



December 12, 2023

The Honorable James Comer  
Chairman  
Committee on Oversight and Accountability  
United States House of Representatives  
Washington, DC 20515

The Honorable Jamie Raskin  
Ranking Member  
Committee on Oversight and Accountability  
United States House of Representatives  
Washington, DC 20515

Dear Chairman Comer and Ranking Member Raskin:

I write on behalf of the U.S. Office of Government Ethics (OGE) to submit the agency's report on its successful compliance with subchapter II of the Foundations for Evidence-Based Policymaking Act of 2018 ("Evidence Act" or "Act"). I am pleased to report that OGE completed all activities required for non-CFO Act agencies and made significant progress on improving data validity, and data security and privacy, in addition to collecting and analyzing data, both internally and externally.

In 2023, OGE met all non-CFO Act agency requirements. Specifically, OGE employed a Chief Data Officer, maintained a Data Governance Board, and regularly participated in Chief Data Officer Council meetings. In addition, OGE continued to validate the data collected from its Annual Agency Ethics Program Questionnaire and maintained processes in place to review personally identifiable information (PII) in all of its new data collections. OGE's progress in these areas is detailed below.

#### *Data Validity*

OGE continued to focus on data validity in 2023 by taking specific steps to promote data quality in its largest executive branch-wide data collection: the Annual Agency Ethics Program Questionnaire (questionnaire). Specifically, OGE took the following steps to improve the quality of data it receives: 1) provided an advance copy of the questionnaire to agencies so that agencies had ample time to prepare complete and accurate responses; 2) automated validation in the survey tool so that invalid responses were flagged and agencies are required to correct the errors before submission; 3) analyzed certain agency responses and followed up on potential data entry errors, misunderstanding of the questions asked, failure to provide required information, and failure to provide clear and responsive explanations; and 4) provided agencies with the ability to pull accurate data directly from OGE's executive branch-wide public financial disclosure system.

#### *Data Security and Privacy*

OGE maintained its data security and privacy practices in 2023. Specifically, OGE required all employees to complete annual privacy and security training and required privacy



role-based training for all supervisors, managers, and information technology professionals with enhanced access to agency information. OGE also continued to actively use its Privacy Threshold Analysis (PTA) process, the agency's primary tool for ensuring that privacy considerations are integrated throughout the data life cycle. OGE requires a PTA to be completed before staff can develop, procure, or modify any information system. OGE's Privacy Officer reviews each PTA to identify whether the system contains personal information and, if so, what controls are required to protect it. The privacy team then works with OGE's Information Technology Division and/or the system owners to implement the necessary controls. This process resulted in the review of more than 30 new or existing information systems in calendar year 2023. Notably, OGE's Privacy team drafted or revised four System of Records Notices (SORNs), including a new government-wide SORN, OGE GOVT-3, to support the legal expense fund program, and drafted or revised three new Privacy Impact Analyses.

### *Data Collections and Analysis*

In 2023, OGE collected and analyzed data both externally and internally.

Externally, in 2023, OGE conducted its second demographic survey of ethics practitioners across the executive branch to better understand the composition of the ethics community, to inform its DEIA Strategic Plan, and to tailor and create recruitment, retention, and professional development strategies for ethics practitioners.

Internally, in 2023, OGE continued to use an evidence-based approach to its advisory formulation process. OGE used a variety of data sources to inform the written guidance it develops and issues to executive branch officials in the form of advisories.

Building on its successes in 2023, OGE plans to continue to strengthen its data efforts by complying with any other deliverables required by the forthcoming OMB guidance on implementing Phase 2 of the Foundations for Evidence-Based Policymaking Act of 2018: Open Data Access and Management required by Office of Management and Budget memorandum M-19-23.

Thank you for reviewing this report of OGE's recent actions under the Evidence Act. If you have any questions, please feel free to contact me at 202-482-9255 or [nstein@oge.gov](mailto:nstein@oge.gov) or Grant Anderson of OGE's Legislative Affairs staff, at 202-482-9318 or [grant.anderson@oge.gov](mailto:grant.anderson@oge.gov).

Sincerely,

Nicole E. Stein  
Chief Data Officer