

U.S. INTERNATIONAL TRADE COMMISSION

# STRATEGIC PLAN

FISCAL YEARS

2006-11



# Table of Contents

---



|   | <i>Page</i> |
|---|-------------|
| Introduction .....  | 1           |
| Mission Statement .....   | 1           |
| Strategic Vision .....  | 2           |
| Strategic Goal .....  | 2           |
| Relationship to Other Planning Documents .....                                  | 4           |
| External Factors .....  | 6           |
| Business Environment .....  | 7           |
| Cross-Cutting Activities .....  | 9           |
| <br>  |             |
| <b>Operation No. 1: Import Injury Investigations</b> .....                      | <b>11</b>   |
| Resource Requirements .....   | 11          |
| General Goal .....  | 12          |
| Strategies .....  | 12          |
| <br>  |             |
| <b>Operation No. 2: Intellectual Property-Based Import Investigations</b> ..... | <b>14</b>   |
| Resource Requirements .....   | 14          |
| General Goal .....  | 15          |
| Strategies .....  | 15          |
| <br>  |             |
| <b>Operation No. 3: Industry and Economic Analysis</b> .....                    | <b>17</b>   |
| Resource Requirements .....   | 18          |
| General Goal .....  | 19          |
| Strategies .....  | 19          |
| <br>  |             |
| <b>Operation No. 4: Tariff and Trade Information Services</b> .....             | <b>20</b>   |
| Resource Requirements .....   | 21          |
| General Goal .....  | 21          |
| Strategies .....  | 21          |
| <br>  |             |
| <b>Operation No. 5: Trade Policy Support</b> .....                              | <b>23</b>   |
| Resource Requirements .....   | 23          |
| General Goal .....  | 23          |
| Strategies .....  | 24          |
| <br>  |             |
| <b>Appendix: Commission Organization</b> .....                                  | <b>25</b>   |

# United States International Trade Commission

## Strategic Plan FY 2006-2011



### Introduction

The United States International Trade Commission (Commission) is an independent federal agency that determines import injury to U.S. industries in antidumping, countervailing duty, and global and China safeguard investigations; directs actions against unfair trade practices involving patent, trademark, and copyright infringement; supports policymakers through economic analysis and research on the global competitiveness of U.S. industries; and maintains the U.S. Harmonized Tariff Schedule.

This sixth edition of the Commission's Strategic Plan covers fiscal years 2006–2011. The Strategic Plan consists of a mission statement, the agency's strategic vision, strategic goal, general goals that will be used to measure the agency's success level, and the general strategies that will be used to achieve the mission. The mission is based on the functions assigned to the Commission by statute.<sup>1</sup>

### Mission Statement

The mission of the U.S. International Trade Commission (Commission) is to: (1) administer U.S. trade remedy laws within its mandate in a fair and objective manner; (2) provide the President, the United States Trade Representative (USTR), and Congress with independent, quality analysis, information, and support on matters of tariffs and international trade and competitiveness; and (3) maintain the Harmonized Tariff Schedule of the United States.

In so doing, the Commission serves the public by implementing U.S. law and contributing to the development of sound and informed U.S. trade policy.

---

<sup>1</sup> Relevant statutory provisions include 19 U.S.C. §§ 1332, 1337, 1484, 1671 *et seq.*, 2151, 2252, 2436, 2451, 2451a, 2463, 2704, 3005, 3007, 3010, 3203, 3204, 3803, and 3804.

## Strategic Vision

---

The role of international trade in the U.S. economy has expanded and, thus, the work of the Commission has had a broader impact on many aspects of the U.S. economy. In light of this expanded role, the Commission recognizes the importance of striving for excellence in all aspects of its mission. It is dedicated to objectivity, timeliness, and continual improvement in support of its customers.

As an independent, quasi-judicial federal agency, the Commission is uniquely placed to administer important U.S. trade laws in a fair and impartial manner. The Commission is committed to the objective administration of the laws under its authority and is dedicated to improving the clarity and analytical and legal excellence of its decisions.

Likewise, the Commission's independent structure places it in a position to provide objective analysis and information to the President, USTR, Congress, and the general public. The Commission is committed to serving as the key federal resource for analysis of international trade matters through its industry, economic, nomenclature, and regional expertise. The Commission anticipates that the need for this expertise will expand; thus, it envisions enhancing its ability to assess a wide range of emerging trade issues.

## Strategic Goal

---

The Commission has one strategic goal, which is to effectively conduct five strategic Operations:

- Import injury investigations
- Intellectual property-based import investigations
- Industry and economic analysis
- Tariff and trade information services
- Trade policy support

All of these Operations define the function of the Commission, emphasizing the benefits that the Commission provides in facilitating an open trading system based on the rule of law and the economic interests of the United States. The Commissioners and the staff offices of the agency work closely together to carry out the Commission's Operations. Within each Operation, the Strategic Plan identifies a general goal and strategies. These can be found in the sections, set out below, addressing the Operations.

