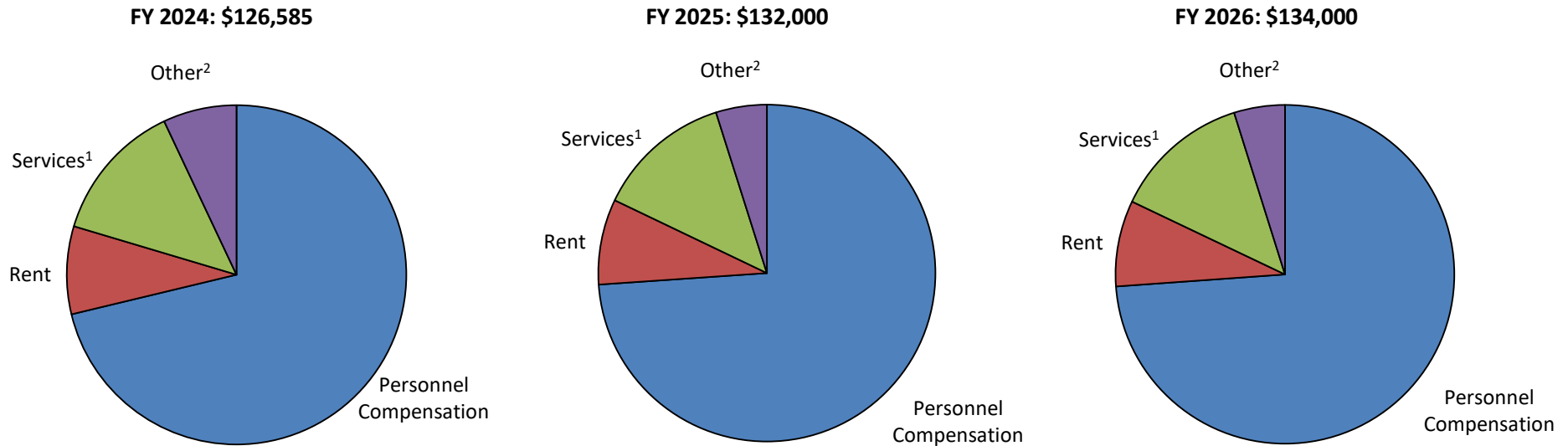
Following the requirements as specified above, the OIG of the U.S. International Trade Commission submits the following information relating to the OIG's requested budget for fiscal year 2026:





- \$2,096,176 in aggregate for the operations of the OIG
- \$32,000 of that amount for OIG training
- \$8,767 (0.42 percent of the budget request) for OIG's contribution to the Council of the Inspectors General on Integrity and Efficiency

I, Rekha "Rashmi" Bartlett, certify as the IG of the U.S. International Trade Commission that the amount I have requested for training satisfies all OIG training requirements for fiscal year 2026.

Obligations: Comparison by Budget Object Classification, Fiscal Years 2024–26

(Dollar amounts in thousands)



| CATEGORY OF OBLIGATION | | FY 2024 Actual | | FY 2025 Request | | FY 2026 Request | |
|------------------------|---|------------------|------------------|------------------|------------------|------------------|------------------|
| | | Dollars | Percent of Total | Dollars | Percent of Total | Dollars | Percent of Total |
| Personnel Compensation |  | \$90,196 | 71.2% | \$97,152 | 73.6% | \$98,967 | 73.8% |
| Rent |  | 10,572 | 8.4% | 10,959 | 8.3% | 11,000 | 8.2% |
| Services |  | 16,941 | 13.4% | 16,227 | 12.3% | 17,527 | 13.1% |
| Other |  | 8,875 | 7.0% | 7,662 | 5.8% | 6,506 | 4.9% |
| TOTAL | | \$126,585 | 100.0% | \$132,000 | 100.0% | \$134,000 | 100.0% |

Note: Dollars may not add due to rounding in this and subsequent charts.

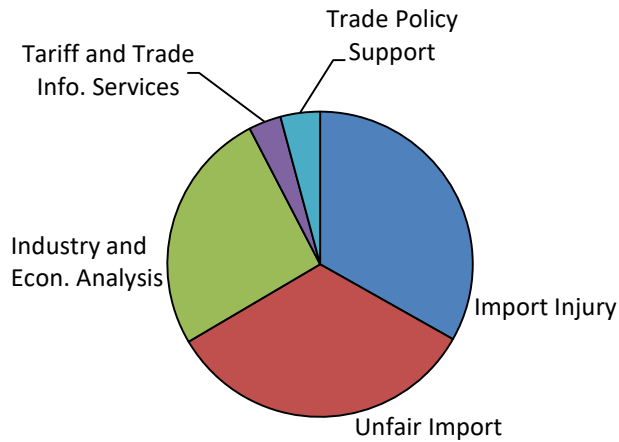
¹Services include, but are not limited to, obligations for contractor staff (IT service desk, security guards, financial audits), software licenses, and equipment maintenance.

