

# DATA QUALITY INFORMATION

## STRATEGIC GOAL 1: PROTECT CONSUMERS

### **Objective 1.1: Identify fraud, deception, and unfair practices that cause the greatest consumer injury.**

*Performance Measure 1.1.1:* Complaints collected and entered into the Consumer Sentinel Network Database.

Definition and background: This measure tracks complaints entered into the FTC's Consumer Sentinel Network (CSN) Database. Consumer Sentinel is an investigative tool that provides access to millions of consumer complaints to member law enforcement agencies. More information about CSN can be found at [www.ftc.gov/sentinel/index.shtm](http://www.ftc.gov/sentinel/index.shtm).

Data sources: The FTC's CSN database.

Verification and validation: Reports are run at least quarterly to determine the number of complaints that are entered into the CSN database.

Data limitations: The data in the CSN database is dependent on the complainant providing accurate and complete information. CSN data may be underreported because some people choose not to file a formal complaint, and some people may not know they are able to file a complaint with the FTC.

*Performance Measure 1.1.2:* The percentage of the FTC's consumer protection law enforcement actions that target the subject of consumer complaints to the FTC.

Definition and background: This measure gauges how well the FTC's consumer protection law enforcement actions target the subject of concerns identified by consumers.

Calculation/Formula: Number of enforcement actions targeted consumer identified complaints compared to the total number of enforcement actions.

Data sources: The FTC's CSN database, LexisNexis CourtLink, the FTC website, and reports from the agency, Bureau Director's Office, divisions, and regional offices.

Verification and validation: A list of all federal court actions filed in the current fiscal year is compiled in a spreadsheet. For each case, CSN database searches by the defendants' names are completed to determine if the cases target subjects of consumer complaints to the FTC. The results of the searches are also recorded on the spreadsheet, and the percentage is calculated based on this information. This information is reviewed periodically by staff and management for completeness and accuracy.

Data limitations: The spreadsheet may not capture a case if it is missed during the internal review process.

*Performance Measure 1.1.3:* The rate of customer satisfaction with the FTC's Consumer Response Center.

Definition and background: This measure ensures the FTC is providing satisfactory service to consumers through the complaint website and call center.

Calculation/Formula: The calculation is conducted by a third party, Foresee, and the formula it uses is proprietary.

Data sources: Reports from the U.S. Department of the Interior's Federal Consulting Group, the executive agent for the American Customer Satisfaction Index (ACSI).

Verification and validation: Measurement is generated by an outside source based on industry standard practices.

Data limitations: There are no significant data limitations.

## **Objective 1.2: Stop fraud, deception, unfairness, and other unlawful practices through law enforcement.**

*Performance Measure 1.2.1:* The percentage of all cases filed by the FTC that were successfully resolved through litigation, a settlement, or issuance of a default judgment.

Definition and background: This measure gauges how well the FTC successfully resolves cases, including those that raise challenging legal and factual issues.

Calculation/Formula: The number of successfully filed cases is divided by the by the total number of all federal court cases resolved in the current fiscal year. Data sources: LexisNexis CourtLink, the FTC website, and reports from the Bureau Director's Office, divisions, and regional offices.

Data sources: LexisNexis CourtLink, the FTC website, and reports from the Bureau Director's Office, divisions, and regional offices.

Verification and validation: A list of all federal court cases resolved in the current fiscal year is compiled in a spreadsheet, and the percentage of successfully resolved cases is calculated based on this information. The report is sent to the Associate Directors and regional managers on a quarterly basis to verify the accuracy of the report and ensure all resolutions are included in the report.

Data limitations: The spreadsheet may not capture a case if it is missed during the internal review process.

*Performance Measure 1.2.2:* The FTC's effectiveness in stopping prohibited business practices in three high priority areas over the next five years.

Definition and background: This measure gauges the FTC's success in changing business practices related to misleading advertising claims within priority areas and demonstrates the change through research methods.

Calculation/Formula: In each area, FTC staff establishes a baseline by identifying the number of potentially deceptive advertisements appearing online. After the FTC takes enforcement or other actions in that area, the staff reviews the online advertisements again to determine the number that continue to make the deceptive claims. This figure is compared to the baseline to determine the effectiveness of the FTC's actions in stopping deceptive practices.

Data sources: Evaluations of the prevalence of prohibited business practices in targeted areas. The Internet is used to examine advertising claims.

Verification and validation: Attorneys assigned to the subject area work with FTC economists to validate the methodology and quality control.

