

ETHICS PROGRAM INSPECTION REPORT

Agency: United States Interagency Council on Homelessness (USICH)

Report No.: 23-09I

Date: January 27, 2023

Period Covered by Review: January 1, 2021 through October 1, 2022

**UNITED STATES OFFICE OF
GOVERNMENT ETHICS**Preventing Conflicts of Interest
in the Executive Branch

1.0 AGENCY DATA		
EMPLOYEES		
1.1	Number of full-time agency employees.	18
1.2	Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed.	N/A
1.3	Number of non-PAS public financial disclosure reports required to be filed.	1
1.4	Number of confidential financial disclosure reports required to be filed.	1
ETHICS PROGRAM		
1.5	Title of Designated Agency Ethics Official (DAEO).	Executive Director
1.6	Grade level of DAEO.	Appointee Executive IV
1.7	Title of Alternate DAEO (ADAEO).	Director of Finance and Administration
1.8	Grade level of ADAEO.	GS-15
1.9	Title of the primary, day-to-day ethics program administrator.	Director of Finance and Administration
1.10	Grade level of the primary, day-to-day ethics program administrator.	GS-15
1.11	Current number of full-time ethics officials.	0
1.12	Current number of part-time ethics officials.	0
1.13	Number of reporting levels between the DAEO and the agency head.	1
COMMENTS		
1.0: Based on Title II of the McKinney-Vento Homelessness Assistance Act (42 U.S.C. 11311), USICH and the U.S. Department of Housing and Urban Development (HUD) share a MOU on the implementation of USICH's ethics program. Based on this MOU, HUD's Ethics and Appeals Division (EAD) administers the bulk of USICH's public and confidential financial disclosure programs. In addition, HUD provides initial ethics training, annual ethics training, and advice and counsel to USICH employees. However, OGE notes that this MOU requires updating because it references outdated ethics regulations and does not sufficiently outline the ethics related services that HUD provides to USICH. See comments for 3.0, 4.0, 7.0, 8.0, and 9.0 below:		

2.0 LEADERSHIP				
COMPLIANCE REQUIREMENTS		Yes	No	N/A
2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See 5 C.F.R. § 2638.107(a).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2	OGE has received an up-to-date designation from the agency head naming the ADAEO. <i>See 5 C.F.R. § 2638.107(a).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
None.				

3.0 PUBLIC FINANCIAL DISCLOSURE (OGE Form 278e, OGE Form 278-T)				
COMPLIANCE REQUIREMENTS		Yes	No	N/A
The agency has written policies and procedures in place governing: <i>See 5 U.S.C. app. IV, § 402(d)(1).</i>				
3.1	• Collection of public financial disclosure reports.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.2	• Review/evaluation of public financial disclosure reports.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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3.3	Public availability of public financial disclosure reports.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.4	The agency can demonstrate that late filing fees are collected or, where appropriate, waivers are issued when public filers do not timely file financial disclosure reports.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	Public financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.6	Public financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.603(g)(1).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.7	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.8	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after termination) notified the DAEO of terminations of employees in positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(2).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS		%		
3.9	Percentage of sampled non-PAS new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(b).	100%		
3.10	Percentage of sampled non-PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	N/A		
3.11	Percentage of sampled non-PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	N/A		
3.12	Percentage of sampled non-PAS public financial disclosure reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	0%		
3.13	Percentage of sampled non-PAS public financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	0%		
3.14	Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	N/A		
3.15	Percentage of sampled PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	N/A		
3.16	Percentage of sampled PAS annual and termination reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	N/A		
3.17	Percentage of sampled PAS annual and termination reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	N/A		
COMMENTS				
<p>3.0: USICH and HUD’s shared MOU does not sufficiently cover the ethics services that HUD provides for the public financial disclosure program.</p> <p>3.1 – 3.3: USICH provided OGE HUD’s written procedures covering public financial disclosure for this inspection, which do not cover USICH’s own financial disclosure program. Furthermore, USICH’s own written procedures only cover filing extensions, late fees, waivers, and the retention of reports. Thus, USICH’s written procedures covering public financial disclosure require revision to ensure that all services provided by both USICH and HUD are covered.</p> <p>3.4: There were no filers subject to the late filing fee during the period covered by OGE’s inspection.</p> <p>3.6: USICH officials stated that HUD has retained several hardcopy public financial disclosure reports older than six years. However, due to pandemic-related restrictions on entering HUD offices, HUD has been unable to purge these reports.</p> <p>3.12 – 3.13: There was only one public financial disclosure report required to be filed in 2022. HUD was late in reviewing/certifying this report. USICH explained that staffing changes at HUD led to this report’s late review/certification.</p> <p>3.14 – 3.17: USICH does not have any Presidentially appointed, Senate confirmed positions.</p>				

