

**Instructions for ACF’s Low Income Home Energy Assistance Program
(LIHEAP) Grantee Survey For Federal Fiscal Year (FFY) 2006**

January 4, 2007

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The Paperwork Reduction Act of 1995

This information collection is conducted in accordance with the LIHEAP statute (Title XXVI of P.L. 97-35, as amended). Responses to the information collection are mandatory for the States, including the District of Columbia. Information received from this data collection provides Congress with aggregated and state-specific data on States' financial decision making in administering the LIHEAP program. Information received from this collection is also responsive to Section 2610(b)(2) of the statute, which requires the Secretary to provide for the collection of data on program impact. Finally, data on administrative/planning costs are used in computing a LIHEAP efficiency measure that will be included in LIHEAP’s section of ACF’s Detail of Performance Analysis, as contained within the *President’s Congressional Justification*. The burden per State for each Survey is estimated to be 3.4 hours. Fifty-one (51) State responses per Survey, at an average of 3.4 hours per response, results in a total burden of 173.4 hours for all States. The estimates of burden hours include time for reviewing instructions, gathering data, and completing and submitting the Survey data. The Survey is conducted once every Federal Fiscal Year (FFY). This information is not considered confidential; therefore, no additional safeguards are considered necessary beyond that customarily applied to routine government information. An agency may not conduct or sponsor, and a person is not required

to respond to, a collection of information that does not display a current and valid OMB control number.

General Instructions

The *LIHEAP Grantee Survey* is designed to obtain fiscal data from the 50 States and the District of Columbia on the sources and uses of LIHEAP funds, average household benefits, and maximum income cutoffs for a 4-person household. Completion and submission of the Survey are mandatory. **Please e-mail the completed Survey to klawson@acf.hhs.gov (202-401-6527) by Thursday, February 1, 2007.**

The timeliness of the data is very important in responding to questions from Congress and the White House. The timeliness of this information also is important in completing the Secretary's *LIHEAP Report to Congress for FFY 2006* and LIHEAP's section of ACF's *Detail of Performance Analysis as contained within the President's FY 2008 Congressional Justification*. Therefore, we request that **you not delay** submitting the State's Survey until better data on sources and uses of funds are available.

Please note that we are asking for the State's **obligation** of funds, not **expenditure** of funds.

NOTE: The term "obligation" is as each State defines it.

This Survey is being conducted electronically. Each State's Survey has been prepared in a Microsoft Excel workbook which includes the Survey spreadsheet and Survey Edit Check spreadsheet. **Please e-mail to us the completed Excel workbook.** This will minimize our data entry, and will increase the accuracy of the data through built-in formulas and edit checks.

We would appreciate any comments about the design of the spreadsheet. Contact Leon Litow at (202) 401-5304 or llitow@acf.hhs.gov if you have comments.

Sources of LIHEAP Funds

For Section II, please provide data for the following sources of Federal LIHEAP funds where applicable:

- A. **All funds except leveraging incentive awards** (Items 1-5). Includes Federally appropriated LIHEAP funds and oil overcharge funds (such funds are considered to be Federal LIHEAP funds once designated by a State LIHEAP grantee for LIHEAP).
- B. **Leveraging incentive award** (Items 6-7). Includes leveraging incentive awards for FFY 2006 and those unobligated leveraging incentive awards from FFY 2005 that were obligated in FFY 2006.

Uses of LIHEAP Funds

For Section III, break out the uses of LIHEAP funds, as permitted under the LIHEAP statute.

Pre-printed Information

The Survey is individualized for your State, as we have pre-printed the following information on the Survey:

- Federally-reported amounts of your State’s Federal block grant allotments (net of Indian set-asides), net emergency contingency funds, and leveraging incentive award funds, as applicable for FFY 2006 (items 1, 2, and 6 under “Sources of Funds” in Section II).
- There were four distributions of LIHEAP emergency contingency allotments in FFY 2005. The fourth distribution of \$27.5 million was released on September, 3, 2005 to Alabama, Florida, Louisiana, and Mississippi to help provide relief from energy-related damages resulting from Hurricane Katrina. Because these funds were released so late in the fiscal year, these four States were given until September 30, 2006 to obligate the funds. As reported by these four States on the *LIHEAP Grantee Survey for FY 2005*, the amount of these FFY 2005 emergency contingency funds that were to be obligated in FFY 2006, if any, are pre-printed (item 2 under “Sources of Funds” in Section II).
- Your State’s carry over of FFY 2005 unobligated block grant and emergency contingency funds to FFY 2006, as reported in your State’s *LIHEAP Grantee Survey for FY 2005* (item 4 under “Sources of Funds” in Section II).
- Your State’s FFY 2005 unobligated leveraging incentive funds, as reported in your State’s *LIHEAP Grantee Survey for FY 2005* (item 5 under “Sources of Funds” in Section III).
- Your State’s carryover of FY 2006 unobligated block grant and emergency contingency funds to be obligated in FFY 2007, as reported in your State’s *August 1st Report for FY 2006* (item 5 under “Uses of Funds” in Section III).

