



INTERAGENCY COUNCIL ON HOMELESSNESS

Governance Responsibilities Need Further Clarification

Accessible Version

August 2020

Why GAO Did This Study

The mission of USICH is to coordinate the federal response to homelessness and create partnerships with the private sector and state and local governments to reduce and end homelessness. The joint explanatory statement related to the Consolidated Appropriations Act, 2019 includes a provision for GAO to review the management and governance structure of USICH, including the Council's ability to oversee the Executive Director and USICH operations.

This report (1) describes the structure and practices for USICH operations and (2) evaluates the extent to which roles and responsibilities for the governance of USICH have been defined and documented. GAO focused primarily on the 2017–2020 time frame and analyzed agency documentation (such as Council meeting transcripts, and USICH's strategic plan and performance reports) and interviewed Council members, current and former Executive Directors, and staff from member agencies.

What GAO Recommends

GAO is recommending that the Council further clarify and document its roles and responsibilities for matters requiring the Council's approval, the role of the Council Chair, and actions within the Executive Director's delegated authority. The Council concurred with the recommendation.

INTERAGENCY COUNCIL ON HOMELESSNESS

Governance Responsibilities Need Further Clarification

What GAO Found

The United States Interagency Council on Homelessness (USICH) consists of representatives from 19 federal agencies—including a Chair and Vice-Chair—on its governing Council and a full-time staff led by an Executive Director. The Executive Director has led most day-to-day operations, including hiring and managing staff, preparing budget requests, working with private-sector groups, drafting strategic plans, developing performance goals, and drafting agendas for the Council's quarterly meetings. Council members have quarterly meetings to discuss and consider homelessness issues and review the efforts of the Executive Director and USICH staff. Actions taken at Council meetings held from December 2017 through March 2020 included electing the Chair and Vice-Chair, appointing the Executive Director, and approving the USICH strategic plan and activities of interagency working groups. USICH staff also informed the Council of their performance results during the quarterly meetings.

Some roles and responsibilities for the governance of USICH, such as the types of matters that require Council approval, are not fully defined or documented. Recent Council Chairs told GAO they generally did not have a clear understanding of their roles and responsibilities and generally based them on their predecessors' activities. For example, the 2019 Chair stated he saw his responsibilities as preparing and chairing quarterly Council meetings and acting as the Council's external spokesperson, but there were no written procedures detailing these responsibilities. The 2019 Chair also stated that he had no involvement in overseeing the USICH budget or operations, staff, and interagency working groups. *Standards of Internal Control for the Federal Government* state that for an entity's objectives to be achieved the responsibilities and delegations of authority should be clearly established. At its quarterly meeting held in March 2020, the Council approved a charter that addresses voting mechanics, performance evaluations for the Executive Director, and the authority of the Executive Director to oversee personnel. But the charter does not fully clarify the Council's responsibilities in other areas, such as the responsibilities of the Council Chair, types of matters that would require approval by Council vote, and actions that are within the Executive Director's delegated authority. Additional clarity and documentation in these areas may assist the Council in securing a fuller understanding of its oversight role and responsibilities.

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Abbreviations

Education	Department of Education
GSA	General Services Administration
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
Labor	Department of Labor
McKinney-Vento Act	McKinney-Vento Homeless Assistance Act (as amended)
OMB	Office of Management and Budget
Transportation	Department of Transportation

USICH

United States Interagency Council on
Homelessness

VA

Department of Veterans Affairs

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August 19, 2020

The Honorable Susan Collins
Chairman
The Honorable Jack Reed
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 partnerships with the private sector and every level of government to reduce and end homelessness. The agency consists of representatives from 19 agencies (to which we refer as the Council), and a full-time staff led by an Executive Director. The joint explanatory statement accompanying the Consolidated Appropriations Act, 2019 includes a provision for us to review the management and governance structure of USICH, including the Council's ability to effectively oversee the Executive Director and the agency's annual operations.¹

This report (1) describes the structure and practices in place for USICH operations and (2) evaluates the extent to which roles and responsibilities for the governance of USICH have been defined and documented.

For the first objective, we collected and analyzed USICH documentation, including staff memorandums, and transcripts from the Council's quarterly

¹H.R. Rep. No. 116-9, at 930 (2019).

meetings from December 2017 to March 2020. We also analyzed USICH's strategic plan, including the extent to which it provides overall direction to the activities and operations of USICH.² Specifically, we analyzed transcripts of the quarterly meetings to identify governance and oversight activities, and decisions, and reviewed USICH documentation on performance measures, such as Performance and Accountability Reports and semi-annual progress reports provided to the Council. We focused on the description of USICH's structure and practices in place for operations from December 2017 through March 2020.