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4.0 CONFIDENTIAL FINANCIAL DISCLOSURE					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1).					
4.1	• Collection of confidential financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.2	• Review/evaluation of confidential financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.3	Confidential financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.4	Confidential financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.604.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4.5	The agency's OGE-approved alternative confidential financial disclosure system complies with plans approved by OGE. <i>See</i> 5 C.F.R. § 2634.905(a).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.6	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file confidential financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
DATA ANALYSIS			%		
4.7	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).	N/A			
4.8	Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a).	0%			
4.9	Percentage of sampled reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	0%			
4.10	Percentage of sampled confidential financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. §§ 2634.605(a) and 2634.909(a).	0%			
COMMENTS					
4.0: USICH and HUD's shared MOU does not sufficiently cover the ethics services that HUD provides for the confidential financial disclosure program. 4.1: USICH's own written procedures sufficiently outline both USICH and HUD's role in collecting, reviewing, and evaluating confidential financial disclosure reports. 4.3 – 4.4: USICH's written procedures are comprehensive and well thought out, but they do not cover the services provided by HUD related to the maintenance and retention of confidential financial disclosure reports. 4.4: USICH officials acknowledged that HUD has retained several hardcopy confidential financial disclosure reports older than six years. However, due to pandemic-related restrictions on entering HUD offices, HUD has been unable to purge these reports. 4.5: USICH does not have an OGE-approved alternative financial disclosure system. 4.8: USICH's only confidential financial disclosure filer submitted their report late. 4.9 – 4.10: HUD reviewed and certified this report late. USICH explained that staffing changes at HUD led to this report's late review/certification.					

5.0 NOTICES TO PROSPECTIVE EMPLOYEES					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
Written offers of employment for positions covered by the Standards of Conduct provide: <i>See</i> 5 C.F.R. § 2638.303.					
5.1	• A statement regarding the agency's commitment to government ethics.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.2	• Notice that the individual will be subject to the Standards of Conduct and the criminal conflict of interest statutes as an employee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.3	• Contact information for an appropriate agency ethics office or an explanation of how to obtain additional information on applicable ethics requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.4	• Where applicable, notice of the time frame for completing initial ethics training.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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5.5	<ul style="list-style-type: none"> Where applicable, a statement regarding financial disclosure requirements and an explanation that new entrant reports must be filed within 30 days of appointment. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.6	The agency has established written procedures for issuing the notice to prospective employees. <i>See</i> 5 C.F.R. § 2638.303(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.7	The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.303(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.8	The agency can demonstrate that there is an effective process for ensuring all covered employees receive the required information with their written offer of employment. <i>See</i> 5 C.F.R. § 2638.303.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
5.6: USICH developed written procedures during OGE's inspection that sufficiently cover the issuance of notices to prospective employees. 5.7: The DAEO did not review the procedures for the period covered by OGE's inspection. However, as a result of OGE's inspection, USICH is now aware of this requirement and included it in the recently developed written procedures. 5.8: USICH was unable to make such a demonstration for the period covered by OGE's inspection. However, USICH developed written procedures during the inspection that should ensure that all covered employees receive the required information.				

6.0 NOTICES TO NEW SUPERVISORS				
COMPLIANCE REQUIREMENTS		Yes	No	N/A
The agency must provide each employee upon initial appointment to a supervisory position with: <i>See</i> 5 C.F.R. § 2638.306.				
6.1	<ul style="list-style-type: none"> Contact information for the agency's ethics office. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	<ul style="list-style-type: none"> The text of 5 C.F.R. § 2638.103. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	<ul style="list-style-type: none"> A copy of, a hyperlink to, or the address of a Web site containing the Principles of Ethical Conduct. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.4	<ul style="list-style-type: none"> Other information the DAEO deems necessary. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.5	The agency has established written procedures for supervisory ethics notices. <i>See</i> 5 C.F.R. § 2638.306(d).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.6	The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.306(d).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.7	The agency can demonstrate that there is an effective process for ensuring that new supervisors receive the required information within one year of appointment. <i>See</i> 5 C.F.R. § 2638.306(b).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
6.2 – 6.3: USICH provided OGE one sample of a hiring letter to a new supervisor. However, the hiring letter did not include the text of 5 C.F.R. § 2638.103 or access to the Principles of Ethical Conduct. As a result of OGE's inspection, USICH is now aware of these requirements and included the required information in the recently implemented written procedures and notice template. 6.5: USICH developed written procedures during OGE's inspection that sufficiently covered the issuance of notices to new supervisors. 6.6: The DAEO did not review the procedures for the period covered by OGE's inspection. However, as a result of OGE's inspection, USICH is now aware of this requirement and included it in the recently developed written procedures. 6.7: USICH was unable to make such a demonstration for the period covered by OGE's inspection. However, USICH implemented written procedures during the inspection which should ensure that all covered employees receive the required information.				

