



June 2022

# INTERAGENCY COUNCIL ON HOMELESSNESS

## Written Policies for Implementing Statutory Requirements Are Needed

# GAO Highlights

Highlights of [GAO-22-105110](#), a report to congressional committees

## Why GAO Did This Study

The mission of USICH is to coordinate the federal response to homelessness and partner with the private sector and state and local governments to prevent and end homelessness. Under its governing statute, the McKinney-Vento Homeless Assistance Act, USICH must perform certain duties and functions, such as annually updating its national strategic plan to end homelessness, providing technical assistance to state and local governments and nonprofit organizations, and recommending improvements to programs that assist homeless individuals.

House Report No. 116-452 includes a provision for GAO to review USICH's policies and procedures to ensure compliance with certain statutory requirements.

This report addresses policies and procedures USICH used in fiscal years 2017–2021 to perform duties and functions under its governing statute and comply with certain appropriations requirements. GAO reviewed relevant statutes and agency documents (such as action plans, performance reports, and a charter) and interviewed senior USICH staff and agency representatives.

## What GAO Recommends

GAO is recommending that USICH establish written policies and procedures for meeting its statutory requirements. USICH concurred with the recommendation.

View [GAO-22-105110](#). For more information, contact Alicia Puente Cackley at (202) 512-8678 or [cackleya@gao.gov](mailto:cackleya@gao.gov).

June 2022

## INTERAGENCY COUNCIL ON HOMELESSNESS

### Written Policies for Implementing Statutory Requirements Are Needed

## What GAO Found

The United States Interagency Council on Homelessness (USICH), which includes 19 federal agencies and its own full-time staff, coordinates the federal response to homelessness. In 2017–2021, activities USICH performed corresponded to duties and functions set forth in its governing statute. For example, as part of its duty to provide technical assistance to nonfederal entities, USICH provided written guidance and regional knowledge-sharing workshops. As part of its duty to recommend improvements in programs, USICH worked with the Departments of Veterans Affairs and Housing and Urban Development to increase voucher use for supportive housing (housing combined with other services, such as healthcare and job training and placement).

### Homeless Encampment in Downtown Los Angeles, California



Source: Matt Gush/stock.adobe.com. | GAO-22-105110

However, USICH did not have documented policies that specified how it would meet the statutory requirements GAO reviewed and did not consistently perform some obligations, such as annually updating its strategic plan. To monitor how the agency meets some statutory requirements, USICH staff use a spreadsheet (action plan) that briefly describes planned or completed activities. But USICH did not always update the plan or specify the steps staff should take to meet requirements. The plan also did not address some requirements, such as a reporting requirement in an annual appropriations act.

Staff also could not clearly describe if or how USICH met certain requirements in prior years. For example, USICH consulted with the Office of Management and Budget and congressional appropriations staff on meeting certain reporting obligations, but could not describe related decisions (prior staff had not documented them). Federal internal control standards note the importance of documenting responsibilities through written policies. USICH staff told GAO they relied on informal processes used by their predecessors, but said written documentation would be beneficial, especially when facing staff turnover. By developing and documenting policies and procedures for meeting statutory requirements, USICH could help ensure it consistently performs statutory obligations and furthers its mission to prevent and end homelessness. Doing so also could help USICH communicate timely information to other stakeholders, including Congress and federal, state, and local partners.

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## Abbreviations

HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
McKinney-Vento Act	McKinney-Vento Homeless Assistance Act (as amended)
PAR	performance and accountability report
USICH	United States Interagency Council on Homelessness
VA	Department of Veterans Affairs

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June 23, 2022

The Honorable Brian Schatz  
Chairman  
The Honorable Susan Collins  
Ranking Member  
Subcommittee on Transportation, and Housing and Urban Development,  
and Related Agencies  
Committee on Appropriations  
United States Senate

The Honorable David E. Price  
Chairman  
The Honorable Mario Diaz-Balart  
Ranking Member  
Subcommittee on Transportation, and Housing and Urban Development,  
and Related Agencies  
Committee on Appropriations  
House of Representatives

The mission of the United States Interagency Council on Homelessness (USICH) is to coordinate the federal response to homelessness and create a national partnership at every level of government and with the private sector to prevent and end homelessness. USICH consists of representatives from 19 federal agencies (to whom we refer as the Council) and a full-time staff led by an Executive Director.

