

**DRAFT**



**FEDERAL TRADE COMMISSION  
STRATEGIC PLAN FOR FISCAL YEARS 2022-2026**

**October 2021**

## **MESSAGE FROM THE CHAIR**

[to be added in January prior to final publication]

## Table of Contents

- I. Overview
  - a. Organization Summary
  - b. Mission and Vision Statements
  - c. Stakeholder Engagement
- II. Strategic Goal 1: Protect the public from unfair or deceptive acts or practices in the marketplace.
- III. Strategic Goal 2: Promote an open and competitive marketplace for the benefit of the public.
- IV. Strategic Goal 3: Advance the FTC's effectiveness and performance.
- V. Appendix 1: Performance Goals
- VI. Appendix 2: Acknowledgements

**The FTC's Mission:**

**Protecting the public from deceptive and unfair business practices and policing unfair competition through law enforcement, advocacy, research, and education.**

**The FTC's Vision:**

**A vibrant economy fueled by fair competition, open markets, and an empowered, informed public.**

## Overview

### Our Organization

The FTC works to promote fair and open markets and protect the entire American public from abusive business practices. While primarily a law enforcement agency, the FTC uses a variety of other tools to fulfill its mission, including rulemaking, research, studies on marketplace trends and legal developments, public outreach and engagement, and consumer and business education.

The FTC is an independent agency that reports to the President and to Congress on its actions on behalf of the American public. These actions include:

- Pursuing vigorous and effective law enforcement
- Advancing consumers' interests by sharing expertise with Congress, state legislatures, and U.S. and international agencies
- Developing policy and research tools through hearings, workshops, and conferences
- Creating practical, plain language educational programs and materials for broad, diverse communities of consumers and businesses in a global marketplace with constantly changing technologies
- Disseminating information about the Commission's activities to the public to foster understanding, accountability, and transparency.

The FTC has a more than 100-year history of working to maintain a competitive marketplace for both consumers and honest businesses. In 1914, President Woodrow Wilson signed the Federal Trade Commission Act into law, creating the FTC. When the FTC was created, its purpose

was to prevent unfair methods of competition in commerce as part of the battle to "bust the trusts." Over the years, Congress passed additional laws giving the agency greater authority over anticompetitive practices.

Congress recognized in 1938 that unfair and deceptive practices can distort a competitive marketplace as much as unfair methods of competition. It amended the FTC Act and granted the FTC authority to stop "unfair or deceptive acts or practices in or affecting commerce." Since then, the FTC has been directed to enforce a wide variety of other consumer protection laws and regulations.

The FTC is headed by a five-member Commission nominated by the President and confirmed by the Senate, each serving a staggered seven-year term. The President chooses one commissioner to act as Chair. No more than three commissioners may be from the same political party.

The FTC's mission is carried out by the Bureau of Consumer Protection (BCP), the Bureau of Competition (BC), and the Bureau of Economics (BE). Their work is supported by the Office of the General Counsel, the Office of International Affairs, the Office of Policy Planning, the Office of the Secretary, the Office of the Executive Director, the Office of Congressional Relations, the Office of Public Affairs, the Office of Administrative Law Judges, the Office of Equal Employment Opportunity and Workplace Inclusion, the Office of the Inspector General, the Office of the Chief Privacy Officer, and eight regional offices across the country.

The FTC's workforce is its greatest asset. The agency's workforce consists of XXXX civil service employees dedicated to carrying out the agency's mission.

## Scope of Responsibilities

The FTC is an independent law enforcement agency with consumer protection and competition jurisdiction in broad sectors of the economy. The agency administers a wide variety of laws, such as the Federal Trade Commission Act (FTC Act), Fair Credit Reporting Act, and the Clayton Act. The Commission has enforcement or administrative responsibilities [under more than 70 laws](#). The FTC also enforces many rules issued pursuant to the Federal Trade Commission Act or other laws, including the Business Opportunity Rule and the Telemarketing Sales Rule.

## The Strategic Planning Process

The Office of the Executive Director (OED) led the development of the strategic plan. Preliminary meetings with bureaus and offices reviewed how the current goals and performance metrics were working. An all-staff survey, as well as meetings with senior leaders, provided guidance for the new plan. OED then formed two groups to draft the new plan. A Working Group comprised of staff from throughout the agency reviewed and wrote the Draft FY 2022-2026 Strategic Plan. An Executive Steering Committee comprised of senior managers evaluated the draft plan before its final review by the Commission. The performance results described in the plan enable the FTC to administer its programs, gauge programmatic success, and make adjustments necessary to improve program quality. Staff responsible for performance reporting are guided by a Data Quality Appendix that provides details on the collection and calculation of each performance goal.

[Insert region map here]

## Stakeholder Engagement

[to be added later]

## STRATEGIC GOAL 1

### Protect the public from unfair or deceptive acts or practices in the marketplace

The FTC uses an interdisciplinary approach to protect the public from unfair and deceptive practices in the marketplace. The FTC conducts investigations, sues companies and people that violate the law, develops rules to protect the public, and educates consumers and businesses about their rights and responsibilities. The agency also collects reports about a host of consumer issues, including fraud, identity theft, financial matters, and Do Not Call violations. The FTC makes these reports available to law enforcement agencies worldwide.