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7.0 INITIAL ETHICS TRAINING				
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
	Each new employee of the agency subject to the Standards of Conduct must complete initial ethics training. <i>See 5 C.F.R. § 2638.304.</i>			
7.1	The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See 5 C.F.R. § 2638.304(e)(1).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2	The agency provided new employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency’s ethics officials. <i>See 5 C.F.R. § 2638.304(e)(2).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3	The agency has established written procedures for initial ethics training. <i>See 5 C.F.R. § 2638.304(f).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.4	The agency’s written procedures are reviewed by the DAEO each year. <i>See 5 C.F.R. § 2638.304(f).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DATA ANALYSIS	%		
7.5	Percentage of new employees who received initial ethics training. <i>See 5 C.F.R. § 2638.304.</i>	100%		
7.6	Percentage of new employees who received initial ethics training within three months of appointment. <i>See 5 C.F.R. § 2638.304(b).</i>	100%		
	COMMENTS			
	7.0: USICH and HUD’s shared MOU does not sufficiently cover the ethics services that HUD provides towards initial ethics training. 7.1: USICH requires all new employees to receive live initial ethics training. OGE notes this as a model practice, as only interactive initial ethics training is required by regulation for the current job positions at USICH. 7.3: USICH developed written procedures during OGE’s inspection that sufficiently covered initial ethics training. 7.4: The DAEO did not review the procedures for the period covered by OGE’s inspection. However, as a result of OGE’s inspection, USICH is now aware of this requirement and included it in the recently implemented written procedures.			

8.0 ANNUAL ETHICS TRAINING				
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
	Each calendar year, public filers, confidential filers, and certain other employees must complete ethics training which meets specified requirements. <i>See 5 C.F.R. §§ 2638.307 and 2638.308.</i>			
8.1	The training presentation(s) addressed concepts related to financial conflicts of interest, impartiality, misuse of position and gifts. <i>See 5 C.F.R. §§ 2638.307(e)(1) and 2638.308(f)(1).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.2	The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See 5 C.F.R. § 2638.304(e)(2).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.3	The agency's annual ethics training complies with the formatting requirements for public filers, confidential filers, and certain other employees. <i>See 5 C.F.R. §§ 2638.307(d) and 2638.308(e).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.4	The agency's program for annual ethics training complies with the tracking requirements for public filers, confidential filers, and certain other employees. <i>See 5 C.F.R. §§ 2638.307(f) and 2638.308(g).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.5	The agency can demonstrate it has an effective process for ensuring covered public filers, other than those whose pay is set at Level I or Level II of the Executive Schedule, complete live annual ethics training at least once every two years. <i>See 5 C.F.R. § 2638.308(e)(2).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	DATA ANALYSIS	Training Format		

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		Live	Interactive
	Percentage of public filers who completed annual ethics training before the end of the calendar year. <i>See 5 C.F.R. § 2638.308(a).</i>		
8.6	• Executive Schedule Level I and Level II. <i>See 5 C.F.R. § 2638.308(e)(1).</i>	N/A	N/A
8.7	• Other PAS and Equivalent. <i>See 5 C.F.R. § 2638.308(e)(2).</i>	N/A	N/A
8.8	• SES and Equivalent. <i>See 5 C.F.R. § 2638.308(e)(3).</i>	N/A	N/A
	Percentage of confidential filers and certain other employees who completed annual ethics training before the end of the calendar year. <i>See 5 C.F.R. § 2638.307(a)(d).</i>		
8.9	• Employees required to file an annual confidential financial disclosure report. <i>See 5 C.F.R. § 2638.307(a)(1).</i>	None	100%
8.10	• Employees appointed by the President. <i>See 5 C.F.R. § 2638.307(a)(2).</i>	N/A	N/A
8.11	• Employees of the Executive Office of the President. <i>See 5 C.F.R. § 2638.307(a)(2).</i>	N/A	N/A
8.12	• Contracting officers described in 41 U.S.C. § 2101. <i>See 5 C.F.R. § 2638.307(a)(3).</i>	N/A	N/A
8.13	• Other employees designated by the head of the agency. <i>See 5 C.F.R. § 2638.307(a)(4).</i>	None	100%
COMMENTS			
8.0: USICH and HUD's shared MOU does not sufficiently cover the ethics services that HUD provides towards annual ethics training. 8.5, 8.7: USICH does not have any Presidentially appointed, Senate confirmed positions. 8.6: USICH has no Executive Schedule Level I or II positions. 8.8: USICH did not have any public financial disclosure filers who required annual ethics training in 2021. 8.10 – 8.12: USICH did not have any of these employees during the scope of OGE's inspection. 8.13: USICH requires all employees to receive annual ethics training. OGE notes this as a model practice, as only the two financial disclosure report filers at USICH are required by regulation to receive annual ethics training.			