²“Other” includes budget object classes such as equipment, supplies, communications and equipment rental, travel, training, printing and reproduction, land and structures, postage and contractual mail, and transportation.

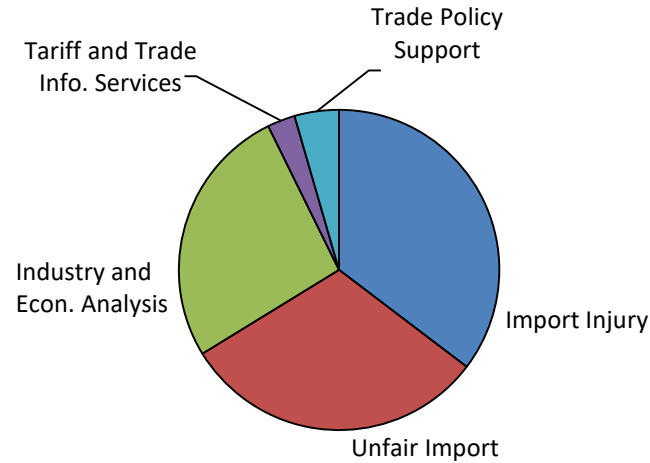
Obligations: Comparison by Strategic Goal, Fiscal Years 2024–26

(Dollar amounts in thousands)

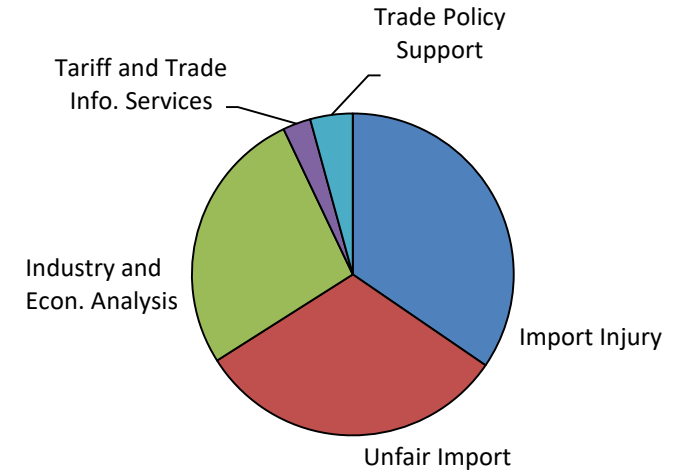
FY 2024: \$126,585



FY 2025: \$132,000



FY 2026: \$134,000



| CATEGORY OF OBLIGATION | FY 2024 Actual | | FY 2025 Request | | FY 2026 Request | |
|---|------------------|------------------|------------------|------------------|------------------|------------------|
| | Dollars | Percent of Total | Dollars | Percent of Total | Dollars | Percent of Total |
| Trade Remedy Investigations (Strategic Goal 1) | | | | | | |
| Import Injury | \$41,984 | 33.2% | \$46,633 | 35.4% | \$46,306 | 34.6% |
| Unfair Import | 42,206 | 33.3% | 40,830 | 30.9% | 42,139 | 31.4% |
| Tariff, Trade, and Competitiveness-related Analysis and Information (Strategic Goal 2) | | | | | | |
| Industry and Economic Analysis | 32,772 | 25.9% | 34,905 | 26.4% | 36,055 | 26.9% |
| Tariff and Trade Information Services | 4,326 | 3.4% | 3,723 | 2.8% | 3,779 | 2.8% |
| Trade Policy Support | 5,297 | 4.2% | 5,909 | 4.5% | 5,721 | 4.3% |
| TOTAL | \$126,585 | 100.0% | \$132,000 | 100.0% | \$134,000 | 100.0% |