For the second objective, we considered governance to be the framework of rules and practices by which an oversight body fulfills its responsibilities for overseeing the strategic direction and accountability of an entity. This includes overseeing the entity's managers (management), who are in turn directly responsible for all activities of an entity. In the context of USICH, we considered the Council (19 agency representatives) to be the oversight body of USICH management (such as the Executive Director). The control environment component of internal control—the structure for an internal control system—was significant to this objective, as was the related principle that management should establish an organizational structure, assign responsibility, and delegate authority to achieve the entity's objectives.³ We assessed the structure and practices in place for USICH operations against this principle and against a leading governance-related practice we identified in prior work that focuses on clearly defining, and providing written guidelines on the roles and responsibilities of a board and management.⁴ We included in our analysis a charter that the Council approved during the course of our work and

²United States Interagency Council on Homelessness, *Home, Together: The Federal Strategic Plan to Prevent and End Homelessness* (Washington, D.C.: 2018).

³See GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014). Because internal control is a part of management's overall responsibility, this principle is discussed in the context of the management of the entity. However, oversight by an oversight body is implicit in every principle of internal control.

⁴See GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, [GAO-12-1022](#) (Washington, D.C.: Sept. 27, 2012); *Public Transportation: Washington Metro Could Benefit from Clarified Board Roles and Responsibilities, Improved Strategic Planning*, [GAO-11-660](#) (Washington, D.C.: June 30, 2011); and *Pension Benefit Guaranty Corporation: Governance Structure Needs Improvements to Ensure Policy, Direction and Oversight*, [GAO-07-808](#) (Washington, D.C.: July 6, 2007).

that was intended to document the Council's practices and responsibilities.

For both objectives, we interviewed staff from five member agencies whose missions most closely align with serving the homeless population (to which we refer as the core agencies)—the Departments of Education (Education), Labor (Labor), Health and Human Services (HHS), Housing and Urban Development (HUD), and Veterans Affairs (VA). We also interviewed staff from two other member agencies: the Department of Transportation (Transportation) and the General Services Administration (GSA). In these interviews, we focused on the structure of USICH and the roles and responsibilities of USICH staff and the Council. We also interviewed the USICH Executive Director and his immediate predecessor (who left in November 2019) and interviewed the 2019 and 2020 Chairs of the Council on their oversight responsibilities as they related to the Executive Director and operations. Annually, the Council members elect a Chair and a Vice-Chair to lead the Council.

We conducted this performance audit from August 2019 to August 2020 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 objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Congress created the United States Interagency Council on Homelessness as an independent establishment in the executive branch under the McKinney-Vento Homeless Assistance Act, as amended (McKinney-Vento Act).⁵ The act requires the Council to carry out a number of specific duties, such as (1) developing a National Strategic Plan to End Homelessness, (2) taking action to reduce duplication among federal programs, (3) making recommendations to improve public and private programs, (4) providing professional and technical assistance to state and local governments and nonprofit organizations, (5) conducting

⁵Pub. L. No. 100-77, § 201, 101 Stat. 482, 486 (1987) (codified at 42 U.S.C. § 11311).

research, (6) collecting and disseminating information relating to the homeless, and (7) preparing annual reports.⁶

The McKinney-Vento Act includes some provisions related to the structure and governance of the Council. For example, it provides that the Council will consist of representatives from 19 specific agencies, as well as representatives of such other federal agencies as the Council considers appropriate.⁷ The act refers to these representatives as the Council's members. From 2018 to 2019, Council members were Assistant Secretaries, Deputy Assistant Secretaries, and directors of specific programs at Cabinet-level agencies, or directors of a specific office or division at other agencies.

The McKinney-Vento Act also requires the Council to meet at least four times a year; elect a Chair from among its members, whose position rotates annually; and appoint an Executive Director who reports to the Council Chair.⁸ With the approval of the Council, the Executive Director may appoint and fix the compensation of such additional personnel, as the Executive Director considers necessary to carry out the duties of the Council, and procure temporary and intermittent services of experts and consultants.⁹ The act is otherwise silent on the role of the Executive Director. As of February 2020, the Executive Director managed a staff of 17 employees. Lastly, the McKinney-Vento Act permits a delegation of authority from the Council to any individual Council member or to any employee of USICH. That is, any Council member or employee of USICH

⁶42 U.S.C. § 11313.

⁷42 U.S.C. § 11312(a). More specifically, the act provides that the Council members will be the Secretaries of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Labor, Transportation, and Veterans Affairs; Attorney General of the United States; Chief Executive Officer of the Corporation for National and Community Service; Administrator of the Federal Emergency Management Agency; Administrator of the General Services Administration; Director of the Office of Management and Budget; Commissioner of the Social Security Administration; U.S. Postmaster General; and the Director of the Office of Faith-Based and Community Initiatives—or their designees. The act also includes the Director of USA FreedomCorps—a former White House office and policy council—as an additional Council member; however, USICH documentation describes this entity as inactive.

⁸42 U.S.C. §§ 11312(b)-(e), 11314(a).