Data limitations: Advertising claims in other types of media are not captured.

*Performance Measure 1.2.3:* The percentage of redress cases in which the FTC distributes redress dollars designated for distribution to consumers within six months.

Definition and background: This measure ensures that the FTC returns redress dollars to consumers as quickly as possible.

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 redress distribution occurred within six months by the total number of redress distributions in a quarter.

Data sources: Bureaus' open redress case status reports.

Verification and validation: When a redress distribution occurs, the date of the distribution is checked and verified to determine whether or not the redress occurred within six months.

Data limitations: There are no significant data limitations.

*Performance Measure 1.2.4:* Investigations or cases in which the FTC obtains foreign-based evidence or engages in mutual assistance that contributes to FTC law enforcement actions or in which we cooperate with foreign agencies and/or multilateral organizations.

Definition and background: This measure tracks investigations or cases in which the FTC obtains foreign-based evidence or engages in mutual assistance that contributes to FTC law enforcement actions or in which we cooperate with foreign agencies and/or multilateral organizations.

Data sources: Office of International Affairs weekly reports and internal tracking sheets.

Verification and validation: Consumer Protection team members report matters they worked on in which information was shared. Staff review and compile the matters reported. Managers review these matters to ensure that they qualify as part of the measure and have not been previously counted.

Data limitations: Review is necessary to avoid double counting of particular matters.

### **Objective 1.3: Prevent consumer injury through education.**

*Performance Measure 1.3.1:* Consumer protection messages accessed online or in print.

Definition and background: This measure gauges whether the agency is producing a sufficient amount of educational activity and educational materials that are aimed at new trends and at particularly vulnerable populations.

Data sources: The measure is determined using the agency's web statistics software (for messages accessed online) and the FTC publication inventory (for messages accessed in print). Print distribution numbers are derived from three sources: distribution center; distribution from the FTC warehouse; and distribution directly from printers when publications are printed or reprinted. A full recap for FY 2012 is available upon request.

Verification and validation: The publication inventory is tracked to determine the number of print messages distributed. The agency's IT office compiles statistics for all FTC websites.

Data limitations: It is possible that distribution is much higher than reported, as online users may be printing and disseminating copies.

*Performance Measure 1.3.2:* Customer satisfaction rate with the FTC consumer education websites or microsities.

Definition and background: This measure gauges the effectiveness, helpfulness, and usability of the FTC's consumer education websites and microsities.

Calculation/Formula: The calculation is conducted by a third party, Foresee, and the formula it uses is proprietary.

Data sources: Reports from the U.S. Department of the Interior's Federal Consulting Group, the executive agent for the American Customer Satisfaction Index (ACSI).

Verification and validation: Measurement is generated by an outside source based on industry standard practices.

Data limitations: There are no significant data limitations.

*Performance Measure 1.3.3:* Organizations requesting consumer education publications.

Definition and background: This measure helps the FTC ensure that it is publicizing its activities in the best way possible, and that the agency has a wide array of partners to leverage resources.

Data sources: The measure is derived from the agency's database of online customer orders, maintained by the Division of Consumer and Business Education.

Verification and validation: The data includes customers who have ordered materials during the fiscal year and provided a valid organization. Orders from individuals and duplicate organizations are not included.

Data limitations: The accuracy of the calculations depends in part on customers entering their organization name into the order form with consistent spelling and formatting; otherwise data may be slightly over-reported.

## **Objective 1.4: Enhance consumer protection through research, reports, rulemaking, and advocacy.**

*Performance Measure 1.4.1:* Workshops and conferences convened or cosponsored that address consumer protection problems.

Definition and background: This measure helps the FTC ensure that enforcement and education efforts are augmented by encouraging discussions among all interested parties, through careful study of and empirical research on novel or challenging consumer protection problems.

Data sources: The FTC website and reports from the agency, Bureau Director's Office, division, and regional offices.

Verification and validation: A list of all workshops and conferences is maintained in a spreadsheet. The spreadsheet is reviewed quarterly by headquarters and regional office management to verify the accuracy of the report and to ensure that all conferences and workshops are included in the report.

Data limitations: Review is necessary to avoid under-reporting any workshops or conferences.

*Performance Measure 1.4.2:* Advocacy comments and amicus briefs on consumer protection issues filed with entities including federal and state legislatures, agencies, or courts.