Analysis of Change by Budget Object Classification, Fiscal Years 2024–26

(Dollar amounts in thousands)

| | FY 2024 Actual | FY 2025 Request | FY 2026 Request | FY 2025–26 Change | Percentage Change |
|---|-------------------|--------------------|--------------------|----------------------|----------------------|
| Personnel Obligations | \$90,196 | \$97,152 | \$98,967 | \$1,815 | 1.9% |
| Non-personnel Obligations | | | | | |
| Rent | \$10,572 | \$10,959 | \$11,000 | \$40 | 0.4% |
| Services | 16,941 | 16,227 | 17,527 | 1,300 | 8.0% |
| Supplies | 2,221 | 2,152 | 1,831 | -321 | -14.9% |
| Equipment | 2,167 | 1,405 | 1,210 | -195 | -13.9% |
| Travel | 447 | 600 | 437 | -163 | -27.2% |
| Training | 824 | 700 | 552 | -148 | -21.2% |
| Communications and Equipment Rental | 1,865 | 2,324 | 2,120 | -204 | -8.8% |
| Printing and Reproduction | 291 | 338 | 286 | -51 | -15.2% |
| Official Reception and Representation | 0 | 4 | 2 | -2 | -57.5% |
| All Other (Transportation, Postage, Land and Structures, Credit Card Rebates) | 1,062 | 139 | 69 | -70 | -50.6% |
| Subtotal Non-personnel Obligations | \$36,388 | \$34,848 | \$35,033 | \$185 | 0.5% |
| Total Obligations | \$126,585 | \$132,000 | \$134,000 | \$2,000 | 1.5% |

Summary of Changes from the FY 2025 Budget Request

(Dollar amounts in thousands)

Personnel Obligations

Personnel **+\$1,815**

Personnel obligations are expected to increase by about \$1.8 million. This funding is required to sustain the human capital investments that we plan to make in FY 2025. The volume and complexity of our workload demand a challenging level of effort by our current number of staff. In FY 2024, we continued a long-overdue hiring initiative that aims to provide staffing levels commensurate with our workload. Our FY 2025 staffing goal is to have an average staffing level (i.e., full-time equivalents, or FTE) of 437. As of mid-January 2025, our onboard staffing level is 430, with vacancy rates as high as 17 percent in offices responsible for statutory workload.

The Commission continues to experience high and increasing caseload levels in AD/CVD investigations and a higher number of unfair import investigations. AD/CVD filings in FY 2024 reached near-record levels, and we anticipate record levels in FY 2025. As of the fourth quarter of FY 2024, the Commission was handling a record high number of active import injury cases, which has remained at record levels through the first quarter of FY 2025. In FY 2024, we instituted 22 preliminary-phase investigations covering a wide variety of industries in the U.S. economy; more than one-half of the petitions involved imports from multiple countries. We anticipate instituting 26 preliminary-phase investigations in FY 2025 and 17 in FY 2026. In addition to the increase in petitions in FY 2024, the sustained high level of import injury activity over the last decade has contributed to a structural increase in the number of AD/CVD orders returning for five-year reviews. We instituted 37 reviews of existing AD/CVD orders in FY 2024 and anticipate instituting 34 and 45 in FYs 2025 and 2026, respectively.

Further, in FY 2024, our section 337 monthly workload equaled the ten-year monthly average, mainly due to the 30 percent increase in new complaints being filed, after a year of lower filings. Based on the number of complaints filed during the first quarter of FY 2025, 17, we expect the level of new filings to increase in FYs 2025 and 2026. Additionally, in FYs 2025 and 2026, we expect the number of new incoming factfinding reports to increase from FY 2024. Lastly, compared to two or three publications in a typical year, in FY 2024, we published the HTS 10 times to implement multiple tariff changes. We expect that a greater number of publications will be necessary for FYs 2025 and 2026.

This funding level will also cover the anticipated pay raise effective January 1, 2026, and pay for the normal cost of employee promotions, within-grade increases, and increased benefits.

Non-personnel Obligations

Rent..... **+\$40**

FY 2026 rent obligations are expected to increase by \$40,000 because of an inflationary increase to operating costs.

Services **+\$1,300**

Services obligations are expected to increase by \$1.3 million, largely because of increased funding to improve our web-based applications, including re-engineering of the HTS system to create a more data-centric application. HTS user sessions increased again for FY 2024, with over 10 million sessions initiated, more than twice as many visits seen a decade earlier. It is, therefore, critical that the HTS contain accurate and timely information in an accessible and navigable system. In FY 2024, we evaluated the effectiveness of the current system that supports the HTS and documented deficiencies. We concluded that the current system requires a major upgrade and development effort. In FY 2025, we will document requirements for this upgrade, such that development can commence in FY 2026.