⁹42 U.S.C. §§ 11314(b), 11314(e).

may, if authorized by the Council, take any action that the Council is authorized to take.¹⁰

As part of implementing the mission of USICH, the Executive Director has convened a number of interagency working groups, which have focused on issues that cut across agencies, such as ending youth, family, and veteran homelessness. In recent years, there have been around eight such groups, consisting primarily of agency staff generally from the five core agencies with missions that most closely align with serving the homeless population. The other member agencies that served on interagency groups during fiscal year 2019 were the Departments of Agriculture, Commerce, Energy, Homeland Security, Interior, Justice, and Transportation; Office of Management and Budget; Social Security Administration; and Corporation for National and Community Service.

Executive Director Has Led Most USICH Operations and Council Reviews USICH Efforts at Quarterly Meetings

The USICH Executive Director has led most day-to-day operations and develops initiatives in consultation with the Council Chair. Council members meet quarterly to discuss and consider homelessness issues and review the efforts of the Executive Director and USICH staff. Council members were not involved in the development or oversight of the USICH budget.

Executive Director Has Led Most Day-to-Day Operations and Develops USICH Initiatives in Consultation with the Council Chair

The Executive Director oversaw and had final approval for most USICH operations during the period of our review (December 2017–March 2020), based on USICH documentation we examined and interviews with Council members and USICH staff. These operations included hiring and managing USICH staff, preparing budget requests, working with nonprofit and private-sector housing groups, drafting strategic plans for the Council's review, preparing the agendas for the Council's quarterly meetings, developing the agency's performance goals, and participating

¹⁰42 U.S.C. § 11315(b).

in interagency working group meetings. The Executive Director consulted primarily with the Council Chair in developing USICH initiatives for specific homelessness programs and populations and in establishing interagency working groups and monitoring their results.

Officials from many member agencies we interviewed stated that the Executive Director and USICH staff handled the day-to-day work, and member agencies generally deferred to the Executive Director and staff because of their knowledge and expertise.

The roles and the responsibilities of the Executive Director originally were documented in a job profile dated June 2004 and later revised in December 2019. According to the revised job profile, the Executive Director is responsible for the overall operations of USICH and oversight of its staff, and for providing executive leadership and strategic direction for all activities necessary to fulfill the agency's stated mission. The responsibilities include promoting efforts to expand and improve coordination of federal programs and services for homelessness at federal, state, local, nonprofit, and private-sector levels; advising and consulting with the Council Chair, Vice-Chair, and members on issues related to homelessness; and performing other tasks as assigned by the Chair, other Council members, and the Administration.

As previously mentioned, the Executive Director may appoint and fix the compensation of additional personnel and procure certain temporary and intermittent services, in each case, with the approval of the Council. USICH staff did not have formal documentation of Council approval for these activities, but cited a 2005 opinion from USICH legal counsel that indicated the Council's specific approval was not necessary. The 2019 and 2020 Chairs and representatives of member agencies we interviewed did not tell us about any concerns regarding the Executive Director having taken these actions.

The Council adopted a charter for USICH in March 2020, which documented the Council's approval of the Executive Director's authority to appoint and oversee staff, and addresses the delegation of duties at various levels within USICH. The charter also includes a provision for the Council Chair to annually evaluate the performance of the Executive Director. Prior to this charter, there had been no formal process for evaluating the Executive Director's performance, according to USICH staff. Instead, the previous Executive Director told us that his performance was tied to progress in meeting goals in USICH's strategic

plan. We discuss the creation of the charter and its provisions in more detail later in this report.

Council Reviewed and Acted on USICH Efforts at Quarterly Meetings

The Council's quarterly meetings have been the mechanism through which the entire Council has been briefed on the efforts of the Executive Director and USICH staff.¹¹ Transcripts we reviewed of the Council quarterly meetings from December 2017 to March 2020 indicate the Council received reports from the Executive Director; presentations by USICH interagency working groups, private-sector housing groups, and outside researchers on housing issues for homeless populations; and brief updates from Council members on their agencies' efforts to address homelessness. Council members or their representatives from the 19 member agencies generally attended the quarterly meetings.

During the quarterly meetings in that time period, the Council also elected the Chair and Vice-Chair positions and approved USICH's 2018–2022 strategic plan and strategies produced by USICH interagency working groups. For example, at the July 2018 quarterly meeting, the Council voted to approve strategies the Interagency Group to End Homelessness in Rural Communities presented. The Executive Director organized these interagency working groups, although Council leadership occasionally provided input on subject matter they should cover. For example, the 2019 Council Chair recommended that an interagency working group be created to develop strategies to assist stakeholders in navigating federal programs that rely on differing definitions of homelessness to establish eligibility for services.

The Council Chair also was involved in developing agendas for the quarterly meetings in our review period. For example, the Chair, the Executive Director, and USICH staff helped prepare agendas for the meetings. According to both the previous Executive Director and 2019 Chair, the Executive Director consulted with the Chair in drafting the meeting agendas. In addition, the previous Executive Director and member agency staff told us that he and USICH staff received some assistance from staff of the five core agencies in developing the agendas.