Because the FTC has jurisdiction over a wide range of consumer protection issues in order to carry out its broad mission, it must make effective use of limited resources by targeting its law enforcement and education efforts to achieve maximum impact and by working closely with federal, state, international, and private sector partners in joint initiatives. In addition, the agency engages in dialogue with a variety of stakeholders to understand emerging issues. The FTC also conducts research on a variety of consumer protection topics.

The FTC focuses on investigating and litigating cases that cause or are likely to cause substantial injury to the public. This includes not only monetary injury, but also, for example, unwarranted health, safety, and privacy risks.

Through its Every Community Initiative, the FTC works to advance equity, including racial equity, and support consumers in historically underserved and marginalized communities and diverse population segments, which may be disproportionately affected by fraud and other consumer issues. These efforts include developing specific resources, conducting outreach and events, initiating law enforcement

actions, and conducting research to better identify and understand the equity issues.

Four objectives guide work in this area:

Objective 1.1: Identify, investigate, take actions against, and deter unfair or deceptive acts or practices that harm the public.

Objective 1.2: Provide individuals, communities, and businesses with practical knowledge and accessible tools that provide guidance and prevent harm.

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

Objective 1.4: Advance racial equity, and all forms of equity, and support underserved and marginalized communities through the FTC's consumer protection mission.

**Objective 1.1: Identify, investigate, take actions against, and deter unfair or deceptive acts or practices that harm the public.**

The FTC protects the public by enforcing Section 5 of the FTC Act, which prohibits unfair or deceptive acts or practices in or affecting commerce, and by enforcing a number of statutes and rules proscribing specific unlawful practices. The FTC's Bureau of Consumer Protection, with the support of the Bureau of Economics, investigates cases and initiates civil enforcement actions, primarily by filing actions in federal court, when there is reason to believe that entities have violated these laws and rules. The FTC's enforcement actions seek injunctions and other relief. The FTC also brings enforcement actions via administrative proceedings.

To fulfill its goal of protecting the public, the FTC must identify consumer protection issues and trends in the fast-changing, increasingly global marketplace. The agency strives to understand the issues affecting the public, including any newly emerging methods of fraud, so that it can target its enforcement, education, and advocacy on those areas where the public suffers the most harm. The FTC leverages its resources by sharing information with, and encouraging other law enforcement authorities to assist it in its efforts, by acting either independently or jointly. To help ensure that its enforcement, education and advocacy efforts are well-targeted, the Bureau of Consumer Protection works with the Bureau of Economics in evaluating economic harm to consumers as cases and programs are developed.

The agency continues to collect consumer report information directly through the following sources:

- ReportFraud.ftc.gov for reporting fraud, scams, and bad business practices, or through a toll-free helpline (1-877-FTC-HELP)

- IdentityTheft.gov for reporting identity theft, or through an identity theft hotline (1-877-ID-THEFT)
- Donotcall.gov for reporting unwanted calls, or through the National Do Not Call Registry helpline (1-888-382-1222)

In addition, the FTC continues to gather consumer report information from other sources, including state, federal, and international law enforcement agencies, Better Business Bureaus, postal mail, and private entities.

The Consumer Sentinel Network (CSN) is the FTC's secure website that provides more than 2,800 law enforcement users worldwide with access to more than 50 million consumer fraud, identity theft, financial, and Do Not Call Registry reports collected during the past five years. On a quarterly basis, the FTC includes information on the top consumer reports received on its data analysis site at [ftc.gov/exploredata](https://ftc.gov/exploredata). Data about the FTC's refund program is also available at [ftc.gov/exploredata](https://ftc.gov/exploredata), including state-by-state and case-by-case breakdowns of the amount refunded to consumers.

The FTC recognizes that consumers cannot always identify whether unfair or deceptive practices have occurred. For example, consumers cannot evaluate for themselves the truthfulness of an environmental marketing claim, such as "made with recycled content." The agency, therefore, identifies targets by augmenting its complaint databases with other enforcement leads, such as ad monitoring, Internet "surfs" (monitoring the Internet for potentially false or deceptive advertising for a targeted product or service), evaluation of mobile practices, and direct referrals from government and private sector partners.

**Strategies**

Identify consumer protection violations: Identify deceptive and unfair business practices that

cause harm to the public, including practices that target or impact specific segments of the population, by monitoring practices in the marketplace and evaluating information from numerous sources, including reports submitted to the Consumer Sentinel Network (CSN) database by consumers and others. The FTC and its law enforcement partners mine the CSN database to identify trends and targets, as well as to develop cases against existing targets. (BCP)

Enforce consumer protection laws: Enforce the law to protect all segments of the population from fraud, deception, and unfair business practices by safeguarding consumer privacy, monitoring national advertising and new technologies, and suing entities that violate federal court and administrative orders obtained by the FTC. (BCP)

## **Performance Goals**

### **Primary Metrics:**

- [BCP/BE] Total consumer savings compared to the amount of FTC resources allocated to consumer protection law enforcement.
- [BCP/BE] Amount of money returned to the public or forwarded to the U.S. Treasury resulting from FTC enforcement actions.
- [BCP] Percentage of the FTC's consumer protection law enforcement actions that targeted the subject of consumer reports in the FTC's Consumer Sentinel Network.
- [BCP] User satisfaction with the FTC's Consumer Response Center call center.
- [BCP] User satisfaction with the FTC's Consumer Response Center website.