Definition and background: The measure tracks the number of advocacy comments and amicus briefs on consumer protection matters filed with entities including federal and state legislatures, agencies, and courts to measure the output of the FTC's advocacy activities relating to consumer protection matters. Advocacy letters and amicus briefs are tracked based on their date of filing to their recipients. During FY 2013, the Commission and staff filed seven advocacy comments and amicus briefs involving consumer protection-related matters. There were five advocacies relating to both consumer protection and competition related matters that were counted in both this performance measure and performance measure 2.3.3. Thus, there were 12 consumer protection-related filings.

Data sources: Internal matter records of advocacy comments and amicus briefs filed (e.g., records available in the FTC's document management system).

Verification and validation: Review of internal matter records of advocacy comments and amicus briefs filed (e.g., records available in the FTC's document management system) and confirmation of data with staff having responsibilities for advocacy matters.

Data limitations: There are no significant data limitations.

*Performance Measure 1.4.3:* The percentage of respondents finding the FTC's advocacy comments and amicus briefs "useful."

Definition and background: This measure tracks the percentage of respondents finding the FTC's advocacy comments and amicus briefs to be "useful," in order to assess the effect of consumer protection advocacy comments.

Calculation/Formula: Number of survey responses received indicating the usefulness of an advocacy divided by the total number of surveys sent to advocacy recipients. During FY 2013, two survey responses were received, one relating to a consumer protection filing and one relating to both consumer protection and competition. The survey response regarding an advocacy relating to both consumer protection and competition was counted in both this performance measure and in performance measure 2.3.4.

Data sources: Responses to a written survey, sent by agency staff to advocacy recipients (except courts), to evaluate the usefulness of an advocacy.

Verification and validation: Agency staff review written responses in order to determine percentage of respondents describing the FTC's advocacy comments as "useful."

Data limitations: There are no significant data limitations.

*Performance Measure 1.4.4:* The percentage of proposed Administrative Procedure Act (APA) rulemakings, conducted solely by the FTC, completed within nine months of receipt of final comments in the Final Notice of Proposed Rulemaking.

Definition and background: This measure helps the FTC ensure that the agency augments its enforcement and education efforts by conducting appropriate rulemakings.

Data sources: The Federal Register and the FTC website.

Verification and validation: A list of all rulemakings, the comment period close date, and the completion date of APA rulemakings is maintained in a spreadsheet. The spreadsheet is reviewed quarterly by headquarters and regional office management to verify the accuracy of the report and to ensure that all rulemakings are included in the report.

Data limitations: Review is necessary to avoid under-reporting any rulemakings.

### **Objective 1.5: Protect American consumers in the global marketplace by providing sound policy and technical input to foreign governments and international organizations to promote sound consumer policy.**

*Performance Measure 1.5.1:* Policy advice provided to foreign consumer protection and privacy agencies, directly and through international organizations, through substantive consultations, written submissions, or comments.

Definition and background: This measure tracks policy advice provided to foreign consumer protection and privacy agencies, directly and through international organizations. Policy advice is defined as substantive consultations, written submissions, or comments.

Data sources: Office of International Affairs weekly reports and internal tracking sheets.

Verification and validation: OIA staff report policy advice provided in weekly reports and internal logs. Staff review and compile the matters reported. Managers review these matters to ensure that they are sufficiently substantive to qualify for the measure and have not previously been counted.

Data limitations: Review is necessary to avoid double counting of particular matters and to ensure the instances of policy advice reported are sufficiently substantive.

*Performance Measure 1.5.2:* Technical assistance to foreign consumer protection and privacy authorities.

Definition and background: This measure tracks technical assistance provided to foreign consumer protection and privacy authorities.

Data sources: Office of International Affairs weekly reports and Technical Assistance calendar.

Verification and validation: OIA staff report technical assistance workshops, conferences, and other missions conducted. Staff review and compile the matters reported, and managers review these reports.

Data limitations: Review is necessary to ensure that reported items qualify as technical assistance missions.

## **STRATEGIC GOAL 2: MAINTAIN COMPETITION**

### **Objective 2.1: Take action against anticompetitive mergers and practices that may cause significant consumer injury.**

*Performance Measure 2.1.1:* Actions to maintain competition, including litigated victories, consent orders, abandoned transaction remedies, restructured transaction remedies, or fix-it-first transaction remedies in a significant percentage of substantial merger and nonmerger investigations.

Definition and background: This measure ensures that FTC actions promote vigorous competition by preventing anticompetitive mergers and stopping business practices that diminish competition. This measure reflects actions to maintain competition, including litigated victories, consent orders, abandoned

transaction remedies, restructured transaction remedies, or fix-it-first transaction remedies in a significant percentage of substantial merger and nonmerger investigations.