¹¹According to USICH staff, the Council also receives information on the activities of the Executive Director and USICH staff through monthly electronic reports entitled *Highlights of USICH Agency Activities* and the agency's public, biweekly newsletter.

Council members conducted some votes from December 2017 through March 2020 (approval of the strategic plan, strategies of an interagency working group, election of the Council Chair and Vice-Chair, and appointment of the Executive Director). All of the Council votes at the meetings during this period—10 votes in total based on the meeting transcripts—were by unanimous consent, either by a hand or voice vote.

The Council Obtained Performance Results at Quarterly Meetings

At the quarterly meetings, the Council also received performance and monitoring reports, which the Executive Director and USICH staff produced and provided. These reports included the Performance and Accountability Report, which is required under the GPRA Modernization Act of 2010 and sent to the Office of Management and Budget (OMB) annually, and a semi-annual progress report.¹² The previous Executive Director told us he developed the semi-annual progress report, which summarized progress towards meeting the strategic plan's goals and provided brief updates on the activities of USICH's population-specific interagency working groups (such as veteran homelessness or youth homelessness) and presented the reports at the Council's quarterly meetings. Most of the staff we interviewed from Education, HHS, HUD, Labor, and VA explained that USICH's annual performance goals were developed and discussed in USICH interagency working groups and later presented to the full Council for its review. According to USICH staff, depending on the interagency working group, USICH staff would lead in the development of the goals, offering opportunities for agencies to provide input or create their own goals for the working group to work toward.

The current Executive Director told us that he intended to focus on developing new performance measures that focus on outcomes—such as numbers of people experiencing homelessness—rather than the current performance measures, which he viewed as focusing on process-oriented results such as increasing the number of local homeless organizations with which USICH staff coordinated during the year. In the March 2020 Council Meeting, the Chair announced to the members that he instructed the Vice-Chair and USICH staff to draft a new strategic plan with input from the other Council members. By law, the Council was required to

¹²Pub. L. No. 111-352, § 4, 124 Stat. 3866, 3871-73 (2011) (codified at 31 U.S.C. § 1116).

develop, make available for public comment and submit to the President and Congress a National Strategic Plan to End Homelessness, and update such a plan annually.¹³ The current USICH strategic plan, “Home, Together,” was approved by the Council in 2018 and was to be implemented through 2022, and includes discussion of how USICH planned to measure progress towards meeting its goals. According to the March 2020 meeting transcript, the Chair stated his intention for the Council to formally approve the new strategic plan by fall 2020.

USICH’s Budget Is Overseen by OMB

According to OMB, it has provided oversight of the USICH budget, in the same way it has done for other federal agencies.¹⁴ OMB typically worked on the budget with the Executive Director and the USICH Director of Finance and Administration. USICH budget requests were not presented or discussed during the Council’s quarterly meetings from December 2017 to December 2019. Agency staff from most of the core agencies said that their Council members have not been involved in developing or overseeing USICH’s budget formulation or approval.

More specifically, OMB reviewed the entirety of the budget submission provided by USICH. Before fiscal year 2018, the Executive Director reviewed and approved a draft budget prepared by USICH staff and sent it to OMB. OMB’s decision on the budget request then was returned to USICH staff, who would either accept or appeal it.

The President’s budgets for fiscal years 2018 through 2020 proposed to wind down USICH operations. Thus, USICH staff did not submit a formal budget to OMB. USICH staff developed estimates of the costs of winding down operations and used those estimates as USICH’s budget request submitted to Congress.¹⁵ However, during these years, Congress continued to provide appropriations and in fiscal year 2019, Congress reauthorized USICH to October 1, 2028. USICH’s fiscal year 2021 budget request generally reflected its annual appropriations for fiscal year 2020.

¹³42 U.S.C. § 11313(a)(1).

¹⁴For example, OMB Circular A-11 provides instructions to agencies on how to prepare and submit materials required for OMB and Presidential review of agency requests and for annual budget formulation.

¹⁵USICH’s Congressional Budget Justifications for fiscal years 2017 through 2021 can be found at <https://www.usich.gov/about-usich/agency-reports/>.

Table 1 shows USICH budget requests to Congress and annual appropriations for fiscal years 2018–2021.

Table 1: USICH’s Annual Budget Requests to Congress and Appropriations, Fiscal Years 2018–2021

Fiscal year	USICH budget request	Annual appropriations
2018	\$570,000	\$3,600,000
2019	\$630,000	\$3,600,000
2020	\$730,000	\$3,800,000
2021	\$3,800,000	

Source: GAO presentation of United States Interagency Council on Homelessness (USICH) information. | GAO-20-602

Some Roles and Responsibilities for the Governance of USICH Are Not Defined or Documented

Some roles and responsibilities for the governance of USICH, such as the types of matters that require Council approval, are not fully defined or documented. According to the two most recent Council Chairs, they generally did not have a clear understanding of their roles and responsibilities in relation to the Executive Director and USICH staff and their roles and responsibilities were not documented. In March 2020, the Council approved a charter that included some description of Council duties and responsibilities, but some roles and responsibilities of Council members and the Executive Director remain unclear because they are not fully defined or documented in the charter or anywhere else.

