

DATA QUALITY APPENDIX

Federal Trade Commission

Last Updated: November 17, 2020

This document contains detailed descriptions and information on data sources, quality, and collection for the FTC's performance measures. To see the FTC's Strategic Plan, which lays out the foundation of our performance measurement work, as well as our Annual Performance Reports and Plans, visit www.ftc.gov/about-ftc/performance.

Contents:

Strategic Goal 1 – Protect consumers from unfair and deceptive practices in the marketplace, page 2-23

Strategic Goal 2 – Maintain competition to promote a marketplace free from mergers,

STRATEGIC GOAL 1 – PROTECT CONSUMERS FROM UNFAIR AND DECEPTIVE PRACTICES IN THE MARKETPLACE

Objective 1.1: Identify and take actions to address deceptive or unfair practices that harm consumers.

Performance Goal 1.1.1: Percentage of the FTC's consumer protection law enforcement actions that targeted the subject of consumer complaints to the FTC.

to determine if the action targets subjects of consumer complaints to the FTC. If the defendants' names are available, staff also searches by the defendants' names. The results of the searches are

Performance Goal 1.1.3: Total consumer savings compared to the amount of FTC resources allocated to consumer protection law enforcement.

Description: This measure tracks the efficiency of the FTC's consumer protection law enforcement spending. We compare how much money the FTC saves consumers each year through law enforcement to the amount the FTC spends on consumer protection law enforcement. Consumer savings

Amount of money the FTC returned to consumers: Based on BCP's collection's database data exports from Oracle Business Intelligence (OBI), the agency's financial system maintained by the Financial Management Office (FMO), redress contractor reports, and matter bank statements.

Sum of the estimated consumer savings generated by law enforcement actions: Staff uses company sales and other records, as well as information from company employees and customers, where applicable. After the completion of a case, staff reports the estimated dollar

Indicator 1.1.IND.2: The percentage of redress cases in which money designated for distribution is mailed to consumers by the FTC within six months.

Description: This indicator ensures that the FTC returns redress dollars to injured consumers as quickly as possible. Money is considered “designated for distribution” when the FTC is in receipt of all funds, legal issues are resolved, and a usable claimant list is ready. If there is a claims process in which consumers must apply for a refund, then dollars are “designated for distribution” after all claims have been reviewed and verified.

Calculation/Formula: When a redress distribution occurs, the date designated for distribution in the redress case status report is checked to determine whether or not redress occurred within six months. The percentage is determined by dividing the number of cases of redress distribution that occurred within six months by the total number of redress distributions in a quarter.


Definitions: N/A

Data Sources: BCP’s open Redress Case Status Reports, which are generated from the Redress Enforcement Database. The redress team uses this database to assign new cases to the redress vendors. The team also uses this system to track milestones, pay invoices, issue work assignments, and track the financial data for each individual case.

Data Collection: When a redress distribution occurs, the team compares the date the case was assigned to a vendor with the date of the distribution to determine whether redress occurred within six months. The database automatically records important case milestones, for example, when a new case is assigned to a vendor.

Data Limitations/Response: There are no significant data limitations.

Indicator 1.1.IND.3: Number of contributors to the Consumer Sentinel Network.

Description: CSN allows members to access consumer complaints submitted directly to the FTC, as well as complaints shared by the following data contributors: 

Objective 1.2: Provide consumers and businesses with knowledge and tools that provide guidance and prevent harm.

Performance Goal 1.2.1: Rate of consumer satisfaction with FTC consumer education websites.

Description: This measure gauges the effectiveness, helpfulness, and usability of the FTC's consumer education websites. Consumer education serves as the first line of defense against deceptive and unfair practices. Well-informed consumers are better able to protect themselves from bad actors in the marketplace. This measure includes the customer satisfaction scores for Consumer.ftc.gov. and Bulkorder.ftc.gov.

Calculation/Formula: When visiting Consumer.ftc.gov consumers are given the option to complete a short survey to provide feedback on the following aspects of the site: information browsing, look and feel, navigation, site information, and site performance. The formula for the overall satisfaction score is proprietary to ForeSee.

Definitions: N/A

Data Sources: FTC staff can access survey results through ForeSee's online portal.

Data Collection: ForeSee conducts user surveys and generates the measurement based on industry standard practices. In FY 2019, consumers completed more than 2,245 surveys on consumer.ftc.gov.

Data Limitations/Response: Survey data are collected and results calculated by third-party company ForeSee. Participation in the survey is voluntary.

Performance Goal 1.2.3: Number of consumer protection reports the FTC released.

Description:

Indicator 1.2.IND.1: Number of federal, state, local, international, and private partnerships to maximize the reach of consumer and business education campaigns.

Description: This indicator helps determine the extent to which the FTC's print education publications reach consumers through federal, state, local, international, and private organizations. Organizations, such as congressional offices, state Attorneys General, small businesses, schools, police departments, and banks, work as partners with the FTC by distributing these materials to their clients and customers. These organizations can order free bulk quantities of education materials via an online order system: <https://www.bulkorder.ftc.gov/>. For a measure of the quantity of publications distributed, see Indicator 1.2.IND.2

Calculation/Formula: The number of organizations ordering consumer and business education materials. The calculation is based on unique organizations. Orders that do not include an organization name are presumed to be from an individual and are excluded, as are orders from different individuals from the same organization (e.g. if two different individuals from the Maryland Attorney General's office place an order, that counts as one organization).