House Report No. 116-452 includes a provision for us to review policies and procedures USICH used to perform statutory duties and functions in furtherance of its mission and to ensure compliance with funding conditions and reporting requirements in the Further Consolidated Appropriations Act, 2020.<sup>1</sup> This report addresses policies and procedures USICH used in fiscal years 2017–2021 to (1) perform duties and functions set forth in its governing statute, the McKinney-Vento Homeless

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<sup>1</sup>H.R. Rep. No. 116-452, at 150-151 (2020). Further Consolidated Appropriations Act, 2020, Pub. L. No. 116-94, 133 Stat. 2534 (2019). The House Report states that statutory duties and functions include those related to USICH's 2018 strategic plan to end homelessness—see United States Interagency Council on Homelessness, *Home Together: The Federal Strategic Plan to Prevent and End Homelessness* (Washington, D.C.: 2018).

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Assistance Act (McKinney-Vento Act) and (2) ensure compliance with funding conditions and reporting requirements in division H of the Further Consolidated Appropriations Act, 2020.<sup>2</sup>

To identify statutory requirements applicable to USICH, we reviewed relevant provisions of the McKinney-Vento Act and the 2020 appropriations act. To identify procedures USICH used to address these requirements in fiscal years 2017–2021, we reviewed agency documents from that period, including USICH’s charter, performance and accountability reports (PAR), staff memorandums, and agendas from the Council’s quarterly meetings.<sup>3</sup> We reviewed USICH’s action plan, which includes general information on activities implementing its strategic plan to end homelessness and addressing requirements in its governing statute. We also reviewed documentation related to the performance of USICH’s statutory obligations, such as materials the agency submitted to congressional stakeholders and its periodic newsletters.

We interviewed USICH staff, including the Acting Executive Director and other senior managers. We also interviewed staff from three of the five Council member agencies whose missions most closely align with serving the homeless population (core agencies)—the Departments of Housing and Urban Development (HUD), Health and Human Services (HHS), and Labor.<sup>4</sup> In these interviews, we focused on obtaining an understanding of USICH’s procedures for performing the statutory obligations we identified and implementation status of any related activities.

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<sup>2</sup>We use “governing statute” or “McKinney Vento-Act” to refer to title II of the McKinney-Vento Homeless Assistance Act (codified as amended at 42 U.S.C. §§ 11311-11320). We use “2020 appropriations act” to refer to division H of the Further Consolidated Appropriations Act, 2020, Pub. L. No. 116-94, div. H, 133 Stat. at 2933-3019. This review addressed policies and procedures related to specific duties and functions of the Council set forth in Section 203 of the McKinney-Vento Act (codified as amended at 42 U.S.C. § 11313) and certain funding conditions and reporting requirements set forth in the 2020 appropriations act, see 133 Stat. at 3013-3019. See appendix I for more details regarding these provisions.

<sup>3</sup>The GPRA Modernization Act of 2010 directs agencies to develop and document strategic goals for major functions and operations. Pub. L. No. 111-352, § 2, 124 Stat. 3866, 3867 (2011) (codified as amended at 5 U.S.C. § 306). Agencies must establish related performance goals, and annually report their progress in meeting those goals through established performance measures; according to USICH, the agency implements these requirements in its annual PAR.

<sup>4</sup>The other core agencies are the Departments of Education and Veterans Affairs.

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We assessed the extent to which USICH's documented procedures generally aligned with the statutory requirements we identified. We also compared USICH's procedures against federal internal control standards.<sup>5</sup> The internal control principles that management establish control activities through policies and use quality information to achieve the entity's objectives were significant to this objective.

We conducted this performance audit from March 2021 to June 2022 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

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## Background

The McKinney-Vento Act created USICH in 1987 as an independent establishment in the executive branch. The act designates the heads, or their designees, of 19 specific agencies as Council members (we refer to them as member agencies).<sup>6</sup> The Council elects a Chair and a Vice Chair from among its members, whose positions rotate annually. USICH receives an annual appropriation from Congress and had approximately 18 full-time staff as of March 2022. An Executive Director, appointed by the Council, manages USICH's daily operations, and reports to the Council Chair.

USICH's policy team (which consists of USICH staff) helps to implement the strategic plan and convene the Council (which, by law, must meet at least four times per year). USICH also relies on policy and planning groups, which include staff from member agencies, to establish its strategic direction and promote interagency collaboration. For instance, the Council policy group provides a regular forum for coordinating policies

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<sup>5</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014).