Council Leadership Generally Was Unclear about Their Responsibilities in Relation to the Executive Director and Staff

Until March 2020, the Council did not have any written guidance for carrying out its roles and responsibilities, and two Council Chairs told us they did not have a clear understanding of their roles. The roles and responsibilities of the Chair and Vice-Chair were not documented and incoming Chairs and Vice Chairs were informed about their roles and responsibilities by USICH staff, including the Executive Director. The 2019 and 2020 Chairs of the Council told us they did not have a clear understanding of their responsibilities in relation to the Executive Director

and USICH staff. Also, they based what understanding they had of their governance responsibilities on how prior Chairs operated and led the Council.

The 2019 Chair said he saw his responsibilities as preparing and chairing the quarterly meetings of the Council, acting as the spokesperson of the Council at external events, working with USICH staff, and making suggestions about homelessness issues on which to focus. But there were no written procedures detailing his responsibilities. The 2019 Chair stated that he had no involvement in overseeing the USICH budget or USICH operations, staff, and interagency working groups. For example, he was not sure whether he had the authority to determine if a specific interagency working group should continue or be disbanded. At the December 2019 quarterly meeting, the 2019 Chair stated that the Council needed a clear set of by-laws for operations.

USICH Charter Specifies Some Duties of Council Leadership, but Does Not Fully Clarify Council's Decision-Making Responsibilities

The USICH charter that was adopted in March 2020 defines some roles and responsibilities for Council leadership, but does not clarify some aspects of the Council's roles and responsibilities in relation to the Executive Director, interagency working groups, and USICH operations. Prior to the charter's development, Council leadership said that they encouraged the current Executive Director to draft by-laws, which they hoped would provide a clearer understanding of the roles of the Council Chair and Vice-Chair. However, the Executive Director and his staff said that they decided not to draft by-laws because they considered by-laws to be more appropriate for a nonprofit organization than a federal agency, such as USICH.¹⁶ The USICH Executive Director also told us that the USICH charter would codify current USICH practices.

According to USICH staff, to develop the charter they reviewed charters from other federal agencies and interagency bodies as potential models

¹⁶A charter is an instrument that establishes an organization, whereas a by-law is a rule or administrative provision adopted by an organization for its internal governance and external dealings. *Black's Law Dictionary* (11th ed. 2019). Charters and bylaws are used by a variety of entities, including councils and committees within the federal government. For example, GSA publishes model charters and bylaws for use by federal advisory committees. In addition, the Financial Stability Oversight Council adopted "rules of organization," which are in the nature of bylaws.

and obtained reviews and significant input from Council leadership and OMB on the draft. USICH staff said they referred to charters from interagency councils and committees as models, such as the Council of the Inspectors General on Integrity and Efficiency, the Data Committee of the Financial Stability Oversight Council, and the Department of Homeland Security's Homeland Security Advisory Council. According to the Executive Director, the draft charter was sent to Council members for their review and comment in February 2020. The charter was presented to the Council at the March 2020 quarterly meeting and the Council approved it.

The charter, which USICH staff drafted during the course of our review, draws largely on the language of the McKinney-Vento Act. For instance, the charter reiterates the statutory provisions regarding the Council's authority, mission, membership, leadership, duties and functions, and the frequency of Council meetings.¹⁷

The charter also includes new guidance on the Council's decision-making process and its roles and responsibilities, including in the following areas:

- Council voting: A quorum of two-thirds of Council members must be present at its meetings for voting to proceed. And unless otherwise prescribed, the Council requires a majority vote to decide a matter.
- Council Chair evaluation of Executive Director's performance: The Council Chair is required to develop and carry out a process to annually evaluate the performance of the Executive Director with input from the Vice Chair and other Council members.
- Other duties for the Council Chair: The Chair is to set the final agenda for each meeting, after considering recommendations from the Vice Chair, past Chair, and Executive Director. The Chair also presides over meetings and ensures the Council collectively meets its functions and duties.

¹⁷The McKinney-Vento Act allows the Council to appoint the heads of such other federal agencies as the Council considers appropriate to serve as members of the Council. 42 U.S.C. § 11312(a)(22). The charter states the Council also can appoint other "Administration officials" to serve as Council members. USICH staff explained that this was intended to cover representatives from the White House Domestic Policy Council, which was closely connected to the Council in the past.

- Duties for the past Council Chair: The past Council Chair should provide continuity of leadership, support the current Chair, and attend the quarterly meetings for the next year.

In addition, the charter addresses the delegation of duties at various levels within USICH. It documents the Council's approval of the Executive Director's authority to appoint personnel as necessary, and states that the Executive Director is responsible, overall, for staff performance and oversight of staff to meet the needs and requirements of the agency's mission. The charter also permits the Executive Director to delegate responsibility in these areas to the Chief Operating Officer, Chief of Staff, or direct supervisors.