Definitions: N/A

Data Sources: Database of customer orders from <https://www.bulkorder.ftc.gov/>.

Data Collection: The data for organizations ordering materials are obtained monthly from the data file generated by the FTC's online order site. That information is filtered quarterly to include only orders by unique organizations. The result is a list of unique organizations that ordered the FTC's education publications for dissemination to consumers and businesses.

Data Limitations/Response: The data are compiled from customer input via the online order website. If customers fail to enter an organization name, they are not included in this measure, which could result in under reporting. There is no feasible workaround to mitigate this limitation.

Indicator 1.2.IND.2: Number of consumer protection messages accessed in print and digitally.

Description: These indicators gauge the reach of the agency's education messages for consumers and businesses in print and via the web. The print measure counts the total quantity of publications ordered from bulkorder.ftc.gov. The digital indicator counts the number of page views of FTC consumer education articles, blog posts, and other materials on FTC websites, as well as the page views of FTC business education plain-language guidance articles and blog posts.

Calculation/Formula: N/A

Definitions: N/A

Data Sources:

Print Messages: The number of publications ordered is obtained monthly from the data file generated by the FTC's online order site www.bulkorder.ftc.gov.

Digital Messages: Page view data from Google Analytics via the federal government's Digital Analytics Program.

Data Collection: The data for publications ordered is obtained monthly from the data file generated by the FTC's online order site www.bulkorder.ftc.gov. Data are reviewed for accuracy, checking distribution numbers against quantities of publications printed for distribution.

FTC staff are trained by the federal Digital Analytics Program to use Google Analytics to generate reports of page views for designated websites and pages to determine the number of page views of consumer education pages and business education pages.

Data Limitations/Response:

Print Messages: It is possible that distribution is much higher than reported, as online users

Indicator 1.2.IND.3: Number of social media followers and email subscribers.

Description: This indicator gauges the extent of consumer and business outreach via social networks and email communications.

Calculation/Formula: The sum of:

- # of followers to Military Consumer Twitter page
- # of subscribers to FTC YouTube channel
- # of email subscribers to consumer and business education updates

Definitions: N/A

Data Sources:

- Social media subscribers: Social media websites a BT /LBo 0 Td (t)2 ((m))-8 Cesc a s(c)46 (ai)-C

Objective 1.3: Collaborate with domestic and international partners to enhance consumer protection.

Performance Goal 1.3.1: Number of investigations or cases in which the FTC and other U.S. federal, state, and local government agencies shared evidence or information that contributed to FTC law enforcement actions or enhanced consumer protection.

Description: This measure tracks the amount of information sharing by the FTC and other domestic law enforcement agencies to further the goal of protecting consumers from fraud. The geographic location and other demographics may affect the types of fraud that consumers encounter, making it important for government agencies to share information. T in-2 (on s)7 (t)-1 (o)-4 (F)71 4

basis, BCP staff provide a spreadsheet listing closed investigations and indicating whether each investigation resulted in a filed law enforcement action. The OGC provides a copy of all the final letters that include sharing of information to U.S. federal, state and local government agencies to BCP staff. BCP staff checks the spreadsheet to ensure that all requests for sharing of information are included.

Data Limitations/Response: Even with the internal review process, it is possible that an investigation or case will be inadvertently left out of the report.

Performance Goal 1.3.2:

Performance Goal 1.3.4: Percentage of consumer protection advocacy comments and amicus briefs filed with entities including federal and state legislatures, agencies, or courts that were successful, in whole or in part.

Description:

- Amicus briefs are considered resolved when no further relevant developments in the case are expected. Typically, this occurs after all appeals are exhausted or the parties settle.
- Comments to rulemaking bodies are typically considered resolved when proposed rules are finalized.
- Comments to legislative bodies are considered resolved when relevant legislation passes. If relevant legislation fails to pass after three years, the matter will be considered resolved, and will be counted as “successful” if the FTC’s position opposed the legislation or “unsuccessful” if the FTC’s position supported the legislation.

Advocacies that are unresolved during the fiscal year are not counted in this measure, but may be counted in subsequent years if they become resolved during that time.

- **Successful/Partially Successful:** An advocacy is counted as “successful” if all or nearly all issues are resolved in accordance with the FTC’s recommendations, and “partially successful” if some issues are resolved in accordance with the FTC’s recommendations.
- **Unsuccessful:** An advocacy is counted as “unsuccessful” if all or nearly all issues are not

1

Indicator 1.3.IND.1: Number of advocacy comments and amicus briefs on consumer protection matters filed with entities including federal and state legislatures, agencies, and courts.

Description: Whereas Performance Goal 1.3.4 measures the success of our consumer protection advocacy comments and amicus briefs, this indicator reports the quantity of consumer protection advocacy comments and amicus briefs filed each year. While the FTC is primarily a law enforcement agency, advocacy work is a cost-effective way to further the FTC's consumer protection mission and allows the FTC to address situations where consumer protection may be affected by the actions of public entities, including regulators and legislators. While most advocacies contain either consumer protection recommendations or competition recommendations, a few advocacy comments may have both, and are thus counted in this indicator as well as Indicator 2.2.IND.1

Calculation/Formula: N/A

Definitions:

- **Advocacy Comments:** Formal letters or comments with policy recommendations sent to federal agencies, state legislators, state agencies and boards. Short letters that do not contain policy recommendations and other forms of advocacy such as phone calls and meetings with decision makers, are not counted. International advocacy comments also are not counted here.
- **Amicus Briefs:** Court filings providing the FTC's recommendations in cases where the FTC is not a party. Only briefs signed by the Commission are included. Instances where significant informal input is provided to the Office of Solicitor General, which then files its own brief, are not counted.