9.0 ETHICS ADVICE AND COUNSELING

	COMPLIANCE REQUIREMENT	Yes	No	N/A
9.1	Based on a sample collected by OGE, guidance provided by agency ethics officials to employees appears to be consistent with applicable laws and regulations. <i>See 5 C.F.R. § 2638.104(c)(4).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
9.0: USICH and HUD's shared MOU does not sufficiently cover the ethics services that HUD provides with regard to providing advice and counsel to USICH employees.				

10.0 SPECIAL GOVERNMENT EMPLOYEES (SGE) SERVING ON ADVISORY COMMITTEES AND BOARDS**Confidential Financial Disclosure**

10.1	Number of SGEs serving on Advisory Committees and Boards.	N/A
	DATA ANALYSIS	%
10.2	Percentage of sampled confidential new entrant reports filed timely. <i>See 5 C.F.R. § 2634.903(b).</i>	N/A
10.3	Percentage of sampled reports reviewed within 60 days of receipt but not later than the SGE's first meeting. <i>See 5 C.F.R. § 2634.605(a).</i>	N/A
10.4	Percentage of sampled reports certified within 60 days of receipt. <i>See 5 C.F.R. § 2634.605(a).</i>	N/A

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COMPLIANCE REQUIREMENTS		Yes	No	N/A
	Required ethics training must be provided to each SGE. <i>See</i> 5 C.F.R. §§ 2638.304 and 2638.307.			
10.5	The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See</i> 5 C.F.R. § 2638.304(e)(1).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.6	The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See</i> 5 C.F.R. § 2638.304(e)(2).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DATA ANALYSIS		%		
10.7	Percentage of SGEs who received initial ethics training. <i>See</i> 5 C.F.R. § 2638.304.	N/A		
10.8	Percentage of SGEs who received initial ethics training timely. <i>See</i> 5 C.F.R. § 2638.304(b)(2).	N/A		
10.9	Percentage of SGEs who received annual ethics training. <i>See</i> 5 C.F.R. § 2638.307(d)(2).	N/A		
COMMENTS				
10.0 The USICH Council itself has 19 members from separate federal agencies and government entities. The Council meets four times per year and allows members to send alternates to attend these meetings on their behalf. USICH acknowledges that neither it nor HUD reviews the members' or the alternates' financial disclosure reports from the home agencies and does not require members or alternates to file financial disclosure reports at USICH if none are filed at the home agency. In addition, USICH does not ensure that members or alternates receive required ethics training from their home agency and does not provide ethics training to members or alternates who do not receive all required ethics training at their home agency. 10.1 – 10.9: USICH has no SGE positions.				

ISSUES IDENTIFIED AND RESOLVED DURING THE INSPECTION

Element	ISSUE
5.6, 6.5, 7.3	<u>ISSUE:</u> USICH developed separate written procedures during OGE's inspection that sufficiently cover the issuance of notices to prospective employees, the issuance of notices to new supervisors, and initial ethics training.
6.2, 6.3	<u>ISSUE:</u> USICH's ethics notice to new supervisors did not include the text of 5 C.F.R. § 2638.103 or access to the Principles of Ethical Conduct. As a result of OGE's inspection, USICH is now aware of these requirements and included them in the recently implemented written procedures and notice template.