Calculation/Formula: The measure is calculated by taking the number of substantial investigations closed with an action divided by the total number of substantial investigations closed (with or without action). “Substantial investigations” comprises all second request and/or compulsory process merger investigations, and nonmerger investigations where staff logged more than 150 hours and/or obtained compulsory process.

Data sources: Press releases are the source of information for public actions, such as consent orders and the results of judicial review, while internal communications from staff attorneys are used to identify those investigations that were closed because parties abandoned a transaction or because staff did not find that the transaction or the conduct is likely to harm competition. This information is then cross referenced with a list of second request and compulsory process merger investigations and a list of significant nonmerger investigations as recorded in the agency’s records and identified using the agency’s time and attendance reporting database.

Verification and validation: The data is recorded by bureau staff, and reviewed monthly by analysts, attorneys, economists, and senior management.

Data limitations: This measure does not include actions taken in investigations that did not involve the use of compulsory process, and therefore did not fall under the definition of substantial as specified by this measure. Compulsory process refers to a resolution, or vote, adopted by the Commission that authorizes staff to issue subpoenas and civil investigative demands. This measure also does not include actions that are still in litigation or on appeal.

*Performance Measure 2.1.2:* Consumer savings of at least \$500 million through merger actions to maintain competition.

Definition and background: This measure ensures that the Commission’s merger actions are in part guided by the prospective effect these actions will have on consumer savings.

Calculation/Formula: The measure is calculated by taking the sum of “Consumer Savings” of individual merger actions for the current fiscal year plus the previous four fiscal years and dividing the sum by five.

Data sources: The lead attorney estimates consumer savings for a particular case using the appropriate applicable estimation formula and submits it to the Bureau of Economics for concurrence. If available, staff will use case-specific data to generate the estimate of consumer savings due to the Commission’s action. Otherwise, staff uses a formulaic approach taking one percent of the volume of commerce in the affected market(s) for two years, where the relevant product and geographic market(s) are those identified in the final enforcement action.

Verification and validation: See measure 2.1.1.

Data limitations: The data is dependent on the estimates of consumer savings made by staff in accordance with the appropriate applicable estimation formulas. Additionally, a five year average is used because total consumer savings in an individual year may be heavily influenced by significant cases in that year.

*Performance Measure 2.1.3:* Actions against mergers likely to harm competition in markets with a total of at least \$25 billion in sales.

Definition and background: This measure ensures that the Commission’s merger actions are guided in part by the size of the relevant product markets involved.

Calculation/Formula: The measure is calculated by taking the sum of the estimated volume of commerce in the affected market(s) in which the Commission took action for the current fiscal year plus the previous four fiscal years divided by five.

Data sources: The lead attorney who worked on the investigation estimates the volume of commerce using the appropriate applicable estimation formula and submits the information to the Bureau of Economics for concurrence.

Verification and validation: See measure 2.1.1.

Data limitations: The data is dependent on the estimates of volume of commerce made by staff in accordance with the appropriate applicable estimation formulas. Additionally, a five year average is used because the total volume of commerce in an individual year may be heavily influenced by significant cases in that year.

*Performance Measure 2.1.4:* Consumer savings of at least thirteen times the amount of FTC resources allocated to the merger program.

Definition and background: This measure ensures that the Commission's actions are in part guided by the requirement that estimated consumer savings exceed how much is spent on the merger program.

Calculation/Formula: Estimated consumer savings generated under measure 2.1.2 are divided by the amount of resources spent on the merger program for the current fiscal year.

Data sources: The lead attorney estimates consumer savings for a particular case using the appropriate applicable estimation formula and submits it to the Bureau of Economics for concurrence. The FTC's financial system provides the amount of resources expended on the merger program.

Verification and validation: See measure 2.1.1.

Data limitations: See measure 2.1.2.

*Performance Measure 2.1.5:* Consumer savings of at least \$80 million through nonmerger actions taken to maintain competition.

Definition and background: This measure ensures that the Commission's nonmerger actions are in part guided by the prospective effect they will have on consumer savings.

Calculation/Formula: The measure is calculated by taking the sum of the estimated consumer savings in nonmerger actions for the current fiscal year plus the previous four fiscal years, and dividing the sum by five.

Data sources: The lead attorney estimates consumer savings for a particular case using the appropriate applicable estimation formula and submits it to the Bureau of Economics for concurrence. If available, staff will use case-specific data to generate the estimate of consumer savings due to the Commission's action. Otherwise, staff uses a formulaic approach taking one percent of the volume of commerce in the affected market(s) for one year, where the relevant product and geographic market(s) are those identified in the final enforcement action. Verification and validation: See measure 2.1.1.