Please update all the preprinted information, as appropriate. The FFY 2006 Federal block grant, emergency contingency funds, and leveraging incentive funds should be accurate. If the Federal data are not correct, please contact our office to discuss the matter.

Please do not change the format of the Survey by adding or deleting rows or columns. If the Survey cannot accommodate information that you need to display, consider using the Survey notes section or contact our office to discuss the matter.

Edit Checks

The Excel workbook includes a Survey Edit Check tab at the bottom of the Survey. Clicking on this tab takes you the spreadsheet which includes the following edit checks (the edit check item numbers are also noted in Section III):

#	Section III Edit Checks	Survey Item #
1.	Weatherization and other energy-related home repair funds are no greater than 15 percent of funds payable unless the State indicates that the amount includes leveraging incentive funds or that the State has received a waiver to obligate up to 25 percent of funds payable.	B.4
2.	Carryover of unobligated funds is no greater than 10 percent of funds	B.5

#	Section III Edit Checks	Survey Item #
	payable.	
3.	Funds payable to identify, develop, and demonstrate leveraging programs are not to exceed 0.08 percent or \$35,000, whichever is greater.	B.8
4.	Assurance 16 funds are no greater than 5 percent of funds payable.	B.9
5.	Administrative/planning cost is no greater than 10 percent of funds payable	B.10
6.	"Total Funds Available" equals "Total Uses of Funds."	B.11
7.	The maximum household income cutoff for a 4-person household is not less than 110 percent of the 2005 HHS Poverty Guidelines.	Col. C

Except for administrative costs, "funds payable" includes the State's net block allotment, net emergency contingency funds, and Petroleum Violation Escrow funds designated for LIHEAP. "Funds payable" for administrative costs consists of the above funds and leveraging incentive funds obligated in FFY 2006.

Return to the Survey to correct any data flagged by the Edit Checks. Then return to the Edit Checks to verify that the issue is resolved.

Page Protection

There are a number of page-protected items in the Survey's Excel workbook. The Survey Edit Check spreadsheet is completely protected. The page protection ensures that formulas are not overwritten accidentally, and that the Survey's format remains consistent for national data entry.

Additional Notes

1. Please review and respond to all items in the Survey, as appropriate. The types of information requested are noted by the following symbols:
 - **\$0** for financial data and
 - **?** for text information, e.g., about other types of crisis assistance, if any.
2. Items which are not to be filled in are noted by **xxxxxx's**.
3. Existing data are pre-printed on the Survey.
4. Unless indicated otherwise, definitions of terms should be those used by the State.
5. Any clarifications of a State's responses should be indicated in the "Notes" section of the Survey along with the Survey's Section and item # that is being noted.

SECTION I INSTRUCTIONS: Respondent Data

Please enter the full name and telephone number (including area code) of the person who is completing the Survey and the date that the Survey was completed. This person will be the one whom we will contact if we have any questions about the State's completed Survey.

SECTION II INSTRUCTIONS: Sources of LIHEAP Funds

Add or revise data, as necessary. If you believe that Federal data on the State's block grant allotment, emergency contingency funds, or leveraging incentive awards are incorrect, please contact our office to discuss the matter.