However, in several respects the charter does not clarify roles and responsibilities of the Council in relation to the Executive Director, interagency working groups, and USICH operations. Specifically,

- The charter does not establish whether certain matters require the Council's approval (by vote of the Council) or, alternatively, are within the Executive Director's authority to approve. For example, the charter does not specify who must approve the National Strategic Plan to End Homelessness or other USICH reports, USICH's annual budget request to Congress, or other actions taken in furtherance of the Council's statutory duties (such as revising the Executive Director's position description). Although the 2019 job profile of the Executive Director describes how the Executive Director should work with the Council, the revised job profile was not presented at the December 2019 or the March 2020 quarterly meetings for the Council's approval. The Council did not weigh in on the Executive Director's revised position description or approve it. According to USICH staff, the position description was based on criteria for similar positions in the executive branch.
- The charter does not specify who is responsible for managing the structure and focus of the Council's interagency working groups. As noted earlier, this function has been performed by the Executive Director.
- The charter states that the Council "oversees strategic movement of federal homelessness initiatives" but does not explain what that means, or how it differs (if at all) from the Council's statutory mission and duties.

- The charter reiterated the statutory requirement that the Executive Director is to report to the Council Chair. The next sentence in the charter states that “this position” is to oversee the administration and strategic plan of the agency, but the charter does not make clear which position is being referenced (Executive Director or Chair).

Federal internal control standards state that for an entity’s objectives to be achieved the responsibilities and delegations of authority of the oversight body should be clearly established. The oversight body oversees the strategic direction and accountability of an entity. This includes overseeing an entity’s management, who are in turn responsible for all the entity’s activities. We consider the Council (agency representatives) to be the oversight body of USICH. In addition, in prior work, we identified a leading governance-related practice for clearly defining, and providing written guidelines on, the roles and responsibilities of a board and management.¹⁸

The extent to which Council roles and responsibilities have not been defined may be due in part to Council members being generally satisfied with the Executive Director and staff who manage USICH operations. Core agency staff who served on the interagency working groups told us that USICH staff and operations helped them coordinate with the other agencies on homelessness programs. For example, a Labor staff member said USICH’s interagency working groups had been very successful in connecting Council member agencies and reducing homeless populations, particularly the veteran homeless population.

However, without additional clarification of its decision-making roles and responsibilities in relation to the Executive Director, interagency working groups, and USICH operations, the Council may continue to lack a fuller understanding of its oversight responsibilities. Although the charter clarified some of the Council’s responsibilities, the Council’s responsibilities are unclear in areas such as which matters require the Council’s approval (by vote of the Council), or alternatively, are within the Executive Director’s authority to approve.

¹⁸See [GAO-07-808](#); [GAO-11-660](#); and [GAO-12-1022](#).

Conclusions

The establishment of a Council charter is a good step in clarifying the Council's roles and responsibilities in relation to overseeing the Executive Director and USICH operations. Specifically, the charter provides greater clarity in areas such as voting mechanics, performance evaluations for the Executive Director, and authority of the Executive Director to oversee personnel. However, the charter does not fully clarify roles and responsibilities in other areas, including the responsibilities of the Council Chair, the actions that would require Council approval, and the actions that are within the Executive Director's delegated authority. Additional clarity in these areas, whether it is included in the charter or documented by some other formal means, may assist the Council in a fuller understanding of its oversight role and responsibilities.

Recommendation for Executive Action

The Council should further clarify and document its roles and responsibilities with regard to USICH matters requiring the Council's approval, the role of the Council Chair, and actions within the Executive Director's delegated authority. (Recommendation 1)

Agency Comments

We sent the draft to Education, GSA, HHS, HUD, Labor, OMB, Transportation, USICH, and VA for their review and comment.

USICH provided a written response, reproduced in appendix I, in which the Council concurred with the recommendation. The Council Chair stated that to further clarify the Council's roles and responsibilities, USICH will develop guidance about the roles and responsibilities of the Chair, Vice-Chair, and Past Chair; disseminate the guidance; ensure the Executive Director position description includes delegated authority; and create a general guidance document on the types of matters that require Council approval. The Council Chair also stated that Council members will have the opportunity to vote on the guidance documents. Education provided a written response reproduced in appendix II, in which they concurred with the recommendation. VA provided a written response, which is reproduced in appendix III. OMB and USICH provided us with technical comments, which we incorporated as appropriate. In emails,

audit liaison officials at GSA, HHS, HUD, Labor, and Transportation stated their agencies did not have comments on the draft.

We are sending copies of this report to the Secretaries of Education, Labor, HHS, HUD, Transportation, and VA; Director of OMB; Administrator of GSA; Executive Director of USICH; and the appropriate congressional committees. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff members have any questions about this report, please contact Alicia Puente Cackley at (202) 512-8678 or cackleya@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Major contributors to this report are listed in appendix IV.