<sup>6</sup>Member agencies designated in the act are the Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Justice, Labor, Transportation, and Veterans Affairs; Corporation for National and Community Service; Federal Emergency Management Agency; General Services Administration; Office of Management and Budget; Social Security Administration; U.S. Postal Service; and the White House Office of Faith-Based and Community Initiatives. The act also designated the Director of USA FreedomCorps—a former White House office and policy council—as a Council member, as well as the heads (or their designees) of such other federal agencies as the Council considers appropriate.

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and programs, collecting data, developing special initiatives, and preparing recommendations for consideration by Council members and for Council meeting discussions. USICH also convened numerous interagency working groups focused on specific issues or populations experiencing homelessness, such as youth and veterans.

The McKinney-Vento Act requires USICH to perform certain duties and functions in furtherance of its mission.<sup>7</sup> These duties include updating USICH's strategic plan to end homelessness, taking action to reduce duplication among federal programs, providing professional and technical assistance to state and local governments and nonprofit organizations, and recommending improvements to federal programs that assist homeless individuals. The 2020 appropriations act appropriated \$3.8 million for expenses necessary to carry out USICH's functions under the McKinney-Vento Act and included related funding conditions and reporting requirements.<sup>8</sup> Appendix I provides additional details on these statutory provisions.

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## USICH Does Not Have Policies for Consistently Implementing Statutory Requirements

USICH took various steps in furtherance of its statutory obligations. However, we identified some statutory requirements that USICH did not consistently implement. Moreover, USICH lacks documented policies for meeting these requirements.

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## USICH Took Steps to Implement Statutory Requirements

In fiscal years 2017–2021, activities USICH performed corresponded to duties and functions set forth in its governing statute. We describe some of these activities below, which broadly fell into three categories: (1) collaboration with federal agencies, (2) collaboration with and assistance to nonfederal entities, and (3) communication and outreach.

### Collaboration with Federal Agencies

USICH engaged in collaborative activities with federal agencies, which the agency attributed to the requirements that it

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<sup>7</sup>See 42 U.S.C. § 11313.

<sup>8</sup>Pub. L. No 116-94, div. H, tit. III-IV, 133 Stat. at 3013-3019.



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- monitor, evaluate, and recommend improvements in programs and activities to assist homeless individuals;<sup>9</sup>
  - obtain information on and ensure access to entitlement and other resources for people experiencing homelessness;<sup>10</sup>
  - conduct research and evaluation related to USICH's statutory functions;<sup>11</sup> and
  - develop joint initiatives to fulfill the goals of USICH.<sup>12</sup>

To implement these requirements, USICH convened quarterly Council meetings, as well as Council policy group meetings that coordinated policies and programs, among other efforts. USICH also addressed these requirements in meetings of the senior leadership of core federal agencies focused on homelessness response.

In addition, USICH staff manage the efforts and results of interagency working groups, which focus on specific issues or activities. For example, USICH convened 24 working group meetings in fiscal year 2021 related to issues such as veteran, chronic, family, and youth homelessness.

USICH staff also participated in targeted projects with other federal agencies. For instance, USICH worked with HUD to launch a federal partnership entitled *House America: An All-Hands-on-Deck Effort to Address the Nation's Homelessness Crisis*.<sup>13</sup> USICH worked with the Department of Veterans Affairs (VA) and HUD to address barriers to voucher utilization in a HUD-VA Supportive Housing program (which combines housing with other services, such as healthcare and job training and placement). Recently, USICH also worked with the Departments of Education and Treasury to help ensure Emergency Rental Assistance

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<sup>9</sup>42 U.S.C. § 11313(a)(4). According to USICH's fiscal year 2021 action plan, the process that addresses this requirement also addresses requirements to review and reduce duplication among federal programs and activities to assist homeless individuals. See 42 U.S.C. § 11313(a)(2), (a)(3).

<sup>10</sup>42 U.S.C. § 11313(a)(7).

<sup>11</sup>42 U.S.C. § 11313(a)(8).

<sup>12</sup>42 U.S.C. § 11313(a)(9).

<sup>13</sup>*House America* is a federal initiative in which HUD, USICH, mayors, city and county leaders, tribal leaders, and governors utilize American Rescue Plan resources to address homelessness and create new units of affordable housing.

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Collaboration with and Assistance to Nonfederal Entities

funds reached as many vulnerable families and students as possible.<sup>14</sup> Finally, among its efforts to address the requirement to conduct research and evaluation, USICH worked with HUD and HHS to further analysis of data on homelessness.