### **Secondary Metrics [targets are not set for secondary metrics]:**

- [BCP] Number of reports collected and entered into the Consumer Sentinel Network database.
- [BCP] Percentage of redress cases in which money designated for distribution is issued to consumers within 6 months.

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

Understanding consumer and business needs and determining how best to help them serves as an important and vital resource in fighting against deception and unfair practices. Well-informed consumers are better able to recognize and report fraud, and well-informed business owners know where the FTC draws the line.

Most FTC law enforcement initiatives include a consumer and/or business education component aimed at preventing consumer injury and unlawful business practices, and mitigating financial losses. The agency also conducts consumer and business user feedback opportunities and creates ways to engage through examples like education campaigns to raise awareness of new or emerging marketplace issues that have the potential to cause harm.

The FTC has a unique mandate to undertake certain forms of research based on Section 6 of the FTC Act. Under this authority, the FTC gathers, analyzes, and makes public certain information that serves the public interest. This is done through user engagement and feedback opportunities including usability testing public materials. The FTC also convenes conferences and workshops through which experts and other experienced and knowledgeable parties identify emerging consumer protection issues and discuss ways to address those issues. The FTC recognizes that stakeholders outside the government have also been tasked with addressing certain consumer protection issues. The agency, therefore, carefully monitors self-regulatory efforts and partners with the private sector to disseminate consumer education content developed by the agency.

**Strategies:**

Improve efficacy of public-facing materials:

Adopt and employ usability testing, user research, and other human-centered strategies to ensure that FTC staff understands user needs and can help appropriately. (BCP)

Use consumer insights to share critical information with internal FTC members including leadership, case, and legal teams:

Through engaging with consumers and communities and employing different consumer feedback mechanisms, analyze and aggregate critical findings to disseminate information learned directly from consumers to FTC employees. (BCP)

Engage with local community and grassroots organizations: Build a strategy to engage with and make connections with consumers who are often adversely impacted by powerful companies. Maintain strong relationships with community-based organizations and advocacy organizations nationwide, while continuously seeking new ways to build relationships with trusted community leaders (e.g. church leaders, teachers, community organizers, non-profit leaders, etc.) Follow up with all organizations to understand what materials were helpful or not and why, and build relationships to maximize the agency's public consumer outreach. (BCP)

Improve education and engagement efforts:

Focus consumer and business education efforts on areas where deception, unfair practices, and information gaps cause the greatest injury. Determine this by understanding with qualitative and quantitative approaches what harms are most impacting consumers. Target groups with messages about marketplace issues that impact their health, safety, and economic well-being in channels, formats, and methods people are most engaged in depending on the topic. (BCP)

Help victims of identity theft: Educate the public about identity theft and provide user-friendly, actionable information to those who have become victims of identity theft. (BCP)

Promote reporting, online resources, and avenues to better engage directly with the public and gather public feedback: Publicize the FTC’s “Report Fraud” and identity theft websites and toll-free numbers in an ongoing effort to increase public awareness and inform the public of ways to contact the FTC to obtain information or file a fraud report. (BCP/OPA)

Engage with and educate small businesses: Understand and listen to small business needs by employing user feedback and engagement opportunities. Provide small businesses with practical, user-friendly educational resources to help them understand the law so they can comply with it and identify when they are victims of unlawful conduct. (BCP)

Reach out to workers: Provide workers and those looking for work, including those in marginalized communities, with practical, user-friendly educational resources and information to help them identify and report market power abuses and consumer protection violations in the marketplace. (BCP)

Study emerging consumer protection issues: Identify emerging consumer protection issues relating to the marketplace and technological developments, hold workshops or conferences to examine and solve / improve for those issues, and, whenever possible, publish its findings or create ways to link the learnings to action to help prevent consumer harm. (BCP)

Work with the media: Engage the media as part of a strategic communications program to disseminate usable, helpful, clear and compelling content to the public at large with the goal of ensuring consumers understand what companies did wrong and what the FTC is doing to stop them. Identify and make

maximum use of upcoming media opportunities to increase public outreach, awareness, and engagement. Maintain strong relationships with Washington-based, regional and trade reporters, while continuously seeking new outlets and reporters to maximize the agency’s media outreach. Ensure that regional and local outlets and reporters are aware of developments that impact their audiences and communities. Send all FTC press releases and other information to targeted lists of reporters, follow up individually with key reporters as needed and work to make staff available for interviews with print, digital, and broadcast outlets as well as nontraditional outlets such as podcasters and bloggers. (OPA)

Use different communication channels that consumers frequent including trusted leader distribution, digital communications, social media or physical forms of information dissemination: Continuously assess where users most digest information from trusted sources to determine their messaging reach and effectiveness, and then add them to the OPA communications toolbox if appropriate. For example, make use of a diverse set of social media platforms to drive web traffic to content on FTC websites where relevant, and to grow awareness of the agency’s brand and consumer and business education resources. Use these platforms to reach members of the media and those marginalized members of the public who may not receive FTC press releases, blog posts, and other information through traditional sources such as email. Continuously monitor the user experience and performance of FTC information distribution and success including FTC.gov, and make improvements to enable visitors to complete their tasks. (OPA)

## **Performance Goals**

### **Primary Metrics:**

- [BCP] Rate of customer satisfaction with the consumer education websites.

- [OPA] Rate of customer satisfaction with the ftc.gov website.