Data Sources:

- List of advocacy comments: www.ftc.gov/policy/advocacy/advocacy-filings
- List of amicus briefs: www.ftc.gov/policy/advocacy/amicus-briefs

Data Collection: Using the advocacy comment and amicus brief listings from the FTC website, OPP staff keeps a spreadsheet listing all advocacy comments and amicus briefs filed. Staff checks with OPP management, BCP staff, and OGC staff to make sure no advocacies are missing from the website

Data Limitations/Response: Potential data limitations include the possibility of advocacies inadvertently not being counted. OPP staff reaches out to relevant staff in BCP, OGC, and elsewhere within the agency, as appropriate, to review data before they are reported and to ensure that no advocacies are omitted from the count.

STRATEGIC GOAL 2: MAINTAIN COMPETITION TO PROMOTE A MARKETPLACE FREE FROM ANTICOMPETITIVE MERGERS, BUSINESS PRACTICES, OR PUBLIC POLICY OUTCOMES.

Objective 2.1 – Identify and take actions to address anticompetitive mergers and practices.

Performance Goal 2.1.1: Percentage of full merger and nonmerger investigations in which the FTC takes action to maintain competition.

Description: This measure tracks FTC actions taken to maintain competition, including litigated victories, consent orders, abandoned transactions, or restructured transactions (either through a fix-it-first approach or eliminating the competitive concern) in a significant percentage of full merger and nonmerger investigations.

Calculation/Formula: The measure is calculated by taking the number of full investigations concluded with an action during the fiscal year divided by the total number of full investigations concluded during the fiscal year.

Definitions:

- **Action:** Refers to any successful enforcement actions taken other than closing an investigation. Examples include litigated victories, consent orders authorized, and transactions that are abandoned, restructured, or otherwise resolved.

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Performance Goal 2.1.2: Consumer savings through merger actions taken to maintain competition.

Description: This measure reports the estimated amount of money that the Commission saved consumers by taking action against potentially anticompetitive mergers. The number reported is a five-year “rolling average” (average of the current year and four prior year totals).

Calculation/Formula: When available, staff uses case-specific data to generate the estimate of consumer savings. Otherwise, staff uses a formula of three percent of the volume of commerce in the relevant geographic/product market(s) for two years. In order to create a balanced performance profile, performance is reported as a “rolling average” over five years, compensating for highly variable results in any individual year due to the influence of a few significant cases or the level of merger activity in that year.

Definitions:

- **Consumer Savings:** The estimated amount of money saved by U.S. consumers as a result of FTC enforcement actions.
- **Volume of Commerce:** The size (in dollars) of the relevant geographic/product market(s) in which the FTC is attempting to maintain competition in a given case.
- **Relevant Geographic/Product Market:** The marketplace for the purchase and sale of a particular good, service or combination thereof, which is the focus of an FTC investigation.

Data Sources: The lead attorney estimates consumer savings for a particular case using either case-specific data or the applicable estimation formula developed by the Bureau of Economics. Staff economists review all attorney estimates for concurrence before they are used in reporting.

Data Collection: The data are entered into the BC Enforcement database by performance staff and reviewed monthly by analysts, attorneys, economists, and senior management.

Data Limitations/Response: The data are dependent on the estimates of consumer savings made by staff attorneys in accordance with the above procedures. In order to ensure accurate estimates, all staff attorney estimates are shared with staff economists for concurrence before being used in reporting.

Performance Goal 2.1.3: Total consumer savings compared to the amount of FTC resources allocated to the merger program.

Description: This measure reports the estimated amount of money that the Commission saved consumers by taking action against potentially anticompetitive mergers compared to the amount spent on the merger program. The amount reported is a five-year “rolling average” (average of the current year and four prior year totals).

Calculation/Formula: Estimated consumer savings generated under goal 2.1.2 are divided by the amount of resources spent on the merger program for the current fiscal year. When available, staff uses case-specific data to generate the estimate of consumer savings. Otherwise, staff uses a formula of three percent of the volume of commerce of the relevant product market(s) for two years. In order to create a balanced performance profile, performance is reported as a “rolling average” over five years, compensating for highly variable results in any individual year due to the influence of a few significant cases or the level of merger activity in that year.

Definitions:

- **Consumer Savings:** The estimated amount of money saved by U.S. consumers as a result of FTC enforcement actions.
- **Volume of Commerce:** The size (in dollars) of the relevant geographic/product market(s) in which the FTC is attempting to maintain competition in a given case.
- **Relevant Geographic/Product Market:** The marketplace for the purchase and sale of a particular good, service or combination thereof, which is the focus of an FTC investigation.

Data Sources: The lead attorney estimates consumer savings for a particular case using either case-specific data or the applicable estimation formula developed by the Bureau of Economics. Staff economists review all attorney estimates for concurrence before they are used in reporting. The FTC’s financial management office provides the amount of resources expended on the merger program on an annual basis.

Data Collection: The data are entered into the BC Enforcement database by performance staff

Performance Goal 2.1.5: Total consumer savings compared to the amount of FTC resources allocated to the nonmerger program.

Description: This measure reports the estimated amount of money that the Commission saved consumers by taking action against potentially anticompetitive business conduct compared to the amount spent on the nonmerger program. The amount reported is a five-year “rolling average” (average of the current year and four prior year totals).