Data limitations: See measure 2.1.2.

*Performance Measure 2.1.6:* Actions against anticompetitive conduct in markets with a total of at least \$8 billion in annual sales.

Definition and background: This measure ensures that the Commission's nonmerger actions are in part guided by the size of the relevant product markets involved.

Calculation/Formula: The measure is calculated by taking the sum of the estimated volume of commerce in the affected market(s) in which the Commission took action for the current fiscal year plus the previous four fiscal years and dividing the sum by five.

Data sources: The lead attorney who worked on the investigation estimates the volume of commerce using the appropriate applicable estimation formula and submits the information to the Bureau of Economics for concurrence.

Verification and validation: See measure 2.1.1.

Data limitations: See measure 2.1.3.

*Performance Measure 2.1.7:* Consumer savings of at least twenty times the amount of the FTC resources allocated to the nonmerger program.

Definition and background: This measure ensures that the Commission's actions are in part guided by the requirement that estimated consumer savings exceed how much is spent on the nonmerger program.

Calculation/Formula: This measure is calculated by taking the estimated consumer savings generated under measure 2.1.5 divided by the amount of resources spent on the nonmerger program.

Data sources: The lead attorney estimates consumer savings for a particular case using the appropriate applicable estimation formula. The FTC's financial system provides the amount of resources expended on the nonmerger program.

Verification and validation: See measure 2.1.1.

Data limitations: See measure 2.1.2.

*Performance Measure 2.1.8:* The percentage of cases in which the FTC had at least one substantive contact with a foreign antitrust authority in which the agencies followed the analytical approach and reached compatible outcomes.

Definition and background: This measure tracks the cases in which the Bureau of Competition or foreign agency staff notify the Office of International Affairs that a substantial contact has taken place, compared with cases where, in the judgment of OIA management, no consistent analytical approaches were observed. The phrase "reached compatible outcomes" means that the reviewing agencies do not impose inconsistent obligations on parties; professional judgment from OIA senior management is used to make a final decision on compatibility for FTC measurement purposes.

Calculation/Formula: Number of cases where foreign antitrust authority or agency followed the analytical approach and reached compatible outcomes divided by the total number of cases the FTC has at least one substantive contact.

Data sources: Office of International Affairs weekly reports and internal logs.

Verification and validation: International Antitrust team members report matters they worked on in which substantial contact took place. Staff review and compile the matters reported, overseen by an International Antitrust team member. Managers review and ensure that the matters reported qualify for the measure.

Data limitations: Review is necessary to ensure that the matters reported included sufficiently substantial contact with a foreign antitrust authority.

## **Objective 2.2: Prevent consumer injury through education.**

*Performance Measure 2.2.1:* Competition resources accessed via the FTC's website.

Definition and background: This measure ensures that consumer injury is prevented by educating antitrust practitioners and consumers. This measure is calculated by taking the sum of the views recorded on antitrust related web pages on the Commission's external website.

Data sources: The primary data source is software that monitors traffic on the FTC's external website.

Verification and validation: Bureau staff identify relevant FTC web-based resources to track. Internet traffic data is received and entered into a bureau database by staff, and reviewed monthly by analysts, attorneys, and senior management.

Data limitations: The analysis is dependent on the accuracy of measurements made by the web tracking software and the presence of internal and external traffic filters. The data is also dependent on the accurate identification of relevant FTC web-based materials.

## **Objective 2.3: Enhance consumer benefit through research, reports, and advocacy.**

*Performance Measure 2.3.1:* Workshops, seminars, conferences, and hearings convened or cosponsored that involve significant competition-related issues.

Definition and background: This measure ensures that consumer benefits are enhanced through policy related activities such as workshops, seminars, conferences, and hearings convened or cosponsored that involve significant competition-related issues. The measure is calculated by counting the number of competition-related workshops, hearings and conferences hosted by the FTC.

Data sources: Information on conferences involving significant competition related issues is taken from the FTC's website ([www.ftc.gov/ftc/workshops.shtm](http://www.ftc.gov/ftc/workshops.shtm)) and from press releases.

Verification and validation: Data is received from staff attorneys, internal databases and press releases. The data is entered into a bureau database by staff, and reviewed monthly by analysts, attorneys, economists, and senior management.

Data limitations: Review is necessary to ensure that all competition-related workshops, hearings and conferences are identified.