USICH participated in activities to collaborate with or assist nonfederal entities, which the agency attributed to requirements that it

- provide technical assistance to states, local governments, and nonprofit organizations;<sup>15</sup>
- encourage the creation of state interagency councils on homelessness;<sup>16</sup>
- collect and disseminate information relating to homeless individuals;<sup>17</sup> and
- develop constructive alternatives to criminalizing homelessness.<sup>18</sup>

USICH addressed these requirements in part through the efforts of their national initiatives team, which facilitates collaboration between USICH and state and local officials and regionally based federal staff. The national initiatives team also provided ongoing guidance and coaching by convening workshops in USICH's 10 regions and facilitating peer-to-peer conversations, according to USICH's fiscal year 2021 PAR.<sup>19</sup>

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<sup>14</sup>The Department of the Treasury administers the Emergency Rental Assistance program, which provides funding to state, territorial, local, and tribal governments for use in helping eligible households pay rent, utility, and other housing-related expenses. Congress appropriated funding for the program in two separate acts. In December 2020, the Consolidated Appropriations Act, 2021 appropriated \$25 billion. Pub. L. No. 116-260, div. N, tit. V, § 501, 134 Stat. 1182, 2069-78 (codified as amended at 15 U.S.C. § 9058a). In March 2021, the American Rescue Plan Act of 2021 appropriated an additional \$21.55 billion. Pub. L. No. 117-2, tit. III, § 3201, 135 Stat. 4, 54 (codified at 15 U.S.C. § 9058c).

<sup>15</sup>42 U.S.C. § 11313(a)(5).

<sup>16</sup>42 U.S.C. § 11313(a)(6).

<sup>17</sup>42 U.S.C. § 11313(a)(9).

<sup>18</sup>42 U.S.C. § 11313(a)(12).

<sup>19</sup>USICH's 10 regions are New England, New York/New Jersey, Mid-Atlantic, Southeast/Caribbean, Midwest, Great Plains, Southwest, Rocky Mountains, Pacific/Hawaii, and Northwest/Alaska.

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Communication and Outreach

USICH undertook communication and outreach efforts, which the agency attributed to various requirements, including that it

- provide technical assistance to states, local governments, and nonprofit organizations;<sup>20</sup> and
- collect and disseminate information relating to homeless individuals.<sup>21</sup>

USICH addressed these requirements in part by distributing written materials, such as guidance documents and informational briefs. For example, in September 2021, USICH published guidance to communities to help implement local housing goals (10 Strategies to Reduce Homelessness with the American Rescue Plan). In August 2021, USICH published a directory of the resources in the American Rescue Plan to leverage efforts to end homelessness (Making the Most of the American Rescue Plan: A Guide to the Funding That Impacts People Experiencing Homelessness).

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USICH Did Not Consistently Implement Some Statutory Requirements

While we did not evaluate USICH's compliance with statutory requirements, we identified instances in which USICH did not consistently perform its statutory obligations or lacked a process for doing so, including the following:

**Requirement to annually update its national strategic plan to end homelessness.** In 2009, Congress amended USICH's governing statute to require USICH to develop, make available for public comment, and submit to the president and to Congress a national strategic plan to end homelessness. USICH is required to update the plan annually.<sup>22</sup> USICH staff said the agency interprets the requirement to mean that once each fiscal year they must either publish a new plan or publish supplemental information regarding the agency's goals in the current plan.

According to USICH staff, the agency did not update its strategic plan in fiscal year 2017 because of the transition to a new presidential administration and Council. USICH released a strategic plan (Home, Together) in July 2018 that covered fiscal years 2018–2022. USICH staff identified four publications that updated Home, Together in fiscal year 2019, but they did not identify any publications that updated the plan in

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<sup>20</sup>42 U.S.C. § 11313(a)(5).

<sup>21</sup>42 U.S.C. § 11313(a)(9).

<sup>22</sup>42 U.S.C. § 11313(a)(1).

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fiscal year 2020. USICH staff said staff shortages and increased workload stemming from the COVID-19 pandemic prevented them from releasing documents planned for fiscal year 2020. The agency published a new strategic plan called Expanding the Toolbox at the beginning of fiscal year 2021. According to USICH staff, they continued to implement that plan until February 2021. Since then, they have been developing a new strategic plan expected to be released in the summer of 2022. In the interim, USICH staff said the agency has been following the administration's priorities to determine its activities.