Calculation/Formula: Estimated consumer savings generated under goal 2.1.4 are divided by the amount of resources spent on the nonmerger program for the current fiscal year. When available, staff uses case-specific data to generate the estimate of consumer savings. Otherwise, staff uses a formula of one percent of the volume of commerce of the relevant geographic/product market(s) for one year. In order to create a balanced performance profile, performance is reported as a “rolling average” over five years, compensating for highly variable results in any individual year due to the influence of a few significant cases or the level of nonmerger activity in that year.

Definitions:

- Consumer Savings: The estimated amount of money saved by U.S. consumers as a result of FTC enforcement actions.
- Volume of Commerce: The size (in dollars) of the relevant geographic/product market(s)

Indicator 2.1.IND.1: Average total sales for the current year plus the previous four fiscal years in the relevant geographic/product markets in which the Commission took merger enforcement action.

Description: This indicator demonstrates that the Commission's merger actions are guided in part by the size of the relevant **product**/geographic markets involved. It is important that the FTC use its resources in areas where it can achieve the most positive change . The number reported is a

Objective 2.2 –

Performance Goal 2.2.2: Number of reports and studies the FTC issued on key competition related topics.

Description: This measure reports competition policy-related activities such as Commission or staff research, reports, economic or policy papers, studies, or other **significant** antitrust guidance produced after substantive investigation, study, or analysis. These activities enhance the public's knowledge of competition issues and promote the adoption of policies based on sound competitive principles to the extent possible. Also included as part of this measure are reports to other federal agencies that originated and issued by the FTC. (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) (aa) (ab) (ac) (ad) (ae) (af) (ag) (ah) (ai) (aj) (ak) (al) (am) (an) (ao) (ap) (aq) (ar) (as) (at) (au) (av) (aw) (ax) (ay) (az) (ba) (bb) (bc) (bd) (be) (bf) (bg) (bh) (bi) (bj) (bk) (bl) (bm) (bn) (bo) (bp) (bq) (br) (bs) (bt) (bu) (bv) (bw) (bx) (by) (bz) (ca) (cb) (cc) (cd) (ce) (cf) (cg) (ch) (ci) (cj) (ck) (cl) (cm) (cn) (co) (cp) (cq) (cr) (cs) (ct) (cu) (cv) (cw) (cx) (cy) (cz) (da) (db) (dc) (dd) (de) (df) (dg) (dh) (di) (dj) (dk) (dl) (dm) (dn) (do) (dp) (dq) (dr) (ds) (dt) (du) (dv) (dw) (dx) (dy) (dz) (ea) (eb) (ec) (ed) (ee) (ef) (eg) (eh) (ei) (ej) (ek) (el) (em) (en) (eo) (ep) (eq) (er) (es) (et) (eu) (ev) (ew) (ex) (ey) (ez) (fa) (fb) (fc) (fd) (fe) (ff) (fg) (fh) (fi) (fj) (fk) (fl) (fm) (fn) (fo) (fp) (fq) (fr) (fs) (ft) (fu) (fv) (fw) (fx) (fy) (fz) (ga) (gb) (gc) (gd) (ge) (gf) (gg) (gh) (gi) (gj) (gk) (gl) (gm) (gn) (go) (gp) (gq) (gr) (gs) (gt) (gu) (gv) (gw) (gx) (gy) (gz) (ha) (hb) (hc) (hd) (he) (hf) (hg) (hh) (hi) (hj) (hk) (hl) (hm) (hn) (ho) (hp) (hq) (hr) (hs) (ht) (hu) (hv) (hw) (hx) (hy) (hz) (ia) (ib) (ic) (id) (ie) (if) (ig) (ih) (ii) (ij) (ik) (il) (im) (in) (io) (ip) (iq) (ir) (is) (it) (iu) (iv) (iw) (ix) (iy) (iz) (ja) (jb) (jc) (jd) (je) (jf) (jg) (jh) (ji) (jj) (jk) (jl) (jm) (jn) (jo) (jp) (jq) (jr) (js) (jt) (ju) (jv) (jw) (jx) (jy) (jz) (ka) (kb) (kc) (kd) (ke) (kf) (kg) (kh) (ki) (kj) (kk) (kl) (km) (kn) (ko) (kp) (kq) (kr) (ks) (kt) (ku) (kv) (kw) (kx) (ky) (kz) (la) (lb) (lc) (ld) (le) (lf) (lg) (lh) (li) (lj) (lk) (ll) (lm) (ln) (lo) (lp) (lq) (lr) (ls) (lt) (lu) (lv) (lw) (lx) (ly) (lz) (ma) (mb) (mc) (md) (me) (mf) (mg) (mh) (mi) (mj) (mk) (ml) (mm) (mn) (mo) (mp) (mq) (mr) (ms) (mt) (mu) (mv) (mw) (mx) (my) (mz) (na) (nb) (nc) (nd) (ne) (nf) (ng) (nh) (ni) (nj) (nk) (nl) (nm) (nn) (no) (np) (nq) (nr) (ns) (nt) (nu) (nv) (nw) (nx) (ny) (nz) (oa) (ob) (oc) (od) (oe) (of) (og) (oh) (oi) (oj) (ok) (ol) (om) (on) (oo) (op) (oq) (or) (os) (ot) (ou) (ov) (ow) (ox) (oy) (oz) (pa) (pb) (pc) (pd) (pe) (pf) (pg) (ph) (pi) (pj) (pk) (pl) (pm) (pn) (po) (pp) (pq) (pr) (ps) (pt) (pu) (pv) (pw) (px) (py) (pz) (qa) (qb) (qc) (qd) (qe) (qf) (qg) (qh) (qi) (qj) (qk) (ql) (qm) (qn) (qo) (qp) (qq) (qr) (qs) (qt) (qu) (qv) (qw) (qx) (qy) (qz) (ra) (rb) (rc) (rd) (re) (rf) (rg) (rh) (ri) (rj) (rk) (rl) (rm) (rn) (ro) (rp) (rq) (rr) (rs) (rt) (ru) (rv) (rw) (rx) (ry) (rz) (sa) (sb) (sc) (sd) (se) (sf) (sg) (sh) (si) (sj) (sk) (sl) (sm) (sn) (so) (sp) (sq) (sr) (ss) (st) (su) (sv) (sw) (sx) (sy) (sz) (ta) (tb) (tc) (td) (te) (tf) (tg) (th) (ti) (tj) (tk) (tl) (tm) (tn) (to) (tp) (tq) (tr) (ts) (tt) (tu) (tv) (tw) (tx) (ty) (tz) (ua) (ub) (uc) (ud) (ue) (uf) (ug) (uh) (ui) (uj) (uk) (ul) (um) (un) (uo) (up) (uq) (ur) (us) (ut) (uu) (uv) (uw) (ux) (uy) (uz) (va) (vb) (vc) (vd) (ve) (vf) (vg) (vh) (vi) (vj) (vk) (vl) (vm) (vn) (vo) (vp) (vq) (vr) (vs) (vt) (vu) (vv) (vw) (vx) (vy) (vz) (wa) (wb) (wc) (wd) (we) (wf) (wg) (wh) (wi) (wj) (wk) (wl) (wm) (wn) (wo) (wp) (wq) (wr) (ws) (wt) (wu) (wv) (ww) (wx) (wy) (wz) (xa) (xb) (xc) (xd) (xe) (xf) (xg) (xh) (xi) (xj) (xk) (xl) (xm) (xn) (xo) (xp) (xq) (xr) (xs) (xt) (xu) (xv) (xw) (xx) (xy) (xz) (ya) (yb) (yc) (yd) (ye) (yf) (yg) (yh) (yi) (yj) (yk) (yl) (ym) (yn) (yo) (yp) (yq) (yr) (ys) (yt) (yu) (yv) (yw) (yx) (yz) (za) (zb) (zc) (zd) (ze) (zf) (zg) (zh) (zi) (zj) (zk) (zl) (zm) (zn) (zo) (zp) (zq) (zr) (zs) (zt) (zu) (zv) (zw) (zx) (zy) (zz)