**Secondary Metrics [targets are not set for secondary metrics]:**

- [BCP] Number of consumer protection reports the FTC released.
- [BCP/OPA] Number of social media followers across all of our social media accounts.
- [BCP] Number of unique page views for consumer and business education digital articles and blog posts.
- [BCP] Number of consumer and business education print materials distributed.
- [BCP] Number of organizations distributing FTC consumer and business education print materials.

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

Geographic location and other demographics may affect the types of deceptive and unfair conduct that consumers encounter. It is, therefore, important for governmental and non-governmental organizations to share information and resources to enhance consumer protection. The FTC works with partners in the United States and internationally to address consumer protection challenges, including new and emerging ones.

The FTC promotes consumer protection domestically by partnering with federal and state law enforcement in lawsuits that challenge and stop unlawful practices and seek redress for victims. It also promotes consumer protection through advocacy by filing comments with federal, state, and local government bodies and amicus briefs with the courts.

Because telemarketing and internet fraud, privacy violations, and data security breaches are increasingly cross-border in scope, the FTC routinely cooperates and collaborates with its foreign counterparts to implement broad-based international programs that combine cross-border law enforcement, policy, and technical assistance work.

### **Strategies**

Collaborate on law enforcement at home and abroad: Build strong bilateral relations with foreign and domestic counterparts, share information, engage in investigative assistance, and otherwise develop and strengthen enforcement cooperation on investigations, cases, and enforcement-related projects. Cooperate and collaborate with our foreign counterparts on cross-border law enforcement initiatives and policy development consistent with U.S. and global best practices. (OIA/BCP)

### **Performance Goals**

#### **Primary Metrics:**

- [BCP] 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.
- [OIA] Number of investigations or cases in which the FTC obtained foreign-based evidence or information or engaged in other mutual assistance that contributed to FTC law enforcement actions, or in which the FTC cooperated with foreign agencies and/or multilateral organizations on enforcement matters.

**Objective 1.4: Advance racial equity, and all forms of equity, and support underserved and marginalized communities through the FTC’s consumer protection mission.**

The Every Community Initiative uses research, collaboration, and strategic planning to ensure that the FTC is responsive to the needs of people of color and historically underserved and marginalized communities, including communities that have been adversely affected by economic inequality or otherwise bear disproportionate economic burdens, and other population segments. The Every Community team works with FTC staff in identifying and bringing law enforcement actions that target or affect people in these groups. In addition, it works to deliver timely and actionable consumer protection advice, hear about the consumer issues they experience, and help staff develop specific education messages and resources.

**Strategies**

Target illegal conduct harming underserved and marginalized communities: Bring enforcement actions to stop unfair and deceptive practices, including violations of ECOA that disproportionately affect historically underserved and marginalized communities. (BCP/BE)

Engage with and reach out to underserved and marginalized communities: Provide underserved and marginalized communities, including those with fewer resources and help with practical, user-friendly educational resources and information to help them understand how the FTC is protecting them and to identify and report market power abuses and consumer protection violations in the marketplace. Reach new audiences, including those who have not traditionally sought information directly from the FTC, through established outreach strategies, new technologies, and private and public partnerships. (BCP)

**Performance Goals**

**Primary Metrics:**

- [BCP/BE] Percentage of actions taken to stop unfair or deceptive practices that we have identified as disparately impacting underserved and marginalized communities.
- [BCP] Percentage of redress payments made to people who live in communities that have a high proportion of members of underserved and marginalized communities.
- [BCP] Number of outreach events targeting diverse audiences.

**Secondary Metrics [targets are not set for secondary metrics]:**

- [BCP] Number of new organizations that partner with the FTC through the Community Advocate Center initiative.

## **STRATEGIC GOAL 2**

### **Promote an open and competitive marketplace for the benefit of the public.**

The FTC's efforts to maintain competition focus on preventing anticompetitive mergers and business practices through enforcement. The FTC also engages in policy research and development, advocacy, and education to deter anticompetitive practices and encourage federal, state, and local governments to evaluate the effects of their policies on competition. The FTC advances these goals internationally by fostering enforcement and policy convergence and through cooperation with counterpart foreign enforcement authorities. This work is critical to protect and strengthen free and open markets – the cornerstone of a vibrant economy.

Four objectives guide work in this area:

Objective 2.1: Identify, investigate, and take actions against anticompetitive mergers and practices.

Objective 2.2: Engage in research, advocacy, and outreach to promote public awareness and understanding of fair competition and its benefits.

Objective 2.3: Collaborate with domestic and international partners check unfair methods of competition.

Objective 2.4: Advance racial equity, and all forms of equity, and support underserved and marginalized communities through the FTC's competition mission.

## **Objective 2.1: Identify, investigate, and take actions against anticompetitive mergers and practices.**

Anticompetitive mergers and business practices harm consumers through higher prices or reduced quality, choice, and innovation. Enforcement of antitrust laws provides substantial benefits to the public by helping to ensure that markets are competitive.

The FTC's Bureau of Competition and Economics investigate proposed and consummated mergers, as well as business conduct that may be anticompetitive. The FTC takes enforcement action when it believes that mergers or conduct will likely harm consumers, using its enforcement tools (including federal court and administrative litigation and consent orders) to prevent or remedy harm to competition. In each case, the FTC strives to efficiently address the competitive concerns raised by a merger or business practice and works toward a solution that maintains competition in the marketplace.

