

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



OCT 11 2016

The Honorable Ron Johnson
Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, DC 20515

Dear Mr. Chairman:

Pursuant to section 720 of title 31 of the U.S. Code, the U.S. Office of Government Ethics (OGE) is submitting the following statement of action in response to the recommendation for OGE in the Government Accountability Office (GAO) report, *FEDERAL WORKFORCE: Opportunities Exist to Improve Data on Selected Groups of Special Government Employees* (GAO-16-548). The report, which was publicly released on August 15, 2016, contains one recommendation for OGE:

To help ensure that agencies report consistent and reliable data, the Director of OGE should determine (e.g., through a survey of Designated Agency Ethics Officials and/or by analyzing agency data) whether other executive branch agencies are experiencing data challenges similar to HHS, State, and NRC. If they are, the Director should take steps to help the agencies strengthen their data.

Id. at 27.

As GAO recommended, OGE is surveying agency ethics officials to determine whether executive branch agencies are experiencing data challenges related to special Government employees (SGEs) who do not serve on federal boards.¹ After completing the survey, if OGE determines that agencies are experiencing data challenges, OGE will evaluate what steps may help agencies strengthen their data.

OGE has already taken two measures with respect to strengthening this data. In consultation with the U.S. Office of Personnel Management (OPM), OGE recently proposed new regulations that would improve coordination between agency human resources officials and agency ethics officials, which should lead to more reliable data. See EXECUTIVE BRANCH ETHICS

PROGRAM AMENDMENTS, 81 Fed. Reg. 36193, 36195, 36198-99 (proposed June 6, 2016) (to be codified at 5 C.F.R. pt. 2638). Notably, the proposed regulations would specifically require an agency's human resources officials to provide its agency ethics officials with prompt notification of the appointment of all financial disclosure report filers, including SGEs.ⁱⁱ *Id.* at 36198. In addition, OGE has expanded its ongoing program review of the Department of Health and Human Services (HHS) in light of GAO's recommendation for HHS to "take steps to improve the reliability of data on SGEs not serving on boards." The program review will further evaluate the mechanisms HHS has in place for tracking SGEs who do not serve on federal boards and may offer recommendations for improving them.

If your staff has any questions regarding this correspondence, please have them contact Ms. Shelley K. Finlayson, OGE's Chief of Staff and Program Counsel, at (202) 482-9314.

Sincerely,



Walter M. Shaub, Jr.
Director

cc: The Honorable Thomas Carper
Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate
344 Dirksen Senate Office Building
Washington, DC 20515

ⁱ The scope of GAO's review was limited to SGEs not serving on federal boards. U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-16-548, FEDERAL WORKFORCE: OPPORTUNITIES EXIST TO IMPROVE DATA ON SELECTED GROUPS OF SPECIAL GOVERNMENT EMPLOYEES 2 (2016).

ⁱⁱ SGEs are financial disclosure report filers. 5 C.F.R. § 2635.904(a)(2).

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



OCT 11 2016

The Honorable Jason Chaffetz
Chairman
Committee on Oversight and Government Reform
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

Pursuant to section 720 of title 31 of the U.S. Code, the U.S. Office of Government Ethics (OGE) is submitting the following statement of action in response to the recommendation for OGE in the Government Accountability Office (GAO) report, *FEDERAL WORKFORCE: Opportunities Exist to Improve Data on Selected Groups of Special Government Employees* (GAO-16-548). The report, which was publicly released on August 15, 2016, contains one recommendation for OGE:

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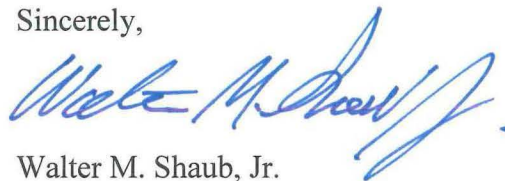
As GAO recommended, OGE is surveying agency ethics officials to determine whether executive branch agencies are experiencing data challenges related to special Government employees (SGEs) who do not serve on federal boards.ⁱ After completing the survey, if OGE determines that agencies are experiencing data challenges, OGE will evaluate what steps may help agencies strengthen their data.

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If your staff has any questions regarding this correspondence, please have them contact Ms. Shelley K. Finlayson, OGE's Chief of Staff and Program Counsel, at (202) 482-9314.

Sincerely,



Walter M. Shaub, Jr.
Director

Cc: The Honorable Elijah E. Cummings
Ranking Member
Committee on Oversight and Government Reform
United States House of Representatives
2471 Rayburn House Office Building
Washington, DC 20515

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