**Requirement to distribute a bimonthly bulletin describing federal resources available to assist homeless individuals.** USICH's governing statute requires the agency to prepare and distribute a bimonthly bulletin to states, local governments, and nonprofit organizations that describes federal resources available to those entities for assisting homeless individuals.<sup>23</sup> USICH told us it implements this requirement by distributing newsletters every 2 weeks. However, in fiscal year 2021, USICH did not consistently report on a bimonthly schedule, publishing 11 newsletters. USICH attributed the irregular schedule to a shortage of communications staff, which lasted until May 2021. According to USICH staff, they plan to distribute newsletters every 2 weeks in fiscal year 2022.

**Requirement to report to Appropriations Committees.** Section 405 of the 2020 appropriations act requires agencies funded by the act to deliver an operating report to Congress's Committees on Appropriations for the purpose of establishing a baseline for application of reprogramming and transfer authorities.<sup>24</sup> Although this requirement had been included in annual appropriations acts before, USICH staff said they were not aware of it until congressional staff brought it to their attention in early 2020.<sup>25</sup> USICH delivered the operating report for the first time in March 2020,

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<sup>23</sup>42 U.S.C. § 11313(a)(11).

<sup>24</sup>Pub. L. No. 116-94, div. H, tit. IV, § 405, 133 Stat. at 3013-14. A reprogramming shifts funds from one purpose to another (or from one object class to another) within a single appropriation account. A transfer shifts funds from one account to another. Object classes are standard categories of items or services the federal government purchases (such as supplies and equipment).

<sup>25</sup>A similar requirement was included in annual appropriations acts for all other fiscal years in our review (2017–2021).

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weeks after the statutory deadline and after repeated requests by congressional staff.

**Requirement to notify Inspectors General of significant problems identified by USICH while monitoring homelessness programs.** If USICH determines that any significant problem, abuse, or deficiency exists in the administration of a program or activity of any federal agency to assist homeless individuals, USICH must notify the Inspector General of the federal agency (or if the agency does not have an Inspector General, the head of the agency).<sup>26</sup> USICH staff told us they were not aware of any issues or notifications in connection with this requirement. However, they also said they were not aware of any procedures USICH has to ensure compliance with the requirement.

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**USICH Lacked Documented Policies for Meeting Statutory Requirements We Reviewed**

USICH had no written policies or detailed procedures for implementing the statutory requirements within the scope of our review, although it listed some activities for this purpose in an action plan, a document that USICH staff annually create. The action plan provides general information, including planned activities, for carrying out the duties and functions in the agency's governing statute.

The fiscal year 2021 action plan we reviewed provided brief information on activities planned for the fiscal year to address requirements or actions taken in past fiscal years. The plan also included some information about the status of planned activities to address statutory requirements and the objectives of USICH's strategic plan.

USICH's annual PAR reported additional information on steps taken to carry out some of the duties and functions in its governing statute. For example, in its 2021 PAR, USICH described efforts to monitor, evaluate, and recommend changes in federal programs, provide technical assistance, and encourage the creation of state interagency councils on homelessness.

However, the information in the action plan was incomplete or outdated in relation to certain statutory requirements. For example,

- In its fiscal year 2021 action plan, USICH cited the publication of two reports issued in 2014 and 2015 as responsive to the requirement to annually obtain information on and ensure access to resources for

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<sup>26</sup>42 U.S.C. § 11313(d).

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people experiencing homelessness. The 2021 action plan also listed a collaborative effort with HHS established in 2014 in response to this requirement. But this entry did not describe related activities in subsequent years.

- USICH generally did not document the status of activities (whether the agency met statutory requirements it planned to implement) for the current fiscal year. The action plan provided sporadic information on steps taken to carry out some requirements, but information was limited to how USICH planned to meet requirements and was not updated at the end of the year. USICH included information from past fiscal years in its current action plan but did not clearly state that it was applicable for the current year. Additionally, USICH did not provide information on how frequently it planned to implement statutory requirements that are not explicitly annual.
- For some requirements, the plan lacked key details, such as which staff were responsible for performing certain tasks and when the tasks were to be completed.
- The action plan did not include reporting requirements in annual appropriations acts, such as the operating report discussed earlier. These requirements may not be satisfied by USICH's outsourcing of accounting services to other agencies.<sup>27</sup>

Other than the action plan, USICH did not have documented policies and procedures that specified how the agency would carry out the duties and functions in its governing statute or meet requirements in the 2020 appropriations act. As a result, USICH staff could not consistently and clearly articulate or provide information on steps taken to meet certain requirements in prior years. USICH consulted with the Office of Management and Budget and congressional appropriations staff when deciding how to implement certain statutory requirements, such as USICH's reporting obligations. However, USICH stated that staff involved in those discussions were no longer employed by the agency, and current

