

Suggested Metrics:

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| | Why These Metrics Matter |
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| 1 DOJ Criminal Division (Trade Fraud Task Force) | |
| a Cases Charged (#) Criminal cases filed against trade fraud violators | Criminal prosecution is the ultimate deterrent and the definitive test for credible enforcement. Building a case—executing warrants, securing evidence, filing charges—demands skill, experience, and nerve. Sustained growth in cases charged, indictments filed, longer prison terms and a falling average time to conviction would signal robust, credible enforcement. |
| b Indictments, Complaints and Informations (#) Formal criminal charges filed | |
| c Prison Sentences (#; median months of imprisonment) Months of imprisonment imposed on violators | |
| d Restitution Recovery (\$, %) Money recovered ÷ Actual government loss | |
| e Time to Conviction (median days) Time from first crime from Indictment, Complaint or Information | |
| 2 DOJ Civil Division (False Claims Act) | |
| a Matters Opened (#) & Intervention Rate (%) Matters Intervened ÷ Matters Opened (%) | Civil enforcement recovers stolen government revenue and compensates whistleblowers who expose fraud. High intervention rates show DOJ takes cases seriously. Fast resolution and strong collection rates demonstrate that fraud doesn't pay—violators will be caught and forced to pay back what they stole, with penalties. |
| b Restitution Recovery (\$, %) Dollars Recovered ÷ (Loss of Revenue to U.S. + Penalty Exposure) (%) | |
| c Time to Decline or Intervene Decision Average Time between Relator Submittal and Declination or Intervention Decision | |
| d Time to Conviction (median days) Time from first illegal act to final resolution | |
| 3 CBP/DOJ Civil (19 U.S.C. §1592) | |
| a Penalty Tier Mix (%) Fraud / Gross Negligence / Negligence breakdown | Administrative penalties are CBP's primary enforcement lever. The scorecard will show whether they deter—or get negotiated away. High collection rates and short times to final action signal credible enforcement. |
| b Recovery Rate (\$, %) (Loss of Revenue Recovered + Penalties Recovered) ÷ (Loss of Revenue Sought + Penalties Sought) (\$, %) | |
| c Recovery Rate per CBP Referral (Loss of revenue and penalties recovered) ÷ (Loss of revenue and penalties alleged in CBP referrals) | |
| d Time to Final Action (median days) Average time between referral to closure | |
| 4 CBP EAPA (Enforce and Protect Act) | |
| a Allegations Filed (#) Industry reports of duty evasion | For industries under AD/CVD orders, CBP's Enforce and Protect Act (EAPA) was built to move fast—halt ongoing evasion and recover duties. CBP publishes activity stats, but not the outcomes that matter most: dollars collected vs. dollars assessed. The current perceived pattern—high affirmative evasion findings with low recovery rates—signals a process that isn't delivering deterrence or restitution. |
| b Evasion Determination Rate (%) Affirmative findings ÷ Closed cases | |
| c Recovery Rate (\$, %) Duties & penalties collected ÷ Lost duties and penalties assessed | |
| d Time to Decision (median days) Average time of preliminary and final determinations | |
| e Appeal Sustain Rate (%) Determinations upheld at CIT/CAFC | |