The Hart-Scott-Rodino (HSR) Premerger Notification Act is the FTC's primary tool in identifying anticompetitive mergers. The FTC administers the HSR program for itself and the Antitrust Division of the Department of Justice (DOJ), which shares authority to challenge anticompetitive mergers. Premerger notification gives the agencies the opportunity to block or remedy proposed mergers before they are consummated. Both for mergers not subject to HSR notification requirements and for anticompetitive conduct matters, the FTC relies on other tools such as referrals, the trade press, consumer and competitor complaints, and other means to identify potential or ongoing harm to competition.

### **Strategies**

Investigate: Investigate potentially anticompetitive mergers and business conduct

efficiently using rigorous, economically sound, and fact-based analyses that enhance enforcement outcomes for the benefit of consumers, workers, and honest businesses. (BC/BE)

Enforce the antitrust laws: Enforce the law to protect all segments of the population from anticompetitive mergers and business practices, and sue entities that violate federal court and administrative orders obtained by the FTC. (BC)

Improve compliance: Improve oversight to ensure compliance with Commission orders and with HSR reporting obligations. Increase the use of structural remedies in consent orders and seek increased use in litigated matters. Likewise, decrease the use of behavioral remedies in consent orders and seek them less often in litigated matters. Encourage parties to propose standalone, operating businesses as settlements. Increase use of provisions to improve worker mobility including restricting the use of non-compete provisions. Seek higher penalties for order violations and HSR violations. Increase use of prior approval provisions to prevent illegal transactions in the same markets as those already under order. Provide transparency in the decision-making process through comment periods, press releases, blog posts, updated policy guidance, and analyses to aid public comment. (BC)

Improve litigation skills: Improve negotiation and litigation skills of investigative and enforcement staff and refine investigative and decisional tools through continuous learning. Negotiate merger and nonmerger consent orders and win litigated orders that have significant remedial, precedential, and deterrent effects. (BC)

## Performance Goals

### Primary Metrics

- [BC/BE] Percentage of antitrust investigations in which the FTC brings a successful enforcement action.
- [BC/BE] Total consumer savings and other measurable benefits generated through merger and nonmerger enforcement actions.
- [BC/BE] Total consumer savings and other measurable benefits compared to the amount of FTC resources allocated to merger and nonmerger enforcement.

### Secondary Metric [targets are not set for secondary metrics]:

- [BC/BE] Total sales in the affected markets in which the Commission took merger and nonmerger enforcement actions.

**Objective 2.2: Engage in research, advocacy, and outreach to promote public awareness and understanding of fair competition and its benefits.**

Through research, advocacy, and rulemaking, the FTC seeks both to understand the marketplace as it evolves over time and to provide guidance to the business community, policymakers, and the public. Whether through analyzing industry data, holding public hearings and workshops, or conducting economic studies, the FTC gathers information for its staff of economists, technologists, and other researchers to analyze. Our research work directly informs our law enforcement work and is often released to the public through staff reports and studies.

As the economy continues to evolve the FTC must ensure we are fully grasping market realities, especially as the economy becomes increasingly digitized. The agency plans to be especially attentive to next-generation technologies, innovations, and nascent industries across sectors. By staying apprised of new developments, the agency can learn from new evidence and course correct as needed. An interdisciplinary team of researchers and analysts will best position the FTC mitigate information asymmetries and narrow the gap between theory and practice.

The FTC also promotes competition through advocacy and education. In its advocacy work, the FTC files comments with federal, state, and local government bodies and encourages them to consider the effect their proposed actions will have on competition. In another form of advocacy, the FTC files amicus briefs with federal courts to develop antitrust law in the public interest. The FTC also endeavors to educate consumers and businesses about competition law and policy. Rules and guidance inform businesses and their legal advisers about antitrust risks and can deter anticompetitive

mergers and business practices and reduce businesses' cost of compliance.

**Strategies**

Research new developments in the marketplace: Improve the agency's understanding of various practices and developments in the marketplace by conducting economic research on these issues and holding public hearings, conferences, and workshops that bring together interested parties that represent the diversity of the American public. Use the information gathered to inform the agency's enforcement agenda. Improve the dissemination of material gathered through hearings, conferences, and workshops. (BC/BE/OPP)

Expand research staff skillsets: In addition to attorneys and economists, the FTC seeks to hire more technologists, data analysts, financial analysts, and experts from outside disciplines. This will allow the agency to build on existing talent and position the FTC to analyze conduct, assess remedies, and pursue market studies with an interdisciplinary approach. (OPP)

Research effectiveness of remedies: Conduct market research, including evaluating the effectiveness of merger and conduct remedies, to inform future enforcement efforts. (BE)

Conduct effective advocacy: Target advocacy activities to encourage state and federal government policymakers to evaluate the competitive implications of their existing and proposed policies, emphasizing the impact on consumers of policies that unnecessarily restrict competition. (OPP)

Educate small businesses: Provide small businesses with practical, user-friendly educational resources to help them understand the law so they can comply with it and identify when they are victims of unlawful conduct. (BC/OPP)

Focus on workers: Study and investigate the impact on worker wages and benefits from merger and nonmerger conduct, as well as non-compete and other potentially unfair contractual terms resulting from power asymmetries between workers and employers. (BC/BE/OPP)

Work with the media: Engage the media to disseminate clear and compelling content to the public at large with the goal of ensuring consumers understand what companies did wrong and what the FTC is doing to stop them. Ensure that regional and local outlets and reporters are aware of developments that impact their audiences and communities. (OPA)

## **Performance Goals**

### **Primary Metrics**

- [BE/OPP/BC] Number of reports and studies issued on competition related topics.
- [OPP] Percentage of competition advocacy comments and amicus briefs that were successful.