Performance Goal 2.2.3: Percentage of competition advocacy comments and amicus briefs filed with entities including federal and state legislatures, agencies, or courts that were successful, in whole or in part.

- Amicus briefs are considered resolved when no further relevant developments in the case are expected. Typically, this occurs after all appeals are exhausted or the parties settle.
- Comments to rulemaking bodies are typically considered resolved when proposed rules are finalized.
- Comments to legislative bodies are considered resolved when relevant legislation

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Indicator 2.2.IND.1: Number of advocacy comments and amicus briefs on competition matters filed with entities including federal and state legislatures, agencies, and courts.

Description: Whereas Performance Goal 2.2.3 measures the success of our competition advocacy comments and amicus briefs, this indicator reports the quantity of competition advocacy comments and amicus briefs filed each year. The FTC is primarily a law enforcement agency, but advocacy work is a cost-effective way to further the FTC's competition mission, and allows the FTC to address situations where competition may be affected by the actions of public entities, including regulators and legislators. Although most advocacies contain either consumer protection recommendations or competition recommendations, a few advocacy comments may have both, and are thus counted in this indicator as well as Indicator 1.3.IND.1

Calculation/Formula: N/A

Definitions:

- **Advocacy Comments:** Formal letters or comments with policy recommendations sent to federal agencies, state legislators, state agencies and boards. Short letters that do not contain policy recommendations and other forms of advocacy, such as phone calls and meetings with decision makers, are not counted. International advocacy comments also are not counted here.
- **Amicus Briefs:** Court filings providing the FTC's recommendations in cases where the FTC is not a party. Only briefs signed by the Commission are included. Instances where significant informal input is provided to the Office of Solicitor General, which then files its own brief, are not counted.

Data Sources:

- List of advocacy comments: www.ftc.gov/policy/advocacy/advocacy-filings
- List of amicus briefs: www.ftc.gov/policy/advocacy/amicus-briefs

Data Collection: Using the advocacy comment and amicus brief listings from the FTC website, OPP staff keeps a spreadsheet listing all advocacy comments and amicus briefs filed. Staff checks with OPP management, BCP staff, and OGC staff to make sure no advocacies are missing from the website.

Data Limitations/Response: Potential data limitations include the possibility of advocacies inadvertently not being counted. OPP staff reaches out to relevant staff in OPP, OGC, and elsewhere within the agency, as appropriate, to review data before they are reported and to ensure that no advocacies are omitted from the count.

Objective 2.3: Collaborate with domestic and international partners to preserve and promote competition.

Performance Goal 2.3.1: Percentage of FTC cases involving at least one substantive contact with a foreign antitrust authority in which the agencies followed consistent analytical approaches and reached compatible outcomes.