The strategies outlined in each Operation are designed to assist the Commission in meeting its general goals. Many of the strategies stress the importance of performing agency functions in an “effective” manner. Effectiveness includes ensuring that Commission products are of state-of-the-art quality and that they fully and objectively fulfill the agency’s obligations. It also includes ensuring that, where appropriate, they are responsive to the needs of customers, as measured in part by feedback; and that the products are disseminated to customers in an efficient and cost-effective way.

In developing its goals and strategies, the Commission seeks to adopt performance measures that focus on outcomes, set ambitious targets, and meaningfully reflect the purpose of the agency’s operations. In some areas, this endeavor has resulted in goals that are clearly understandable as outcome-oriented. Where the agency seeks to provide its customers with enhanced information, for example, the agency can determine by customer reaction whether the enhancement has led to a successful outcome. In contrast, the conduct of trade remedy investigations tends to be less amenable to conventional outcome goals. A goal such as timely completion of proceedings can seem an output measure, whereas, as in the case of intellectual property-related investigations, timely dispute resolution can in fact be an outcome that is of substantial benefit to parties. In some areas, however, the nature of the Commission’s functions makes developing outcome goals impractical, and in those areas the agency has used output or process measures.

The Commission is committed to the strategic planning process. Through the Strategic Plan, the agency has learned to focus more directly on its goals and values and articulate these more clearly. Members of the agency’s senior staff coordinate the planning for the strategic operations relating to their areas of responsibility. In implementing the Strategic Plan, the Commission is communicating its goals to all agency employees, and making clear to managers and staff the importance of achieving those goals. The process has also made the agency more aware of the concerns of its customers and stakeholders, which has helped the Commission learn from their perspectives. The Commission has also taken advantage of the planning experiences of other agencies. The Commission has placed this Strategic Plan on its Internet site (<http://www.usitc.gov>), and welcomes comments.

In the years ahead, the Commission will continue to refine its plan in order to adapt to changing circumstances. The Commission takes into account in its planning government-wide initiatives, such as the President’s

Management Agenda, on competitive sourcing, improved financial performance, budget and performance integration, expanded electronic government, and strategic management of human capital. The Commission has already taken significant steps in all of those areas. Private sector contract employees account for more than 10 percent of on-site personnel. Pursuant to the Accountability of Tax Dollars Act of 2002, the Commission prepares audited financial statements, and has received unqualified auditor opinions on its statements. The Commission has successfully integrated its planning and budget processes, and presents a Performance Budget to Congress each February. The agency provides, principally through its Internet site, public (i.e., non-confidential) trade and other information to its customers and the public electronically, and permits them to file certain documents with the agency electronically. Finally, the Commission has developed and is implementing a Human Capital Plan.

The Commission will conduct program evaluations to contribute to the refinement of the agency's goals. The planning and review process will allow the Commission to maintain and enhance its unique expertise, to continue to administer import-remedy laws fairly and objectively, and to contribute to the development of U.S. trade policy.

## Relationship to Other Planning Documents

---

The Commission conducts planning for multiple purposes and at multiple levels based on Federal mandates and guidance. The Strategic Plan is prepared in accordance with the Government Performance and Results Act of 1993 (Results Act). The planning processes result in a number of documents designed to guide the Commission's decisionmaking. The Commission coordinates the content of these documents to the extent practicable.

As in previous years and consistent with the Results Act, each year the Commission will issue Performance Plans based on the Strategic Plan. These annual Performance Plans are closely linked to the Strategic Plan in that each goal in the Performance Plans corresponds directly to a general goal in the Strategic Plan, although each performance goal is geared toward the timeframe of a single fiscal year. The Performance Plans also set out means to measure the Commission's success at meeting its performance goals; those annual measurements of success aim, in the aggregate over the period covered by the Strategic Plan, to indicate the Commission's progress at meeting its general goals.

Moreover, the Performance Plans summarize the extent of such progress achieved each year. The first Performance Plan to be developed under this edition of the Strategic Plan will cover FY 2008; the Commission anticipates issuing along with it a revised FY 2007 Performance Plan. Consistent with Office of Management and Budget (OMB) guidance, the Commission issues each year a Performance and Accountability Report (PAR) providing information on the agency's performance in meeting its goals during the previous year. Both the Performance Plans and the PARs address the adequacy and reliability of data sources and information systems to support strategic planning. The reports that the Commission has issued so far — PARs covering FY 2004 and 2005, and their predecessor Program Performance Reports for FY 1999 - 2003 — have shown that the agency has achieved a high degree of success in meeting its goals.