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<sup>27</sup>USICH has no in-house financial systems. Instead, the agency outsources accounting, financial, and other support functions to the Department of Agriculture and General Services Administration through shared services agreements. Staff said the agency does not have written policies that address compliance with the 2020 appropriations act specifically, and referred to the outsourcing of accounting services, as well as communications with the Office of Management and Budget, as a means of complying with appropriations laws generally. USICH staff also referred to the annual independent audit of its financial statements and internal controls, which resulted in an unmodified opinion for fiscal year 2021.

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staff could not describe the discussions or related decisions in detail because their predecessors did not document them.

Overreliance on informal processes and lack of sustained management attention appear to have contributed to USICH's lack of documented policies and procedures. When asked why policies had not been documented, USICH staff noted Council leadership rotates annually and significantly influences the work of the agency, which results in a continual change in management priorities. However, the USICH Executive Director, whose position does not rotate annually, manages the agency's day-to-day activities, including documentation of policies. USICH staff also said the agency does not have the staff capacity to be knowledgeable about each of its statutory requirements. But staff also noted that documented policies would better help USICH meet statutory requirements on an ongoing basis. Furthermore, USICH staff said it would be a good practice for the agency to update its progress on implementing statutory requirements in its annual action plan. Without documenting such information, USICH lacks transparency about implementation of statutory requirements.

Federal internal control standards state that agency management should design control activities to achieve objectives and respond to risks, including those related to compliance with laws and regulations.<sup>28</sup>

Management implements these internal control activities through policies and may further define policies through day-to-day procedures. The standards also state that management is to develop and maintain documentation of its internal control system. Once established and documented, management periodically reviews policies, procedures, and related control activities for continued relevance and effectiveness in achieving the entity's objectives or addressing related risks. Such documentation provides a means to retain organizational knowledge and mitigate the risk of having that knowledge limited to a few personnel, as well as a means to communicate that knowledge with external parties.

Without documented policies and procedures for meeting statutory requirements, USICH does not have reasonable assurance that it will consistently meet these requirements, including those designed to ensure

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<sup>28</sup>Section 3512(c) of title 31 of the United States Code (commonly referred to as the Federal Managers' Financial Integrity Act) requires executive branch entities to establish internal control in accordance with standards set by the Comptroller General. These standards are contained in GAO's *Standards for Internal Control in the Federal Government*. See [GAO-14-704G](#).

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the agency updates its strategic plan and communicates information in a timely manner to federal, state, and local agencies, congressional committees, and other stakeholders.

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## Conclusions

USICH has an important role to play in preventing and ending homelessness in America and coordinating the federal response. While USICH has undertaken many activities that further this mission, we identified instances in which it did not consistently implement certain statutory requirements, including those related to updating its strategic plan and communicating information to congressional and other stakeholders. By developing and documenting policies and procedures for meeting all of its statutory requirements, USICH could help ensure it consistently performs its statutory obligations, communicates timely information to its stakeholders, and furthers its mission to prevent and end homelessness.

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## Recommendation for Executive Action

The Executive Director of USICH should establish written policies and procedures for meeting statutory requirements, including duties and functions in its governing statute and reporting obligations in annual appropriations acts, and for routinely updating and documenting the implementation of such policies and procedures. (Recommendation 1)

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## Agency Comments

We provided a draft of this report to USICH for comment. USICH provided written comments, which are reproduced in appendix II.

In its written comments, USICH concurred with our recommendation and pointed to actions to address it. For example, the agency cited changes to its annual action plan to document how its activities align with its statutory requirements. USICH also described plans to develop written policies and procedures related to its statutory requirements and reporting obligations.

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We are sending copies of this report to the appropriate congressional committees, the Executive Director of USICH, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-8678 or [cackleya@gao.gov](mailto:cackleya@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs are listed on the last



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page of this report. GAO staff who made major contributions to this report are listed in appendix III.

A handwritten signature in black ink that reads "Alicia Puente Cackley". The signature is written in a cursive style with a large initial 'A' and a long, sweeping tail on the 'y'.