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RECOMMENDATIONS			
#	Element	RECOMMENDATION	Compliance Due
1	1.0, 3.0, 4.0, 7.0, 8.0, 9.0	<p><u>RECOMMENDATION:</u> Ensure that the MOU between USICH and HUD reflects current requirements. In addition, ensure that this MOU outlines all services provided by HUD for each section in the Contributions of Parties section (listed below).</p> <p>Contribution of Parties section in MOU:</p> <ol style="list-style-type: none">1. Program Administration – Outline all HUD services2. Financial Disclosure – Outline all HUD services for both public and confidential programs3. Education and Training – Outline all HUD services for initial and annual ethics training programs4. Advice and Counsel – Outline all HUD services5. Ethics Notices – State that HUD provides no services <p><u>AGENCY RESPONSE:</u> USICH and HUD will work together to update their current MOU to ensure it specifically outlines the 5 areas OGE identifies in Recommendation 1 and address how the program has already been operating.</p>	
2	3.1, 3.2, 3.3	<p><u>RECOMMENDATION:</u> USICH must revise internal written procedures covering the public financial disclosure program. To be in compliance with applicable requirements, these revised procedures must, at a minimum, cover items 1 – 7 (listed below) in order to sufficiently specify and document the full scope of the services performed by both USICH and HUD in administering the ethics program:</p> <ol style="list-style-type: none">1. Collection of reports2. Review of reports3. Availability of reports4. How ethics officials are notified of appointments as well as current filer position changes (e.g. terminations)5. Maintenance and retention of reports6. Extensions, late fees, and waivers7. Any other aspects where HUD provides a service related to the public financial disclosure program <p><u>AGENCY RESPONSE:</u> USICH and HUD will work together to update USICH's written procedures covering public financial disclosure reports to ensure it is up to date and covers all the areas OGE identifies in Recommendation 2. Additionally, HUD has already purged any public financial disclosure reports that are past the 6 year retention period.</p>	
3	3.12, 3.13, 4.8, 4.9, 4.10	<p><u>RECOMMENDATION:</u></p> <p>Part A: Ensure that all public financial disclosure reports are reviewed and certified timely.</p> <p>Part B: Ensure that all confidential financial disclosure reports are filed, reviewed, and certified timely.</p> <p><u>AGENCY RESPONSE:</u> Transitioning issues resulting from an administrative staffing change at HUD contributed to delay in the review of the financial disclosure reports in 2022. Those issues have been resolved and a system has been put in place to ensure timely review and certification of reports.</p>	

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		Specifically, in Integrity, the USICH staff permissions have been updated to include current staff members, so that notifications can be received. Lessons learned were identified and steps taken to ensure that any future administrative staffing change will not have a similar impact on the review of financial disclosure reports. Additionally, HUD staff have been reminded that review and certification is required when the USICH OGE-450 is received. Additional reminders will be provided to reviewers and certifiers of their obligation to review and certify within 60 days of receipt.	
4	4.3, 4.4	<p><u>RECOMMENDATION:</u> Ensure that the existing written procedures covering the confidential financial disclosure program further include all HUD services and systems related to the maintenance and retention of confidential financial disclosure reports.</p> <p><u>AGENCY RESPONSE:</u> USICH and HUD will work together to update the confidential financial disclosure report written procedures to specifically outline HUD's maintenance and retention of confidential financial disclosure reports and all services provided by HUD. Additionally, HUD has purged any confidential financial disclosure reports that are past the 6 year retention period.</p>	
5	5.8	<p><u>RECOMMENDATION:</u> Ensure that ethics notices are sent to prospective employees with the required language.</p> <p><u>AGENCY RESPONSE:</u> USICH will work with HUD to update the required language and then distribute to prospective employees.</p>	
6	6.7	<p><u>RECOMMENDATION:</u> Ensure that ethics notices are sent to new supervisors with the required language.</p> <p><u>AGENCY RESPONSE:</u> USICH will work with HUD to validate correct notice language and will then distribute to supervisors, including any updates.</p>	
7	8.01	<p><u>RECOMMENDATION:</u> Develop written procedures covering annual ethics training that specifies the services provided by HUD.</p> <p><u>AGENCY RESPONSE:</u> USICH and HUD will work together to develop written procedures covering annual ethics training, including a plan specifying how HUD provides training to USICH employees annually and how training is conducted and tracked.</p>	
8	9.01	<p><u>RECOMMENDATION:</u> Develop written procedures for providing advice and counseling that specifies the services provided by HUD.</p> <p><u>AGENCY RESPONSE:</u> USICH and HUD will work together to develop written procedures specifying the advice and council services provided by HUD.</p>	
9	10.0	<p><u>RECOMMENDATION:</u> Ensure that USICH's written procedures and the MOU (if HUD will provide these services) cover financial disclosure and ethics training requirements for Council members (including alternates that attend Council meetings).</p> <p><u>AGENCY RESPONSE:</u> HUD and USICH will develop written procedures and incorporate into their updated MOU a process for obtaining and reviewing the financial disclosure reports of USICH Council Members and proxies, if any, for conflicts of interest related to the USICH Council meetings.</p>	

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		Additionally, the written procedures and MOU will address the process for obtaining confirmation of ethics training requirements of Council Members from their respective home agency's ethics programs.	
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