In accordance with the Information Technology Management Reform Act of 1996 (Clinger-Cohen Act) and the Paperwork Reduction Act of 1995, the Commission prepares an Information Resources Management (IRM) Strategic Plan. That document contains goals and performance measures, based on the goals in the agency's Strategic Plan, designed to assist the Commission in acquiring and maintaining effective systems for the management of information resources. The Commission also maintains an Information Security Plan as part of its commitment to safeguarding the nonpublic information entrusted to the agency consistent with OMB Circular A-130.

The Commission is a multidisciplinary, knowledge-based organization whose mission accomplishment is directly related to the quality and competence of its workforce. As such, the agency's workforce is its most important asset. To ensure it has the workforce needed to be successful over the next 5-10 years, the Commission has developed a Strategic Human Capital Plan. Among other things, this plan identifies the human resources programs and activities that need to be initiated in the short-term to ensure the right workforce is developed over the long-term. The Commission expects to update this plan on a regular basis.

The Commission also issues documents relating to its budget. The primary document is the annual Budget Justification, which the agency transmits to Congress when the President presents the Budget of the United States Government. In recent years, the Commission has brought the budget documents into close alignment with the Strategic Plan, and has combined the Budget Justification with the Performance Plan to form a Performance Budget. The Budget Justification reports the agency's

historical and proposed expenditures according to the five general goals in the Strategic Plan, and the agency allocates direct and indirect costs as much as practicable to each of those goals. As discussed above, the Commission also issues Performance and Accountability Reports that include both the agency's Performance Plans and its financial statements.

## External Factors

---

The Strategic Plan takes into account the Commission's large and diverse constituency. The agency's direct customers include the President, USTR, and Congress, in that they request and receive trade policy support, including analytical reports and trade data. In addition, domestic industries, represented by the international trade bar and others, petition the Commission to conduct investigations where it has authority delegated by law to do so, and the public seeks assistance and information on trade issues. Ultimately, the Commission serves the U.S. taxpayer by assisting in the development and implementation of sound U.S. trade policy. External factors influencing the Commission's success at achieving its goals, largely outside the Commission's control, include the number and nature of requests and petitions received from its customers, appropriation levels, changes in the laws the Commission administers, and decisions by courts, World Trade Organization (WTO) panels, and North American Free Trade Agreement (NAFTA) panels reviewing Commission determinations.

A notable development affecting the agency's workload in recent years has been the fact that intellectual property rights holders have shown a preference for the Commission's forum by filing substantially increasing numbers of cases under Section 337 of the Tariff Act of 1930. In other areas, trade initiatives such as free trade agreements and the Doha Round of multilateral WTO negotiations have resulted in a number of requests for comprehensive studies by USTR and Congress and for staff support in negotiations. Moreover, policy makers continue to request information and advice regarding various other trade policy issues. The Commission provides an increasing amount and variety of technical assistance to policy-makers.

In its human capital strategies, the Commission takes into account factors such as the President's Management Agenda, the Chief Human Capital Officer Act, and e-Gov initiatives sponsored by the Office of Personnel Management (OPM) and OMB. OPM initiatives in recruitment



and staffing, employment data warehousing, retirement processing, and security clearance processing affect both how the Commission chooses to manage its human resources and the tools and technologies the agency uses to manage those resources.

At present, the Commission is able to carry out fully its functions with all its components located in one building in southwest Washington, D.C. Should changing circumstances indicate the need for additional offices elsewhere, the Commission will give first-priority consideration to rural areas, consistent with the Rural Development Act of 1972.

## Business Environment

---

As discussed above, the Commission issues a Performance Plan for each fiscal year. Each Performance Plan discusses the challenges facing agency management in the year ahead. Because challenges tend to change from year to year, this multi-year Strategic Plan does not address all such challenges.

However, two challenges – the need for continued effective technology integration and information resources management and the need for continued effective human resources management – appear likely to persist over an extended period of time, and are addressed in the Commission’s human capital vision set out below, as well as in the sections of the Strategic Plan devoted to individual Operations.

The Commission’s human capital vision describes the stable mission of the agency as well as its dynamic workload, and the tools, skills and expectations to be employed in helping carry out the mission.

***Stable mission.*** The fundamental mission of the Commission is mandated by statute and therefore not expected to change. Customers and stakeholders will continue to look to the Commission to administer trade remedy laws; provide independent, high-quality analyses and information; and maintain the Harmonized Tariff Schedule of the United States.

***Dynamic workload.*** Although the mission is stable, changes in the international economy, in trade flows, and in U.S. trade policy influence the scope and volume of the Commission’s workload, as well as the distribution of the workload among the agency’s lines of business. These workload shifts will continue to place added pressure on the agency to be agile and flexible in responding to new and changing workload requirements, while at the same time deepening its expertise.