### **Secondary Metrics [targets are not set for secondary metrics]:**

- [BE] Number of cases for which BE economists prepared to testify as expert witnesses in FTC antitrust enforcement actions.
- [OPP] Number of competition advocacy comments and amicus briefs filed.
- [BE/OPP/BC] Number of merger retrospectives published.
- [BE/OPP/BC] Most cited competition reports and studies.
- [BE/OPP/BC] Number of FTEs doing research and analysis.

### **Objective 2.3: Collaborate with domestic and international partners to check unfair methods of competition.**

The FTC continues to build cooperative relationships with domestic and foreign antitrust agencies to ensure close collaboration on cases and convergence toward sound competition policies. On the domestic front, the FTC seeks to collaborate with other agencies and the state attorneys general to obtain the best results and maximize the use of limited resources in the enforcement of the U.S. antitrust laws.

Cooperation with foreign competition agencies of other jurisdictions is a key component of an effective FTC competition enforcement program. With over 130 antitrust enforcers worldwide, it is critical that agencies work together to ensure that the international competition law system functions coherently and effectively. To accomplish this, the FTC builds strong bilateral relations with foreign counterparts, takes a lead role in multilateral fora to promote case enforcement cooperation and convergence toward best, and works with relevant U.S. government agencies to develop and promote sound competition policies. This work helps protect U.S. interests by encouraging policies that are applied to transactions and conduct affecting the global marketplace that are consistent with U.S. and worldwide best practices.

#### **Strategies**

Collaborate domestically: Work more extensively within the U.S. government inter-agency process and with other domestic government entities to support the FTC's efforts to promote market-based competition and policy convergence. [BC]

Collaborate internationally: Work with international government and non-government partners to promote international cooperation

and policy convergence toward sound and effective antitrust enforcement. Cooperation with foreign competition agencies on antitrust matters that are subject to concurrent review improves the effectiveness of investigations and promotes consistent outcomes. The FTC's promotion of policy convergence encourages the development of international best practice standards and their application to transactions and conduct affecting the global marketplace. [OIA]

#### **Performance Goals**

##### **Primary Metrics**

- [OIA] 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.

##### **Secondary Metrics [targets are not set for secondary metrics]:**

- [BC] Percentage of full investigations in which the FTC and other federal, state, and local government agencies shared evidence or information that contributed to FTC law enforcement.

**Objective 2.4: Advance racial equity, and all forms of equity, and support underserved and marginalized communities through the FTC’s competition mission.**

The FTC strives to ensure that all members of the public reap the benefits of competition, particularly members of underserved, marginalized and diverse groups. Through these efforts, the agency also strives to identify and redress the potentially disparate impact anticompetitive transactions or business practices have on traditionally underserved and marginalized communities, particularly when conduct may seek to deliberately exploit or prey upon the disadvantages of these diverse communities.

In doing so, the agency will better understand the varying experiences of underserved and marginalized groups through research and analysis, and will actively incorporate the unique challenges that these groups may encounter when assessing market dynamics and the potential for consumer harm.

**Strategies**

Target illegal conduct and mergers and acquisitions harming underserved and marginalized communities: Improve strategies to identify potentially anticompetitive conduct and transactions, including those that may have a disparate impact on consumers, workers, and small businesses in underserved and marginalized communities. [BC]

Further research: Conduct research and merger retrospectives to study the impact of anticompetitive conduct and transactions on consumers, workers, and small businesses in underserved and marginalized communities. [BC/BE/OPP]

**Performance Goals**

**Secondary Metrics [targets are not set for secondary metrics]:**

- [BC/BE] Dollar value of harm from potentially anticompetitive conduct and transactions having a disparate impact on consumers, workers, and small businesses in underserved and marginalized communities.
- [BC] Percentage of populations impacted by actions taken to maintain competition who belong to traditionally underserved and marginalized communities.
- [BC] Percentage of actions taken to maintain competition where the merger or conduct was identified as disparately impacting traditionally underserved and marginalized communities.

## **STRATEGIC GOAL 3**

### **Advance the FTC's effectiveness and performance.**

The FTC believes that advancing organizational effectiveness and performance at all levels creates a strong foundation for overall mission success. The agency's work in Strategic Goal 3 highlights ongoing efforts to improve the management of agency staffing, finances, information, and physical assets, in order to create a more efficient and more agile agency.

Three objectives guide work in this area:

Objective 3.1: Optimize resource management, space, and administrative programs.

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

Objective 3.3: Optimize information management.

### **Objective 3.1: Optimize resource management, space, and administrative programs.**

The creation, modernization, and maintenance of physical and financial resources and infrastructure not only provides for a safe, secure, and efficient workplace but also helps the agency achieve its mission and respond to and anticipate future needs. These efforts span several offices and functions.

The safety and security of the workforce is of paramount importance, and the FTC must ensure that mission essential work can be completed in normal and adverse conditions. The work in this area covers emergency preparedness, space and administrative operations and climate action planning and mitigation that will limit the agency's climate impact wherever possible.