Description: The Office of International Affairs (OIA) strives to ensure appr1 (e)-14 (p)-8 4riverppner-6 (o)-4 (r

Performance Goal 2.3.2: Number of instances in which the FTC provided policy advice or technical assistance to foreign competition agencies or governments, directly and through international organizations.

Description: This measure quantifies FTC's efforts to assist newer foreign competition authorities to enhance their enforcement capacity, build sound regulatory frameworks, improve agency effectiveness, and promote competition policies in their economy. These efforts include providing policy advice and direct technical assistance, as well as professional development opportunities for international partners through the International Fellows program.

Calculation/Formula: # of instances of competition policy advice provided to foreign agencies and international organizations + # of instances of competition technical assistance + # of international fellows hosted.

Definitions:

- Policy Advice: Advice on competition issues to foreign agencies in the form of formal written comments, but also less formal emails, phone calls, and meetings concerning substantive enforcement, procedural, or institutional issues. Multiple emails or calls about the same issue are counted as only one instance of policy advice. Also included are formal comments and submissions to international policy organizations such as the OECD.
- Technical Assistance: Assistance to developing countries on antitrust issues in the form of seminars, substantive consultations, and direct work with foreign agency officials either in their home country or as visitors to the FTC. Typically, technical assistance involves travel to the foreign country and a significant educational component.
- International Fellows: Individuals from antitrust agencies and offices in other countries who participate in temporary assignments at the FTC for the purposes of education and support for antitrust efforts and programs in other countries.

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Indicator 2.3.IND.1: Percentage of full investigations in which the FTC and other U.S. w (:)Tj -6in6-80.0

Data Collection: At the conclusion of the Eagle Horizon Exercise, the evaluators use the FCAT to score the COOP plan and the annual exercise which consists of 42 questions with a 10-point scoring scale. Each question score will be calculated into an overall Continuity Capability Score that is provided in a percentage of the total possible points. The Office of the Chief Administrative Services Officer (OCASO) Logistics and Security Management Branch compiles the scores and reports the result

Data Limitations/Response: The evaluation system is designed to give a broad, overall evaluation of the COOP program and identify improvement opportunities. The subjective nature of the data limits its usefulness in trend or comparative analysis.

(b) The number of products and activities related to Physical Security that inform staff and provide opportunities to practice emergency procedures.

Description:

Performance Goal 3.1.2: Percentage of survey respondents who are satisfied or very satisfied with the timeliness of administrative operations.

Description: OED conducts an annual online Customer Satisfaction Survey that is voluntary, anonymous, and offered to all FTC employees. Respondents are asked to indicate their level of satisfaction with a range of OED services on a 5-point scale of Very Satisfied to Very Dissatisfied. This measure tracks the level of customer satisfaction with the Office of the Chief Administrative Officer's responsiveness to phone and email requests (Question #34).

Calculation/Formula: Number of responses indicating the respondents are Highly Satisfied or Satisfied with timeliness of service divided by the total number of responses. Responses and results are collected and calculated electronically by OCIO staff.

Definitions: N/A

Data Sources: Results of the annual OED Customer Satisfaction Survey.

Data Collection: Satisfaction data are collected through the Annual OED Customer Satisfaction Survey and reported in the Annual Performance Report. Survey results are compiled by OED staff.

Data Limitations/Response: The survey question provides an overall score limited to Administrative Services Office services accessed by phone or email. In addition, the data does not provide results by service so it is difficult to identify specific areas of low satisfaction or areas for potential improvement. Review of the anecdotal results (comments) from individual respondents may provide some of this feedback. The response rate for the OED Survey is relatively low so it is difficult to generalize results to FTC employees as a whole. Increased marketing by the OED may increase the response rate.

Performance Goal 3.1.3: Achieve a favorable (unmodified) audit opinion from the agency's independent financial statement auditors.

Description:

Performance Goal 3.1.4: Percentage of new entrant, annual, and termination Public Financial Disclosure Reports that are filed within the required timeframe.

Description: Ensuring public confidence in the integrity of FTC operations is paramount. The Ethics in Government Act of 1978, as amended, requires covered officials at the FTC to file public financial disclosure reports (OGE Forms 278e) addressing their finances as well as other interests outside the federal government. The reports allow for a systematic review of the financial interests of both current and prospective senior staff. The timely filing of the OGE Form 278e helps prevent actual conflicts of interest and ensures the FTC's Ethics Team is able to identify and address potential conflicts. This measure **tracks** the percentage of public disclosure reports filed within the required timeframe. Timeframes vary based on the type of required filing, and the FTC's Ethics Team may grant limited extensions of the filing deadline for good cause.

Calculation/Formula: This measure is calculated by taking the number of public financial disclosure reports submitted within the required timeframes, divided by the total number of reports due within the fiscal year. To determine if a report was submitted with the required timeframe, FTC ethics staff tracks the submi.002 Tw -24.usubmack3 (e)41

Objective 3.2: Cultivate a high-performing, diverse, and engaged workforce.

Performance Goal 3.2.1: The extent to which FTC employees consider their agency to be a best place to work.

Description: Employee satisfaction is measured by averaging the results from three questions on the Federal Employee Viewpoint Survey (FEVS). Measuring the overall job satisfaction of FTC employees provides managers with important information regarding employees' general satisfaction with their organization and the work they do. Overall job satisfaction is closely correlated with employee retention.