***New tools and new expectations.*** Information technology will continue to alter the way the work of the Commission is accomplished. Along with new technology will come new customer expectations. The Commission must be prepared to respond more quickly to customer requests and to provide a wider variety of analytical services beyond traditional reports. In conjunction with succession planning, the agency is focusing on the importance of knowledge resources, and will continue to expand its efforts in that direction. The Commission also looks to information technology for assistance in meeting the challenges ahead. This is particularly true in the area of information security, as the Commission continues extensive efforts to protect national security information and other nonpublic information the agency needs to accomplish its mission. The ongoing adoption of new and enhanced electronic processes is expected to facilitate the Commission's research and investigative activities and enhance the ability of agency customers to access information provided by the Commission.

***Resources.*** Overall funding levels are expected to remain relatively stable. This will require the agency to find creative, flexible, and efficient ways of accomplishing its mission and responding to future workload changes. The Commission is funded entirely by appropriations. The Commission has one program activity (research, investigations, and reports) set forth in the Budget of the United States Government. Rent, salaries, and benefits account for the large majority of the Commission's expenditures. The Commission had available funds of \$64 million for FY 2006.

To be successful, the Commission needs a workforce that appropriately balances the following characteristics:

*Technical expertise.* The Commission must preserve its long tradition of outstanding economic, industry, technical, and legal expertise and its ability to conduct analyses and make judgments in an objective, independent manner. To successfully meet this requirement, the agency must replenish the significant portion of its current workforce that will retire over the next 5–10 years — just over half of the workforce will be eligible to retire during that period — while maintaining high technical standards and preserving invaluable institutional knowledge.

*Flexibility.* To support its mission the Commission must continue to build a workforce that is increasingly flexible. Reaching this goal will require developing multiple skill sets and organizational structures so that more employees can quickly and seamlessly move from one type of assignment to another as the need arises, with those employees better able to handle the changes.

The Commission's expert workforce is grouped into a number of offices each of which contributes to the fulfillment of the agency's goals. The portions of the Strategic Plan that focus on each Operation detail the human resources devoted primarily to that Operation. Staff from the Offices of the Secretary, the Chief Information Officer, External Relations, and Administration provide support for the activities in each Operation.

The Commission recognizes that equality of opportunity is essential to attracting, developing, and retaining the most qualified workforce to support the agency's achievement of its strategic mission. Consequently, the Commission includes in its planning actions support of equal employment opportunity (EEO), including ensuring an appropriate role for the agency's EEO Director and the allocation of sufficient resources to the agency's EEO program, consistent with 29 CFR 1614.102.

## Cross-Cutting Activities

---

The Commission participates in a number of cross-cutting activities in Operation No. 4 (Tariff and Trade Information Services) that involve significant cooperation with other U.S. government agencies. To the extent appropriate, the objectives of these activities are subsumed within the general goal for the provision of tariff and trade information services under that Operation. The activities are also discussed below.

The Commission is actively engaged in the development of the International Trade Data System (ITDS). The ITDS is envisioned as an Internet-based integrated government trade data system designed for the secure electronic collection and distribution of international trade and transportation transaction data required by federal agencies. A Commission representative serves on the Board of Directors responsible for developing the ITDS. In addition, several other Commission employees actively participate in the work of the program. Additional background information regarding the ITDS can be found at [www.itds.treas.gov](http://www.itds.treas.gov).

The Commission also chairs a committee for determining the categories for which import and export statistics are collected. The so-called 484(f) Committee comprises a Commission representative, who chairs the Committee, as well as representatives of the Census Bureau, on behalf of the Department of Commerce (Commerce), and U.S. Customs and Border Protection, in the Department of Homeland Security (Customs).

This committee was established pursuant to Section 484(f) of the Tariff Act of 1930, as amended, and has been in operation since 1964.

Finally, Commission staff, along with staff from other agencies, represent the U. S. government at the World Customs Organization (formally known as the Customs Cooperation Council) with respect to the development and maintenance of the Harmonized Commodity Description and Coding System (HS). The HS is the basic nomenclature system in use by over two hundred countries, including the United States, as the basis for their Customs tariff and foreign trade statistical systems. Commission staff prepare positions and serve on U.S. delegations to the Harmonized System (HS) Committee; currently, a Commission employee chairs the HS Committee. A Commission representative also chairs the U.S. delegation to the Review Sub-Committee of the HS Committee.

The Commission interacts with other agencies in various other areas. However, these interactions do not constitute cross-cutting programs or activities. The Commission is part of an interagency trade policy mechanism mandated by the Trade Expansion Act of 1962 and designed to develop and coordinate U.S. government positions on international trade and trade-related issues. The Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC), both chaired by USTR, are the subcabinet interagency trade policy coordination groups. The Commission is a non-voting member of the TPSC and an observer at meetings of the TPRG.