Alicia Puente Cackley  
Director, Financial Markets and Community Investment

# Appendix I: Selected Statutory Requirements to Which USICH Is Subject

This appendix describes statutory provisions within the scope of this review, which addressed the policies and procedures used by the United States Interagency Council on Homelessness (USICH) to (1) perform specific duties and functions set forth in section 203 of the McKinney-Vento Homeless Assistance Act (McKinney-Vento Act), (see table 1); and (2) ensure compliance with certain funding conditions and reporting requirements set forth in division H of the Further Consolidated Appropriations Act, 2020.<sup>1</sup>

**Table 1: Duties and Functions of the United States Interagency Council on Homelessness (USICH) in Section 203 of the McKinney-Vento Homeless Assistance Act (codified as amended at 42 U.S.C. § 11313)**

Section <sup>a</sup>	Description of statutory requirement
§ 11313(a)(1)	Develop, make available for public comment, and submit to the President and to Congress a National Strategic Plan to End Homelessness, and update such plan annually.
§ 11313(a)(2)	Review all federal activities and programs to assist homeless individuals.
§ 11313(a)(3)	Take such actions as may be necessary to reduce duplication among programs and activities by federal agencies to assist homeless individuals.
§ 11313(a)(4)	Monitor, evaluate, and recommend improvements in programs and activities to assist homeless individuals conducted by federal agencies, state and local governments, and private voluntary organizations.
§ 11313(a)(5)	Provide professional and technical assistance to states, local governments, and other nonprofit organizations to enable them to provide assistance with respect to federal grant applications, develop recommendations for serving the homeless, and for certain other purposes.
§ 11313(a)(6)	Encourage the creation of State Interagency Councils on Homelessness and the formulation of jurisdictional 10-year plans to end homelessness at state, city, and county levels.
§ 11313(a)(7)	Annually obtain from federal agencies their identification of resources for which persons experiencing homelessness may be eligible and the agencies' identification of improvements to ensure access; develop mechanisms to ensure access to all federal, state, and local programs for which the persons are eligible, and to verify collaboration among entities within a community that receive federal funding under programs for persons experiencing homelessness.
§ 11313(a)(8)	Conduct research and evaluation related to USICH's statutory functions.
§ 11313(a)(9) <sup>b</sup>	Develop joint federal agency and other initiatives to fulfill the goals of the agency.
§ 11313(a)(9) <sup>b</sup>	Collect and disseminate information relating to homeless individuals.
§ 11313(a)(11)	Prepare and distribute to states, local governments, and other nonprofit organizations, a bimonthly bulletin that describes the federal resources available to them to assist the homeless.
§ 11313(a)(12)	Develop constructive alternatives to criminalizing homelessness and laws and policies that prohibit sleeping, feeding, sitting, resting, or lying in public spaces when there are no suitable alternatives, result in the destruction of a homeless person's property without due process, or are selectively enforced against homeless persons.

<sup>1</sup>McKinney-Vento Homeless Assistance Act, tit. II, § 203 (codified as amended at 42 U.S.C. § 11313); Further Consolidated Appropriations Act, 2020, Pub. L. No. 116-94, div. H, 133 Stat. 2534, 2933-3019 (2019).

**Appendix I: Selected Statutory Requirements  
to Which USICH Is Subject**

<b>Section<sup>a</sup></b>	<b>Description of statutory requirement</b>
§ 11313(c)(1)	Each member agency of USICH shall annually transmit to Congress a report that describes each program to assist homeless individuals administered by the agency, the number of individuals served by each program, impediments to obtaining services or benefits under each program, and the agency's efforts to increase opportunities for homeless individuals to obtain shelter, food, and supportive services.
§ 11313(d)	If, in monitoring and evaluating programs and activities to assist homeless individuals conducted by other federal agencies, USICH determines that any significant problem, abuse, or deficiency exists in the administration of the program or activity of any federal agency, USICH shall notify the Inspector General of the federal agency (or if the agency does not have an Inspector General, the head of the agency).

Source: GAO analysis. | GAO-22-105110

Note: This table excludes certain statutory provisions that were not within the scope of GAO's review.

<sup>a</sup>The section within title 42 of the United States Code in which the related requirement is codified.

<sup>b</sup>Two paragraphs (9) were enacted.

**Further Consolidated  
Appropriations Act, 2020**

Division H of the Further Consolidated Appropriations Act, 2020, appropriated \$3,800,000 for USICH's necessary expenses (such as salaries and authorized travel) in carrying out the agency's functions under title II of the McKinney-Vento Act.<sup>2</sup> The act provided that these funds would remain available until September 30, 2021.