The FTC believes in the importance of accountability and transparency, as shown through resource stewardship and financial oversight. The work in this area covers a wide range of administrative and operational activities, such as formulating and executing the agency budget, managing procurements, internal controls, accounting operations, and audit resolution, and ensuring compliance with financial management laws and regulations.

#### **Strategies**

##### Increase emergency and climate readiness:

Enhance emergency and climate readiness and resilience by updating our facility emergency plans and reviewing our Continuity of Operations plan annually. Update all emergency plans to reflect climate impacts of the particular geographic location over the next four years.

Improve agency climate literacy: Enhance climate literacy and resiliency strategies as they relate to managing FTC's infrastructure by

promoting educational resources and opportunities for the workforce.

##### Reduce the agency's climate impact:

Evaluate the agency's current climate impact and develop strategies to reduce this impact without compromising the ability to complete mission essential work.

##### Improve availability of agency financial data:

Leverage Oracle Based Intelligence [OBI] reporting functions to create and deploy tools such as interactive dashboards, alerts and visual analytics to advance more informed and timely management decisions, especially those related to budget execution and the availability of funds. Format and align financial data with users' needs to support sound decisions related to acquiring and allocating resources necessary to support and accomplish the agency's consumer protection and competition missions.

##### Enhance overall agency financial management:

Develop capabilities obtained through the integration of the FTC financial system and OBI. Maximize our ability to perform more targeted analytics that assess the effectiveness and efficiency of our financial management operations. Conduct a systematic review of all financial processes to ensure we are being both efficient and effective. Collaborate with the Department of the Treasury to implement G-invoicing, a long-term sustainable solution to improve the quality of the agency's Intragovernmental Transactions.

Enhance agency procurement: Improve the effectiveness and efficiency of procurement-related work. Strive to maintain the proper level of staff and resources to complete procurements on time. Develop the necessary policies and procedures and adherence to those processes that ensure proper oversight and management of contracts. Provide additional training to agency Contracting Officers and Acquisition support staff on the agency's contract writing system.

## Performance Goals

### Primary Metrics:

- [OCASO] Number of new FTC written products that inform staff about emergency preparedness.
- [OCASO] Number of emergency preparedness drills and training courses.
- [OCASO] Number of training and information offerings to staff on climate literacy and resilience topics.
- [OCASO] Completion of a Climate Literacy Communication Plan and assessment of agency's climate impact.
- [OED] Percentage of FTC staff who are satisfied with the work of the offices within the Office of the Executive Director.
- [FMO] Audit opinion from the agency's independent financial statement auditors.
- [FMO] Percentage of contract actions awarded within FTC's established procurement action lead time.
- [FMO] Percentage of new contract dollars awarded to small and disadvantaged businesses.

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

The FTC's workforce is its greatest asset. The FTC will focus on recruiting, developing, motivating, and retaining a high-performing, diverse, inclusive, and engaged workforce, the FTC advances organizational performance. Having a workforce that looks like and draws from the public it protects strengthens the FTC's ability to meet its mission.

Continuous learning is a foundation of our training efforts. FTC staff needs to be aware of new developments in the marketplace and be agile enough to adjust to changing developments. A focus on training, including cross-training staff on both consumer protection and competition issues, will ensure the FTC is ready to accomplish its dual mission.

This objective also captures efforts to ensure that all workers are competing on a fair and level playing field and have the opportunity to achieve their utmost potential.

#### **Strategies**

Improve recruitment: Encourage staff to work from anywhere. Expand hiring in cities around the country, instead of primarily hiring in the DC area. Place a stronger emphasis on targeted recruitment efforts across the diversity spectrum to expand our applicant pools. Increase FTC's presence at job fairs and other events designed for specific job seekers (e.g., racial minorities, veterans, persons with disabilities, members of the LGBTQIA+ community and women attorneys and law students, etc.). [HCMO/OEOWI]

Cross-train staff to develop a more flexible workforce: Increase agency agility and flexibility by training staff in both of our mission areas (consumer protection and competition). Provide education and training opportunities that support our workforce's varied demographic

backgrounds, experiences, and perspectives at all levels and occupations. [HCMO]

Support performance management and accountability: Support an agency-wide performance culture that focuses on individual and organizational accountability while meeting established agency goals. Reinforce the FTC's programmatic priorities and objectives using a robust system governing performance management. Provide opportunities for employee recognition that reinforce FTC values and culture while improving engagement and productivity. [HCMO]

Develop leaders: Recruit and develop strategic and forward-thinking leaders who are agile, motivated, and knowledgeable and who can position the FTC for success. Strengthen leadership in a way that embraces an agency-wide approach to supporting a diverse, inclusive, and equitable workforce. Support leaders and future leaders who provide effective direction, inspiration, and guidance in nurturing the strengths and talents of the workforce through building teams committed to achieving FTC goals. [HCMO]

#### **Performance Goals**

##### Primary Metrics

- [HCMO] Annual score on the FEVS Employee Engagement Index.
- [HCMO] Annual score on the FEVS Global Satisfaction Index.
- [HCMO] Annual score on the FTC Diversity and Inclusion Index.
- [EOWI] Percentage of people with disabilities in the FTC workforce.
- [EOWI] Percentage of people with targeted disabilities in the FTC workforce.

**Secondary Metrics [targets are not set for secondary metrics]:**

- [HCMO] Average number of days from job vacancy closing to making a tentative offer for new hires.