Agencies such as Customs and Commerce perform closely related functions to those of the Commission in some areas. Commerce determines whether imports are dumped or subsidized in proceedings corresponding to Commission investigations conducted under Operation No. 1. Customs enforces antidumping and countervailing duty orders, as well as exclusion orders issued in Commission intellectual-property-based investigations conducted under Operation No. 2. However, those functions of Customs and Commerce are, by statute, distinct and do not significantly overlap with those of the Commission. The Commission also works with agencies such as USTR, at its request, in support of various USTR programs.

# OPERATION NO. 1: Import Injury Investigations

---

As part of its mission, the Commission produces high-quality, well-reasoned determinations in a variety of import injury investigations, including antidumping and countervailing duty (AD/CVD) investigations concerning the effects of unfairly traded imports on a U.S. industry, as well as safeguards and market disruption investigations. The Commission provides a fair and transparent mechanism for investigating allegations of injury to domestic industries. The Commission thereby facilitates a rules-based international trading system and carries out U.S. law. While changes in the statutory regimes governing import injury investigations have occurred in the past and can be expected to occur in the future, the fundamental mission of the Commission in conducting import injury investigations is expected to continue. The investigations are conducted fairly and objectively and provide interested parties with meaningful opportunities to participate in and influence the investigative proceedings. The Commission regularly assesses the procedural requirements for investigations to identify costs incurred by the Commission and private litigants that could be reduced consistent with the provision of a fair and thorough investigative process. The determinations issued by the Commission conform to applicable deadlines and required procedures. The Commission expertly defends its AD/CVD determinations in litigation before courts and dispute resolution panels.

The Commission's caseload related to original import injury investigations will continue to fluctuate in response to general economic trends, trade flows, and other factors. In addition, during the next five years and beyond there will be a substantial and relatively stable volume of five-year "sunset" reviews of AD/CVD orders at least five years old. There are currently well over 300 such orders in place, approximately the same number that were outstanding when the sunset legislation was passed as part of the Uruguay Round Agreements Act more than 10 years ago. The Commission maintains high standards in the conduct of import injury investigations while accommodating increases in workload.

## Resource Requirements

---

The Commission seeks to ensure adequate resources for the conduct of investigations, including five-year reviews. This effort includes providing effective analytical and other research tools to the Commission staff such

as its Electronic Document Information System (EDIS) and Internet access, as well as appropriate hardware, software, telecommunications, and library resources.

Commission staff provide high-quality support, including fact-gathering and analysis, for Commission decision-making. Operation No. 1 primarily involves the efforts of Commissioners and their staffs, and investigative teams made up of investigators, financial analysts, and statisticians from the Commission's Office of Investigations, attorneys from the Office of the General Counsel, economists in the Office of Economics, industry analysts in the Office of Industries, and attorneys and nomenclature analysts in the Office of Tariff Affairs and Trade Agreements. The effort also includes maintaining staff currency in analytical methods by such means as participation in outside and in-house academic conferences and other professional fora.

## General Goal

---

The success of the Commission's import injury investigations will be determined in part by the following general goal:

### GENERAL GOAL

*Facilitate a rules-based international trading system by producing high-quality and timely import injury determinations based on:*

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

## Strategies

---

1. (a) Conduct appropriate internal review of draft investigation and litigation documents.  
(b) Meet statutory, court, and administrative deadlines.
2. Effectively develop investigative records and provide information on investigations to participants and the public.
3. Undertake regular independent reviews and assessments of the import injury investigations program, or its components, to identify areas for potential improvement.

The strategies are closely linked with the general goal and are designed to assist the Commission in achieving the goal and in measuring success. Internal review by Commissioners and staff and adherence to deadlines pursuant to Strategy No. 1 will contribute to high-quality and timely determinations. Effectively gathering records and providing information under Strategy No. 2 will help ensure that information is exchanged effectively, that the record is appropriate and complete, and that procedures are fair and equitably implemented. Effective gathering of investigative records and provision of information will involve the use of all appropriate state-of-the-art methods and tools including, where appropriate, electronic information processing and dissemination systems such as the agency's EDIS. The Commission will conduct periodic reviews of the agency's procedures. For example, the Commission obtained public comment by Federal Register notice regarding how well its investigative procedures operate in order to gauge where such procedures can be improved to reduce impediments and costs while maintaining a fair and thorough investigative process. The Commission is also conducting a self-examination of its investigative procedures.

# OPERATION NO. 2: Intellectual Property-Based Import Investigations

---

The Commission adjudicates complaints brought by domestic industries under Section 337 of the Tariff Act of 1930 that allege infringement of U.S. intellectual property rights and other unfair methods of competition in connection with imported goods. The Commission thereby facilitates a rules-based international trading system by providing a fair and transparent forum for the adjudication of such disputes. Section 337 investigations are conducted in accordance with the Administrative Procedure Act, which affords the parties the opportunity to conduct discovery, present evidence, and make legal arguments before the Administrative Law Judges and the Commission. The procedures also protect the public interest and provide the parties with expedited determinations. The Commission expertly defends these determinations during judicial appeals.