A. All Funds Except Leveraging Incentive Awards (items 1-5)

1. **Block Grant Allotment.** State's FFY 2006 LIHEAP block grant allotment, net of any applicable set-asides to Indian tribes or tribal organizations.
2. **Emergency Contingency Allotment.** State's LIHEAP emergency contingency allotment for FFY 2006, net of any applicable set-asides to Indian tribes/tribal organizations.
3. **FFY 2005 Unobligated Emergency Contingency Funds.** There were four distributions of LIHEAP emergency contingency allotments in FFY 2005. Item 3 pertains to the fourth distribution of emergency contingency funds in FFY 2005. The fourth distribution of \$27.5 million was released on September 3, 2005 to Alabama, Florida, Louisiana, and Mississippi to help provide relief from energy-related damages resulting from Hurricane Katrina. Because these funds were released so late in the fiscal year, the four States were given until September 30, 2006 to obligate the funds. The four States indicated on the *LIHEAP Grantee Survey for FY 2005* the amount of these FFY 2006 emergency contingency funds that were to be obligated in FFY 2006, if any.
4. **Carryover of "All Funds Except Leveraging Awards" from FFY 2005.** Except for Leveraging Incentive awards, indicate the amount of unobligated funds, if any, carried over from FFY 2005 for obligation in FFY 2006. Please include any LIHEAP block grant allotment funds and LIHEAP emergency contingency funds that were subject to the 10 percent carryover limit in FFY 2004. The amount of FFY 2004 funds carried over to FFY 2005 has been preprinted from the State's *LIHEAP Grantee Survey for FFY 2005* that was conducted in February 2006.
5. **Oil Overcharge (Petroleum Violation Escrow) Funds Designated for LIHEAP.** The Secretary of Energy distributed these funds in the 1980s as "Warner amendment," Exxon, and Stripper Well funds or other oil overcharge distributions such as Diamond Shamrock or AMOCO. Such funds are considered to be Federal LIHEAP funds once designated by a State LIHEAP grantee for LIHEAP.

B. Leveraging Incentive Awards (items 6-7)

6. **FY 2006 Leveraging Incentive Award.** State's FFY 2006 leveraging incentive award, if any, for leveraging activities that took place in FFY 2005.

7. **FFY 2005 Unobligated Leveraging Incentive Award Obligated in FFY 2006.** State's unobligated FFY 2005 leveraging incentive award funds, if any, that were obligated in FFY 2006.

C. Total Funds Available

8. **Total Funds Available.** Sum the above items to derive the total of all Federal LIHEAP funds available for FFY 2006. (The total funds available entered here should equal the TOTAL USES OF FUNDS in item 11 under Column A of Section III.

SECTION III INSTRUCTIONS: Uses of LIHEAP Funds

Include information on all funds/awards that were obligated for use in LIHEAP during FFY 2006 or that were carried over to FFY 2007. "Uses of Funds" represent a State's **obligation**, not expenditure, of funds. Block grant and emergency contingency funds that were not obligated by the end of FFY 2006 are to be reported as funds carried over to FFY 2007. (In some cases, obligated LIHEAP funds are not actually expended until after the end of the FFY.)

NOTE: The term "obligation" is as each State defines it. Obligation of LIHEAP funds is based on a State's budgetary planning process, and may change over the FFY. Expenditure of funds represents the funds paid out for LIHEAP, and is reconciled when a State closes out the LIHEAP Program for each FFY in accordance with the Single Audit Act (31 U.S.C. 7501 *et seq.*).

Keep in mind the following points about the use of LIHEAP Federal funds when completing Section III:

- Block grant allotments may only be used for purposes specified in the LIHEAP statute (Low-Income Home Energy Assistance Act, Title XXVI of Public Law 97-35, as amended) and in its implementing regulations, as indicated in the HHS block grant regulations (45 CFR 96).
- Emergency contingency funds generally may be used under the rules applying to the block grant allotments. Therefore, emergency contingency funds generally may be used for any purpose authorized under LIHEAP, including heating assistance, cooling assistance, crisis assistance, weatherization, administrative costs, and carryover, subject to normal LIHEAP restrictions. The emergency contingency funds should be added to the regular block grant allocation to determine limits on weatherization, administration and planning costs, and Assurance 16 activities. See the terms and conditions of the State's emergency contingency award document for any special restrictions on the use of these funds. **Note the special restrictions described for administrative costs under item 10 in Section III.**
- The leveraging incentive award funds may only be used for the purposes specified in Section 96.87 of HHS' block grant regulations (45 CFR Part 96.87), as included in a Final Rule published on May 1, 1995 (60 *Fed Reg* 21332).
- States may request a waiver from HHS to use up to 25 percent of the funds for weatherization.