Calculation/Formula: To calculate results for this measure the FTC will use the average result from three of the four questions that make up the FEVS Global Satisfaction Index:

- 40. I recommend my organization as a good place to work.
- 69. Considering everything, how satisfied are you with your job?
- 71. Considering everything, how satisfied are you with your organization?

HCMO will average the results of these three questions to determine whether FTC employees consider their agency to be a best place to work. The result is equal to the weighted percentage of respondents choosing "Strongly Agree" or "Agree."

Definitions:

- **Federal Employee Viewpoint Survey (FEVS):** The FEVS is an annual online survey of all Federal agencies conducted by the Office of Personnel Management. It is a tool that measures employees' perceptions of whether, and to what extent, conditions that characterize successful organizations are present in their agencies. The FEVS is offered to a sample of full-time and part-time, permanent, non-seasonal employees of Departments and/large agencies and the small/independent agencies that accept an invitation to participate in the survey.

Data Sources: Data are collected from the Federal Employee Viewpoint Survey (FEVS). The

Performance Goal 3.2.2: The extent to which employees believe the FTC encourages a culture that is open, diverse and inclusive.

Description: This measure is based on the FEVS New IQ Index, which gauges the extent to which employees believe the agency has policies and programs that promote a work environment that is open, diverse, and inclusive. The New IQ Index identifies behaviors that help create and sustain an inclusive work environment. Workplace inclusion is a contributing factor to both employee engagement and organizational performance.

Calculation/Formula: The New IQ Index score is compiled from 20 questions that relate to inclusive workplace environments. The 20 questions are grouped into five “Habits of Inclusion” – Fair, Open, Cooperative, Supportive, and Empowering. The FEVS automatically calculates an agency Index score from 10.8-100.8 based on 20 questions.

Definitions:

- Federal Employee Viewpoint Survey (FEVS): The FEVS is an annual online survey of

Performance Goal 3.2.3: The extent to which employees believe the FTC cultivates engagement throughout the agency.

Description: The Employee Engagement Index (EEI) of the FEVS determines this measure. The Index gauges the extent to which employees believe that management listens and provides meaningful support and feedback in various areas that assist staff in supporting the overall mission of the agency. The index is based on FEVS questions that assess three sub-factors: Leaders Lead, Supervisors, and Intrinsic Work Experience..

- Leaders Lead: Employees' perceptions of leadership's integrity as well as leadership behaviors such as communication and workforce motivation.
- Supervisors: Interpersonal relationship between worker and supervisor, including trust, respect, and support.
- Intrinsic Work Experience: Employees' feelings of motivation and competency relating to their role in the workplace.

Calculation/Formula: The FEVS EEI measures conditions important to supporting employee engagement through responses to 20 questions across the three sub factors described above. The

Performance Goal 3.2.4: The extent to which employees believe FTC management promotes a results-oriented performance culture.

Description: The Results Oriented Performance score of the FEVS determines this measure. The score indicates

Indicator 3.2.IND. 2: Number of requests for reasonable accommodations resolved through the FTC's reasonable accommodation process.

Description: This indicator tracks the resolution of requests for reasonable accommodation submitted to the HCMO Disability Program Manager by FTC employees or job applicants with permanent or temporary disabilities that affect the performance of their job duties. Tracking this data helps ensure the agency complies with the policies and procedures outlined in the Administrative Manual, Chapter 3: Section 300 - Disability Anti-Discrimination Policy and Reasonable Accommodation Procedures.

Calculation/Formula: HCMO maintains an Excel spreadsheet that tracks each reasonable accommodation request received by the FTC Disability Manager and the resulting resolution action that closes the request. This measure is calculated by counting each employee/applicant reasonable accommodation request resolved on that Excel spreadsheet.

Definitions:

- **Reasonable Accommodations:** Reasonable accommodations include changes in the work environment and/or in the way tasks are customarily done that would enable a person with a disability to enjoy equal employment opportunities. Reasonable accommodations create equal access and opportunities in the workplace so that people with disabilities can be productive team players whose unique perspectives promote the development of successful operations. Under the Rehabilitation Act of 1973, managers and supervisors are required to provide reasonable accommodations to qualified Federal employees and applicants.
- **Essential Functions:** Those job duties so fundamental to a position that the employee or applicant holds or seeks to hold that he or she cannot do the job without performing them. A function can be "essential" if, among other things: the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or if the function is specialized and the person is hired based on his or her ability to perform it. Determination of the essential functions of a position must be done on a case-by-case basis so that it reflects the job as actually performed, and not simply the components of a generic position description.
- **Resolved Request:** A reasonable accommodation request is classified as resolved when it is closed under one of the following conditions:
 - a. The request is approved by the requesting employee's supervisor and implemented.
 - b. The employee's supervisor denies the original request but an alternative accommodation is provided, accepted by the employee, and implemented.
 - c. The request is dismissed because the requestor chose not to pursue the request.
 - d. The request is dismissed because the requestor is deemed ineligible for a reasonable accommodation.

Data Sources: Each FTC employee or applicant submits their reasonable accommodation request via FTC Form 641 (Reasonable Accommodation Request form) to their supervisor for approval. A copy of the form is provided to the Disability Program Manager (DPM) as well, and each request is logged on an Excel spreadsheet maintained by the DPM.

- Type of request
- Title/Grade of employee (if applicable)
- Date of request resolution
- Time to process request (in business days)

These data are logged and reported out to the Director of Equal Employment Opportunity and Workplace Inclusion (EEOWI) on a quarterly basis.