The Section 337 caseload has grown substantially in recent years as the Commission's forum has become of greater importance to intellectual property right holders. For example, new matters increased by nearly 40 percent from FY 2005 to FY 2006. The bulk of the agency's docket in this area consists of patent-based matters, and it appears that usage of Section 337 for the resolution of patent-based disputes is likely to continue at, or perhaps above, the heightened levels of recent years. It is expected that a wide range of products and technologies will continue to be the subject of Section 337 investigations, but that computer and telecommunications-related disputes will make up a major portion of the docket, as has been the case for many years. The Commission is allocating additional resources to Section 337 investigations so that it can continue to produce high-quality, detailed analyses of complex legal and technical subject matter while shouldering an increased workload.

## Resource Requirements

---

Operation No. 2 primarily involves the efforts of Commissioners and their staffs, Commission Administrative Law Judges and their law clerks, and attorneys from the Office of Unfair Import Investigations and the Office of the General Counsel. Attorneys in the various offices that work on substantive Section 337 issues have technical or intellectual property law expertise.



The Commission seeks to provide effective litigation support tools to Commission staff, such as document access via electronic means, and to monitor continuously and, when necessary, rebalance caseloads, in order to produce the best work product with the available technical and human resources.

The effort also includes maintaining staff currency in litigation skills, intellectual property law, technical expertise, and analytical methods by such means as participation in outside and in-house academic conferences and other professional fora.

## General Goal

---

The success of the Commission in intellectual property-based import investigations will be determined in part by the following general goal:

### GENERAL GOAL

***Facilitate a rules-based international trading system by conducting intellectual property-based import investigations in an expeditious and transparent manner and providing for effective relief when relief is warranted.***

## Strategies

---

1. Meet statutory and key administrative and court deadlines, conclude Section 337 investigations expeditiously, and reduce the average time to conclude ancillary proceedings.
2. Effectively provide information regarding investigations to the public as well as to investigative participants.
3. Actively facilitate enforcement of exclusion orders.

The strategies are closely linked with the general goal and are designed to assist the Commission in achieving the goal and in measuring success. Meeting deadlines and concluding proceedings expeditiously as provided in Strategy No. 1 will provide participants with the benefit of a prompt resolution of disputes. The Commission will continue to assess at regular intervals whether time frames for proceedings are reasonable, consistent with the requirements of the Administrative Procedure Act and the provision of a fair and equitable investigation and decisionmaking process. Increasing the availability of information will make investigations more transparent. The agency is committed to providing

to the public a wide range of information on the Section 337 process as well as on individual proceedings, and providing to complainants adequate information on enforcement mechanisms for remedial orders.

## OPERATION NO. 3: Industry and Economic Analysis

---

The Commission contributes to the development of sound and informed U.S. international trade policy and to the public dialogue on issues relating to U.S. international trade and competitiveness through extensive industry and economic analysis. The Commission's long-range goals are to be a recognized resource of industry, economic, and regional trade experts for the nation's policymakers and to enhance its position and effectiveness with customers through objective and timely analytical reports. Further, the Commission seeks to improve communications with the executive branch and Congress to maximize the Commission's contribution to trade policy decisionmakers, particularly through regular contact with them. The Commission's industry and economic analysis program includes its probable economic effects investigations under Section 131 of the Trade Act of 1974 and Section 2104 of the Trade Act of 2002; analysis of trade and competitiveness issues under Section 332 of the Tariff Act of 1930; and independent research on a wide range of emerging trade issues. While changes in the statutory regimes governing industry and economic analysis investigations have occurred in the past and can be expected to occur in the future, the fundamental mission of the Commission in conducting such investigations is expected to continue.

The industry and economic expertise developed and improved as part of industry and economic analysis contributes to the conduct of the Commission's import injury investigations under Operation 1, formal studies under Operation 3, legislative reports under Operation 4, and the provision of rapid technical assistance to the executive branch and Congress under Operation 5. The expertise developed in the Commission's industry and economic analysis program is also used to provide technical assistance on industry and trade conditions to the general public and the business community.

The focus and nature of Commission research shifts with changes in U.S. trade legislation and with new country and sectoral trade initiatives. For example, based on recent history, the Commission could be asked to provide analysis on bilateral, multilateral, and sectoral trade negotiations, third-country agreements, regional and developing country-preference programs, various textiles preference programs, and agricultural trade. Commission research efforts on the service industries

will continue to grow as those industries' importance in the U.S. economy and U.S. trade negotiations has expanded. Also, as average tariffs continue to fall the agency has increased the resources it allocates to examine non-tariff barriers, new technologies, and other important issues identified by the agency's customers.