Also note that calculating "funds payable" was complicated for FY 2006, as depicted in Attachment 1:

Row Items

A. Types of LIHEAP Assistance (items 1-4)

1. **Heating Assistance Benefits.** Indicate the amount of funds used to provide heating assistance benefits. Exclude the cost of administering the heating assistance component.
2. **Cooling Assistance Benefits.** Indicate the amount of funds used to provide cooling assistance benefits if any. Exclude the cost of administering the cooling assistance component.
3. **Crisis Assistance Benefits.** In this section, indicate separately the amount of funds used for crisis assistance and show the break out for each type of crisis assistance listed: winter crisis, summer crisis, year-round crisis (i.e., crisis programs that operate 10-12 months during the FFY), and other crisis benefits (such as responses to area-wide weather and supply shortage emergencies declared by a public official, or an emergency furnace repair program that is separate from the regular winter crisis assistance program). Briefly describe the "other" category, e.g., emergency furnace repairs. Exclude the cost of administering the crisis assistance component.
4. **Weatherization Assistance Benefits.** Indicate the amount of funds used for low-cost weatherization or other-energy related home repairs if any. In the past, some grantees have reported LIHEAP and DOE weatherization funds together. Report only on LIHEAP funds. Exclude the cost of administering the LIHEAP weatherization assistance component—**Edit Check #1.**

NOTE: Section 2605(k) of the LIHEAP statute limits the amount of LIHEAP funds that may be spent on low-income weatherization or other energy-related home repair to 15 percent **of the greater** of the funds allotted or the funds available to a State. Under certain conditions, HHS may grant a waiver that raises this limit to 25 percent. Place an **x** under "Yes" or "No" in the grid under Section C of the Survey to indicate whether the State received such a waiver from HHS for weatherization for FFY 2006.

NOTE: The use of leveraging funds for weatherization does not count towards the 15 percent/25 percent limit on the use of LIHEAP funds for weatherization. Place an **x** in the grid under Section C of the Survey to indicate whether the State obligated leveraging incentive funds for weatherization as such funds do not count against the 15 percent limit.

B. Other Permitted Uses of LIHEAP Funds (items 5-10)

5. **FFY 2006 Funds (excluding item 6) Carried Over to FFY 2007.** This amount has been pre-printed from the amount reported on the State's August 1st *LIHEAP Carryover and Reallotment Report for FFY 2006*. Please update this amount as necessary. Exclude unobligated FFY 2006 leveraging incentive award that is to be reported in item 6 of this Section—**Edit Check # 2.**

NOTE: Section 2607(b)(2)(B) of the LIHEAP statute limits to 10 percent the amount of "all funds except leveraging incentive awards" that may be carried over from one FFY for obligation in the following FFY. The statute requires that 90 percent of the amount payable must be obligated in the FFY in which the funds are awarded.

6. **FFY 2006 Leveraging Incentive Awards Obligated in FFY 2007.** Indicate FFY 2006 leveraging incentive award funds to be obligated in FFY 2007 if any.

NOTE: Section 96.87(k) of the HHS block grant regulations provides that leveraging incentive award funds must be obligated in the FFY in which they are awarded or in the following FFY. Leveraging incentive award funds are not subject to the limit on carryover of funds in item 5 of this Section.

7. **FFY 2006 Unobligated Emergency Contingency Funds.** There were three distributions of emergency contingency funds. Only the second distribution is relevant to item # 7.

P.L. 109-204 provided a supplemental appropriation of \$1 billion to the LIHEAP program, of which \$500 million was designated as block grant funds and \$500 million as emergency contingency funds. The requirements for the \$500 million contingency release in March 2006 differed somewhat from the rules governing the use of the \$100 million in emergency contingency funds that were released in January 2006 as follows:

- The normal LIHEAP obligation rules were waived for the \$500 million emergency contingency fund release. Item 7 pertains to those States that received a share of these funds and chose to obligate any or all of the \$500 million in FY 2007 (all of these funds have to be obligated no later than September 30, 2007).
- The \$500 million contingency funds were not subject to the 10 percent carryover limit, and could not be added to the base on which the carryover limit for regular funds was calculated. Except for administrative/planning costs, these emergency funds could be used for any other purpose authorized under LIHEAP, including heating assistance, cooling assistance, crisis assistance and weatherization, subject to normal LIHEAP restrictions.
- While the \$500 million could not be used for the costs of administration and planning, they could be counted in the base for calculating the grantee's maximum planning and administrative costs (but these costs had to be paid from other LIHEAP funds, such as regular block grant funds from the January 2006 allotment).

The third distribution of FY 2006 LIHEAP emergency contingency funds occurred on September 12, 2006 when \$79.96 million was released to 14 States. Similar to the \$500 million emergency contingency fund release, these funds were not subject to the 10 percent carryover limit, and could not be added to the base on which the carryover limit for regular funds was calculated. However, these funds could be used for administration and planning costs under normal LIHEAP restrictions, and could be counted in the base for calculating the grantee's maximum planning and administrative costs.