The act includes several other conditions and requirements applicable to agencies funded under division H.<sup>3</sup> For example, included in Section 405 of division H is a requirement that each agency submit a report to Congress's Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year.<sup>4</sup> The report was to be submitted within 60 days after the act's enactment and include certain information relating to the agency's annual appropriation, including amounts requested and enacted in certain fiscal years, delineated according to certain objects, programs, projects, and activities. Examples of other conditions and requirements under other sections of division H include restrictions on the use of funds for first-class airline accommodations or to compensate underperforming contractors.<sup>5</sup>

<sup>2</sup>Pub. L. No. 116-94, div. H, tit. III, 133 Stat. at 3013.

<sup>3</sup>See Pub. L. No. 116-94, div. H, tit. IV, §§ 401-425, 133 Stat. at 3013-3019.

<sup>4</sup>Pub. L. No. 116-94, div. H, tit. IV, § 405, 133 Stat. at 3013-14. A reprogramming shifts funds from one purpose to another (or from one object class to another) within a single appropriation account. A transfer shifts funds from one account to another. Object classes are standard categories of items or services purchased by the federal government (such as personnel compensation, supplies and materials, and equipment).

<sup>5</sup>See Pub. L. No. 116-94, div. H, tit. IV, §§ 412, 419, 133 Stat. at 3015, 3017.

# Appendix II: Comments from the United States Interagency Council on Homelessness



27 May 2022

Alicia Puente Cackley, Director  
Financial Markets and Community Investment  
U. S. Government Accountability Office  
441 G. Street, N.W.  
Washington, DC 20548

Dear Director Cackley:

Thank you for the opportunity to review and comment on the Government Accountability Office's (GAO) draft report titled *Interagency Council on Homelessness: Written Policies for Implementing Statutory Requirements Are Needed* (GAO-22-105110).

In its report, GAO made the following recommendation:

*"The Executive Director of USICH should establish written policies and procedures for meeting statutory requirements, including duties and functions in its governing statute and reporting obligations in annual appropriations acts, and for routinely updating and documenting the implementation of such policies and procedures."*

USICH concurs with this recommendation. We understand that federal internal control standards note the importance of documenting responsibilities through written policies as described in the GAO report entitled *Standards for Internal Control in the Federal Government* (GAO-14-704G). Since my tenure as Executive Director began on January 31, 2022, USICH has undertaken the following measures to institutionalize a process of ensuring that the agency successfully performs our statutory responsibilities:

1. Conducted an internal assessment of how the agency's current work complies with the authorizing statute.
2. Revamped USICH's annual action plan format to document how the agency's operational activities align with the statutory authority of the agency and track the status of each statutory requirement.
3. Regarding the requirement to annually update the Federal Strategic Plan to Prevent and End Homelessness, USICH is currently developing a new federal strategic plan to align with the Biden-Harris administration priorities. The plan will be published in 2022, and the agency will meet the statutory requirement of providing annual updates each year going forward. Additionally, USICH has made available on its website all previous federal strategic plans.

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**Appendix II: Comments from the United States  
Interagency Council on Homelessness**

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4. Regarding the requirement to distribute a bi-monthly bulletin describing federal resources available to assist people experiencing homelessness, USICH published 24 newsletters since the beginning of FY2022, bringing the agency back into compliance with this statutory requirement.
5. Regarding the requirement to report to Appropriations Committees, USICH has since February 2020 provided operating plans for each fiscal year and will continue to do so going forward.
6. Regarding the requirement to notify Inspectors General, USICH will develop policies and procedures to ensure compliance.

Finally, the agency is embarking on a process to develop a comprehensive set of written policies and procedures to ensure full compliance with all of our statutory requirements and reporting obligations. These will ensure quality, continuity, and compliance through staff turnover, changes in agency leadership, and from administration to administration. We anticipate completion of these policies and procedures by September 30, 2022.

Again, thank you for the opportunity to review and respond to the draft report.

Sincerely,



Jeff Olivet, Executive Director  
United States Interagency Council on Homelessness

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# Appendix III: GAO Contact and Staff Acknowledgments

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## GAO Contact

Alicia Puente Cackley, (202) 512-8678 or [cackleya@gao.gov](mailto:cackleya@gao.gov).

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## Staff Acknowledgments

In addition to the contact named above, Andrew Pauline (Assistant Director), Nina Thomas-Diggs (Analyst in Charge), Marc Molino, Kirsten Noethen, Barbara Roesmann, Farrah Stone, and Julie Trinder-Clements made key contributions to this report.

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