### **Objective 3.3: Optimize information management.**

Successful accomplishment of the FTC mission is increasingly dependent on IT systems and services. FTC staff relies on the agency's IT systems to manage the high volume of information gathered as part of the agency's mission, and to comply with mandates concerning the preservation and handling of agency records. The FTC must invest in IT services that will improve the user experience, allowing the agency to manage increasing data volumes effectively while meeting regulatory obligations.

The FTC's Information Resource Management (IRM) Strategic Plan establishes a multi-year plan for modernizing FTC's IT capabilities, eliminating outdated systems and using cloud-based solutions when practical. By properly assessing the future IT landscape, FTC can take advantage of emerging IT services while ensuring a clear focus on mission objectives.

The FTC is also committed to effective and efficient management of information resources, and continues its transition to managing information electronically to enable staff to perform their work more efficiently, facilitate public access, and protect sensitive information from inappropriate access.

The FTC must continue to address the challenges of a constantly evolving cyber security landscape. Information and information systems must be protected from unauthorized access, use, disclosure, disruption, modification, or destruction in order to ensure data integrity, confidentiality, and availability in the face of increasing cyber threats.

#### **Strategies**

Modernize technology: Transform and modernize information technology resources, using innovative approaches and best practices,

to increase functionality, improve performance, and achieve mission success. Support transformation and modernization that includes architecting applications and services on cloud-based technology platforms, upgrading and replacing end of support infrastructure and endpoints, and increasing the use of automation in business processes and IT management. [OCIO]

Protect FTC data: Secure and protect information and technology resources from attack and loss of data, accessibility, or integrity, whether from external malicious actors or insider threats. Ensure data and information of all kinds are secure through use of secure authentication practices, implementation of a zero-trust security architecture, and monitoring of systems, services, and user behavior. [OCIO]

Bring FTC in compliance with federal records requirements: Comply with federal records requirements by developing an agency email records schedule and an associated email capture and management process, which will allow identification and retention of email records and to associate emails with specific cases or matters. Additionally, implement an agency-wide program, for managing controlled unclassified information (CUI), starting with a standard method for marking documents and emails containing CUI, and reinforcing the importance of information management through training, electronic and physical safeguarding, and other procedures. [OS]

Multi-disciplinary collaboration: Using modern technology with effective controls for the protection and control of data and information, remove organizational barriers to collaboration so agency leaders can assign skilled resources to areas of most need in a way that imbues multi-disciplinary critical thinking into all aspects of agency law enforcement. [OCIO]

## Performance Goals

### Primary Metrics:

- [OCIO] Percentage of FTC IT systems hosted outside of the FTC's data center.
- [OCIO] Availability of information technology systems.
- [OCIO] Achieve a favorable FTC cybersecurity index score (6 of 8 metrics, metrics will be reviewed and adjusted annually if needed to keep metrics relevant)
- [OS] Develop an agency email records schedule and an associated email capture and management process.
- [OS] Develop and implement an agency wide approach for managing Controlled Unclassified Information (CUI).

## **Appendix of Performance Goals (Primary Metrics)**

[to be added later]

## Acknowledgements

### Federal Trade Commission

Lina M. Khan, Chair

Commissioners:

Noah Joshua Phillips

Rohit Chopra

Rebecca Kelly Slaughter

Christine S. Wilson

The Commission gratefully recognizes the significant contributions of the following individuals in the preparation of the plan:

#### Office of the Chair

Jennifer Howard (for Chair

Lina M. Khan)

Janice Kopec (for Acting Chair

Rebecca Kelly Slaughter)

#### Bureau of Competition

Tara Koslov

Eric Elmore

Nathan Hawthorne

June Im

Kelly Signs

#### Bureau of Consumer Protection

Frank Gorman

Aaron Hutchinson

Cecilia Jauregui

Jenny Kellogg

Robin Moore

#### Bureau of Economics

Michael Vita

Ted Rosenbaum

#### Office of International Affairs

Russ Damtoft

Kristina Mulligan

#### Office of the Secretary

Joel Christie

Gail Kingsland

Cynthia Savage

April Tabor

Executive Director

Yvonne Wilson

#### Office of Congressional Relations

Phil Runco

#### Office of the Executive Director

David Robbins

Monique Fortenberry

Kevin Williams

#### Office of the Chief Administrative Officer

Holly Frost

Tieesha Rhoden

#### Financial Management Office

David Rebich

Chris Bryan

#### Human Capital Management Office

Sharrelle Higgins

Andrew Rayo

Russ Roeller

Cindee Smith

#### Office of Chief Information Officer

Kristina Brandriff

Chloe Collins

Mark Gray

#### Office of the General Counsel

Reilly Dolan

Burke Kappler

#### Office of Policy Planning

Sarah Mackey

Jacob Hamburger

#### Office of Public Affairs

Lindsay Kryzak

Peter Kaplan

Nicole Drayton

Juliana Gruenwald Henderson

Christine Noonan Sturm

#### Office of the Chief Privacy Officer

Karen Jagielski

#### Office of Equal Employment and Workplace Inclusion

Namon Friends

Stephanie Langley

#### FTC Diversity Council

Dominique Daniels

Elizabeth Jex

Jim Taronji

#### Regional Office Representatives

Faye Chen Barnouw, Western Region, Los Angeles

Kerry O'Brien, Western Region, San Francisco