8. **Amount of FFY 2006 LIHEAP Block Grant Allotment Used to Identify, Develop, and Demonstrate Leveraging Activities.** Indicate the amount of the State's FFY 2006 LIHEAP block grant allotment that was used, if any, to identify, develop, and demonstrate leveraging activities—**Edit Check # 3.**

NOTE: Section 2607A(c)(2) of the LIHEAP statute limits the amount that States may spend to identify, develop and demonstrate leveraging programs to not exceed 0.08 percent of funds payable or \$35,000, whichever is greater.

9. **FFY 2006 Amount for Assurance 16 Activities.** Indicate the amount, if any, of the LIHEAP block grant allotment used to carry out "Assurance 16 activities", i.e., services that

encourage and enable households to reduce their home energy needs and thereby the need for energy assistance (including needs assessment, counseling, and assistance with energy vendors) —**Edit Check # 4.**

NOTE: Section 2605(b)(16) of the LIHEAP statute limits the amount that may be spent on these activities to 5 percent of LIHEAP funds payable.

10. **FFY 2006 Amount for Administration/Planning Costs.** Indicate the amount of funds obligated for administrative and planning costs. The amount should include (a) all State and local administrative and planning costs, and (b) both direct and indirect costs charged as administrative/planning costs for the program—**Edit Check # 5.**

NOTE: The cost of administering the State's LIHEAP weatherization assistance is to be included, as well as the cost of administering other LIHEAP activities.

NOTE: The second distribution (\$500 million) of block grant funds could not be used for the costs of administration and planning. However, they could be counted in the base for calculating the grantee's maximum administrative and planning costs for FY 2006.

NOTE: As noted in the instructions for item # 7, the second distribution (\$500 million) of emergency contingency funds could not be used for the costs of administration and planning. However, they could be counted in the base for calculating the grantee's maximum administrative and planning costs. Some States may have decided to count most or all of these funds in the base for calculating their maximum planning and administrative costs in FY 2006 or FY 2007 (see item # 8). If any of these funds were counted for FY 2006, please provide a note on the Survey that indicates how much of the second distribution of emergency contingency funds was included in the base for FY 2006. Otherwise, the Survey Edit Check may show a value above 10 percent that does not account for how the State calculated its base for administrative and planning costs. Furthermore, any such funds included in the base for FY 2006 **cannot be included in the base for FY 2007.**

NOTE: Sec. 2605(b)(9) of the LIHEAP statute limits the amount that States use in planning and administration to 10 percent of the funds payable to the States. All amounts above 10 percent must come from non-Federal funds, except that other Federal funds may be used to pay the costs of planning and administering Assurance 16 activities without regard to the 10 percent limit.

NOTE: Under the terms of the LIHEAP statute and implementing regulations, leveraging incentive award funds may not be used for administrative and planning costs. The amount of the leveraging incentive award may be added to the base in which the maximum amount of administrative and planning costs is calculated.

C. Total Uses of Funds

11. Sum the above items to indicate the total uses of all Federal LIHEAP funds available for LIHEAP for FFY 2006. (The “Total Uses of Funds” should equal the “Total Funds Available” in Section II—**Edit Check # 6.**

Column Items (A-C)

Columns A-C pertain to items A.1–A.3 in Section III. Columns A and C pertain to item A.4 in Section III.

- A. Total Funds and Awards.** Indicate the amount obligated for each type of assistance and the amounts for other allowable activities for FFY 2006. Include the total amount of benefits and other activities funded by the LIHEAP block grant allotment, leveraging incentive awards, emergency contingency funds, carryover of unobligated regular block grant funds to FFY 2007, unobligated FY 2006 leveraging incentive funds to be obligated in FY 2007, and oil overcharge funds, if any.
- B. Average Household Benefit.** Indicate the average benefit amount for households assisted during the entire FFY for each type of assistance provided by the State. This is not requested for weatherization assistance because of the wide variety of allowable activities among the States.
- C. Maximum Annual Dollar Income for 4-Person Household.** For each type of assistance provided, list the maximum annual dollar income cutoff for a 4-person household that was in effect at the beginning of FFY 2006, i.e., October 1, 2005. If the State used a higher income cutoff for a specific group of households (such as elderly households) and a lower income cutoff for everyone else, report the lower of the two income cutoffs. Indicate in the Notes section what the higher income cutoff is and to which specific group(s) it applies.

NOTE: The maximum income cutoff for a 4-person household was at or above 110 percent of the 2005 HHS Poverty Guidelines, as of the beginning of FFY 2006 (10/1/2005)—**Edit Check # 7.**