*Performance Measure 2.3.2:* Reports and studies issued on key competition-related topics.

Definition and background: The measure tracks competition policy related activities such as research, reports, and studies that enhance consumers' knowledge of competition issues. The measure is calculated by counting the number of the reports and studies issued by the FTC.

Data sources: Information on studies and reports on significant competition-related issues is taken from the FTC's website ([www.ftc.gov/be/research.shtm](http://www.ftc.gov/be/research.shtm) and [www.ftc.gov/reports/index.shtm](http://www.ftc.gov/reports/index.shtm)).

Verification and validation: See measure 2.3.1.

Data limitations: See measure 2.3.1.

*Performance Measure 2.3.3:* Advocacy comments and amicus briefs on competition issues filed with entities including federal and state legislatures, agencies or courts.

Definition and background: This measure tracks the number of advocacy comments and amicus briefs on competition matters filed with entities including federal and state legislatures, agencies, or courts to measure the output of the FTC's advocacy activities relating to competition matters. Advocacy letters and amicus briefs are tracked based on their date of filing to their recipients. During FY 2013, the Commission and staff filed 14 advocacy comments and amicus briefs involving competition-related matters. There were five advocacies relating to both consumer protection and competition related matters that were counted in both this performance measure and performance measure 1.4.2. Thus, there were 19 competition-related filings.

Data sources: Internal matter records of advocacy comments and amicus briefs filed (e.g., records available in the FTC's document management system).

Verification and validation: Review internal matter records of advocacy comments and amicus briefs filed (e.g., records available in the FTC's document management system) and confirm data with staff having responsibilities for advocacy matters.

Data limitations: There are no significant data limitations.

*Performance Measure 2.3.4:* The percentage of respondents finding the FTC's advocacy comments and amicus briefs "useful."

Definition and background: This measure tracks the percentage of respondents finding the FTC's advocacy comments and amicus briefs to be "useful," in order to assess the effect of competition advocacy comments.

Calculation/Formula: Number of survey responses received indicating the usefulness of an advocacy divided by the total number of surveys sent to advocacy recipients. During FY 2013, two survey responses were received, one relating to a competition filing and one relating to both consumer protection and competition. The survey response regarding an advocacy relating to both consumer protection and competition was counted in both this performance measure and in performance measure 1.4.3.

Data sources: Responses to a written survey, sent by agency staff to advocacy recipients (except courts), to evaluate the usefulness of an advocacy.

Verification and validation: Agency staff review written responses in order to determine percentage of respondents describing the FTC's advocacy comments as "useful."

Data limitations: There are no significant data limitations.

*Performance Measure 2.3.5:* The volume of traffic on [www.ftc.gov](http://www.ftc.gov) relating to competition research, reports, and advocacy.

Definition and background: This measure ensures the agency's policy related activities enhance consumer benefit by providing practitioners and consumers with opportunities to interact with the staff and to learn about the agency's enforcement and policy priorities. The measure is calculated by summing the views registered on the website of a subset of the competition related pages that pertain to advocacy, research, and international activities.

Data sources: The agency's software that monitors traffic on the FTC's external website, the Office of International Affairs, and the Office of Policy Planning.

Verification and validation: See measure 2.3.1.

Data limitations: The analysis is dependent on the accuracy of the measurements made by the web tracking software, and the presence of internal and external traffic filters. The data is also dependent on the accurate identification of relevant FTC web-based materials.

### **Objective 2.4: Protect American consumers in the global marketplace by providing sound policy recommendations and technical advice to foreign governments and international organizations to promote sound competition policy.**

*Performance Measure 2.4.1:* Policy advice provided to foreign competition agencies, directly and through international organizations, through substantive consultations, written submissions, or comments.

Definition and background: This measure tracks the policy advice provided to foreign competition agencies, directly and through international organizations, through substantive consultations, written submissions, or comments excluding casual contacts.

Data sources: Office of International Affairs weekly reports.

Verification and validation: Agency staff create a draft list of events that fall within the scope of the measure, which is then submitted to attorneys for review. Managers review and ensure that the matters reported qualify as substantive policy advice.

Data limitations: Review is necessary to ensure that instances of policy advice reported are sufficiently substantive.

*Performance Measure 2.4.2:* Technical assistance provided to foreign competition authorities.

Definition and background: This measure tracks the number of long term and short term technical assistance missions and international fellows and interns hosted.

Data sources: Office of International Affairs weekly reports and Technical Assistance calendar.

