December 6, 2022

The Honorable Gary Peters
Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Rob Portman
Ranking Member
Committee on Homeland Security and Governmental Affairs
United States
Washington, DC 20510

Dear Chairman Peters and Ranking Member Portman:

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, data security and privacy in addition to conducting several new data collections both internally and externally.

In 2022, 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, maintained processes in place to review personally identifiable information (PII) in all of its new data collections, conducted and analyzed several new data calls including a data skills gap analysis of its staff. OGE's progress in these areas is detailed below.

Data Validity

OGE continued to focus on data validity in 2022 by taking specific steps to promote data quality on its largest executive branchwide data collection: the Annual Agency Ethics Program Questionnaire (questionnaire). Specifically, OGE took the following steps to improve the quality of data it receives: 1) providing an advance copy of the questionnaire to agencies so that agencies have ample time to prepare complete and accurate responses; 2) automating validation in the survey tool so that invalid responses are flagged and agencies are required to correct the errors before submission; 3) analyzing certain agency responses and following 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) providing agencies with the

ability to pull accurate data directly from OGE's executive branchwide public financial disclosure system.

Data Security and Privacy

OGE maintained its data security and privacy practices in 2022. Specifically, OGE required all employees to complete annual privacy and security training and introduced new privacy role-based training for all supervisors, managers, and information technology professionals with enhanced access to agency information. OGE also fully implemented 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 users to implement the necessary controls. This process resulted in the review of more than 20 new or existing information systems in calendar year 2022.

New Data Collections and Analysis

In 2022, OGE conducted several new data collections both externally and internally.

Externally, OGE held its triennial Data Call for Agency Practices. This data call focused on agency practices for fulfilling requests for ethics documents released under the Ethics in Government Act. The results of this data call provided OGE with insight into each agency's implementation of this key element of their ethics program. OGE will use the data to tailor the guidance and support it provides to agencies. In addition, OGE made the results of the data call available to the public in a summary report posted on its website and shared the results with executive branch ethics officials so they can learn from other practitioners.

Internally, OGE conducted surveys to support OGE's decision-making in implementing Safer Federal Workforce guidance and new executive orders on diversity, equity, inclusion, and accessibility (DEIA). OGE regularly surveyed its staff in 2022 to inform its workplace safety plan and to evaluate its remote work pilot. OGE also surveyed its staff regarding its DEIA efforts. In 2022, OGE fully implemented a new evidence-based approach to its advisory formulation process to inform the guidance OGE issues to executive branch officials in the form of Advisories. In addition, OGE developed a new spreadsheet to track and manage Known Exploited Vulnerabilities in accordance with Binding Operational Directive (BOD) 22-01, "Reducing the Significant Risk of Known Exploited Vulnerabilities."

Building on its successes in 2022, 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 or Grant Anderson of OGE's legislative affairs staff, at 202-482-9318 or grant.anderson@oge.gov.

Sincerely,

Nicole E. Stein
Chief Data Officer