Data Limitations/Response: Training on the reasonable accommodation process is ongoing. Training for new managers was most recently conducted in May 2019 and refresher training for

Performance Goal 3.3.2: Percentage of IT spend on Provisioned IT Services.

Description: This measure tracks the agency's progress in moving IT services to the cloud. Transitioning to cloud-based services is a key component of FTC's Information Resource Management (IRM) Strategic Plan and will benefit the FTC through increased flexibility, dependability, and, ultimately, cost savings.

Calculation/Formula: This measure is calculated by dividing the total dollar amount obligated toward provisioned IT services in a fiscal year by the total dollar amount obligated toward all IT services.

Definitions:

- **Provisioned IT Services:** An IT service that is (1) owned, operated, and provided by an outside vendor or external government organization (i.e., not managed, owned, operated, and provided by the procuring organization) and (2) consumed by the Agency on an as-needed basis. Examples of Provisioned IT Service may include the purchase of E-Gov LoB from another Federal Agency, or the purchase of SaaS, PaaS, and IaaS from a private service provider, or the purchase of shared services or cloud services.

Data Sources: Each FTC Bureau and Office tracks IT spending within its own organization. The FTC's IT spending is tracked annually by OCIO, after collecting the information from individual bureaus and offices. Data are maintained in an internal OCIO spreadsheet.

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Performance Goal 3.3.3: Achieve a favorable FTC Cybersecurity Index score.

Description: This measure monitors the agency's progress in achieving multiple critical cybersecurity metrics, each of which measures the agency's cybersecurity posture and strength in protecting the confidentiality, integrity, and availability of information systems.

- % GFE WS scanned quarterly: For all applicable information systems, take the count successful authenticated scans on GFE workstations and divide by the count of GFE workstations. Multiply the result by 100 for the percentage.
- % GFE WS patched within 30 days: For all applicable information systems, take the count of GFE workstation that have received a patch within 30 calendar days and divide by the count of GFE workstations. Multiply the result by 100 for the percentage.
- % Assets with valid baseline configuration: For all applicable information systems, take the count of valid baseline configurations and divide by the count of operating systems with versions that have applicable baseline configurations. Multiply the result by 100 for the percentage.
- % GFE WS that meet the baseline configuration: For all applicable information systems, take the count of all GFE workstations with secure configuration baseline settings applied as defined by policy and divide by the total number of workstations assigned to that information system. Multiply the result by 100 for the percentage.
- % Unprivileged users using 2-factor authentication: For all applicable information systems, take the count of unprivileged users using multifactor authentication and divide by the count of unprivileged users. Multiply the result by 100 for the percentage.
- % Privileged users using multi factor authentication: For all applicable information systems, take the count of privileged users using multifactor authentication and divide by the count of privileged users. Multiply the result by 100 for the percentage.

Definitions:

- ATO (Authorization to Operate): The official management decision given by a senior organization official to authorize operation of an information system and to explicitly accept the risk to organizational operations (including mission, functions, image, or reputation), organizational assets, individuals, other organizations, and the Nation based on the implementation of an agreed-upon set of security controls. (Source: NIST SP 800-37).
- Baseline configuration: A set of specifications for a system, or Configuration Item (CI) within a system, that has been formally reviewed and agreed on at a given point in time, and which can be changed only through change control procedures. The baseline configuration is used as a basis for future builds, releases, and/or changes (Source: NIST SP 800-127).
- GFE: Government Furnished Equipment
- Multi factor authentication: An authentication system that requires more than one distinct authentication factor for successful authentication. Multi-factor authentication can be performed using a combination of authenticators that provide different factors, such as a personal identity verification (PIV) card and a password (Source: NIST SP 800-63).
- Privileged users: A user that is authorized (and therefore, trusted) to perform security-relevant functions that ordinary users are not authorized to perform (Source: NIST SP 800-53).

Data Sources: OCIO's Information Security Continuous Monitoring (ISCM) program, which uses a number of automated systems and reporting mechanisms to collect the data necessary to compile the statistics listed. These systems include vulnerability scanners, directory services, and patch management systems.

Data Collection: The FTC's progress against these targets is tracked manually by OCIO, after aggregating the information from automated systems and manual tracking. OCIO performance staff collects the relevant data to calculate the FTC Cybersecurity Index score.

Performance Goal 3.3.4: Percentage of the FTC's paper records held at the Washington National Records Center that are processed and appropriately either (a) destroyed or (b) transferred to the National Archives and Records Administration.

Description: This measure tracks the agency's progress in dispositioning its paper records in order to comply with federal records management regulations and requirements. The agency maintains appr

stores at WNRC, as well as i

Performance Goal 3.3.5: Successfully transfer permanent electronic records dated between 2004 and 2016 to NARA in a timely manner.

Upon NARA's acceptance of the Transfer Request, RIM will export a copy of Permanent Electronic Records from DocSmart and the associated metadata from MMS in a NARA-approved format.

Data Limitations/Response: There is a risk that the agency may not identify the entire universe of Permanent Electronic Records within a specified date range. Upon receiving management or Commission approval to close a FTC matter, the responsible Bureau or Office enters certain information into MMS to change the status of the FTC matter from "open" to "closed." As with any system that relies upon data entry, there is a risk that this information may be entered incorrectly or not at all. RIM will mitigate this risk by confirming the closure of FTC matters with all appropriate staff and the date of closure within a given year.