Verification and validation: See measure 2.4.1.

Data limitations: Review is necessary to ensure that reported items qualify as technical assistance missions.

## **STRATEGIC GOAL 3: ADVANCE PERFORMANCE**

### **Objective 3.1: Provide effective human resources management.**

*Performance Measure 3.1.1:* The extent to which employees believe their organizational culture promotes improvement in processes, products and services, and organizational outcomes.

Definition and background: This measure gauges the extent employees believe their organizational culture promotes improvement in processes, products and services, and organizational outcomes so that the FTC has a strong foundation of organizational, individual, and management excellence driving mission success.

Data sources: The Federal Employee Viewpoint Survey is administered annually by the U.S. Office of Personnel Management (OPM). The Federal Employee Viewpoint Survey is a tool that measures

employees' perceptions of whether, and to what extent, conditions that characterize successful organizations are present. This survey was administered for the first time in 2002, and then repeated in 2004, 2006, 2008, 2010, 2011, and most recently in 2012. OPM transmits the agency results to the FTC's Human Capital Management Office.

Verification and validation: Data collected is weighted by statisticians to produce survey estimates that accurately represent the survey population and adjust for differences between the characteristics of the survey respondents and the population of federal employees surveyed. The weights developed take into account the variable probabilities of selection across sample domains, nonresponse, and known demographic characteristics of the survey population.

Data limitations: The survey results represent a snapshot in time of the perceptions of the workforce. The Government-wide results have a plus or minus 1 percent margin of error.

*Performance Measure 3.1.2:* The extent employees think the organization has the talent necessary to achieve organizational goals.

Definition and background: This measure gauges the extent employees think the organization has the talent necessary to achieve organizational goals so that the FTC has a strong foundation of organizational, individual, and management excellence driving mission success.

Data sources: See measure 3.1.1.

Verification and validation: See measure 3.1.1.

Data limitations: See measure 3.1.1.

### **Objective 3.2: Provide effective infrastructure and security management.**

*Performance Measure 3.2.1:* A favorable Continuity of Operations (COOP) rating.

Definition and background: The FTC ensures a safe and secure workplace through the development and implementation of the FTC COOP. The FTC COOP defines the necessary planning and actions that are required to ensure the preservation and performance of the FTC Mission Essential Functions (MEFs). Continuity planning facilitates the performance of FTC MEFs during all-hazards emergencies or other situations that may disrupt or potentially disrupt normal operations. The FTC participated in the government-wide Eagle Horizon Exercise to test and verify the effectiveness of the FTC COOP. An analysis of the plan and exercise is conducted with a combination of Federal Emergency Management Agency (FEMA), self, and peer review. An overall score is derived for the exercise using the average numeric rating for each element of the review.

Calculation/Formula: Results of the annual government-wide Eagle Horizon exercise, whereas an overall score is derived for the exercise using the average numeric rating for each element of the review.

Data sources: The data on performance of the COOP exercise is generated using standard evaluation protocol developed by FEMA.

Verification and validation: The review of the FTC COOP was conducted independently by a FEMA representative and the evaluation of the Eagle Horizon Exercise was conducted by an internal FTC team, when then submitted the data to FEMA. The FTC Health and Safety Officer provided an overall review to make sure that the data is complete and accurate.

Data limitations: The overall score is based on subjective analysis of the COOP and performance of the exercise designed to give an overall evaluation of the COOP and identify improvement opportunities. The subjective nature of the data limits its usefulness in trend or comparative analysis.

*Performance Measure 3.2.2:* Availability of information technology systems.

Definition and background: This measure tracks unplanned service outages and monitors the reliability of 31 critical information technology services including: email, FTC-specific applications and systems, BlackBerry servers, Internet/Intranet, telecommunications (includes phone and voicemail services), Wide Area Network, the agency's primary public website ([www.ftc.gov](http://www.ftc.gov)), remote employee access, printing, and enterprise-wide applications.

Calculation/Formula: This measure is calculated by dividing the number of minutes of unscheduled system outages per month by the number of total minutes per month.

Data sources: System and network engineers record system or component outage data as part of the OCIO's Change Management procedure.

Verification and validation: Outage timeframes are verified by correlating outages to system alerts and data recorded in the change management database.

Data limitations: The agency uses a manual tracking process to record the outage data in a spreadsheet. The reliability of the data depends on compliance with the change management procedure. The agency is currently working to implement SolarWinds, a network performance-monitoring tool that will provide early warning notifications regarding changes to application performance and generate outage and downtime data.