Additionally, funds are required to cover the new operation and maintenance costs associated with our migration to a new federal financial shared services provider. The migration will result in efficiencies and long-term savings by integrating disparate financial management systems, automating processes, and enabling a smaller number of staff to perform financial management responsibilities, allowing upcoming staff retirements to occur without the need to backfill the vacancies.

Supplies **-\$321**

Supplies obligations are expected to decrease by \$321,000, reflecting the discontinuance of supplies and data purchases that are no longer critical to support our statutory investigations.

Equipment **-\$195**

Equipment obligations are expected to decrease by \$195,000, resulting largely from FY 2025 lifecycle replacement of IT equipment that is not included in the FY 2026 request.

Travel -\$163

Travel obligations are projected to decrease by \$163,000 and align with post-pandemic travel expectations. This request will sufficiently fund statutory investigations, anticipated studies, knowledge development in emerging trade issues and priority areas, representational travel to international organization meetings, litigation support, and multilateral and regional agreement negotiation support.

Training -\$148

Training obligations are expected to decrease by \$148,000. The request will provide sufficient funding for developing and advancing staff skills and meeting the licensing, certification, and professional education requirements of existing and newly hired staff.

Communications and Equipment Rental -\$204

Communications and equipment rental obligations are expected to decrease by \$204,000, driven by planned one-time FY 2025 telecommunications investments that are not included in the FY 2026 request.

Printing and Reproduction -\$51

Printing and reproduction obligations are expected to decrease by \$51,000 to reflect updated Government Publishing Office requirements.

All Other (Official Reception and Representation, Transportation, Postage, Land and Structures, Credit Card Rebates) -\$72

Land and structures obligations (minor building renovations) are expected to be lower in FY 2026, reflecting the postponement of expenditures until we receive feedback from an architectural and design assessment of our future office space needs.

Net Non-personnel Obligations Changes +\$185

Total Adjustment to FY 2025 Base (\$132,000) +\$2,000

Total FY 2026 Budget Request \$134,000

The Commissioners

The USITC is headed by six commissioners, who are nominated by the President and confirmed by the U.S. Senate. Amy A. Karpel, a Democrat, is serving as Chair of the Commission, for a term ending June 16, 2026. A Vice Chair has not been nominated for the current term. Other commissioners currently serving are, in order of seniority, David S. Johanson, a Republican, and Jason E. Kearns, a Democrat.⁴

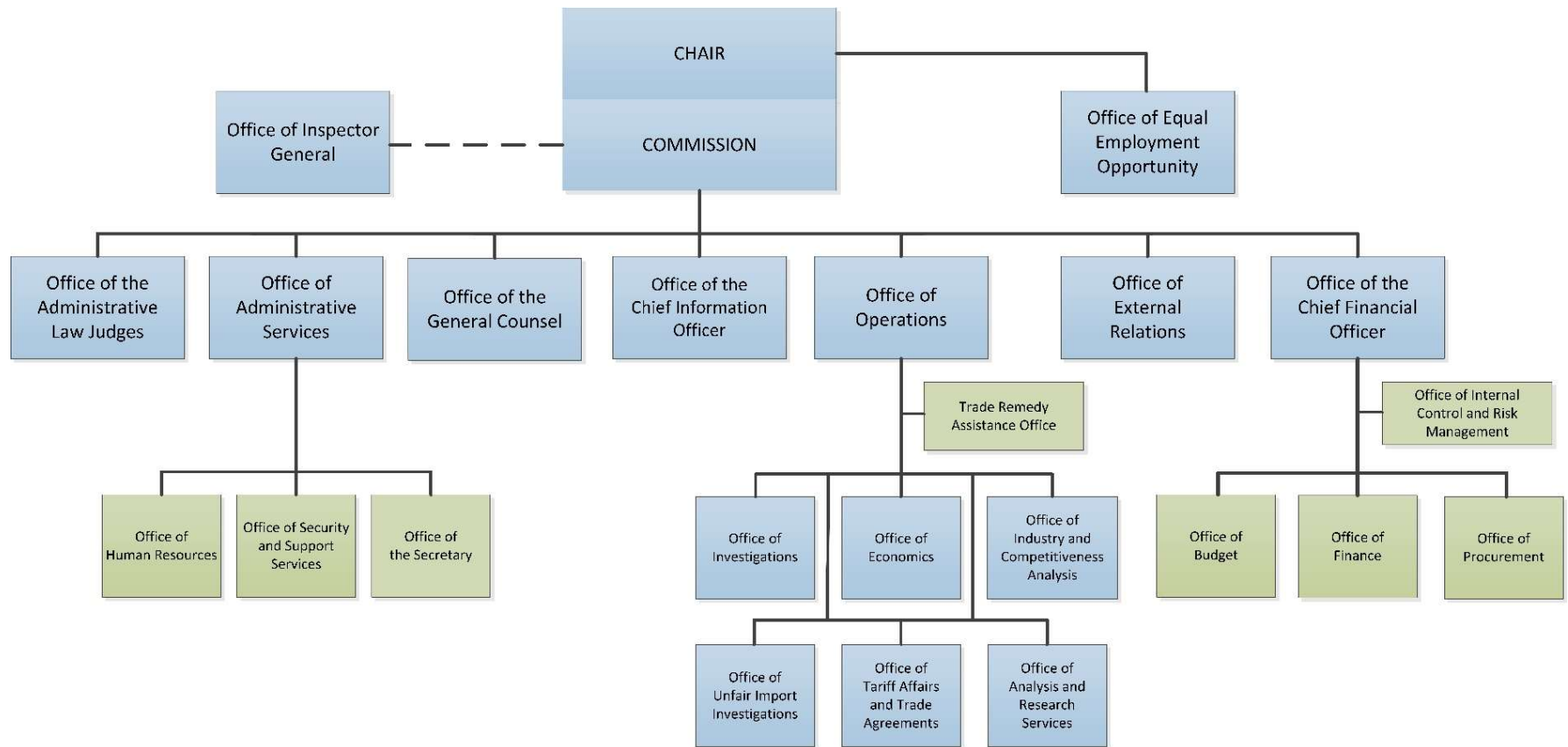
Each commissioner serves a term of nine years, unless appointed to fill an unexpired term. The terms are set by statute and are staggered such that a different term expires every 18 months.⁵ A commissioner who has served for more than five years is ineligible for reappointment. A commissioner may, however, continue to serve after the expiration of his or her term until a successor is appointed and qualified. Congress's desire to create an independent and nonpartisan Commission is evident in the rules that dictate the composition of the Commission. 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.⁶ 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 two Democrats and one Republican serve as commissioners.