## Resource Requirements

---

Operation No. 3 primarily involves the efforts of Commissioners and their staffs, industry analysts in the Commission's Office of Industries who specialize in commodity and service areas such as agriculture and forest products, textiles and apparel, steel, electronics, financial services, telecommunications, and associated issues such as standards, intellectual property rights, and labor and investment issues; economists in the Office of Economics with regional expertise or analytical specialties in economic modeling, non-tariff barriers, foreign direct investment and labor issues; nomenclature analysts and attorneys in the Office of Tariff Affairs and Trade Agreements; statisticians in the Office of Investigations; attorneys from the Office of the General Counsel; and various staff within the Office of Operations.

The Commission seeks to provide effective research tools to Commission staff, including appropriate hardware, software, telecommunications, U.S. and foreign databases, and library resources. The agency makes research available through wide public dissemination of reports and databases by the most economical means available, including both electronic (e.g., Internet) and hard copy formats.

The Commission conducts regular assessments of the research needs of its customers. The goals of these assessments are to ensure that Commission staff acquire new skills and knowledge to meet the changing requirements of its customers and to identify new conceptual approaches; to enhance research procedures; to optimize Commission review time; and to make other changes that enhance quality, efficiency, and effectiveness.

The agency is committed to expanding the areas of resident industry, economic, and trade expertise and maintaining currency of professional and analytical skills, such as modeling and economic expertise, by providing appropriate individual and group training and maintaining an environment for innovative research. The Commission seeks the knowledge and expertise of customers, other agencies, academia, and industry in the formulation and evaluation of research plans and the

conduct of research via means such as participation in academic conferences, interagency fora, Commission seminars, and active outreach to Congress and USTR.

## General Goal

---

The success of the industry and economic analysis program will be determined in part by the following general goal:

### GENERAL GOAL

*Deliver innovative, timely, and effective industry and economic studies that are widely recognized for their contribution to sound and informed trade policy formulation.*

## Strategies

---

1. Continually improve and develop efficient and effective research methods.
2. Identify emerging areas and issues, and develop relevant staff expertise.
3. Undertake regular independent reviews and assessments of the industry and economic analysis program, or its components, to identify areas for potential improvement.

The strategies are closely linked with the general goal and are designed to assist the Commission in achieving the goal and in measuring success. The provision of research products as described under Strategy No. 1, the implementation of innovative research methods and initiatives in emerging areas and issues under Strategy No. 2, and independent review of the industry and economic analysis program will contribute to sound and informed trade policy formulation.

The Commission seeks to initiate research studies on cutting-edge, trade-related issues, analyze information in new, useful ways, apply rigorous economic analysis to these issues and develop unique insights on them, and provide our analysis in highly accessible reports that add significant value to the policy dialogue. The Commission will also continue to recruit and develop a workforce recognized for its expertise in matters related to industry, trade, and trade policies.

## OPERATION NO. 4: Tariff and Trade Information Services

---

The aim of this operation is to provide the U.S. trade policy community with tariff and trade data and tariff and trade-related expertise relating to international trade and competitiveness. More specifically, the Commission fulfills statutory requirements and responds to specific requests from Congress and the President by (i) maintaining and publishing the Harmonized Tariff Schedule of the United States (HTS); (ii) preparing and updating the U.S. Schedule of Duty Rate Concessions (Schedule XX), the U.S. Schedule of Services Commitments, and U.S. submissions to the Integrated Database on behalf of USTR for the World Trade Organization; (iii) preparation of Presidential Proclamations relating to free trade agreements; (iv) preparation of reports on tariff legislation affecting the HTS for the Congress; (v) development and maintenance of the online Data Web and Tariff and Trade Database; and (vi) providing library services, advice on tariff classification and related matters, and other information gathering, processing and dissemination.

Commission staff participate on the U.S. delegation to various committees of the World Customs Organization (WCO). Currently, a Commission representative chairs the WCO's Harmonized System Committee (HSC). In addition, the Commission leads the U.S. delegation to the HS Review Sub-Committee (RSC) and participates in the delegation to the Scientific Sub-Committee. Furthermore, the Commission makes recommendations (under section 1205 of the Omnibus Trade and Competitiveness Act) to the President for modifying the HTS to correspond to amendments in the international Harmonized System. The Commission also serves as an observer on the Trade Policy Staff Committee (TPSC) and its subcommittees on Market Access and the Generalized System of Preferences. The Commission is also a board member of an interagency effort to streamline the collection and dissemination of U.S. international trade data (the International Trade Data System, or ITDS). The Commission chairs the interagency Committee for Statistical Annotation of the Tariff Schedules, which is responsible for developing statistical categories for U.S. imports and exports.