### **Objective 3.3: Provide effective information resources management.**

*Performance Measure 3.3.1:* The percentage of Commission-approved documents in the FTC's ongoing and newly initiated proceedings available via the Internet within 15 days of becoming part of the public record.

Definition and background: This performance measure was created in an effort to promote agency transparency and ensure that documents the Commission approves are made available to the public in a timely manner. The Commission approves public documents by majority vote. These votes are tracked by the Office of the Secretary (OS) and are counted each quarter. Once the Commission approves a public document, the Office of Public Affairs works with agency staff to determine whether to publish a news release announcing the document. OS works to make sure the document is posted to [www.ftc.gov](http://www.ftc.gov) at the same time as the news release or, if there is no news release, as soon as feasible. The agency sometimes waits to post a specific document to [www.ftc.gov](http://www.ftc.gov) in order to maximize consumer impact by posting it in conjunction with several related matters.

Calculation/Formula: To arrive at the performance measure, we count the total number of Commission votes on public documents. Next, we count the number of public documents that were posted to [www.ftc.gov](http://www.ftc.gov) within 15 days after Commission approval. Then, we divide this number by the total number of public documents to arrive at a percentage. We do not include any documents that a court has placed under seal until the court lifts the seal, because documents under seal are not available to the public. Also, we do not count as "posted to the Internet" documents that are unavailable on [www.ftc.gov](http://www.ftc.gov), even if they are available elsewhere on the Internet (e.g., in electronic filing systems used by the federal courts).

Data sources: The data is compiled from Commission voting records, FTC news releases, and FTC Web Team confirmations that documents have been posted to [www.ftc.gov](http://www.ftc.gov).

Verification and validation: Agency staff and management verify that the data showing all Commission-approved public documents for a specific quarter is complete and accurate by reviewing the actual Commission votes. We verify the accuracy of the date a document is posted to [www.ftc.gov](http://www.ftc.gov) by checking the date against the FTC Web Team confirmation that the document has been posted. At the time a document is posted to [www.ftc.gov](http://www.ftc.gov), we test the web link to the document to confirm it is operational. The FTC's OS management reviews the source materials and counts to make sure the data is complete and accurate.

Data limitations: This measure only includes Commission-approved public documents.

### **Objective 3.4: Provide effective financial and acquisition management.**

*Performance Measure 3.4.1:* Independent auditor's financial statement audit results.

Definition and background: Independent auditor's opinion based on auditor's review and tests of internal controls over operations and financial reporting and the determination that the financial statements and notes are fairly presented. The measure formula is 100 percent if an unqualified or "clean" opinion (the

financial statements are fairly presented) is achieved or zero percent for all other opinion types (qualified, adverse, disclaimer).

Data sources: Independent auditor's opinion of year-end financial statements.

Verification and validation: FTC's independent auditors render their opinion to the agency.

Data limitations: There are no significant data limitations.

*Performance Measure 3.4.2:* The percentage of Bureaus/Offices that establish and maintain an effective, risk-based internal control environment.

Definition and background: This measure tracks the percentage of Bureaus/Offices that establish and maintain an effective, risk-based internal control environment.

Calculation/Formula: Number of Bureaus and Offices that established and maintain an effective, risk-based internal control environment divided by the total number of Bureaus and Offices.

Data sources: FMFIA Annual Statement of Assurance

Verification and validation: As basis for the FTC's annual statement of assurance, agency staff distribute an annual survey to key agency management and staff which includes detailed questions about their internal controls. Staff verify that survey responses have been received by each of the Bureaus/Offices (assessable units), verify the percentage of the Bureaus/Offices that indicate they maintain an effective internal control environment (supported by an internal control assessment), and staff and management review the final compilation of assessments.

Data limitations: Internal control survey responses are dependent on the respondent's understanding of their programs.

*Performance Measure 3.4.3:* Performance against the Small Business Administration's government-wide small business procurement goals.

Definition and background: This measure identifies quarterly and annual awards of contract dollars to small business entities as a ratio against total dollars available for a set-aside for small business awards in whole or part. The accumulation, ratio analysis, and agency targets are managed by SBA. The internal operations of the Federal Procurement Data System - Next Generation (FPDS-NG) application, through which the measure is reported, are managed by GSA.

Data sources: FPDS-NG, found at [www.fpds.gov](http://www.fpds.gov)

Verification and validation: FTC's acquisition staff performs a statistical analysis annually and certifies the statistical validity of the FPDS-NG data.

Data limitations: There are no significant data limitations.