⁴ Currently, there are three vacancies.

⁵ 19 U.S.C. § 1330.

⁶ If the President does not designate a Chair, the senior commissioner of the relevant political party serves as Chair, by operation of law.

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



Current Permanent and Term Hiring Plan and Onboard Staffing Levels

| Office | Permanent and Term Positions | | |
|--|------------------------------|-----------------------|-----------|
| | FY 2025 Hiring Plan | Onboard as of 1/17/25 | Gap |
| Commissioners | 38 | 24 | 14 |
| External Relations | 4 | 4 | 0 |
| Inspector General | 7 | 4 | 3 |
| General Counsel | 58 | 58 | 0 |
| Administrative Law Judges | 28 | 24 | 4 |
| Equal Employment Opportunity | 3 | 4 | -1 |
| Chief Information Officer | 41 | 38 | 3 |
| Subtotal: Other Offices | 179 | 156 | 23 |
| Operations | 7 | 7 | 0 |
| Analysis and Research Services | 30 | 25 | 5 |
| Investigations | 34 | 33 | 1 |
| Unfair Import Investigations | 28 | 24 | 4 |
| Economics | 41 | 41 | 0 |
| Tariff Affairs and Trade Agreements | 14 | 12 | 2 |
| Industry and Competitiveness Analysis | 71 | 66 | 5 |
| Subtotal: Operations | 225 | 208 | 17 |
| Chief Financial Officer | 4 | 4 | 0 |
| Budget | 3 | 3 | 0 |
| Finance | 8 | 6 | 2 |
| Procurement | 5 | 5 | 0 |
| Internal Control & Risk Management | 2 | 1 | 1 |
| Subtotal: Chief Financial Officer | 22 | 19 | 3 |
| Administrative Services | 5 | 5 | 0 |
| Human Resources | 12 | 13 | -1 |
| Security and Support Services | 11 | 10 | 1 |
| Secretary and Dockets | 21 | 19 | 2 |
| Subtotal: Administrative Services | 49 | 47 | 2 |
| Commission Total | 475 | 430 | 45 |

Note: We are constantly evaluating our workload and aligning resources to meet emergent needs. In the short term, we may approve requests for an office to exceed its staffing allocation to meet workload challenges. If those workload challenges persist, we may make the adjustment permanent by shifting positions.

The End



500 E Street, SW
Washington, DC 20436