A handwritten signature in black ink that reads "Alicia Puente Cackley". The signature is written in a cursive, flowing style.

Alicia Puente Cackley
Director, Financial Markets and Community Investment

Appendix I: Comments from the United States Interagency Council on Homelessness

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



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

Dear Ms. Cackley:

The United States Interagency Council on Homelessness (the "Council" or USICH) thanks you for the opportunity to review and comment on the Government Accountability Office's (GAO) draft report titled, *Interagency Council on Homelessness: Governance Responsibilities Need Further Clarification* (GAO-20-602, Job Code 103744).

USICH appreciates GAO's findings on the structure and practices for the Council's operations and the extent to which roles and responsibilities for the governance of USICH have been defined and documented.

In its report, the GAO made the following recommendation:

"The Council should further clarify and document its roles and responsibilities with regard to USICH matters requiring the Council's approval, the role of the Council Chair, and the actions within the Executive Director's delegated authority."

The Council agrees with this recommendation. As the report acknowledges, USICH has already made progress in defining the roles and responsibilities of the Council Members, Chair, and Executive Director by adopting its first charter in March of this year.

To further clarify and clearly delineate the Council's roles and responsibilities, USICH is working to: 1) develop guidance about the roles and responsibilities of the Chair, Vice Chair, and Past Chair; 2) disseminate roles and responsibilities guidance; 3) ensure current Executive Director position description includes delegated authority; and 4) create a general guidance document on the types of matters that require Council approval, subject to change as needed. Council members will have an opportunity to vote on the guidance documents. It is our intent to publish more guidance on these issues by the end of year, with even more guidance coming over the next 12 months.

Again, thank you for the opportunity to review and respond to the draft report. If you would like additional information, please do not hesitate to call me at (202) 708-4663.

Sincerely,

A handwritten signature in blue ink, appearing to be "John P. ...", is written over a horizontal line.

Chair, U.S. Interagency Council on Homelessness

Appendix II: Comments from the Department of Education

**Appendix II: Comments from the Department
of Education**



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

SENT VIA E-MAIL

Ms. Alicia Puente Cackley
Director, Financial Markets and Community Investment
U.S. Government Accountability Office
441 G Street, NW
Washington, D.C. 20548

July 24, 2020

Dear Director Cackley,

Thank you so much for an opportunity to provide a response to the recent Government Accountability Office (GAO) draft report that you and your team worked on regarding the governance model for the United States Interagency Council on Homelessness (***INTERAGENCY COUNCIL ON HOMELESSNESS: Governance Responsibilities Need Further Clarification (GAO-20-602)***). This draft report did a fine job in illuminating the work of a very important federal entity engaged in the fight to eradicate homelessness for all those who find themselves trapped in this unfortunate status at one point or another in life.

I was very pleased to see that the draft report recognized and affirmed our creation and development of a charter to help guide the Council, and for your recommendations that we strengthen it even more with clarifying language about roles and responsibilities for its Executive Director, employees, and other critical functions. Your recommendation reaffirms an appropriate direction that the Council had already started and aligns very well with its plans for the future.

We appreciate the work that you and your team did in considering our input during the course of the work your team did. Thank you for your service and good work.

Very respectfully,

Frank T. Brogan, Past Chair
United States Council on Homelessness
and Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education

Appendix III: Comments from the Department of Veterans Affairs

Appendix III: Comments from the Department
of Veterans Affairs



DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON

July 27, 2020

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

Dear Ms. Cackley:

The Department of Veterans Affairs (VA) has reviewed the Government Accountability Office (GAO) draft report: **INTERAGENCY COUNCIL ON HOMELESSNESS: Governance Responsibilities Need Further Clarification** (GAO-20-602).

The enclosure contains our general comments. VA appreciates the opportunity to comment on your draft report.

Sincerely,

A handwritten signature in blue ink that reads "Brooks D. Tucker".

Brooks D. Tucker
Acting Chief of Staff

Enclosure

Enclosure

Department of Veterans Affairs (VA) Comments to
Government Accountability Office (GAO) Draft Report
***INTERAGENCY COUNCIL ON HOMELESSNESS: Governance Responsibilities
Need Further Clarification***
(GAO-20-602)

General Comments:

- Significant progress has been made to prevent and end Veteran homelessness. The number of Veterans experiencing homelessness in the United States has declined by nearly half since 2010.
- On a single night in January 2019, 37,085 Veterans were experiencing homelessness, 2.1% fewer than in 2018 (37,878).
- Since 2010, over 800,000 Veterans and their family members have been permanently housed or prevented from becoming homeless.
- As of June 8, 2020, 81 areas (78 communities and 3 states) have met the benchmarks and criteria established by the United States Interagency Council on Homelessness (USICH), VA and the Department of Housing and Urban Development (HUD) and have publicly announced an effective end to Veteran homelessness.