The Commission's workload in this operation fluctuates directly with legislative and executive branch activity, especially with regard to tariff

legislation, bilateral and multilateral trade agreements, and other trade policy changes.

## Resource Requirements

---

Operation 4 primarily involves the efforts of Commissioners and their staff, nomenclature and international trade analysts and attorneys in the Office of Tariff Affairs and Trade Agreements, staff in the Office of Operations, and international trade (commodity) analysts in the Office of Industries.

The Commission constantly seeks to develop more effective and efficient research tools for Commission staff, including the latest IT hardware, software, telecommunications, library resources, and meeting facilities. Under this operation, the Commission continues to maintain the Data Web and the Tariff and Trade Database, to develop alternative methods of preparing and publishing the HTS with a view to automating updates in the future, and to support the efforts of the ITDS.

## General Goal

---

To ensure the success of the tariff and trade information services program, the Commission has established the following general goal:

### GENERAL GOAL

*Provide effective technical expertise and advice on the implementation of trade policy and related administrative decisions; enhance the availability of high-quality and up-to-date tariff and international trade information to the executive and legislative branches, as well as to the broader trade community and the public; and increase the ability of customers to use and understand such information.*

## Strategies

---

The Commission has established the following strategies for reaching the General Goal for this Operation:

1. Increase the utility and improve the dissemination of tariff and trade information services to customers.

2. Provide timely, effective, and responsive nomenclature and related technical services to customers.
3. Undertake regular independent reviews and assessments of the trade and tariff information program, or its components, to identify areas for potential improvement.

These strategies are closely linked with the general goal and are designed to assist the Commission in achieving that goal and in measuring success. Provision of services as described in Strategies Nos. 1 and 2 corresponds directly with the Commission's mission for this Operation. The Commission seeks to enhance the coverage and availability of trade and tariff information, and to improve its methods of dissemination, for example, by increasing self-service capabilities and responsiveness of automated systems. The Commission seeks to increase the public's awareness of U.S. trade policies and programs and of how the activities of this Operation can aid U.S. industry interests.

As part of the Commission's overall budget and performance review, the work-hours and financial costs of this Operation are analyzed at mid-fiscal year and at the end of the fiscal year. In addition, feedback from on-line surveys is collected and analyzed for the purposes of performance reporting and planning. On the basis of these analyses and of the results achieved in day to day operations each year, management makes adjustments as necessary.



# OPERATION NO. 5: Trade Policy Support

---

The Commission is a direct and active contributor to the formulation of U.S. trade policy, providing objective analysis and data to both the executive branch and Congress. However, the Commission does not make trade policy, nor does its staff participate in policy decisions on any committee on which they participate.

The Commission provides technical analysis for a variety of international trade issues, ranging from the simple to the complex. Agency staff also serve as technical advisors to U.S. delegations in trade negotiations and to U.S. delegations involved in dispute settlement litigation. The Commission staff experts stand ready to conduct “quick response” research and analysis for Congress and the executive branch on any trade issues.

## Resource Requirements

---

Operation No. 5 primarily involves the efforts of Commissioners and their staffs, industry analysts in the Office of Industries, economists in the Office of Economics, nomenclature analysts and attorneys in the Office of Tariff Affairs and Trade Agreements, attorneys from the Office of the General Counsel, and staff in the Offices of Operations and External Relations.

The Commission continues to enhance the scope and quality of its analysis and trade policy support through the application of information technology, such as electronic databases, web-enabled programs, and quantitative software.

## General Goal

---

The success of the Commission’s trade policy support efforts will be determined in part by the following general goal:

## GENERAL GOAL

*Contribute to the development of sound and informed U.S. international trade policy by providing efficient and effective access to Commission expertise. Since many policy decisions are made under tight time frames and in fluid circumstances, the Commission makes its expertise available through technical support and analysis for the executive branch in various international trade fora and directly to the legislative branch in response to inquiries from congressional Members and staff.*

## Strategies

---

1. Provide real-time, efficient, and effective technical analysis and support to organizations involved in trade policy formulation.
2. Undertake regular independent reviews and assessments of the trade policy support program, or its components, to identify areas for potential improvement.

The strategies are closely linked with the general goal and are designed to assist the Commission in achieving the goal and in measuring success. Provision of effective support under Strategy No. 1 will ensure that the Commission contributes to the development of sound trade policy. Implementing Strategy No. 2 will assist the Commission in improving the efficiency and effectiveness of these activities. The Commission seeks to improve communications with the executive branch and Congress to maximize the Commission's contribution to trade decisionmakers, particularly through regular contact by the Office of External Relations, encouraging the active involvement of Commission staff in interagency and congressional committee activities where appropriate, and facilitating the participation of Commission staff as technical advisors to U.S. delegations to negotiations and meetings of multilateral organizations.

# Appendix: Commission Organization

---

## U.S. International Trade Commission