Appendix IV: GAO Contact and Staff Acknowledgments

GAO Contact

Alicia Puente Cackley, (202) 512-8678, cackleya@gao.gov

Staff Acknowledgments

In addition to the contact named above Andrew Pauline (Assistant Director), Nancy Eibeck (Analyst in Charge), Kirsten Noethen, Barbara Roesmann, Atiya Siddiqi, and Farrah Stone made significant contributions to this report.

Appendix V: Accessible Data

Agency Comment Letters

Accessible Text for Appendix I Comments from the United States Interagency Council on Homelessness

Ms. Alicia Puente Cackley

Director

Financial Markets and Community Investment

U.S. Government Accountability Office

441 G. Street, N.W.

Washington, DC 20548

Dear Ms. Cackley:

The United States Interagency Council on Homelessness (the "Council" or USICH) thanks you for the opportunity to review and comment on the Government Accountability Office's (GAO) draft report titled, Interagency Council on Homelessness: Governance Responsibilities Need Further Clarification (GAO- 20-602, Job Code 103744).

USICH appreciates GAO's findings on the structure and practices for the Council's operations and the extent to which roles and responsibilities for the governance of USICH have been defined and documented.

In its report, the GAO made the following recommendation:

"The Council should further clarify and document its roles and responsibilities with regard to USICH matters requiring the Council's approval, the role of the Council Chair, and the actions within the Executive Director's delegated authority."

The Council agrees with this recommendation. As the report acknowledges, USICH has already made progress in defining the roles

and responsibilities of the Council Members, Chair, and Executive Director by adopting its first charter in March of this year.

To further clarify and clearly delineate the Council's roles and responsibilities, USICH is working to: 1) develop guidance about the roles and responsibilities of the Chair, Vice Chair, and Past Chair; 2) disseminate roles and responsibilities guidance; 3) ensure current Executive Director position description includes delegated authority; and 4) create a general guidance document on the types of matters that require Council approval, subject to change as needed. Council members will have an opportunity to vote on the guidance documents. It is our intent to publish more guidance on these issues by the end of year, with even more guidance coming over the next 12 months.

Again, thank you for the opportunity to review and respond to the draft report. If you would like additional information, please do not hesitate to call me at (202) 708-4663.

Sincerely,

John Pallasch

Chair, U.S. Interagency Council on Homelessness

Accessible Text for Appendix II Comments from the Department of Education

Ms. Alicia Puente Cackley

Director, Financial Markets and Community Investment

U.S. Government Accountability Office

441 G Street, NW

Washington, D.C. 20548

July 24, 2020

Dear Director Cackley,

Thank you so much for an opportunity to provide a response to the recent Government Accountability Office (GAO) draft report that you and your team worked on regarding the governance model for the United States Interagency Council on Homelessness (INTERAGENCY COUNCIL ON HOMELESSNESS: Governance Responsibilities Need Further Clarification (GAO-20-602)). This draft report did a fine job in illuminating the work of a very important federal entity engaged in the fight to eradicate homelessness for all those who find themselves trapped in this unfortunate status at one point or another in life.

I was very pleased to see that the draft report recognized and affirmed our creation and development of a charter to help guide the Council, and for your recommendations that we strengthen it even more with clarifying language about roles and responsibilities for its Executive Director, employees, and other critical functions. Your recommendation reaffirms an appropriate direction that the Council had already started and aligns very well with its plans for the future.

We appreciate the work that you and your team did in considering our input during the course of the work your team did. Thank you for your service and good work.

Very respectfully,

Frank T. Brogan, Past Chair

United States Council on Homelessness and Assistant Secretary

Office of Elementary and Secondary Education

U.S. Department of Education

Accessible Text for Appendix III Comments from the
Department of Veterans Affairs

Page 1

Ms. Alicia Puente Cackley

Director

Financial Markets and Community Investment

U.S. Government Accountability Office

441 G Street, NW

Washington, DC 20548

Dear Ms. Cackley:

The Department of Veterans Affairs (VA) has reviewed the Government Accountability Office (GAO) draft report: INTERAGENCY COUNCIL ON HOMELESSNESS: Governance Responsibilities Need Further Clarification (GAO-20-602).

The enclosure contains our general comments. VA appreciates the opportunity to comment on your draft report.

Sincerely,

Brooks D. Tucker

Acting Chief of Staff

Enclosure

Page 2

Enclosure

Department of Veterans Affairs (VA) Comments to Government Accountability Office (GAO) Draft Report

INTERAGENCY COUNCIL ON HOMELESSNESS: Governance Responsibilities Need Further Clarification

(GAO-20-602)

General Comments:

- Significant progress has been made to prevent and end Veteran homelessness. The number of Veterans experiencing homelessness in the United States has declined by nearly half since 2010.

- On a single night in January 2019, 37,085 Veterans were experiencing homelessness, 2.1% fewer than in 2018 (37,878).
- Since 2010, over 800,000 Veterans and their family members have been permanently housed or prevented from becoming homeless.
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