

Grantee Survey Instructions for Federal Fiscal Year (FFY) 2010

November 29, 2010

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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 the LIHEAP section of 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 for FFY 2010* 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 for FFY 2010. Timely completion and submission of the Survey are mandatory. **Please e-mail the completed Survey by December 15, 2010 to klawson@acf.hhs.gov; 202-401-6527.**

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 needed in completing the Secretary's *LIHEAP Report to Congress for FFY 2010* and the LIHEAP section of *the President's 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. 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.

Please contact Katina Lawson at klawson@acf.hhs.gov; 202-401-6527 with regards to the following:

- comments about the design of the electronic *LIHEAP Grantee Survey for FFY 2010*,
- changing the format of your State's *LIHEAP Grantee Survey for FFY 2010*, or
- issues about the accuracy of the Federal FFY 2010 data on the State's block grant allotment, emergency contingency funds, or leveraging incentive awards that are included on your State's *LIHEAP Grantee Survey for FFY 2010*.

Pre-printed Information

Please update the following pre-printed data, as necessary, on your State's *LIHEAP Grantee Survey for FFY 2010*:

- Your State's FFY 2010 Federal block grant allotments (net of Indian set-asides), net emergency contingency funds, and if any, leveraging incentive award funds, as reported by OCS, are listed in **Items # 1, 2, and 5** under "Sources of Funds" in Section II.

The FFY 2010 Federal block grant, emergency contingency funds, and leveraging incentive awards should be correct as that information is reported by our office.

- Your State's carryover of FFY 2009 LIHEAP funds to FFY 2010, if any, for **Item # 3** under "Sources of Funds" in Section II, as reported under "Uses of Funds" in your State's *LIHEAP Grantee Survey For FFY 2009*.
- Your State's FFY 2009 leveraging incentive awards, if any, that were obligated in FFY 2010 for **Item # 6** under "Sources of Funds" in Section II, as reported under "Uses of Funds" in your State's *LIHEAP Grantee Survey For FFY 2009*.
- Your State's carryover of FFY 2010 LIHEAP funds to FFY 2011, if any, for **Item # 5** under "Uses of Funds" in Section III, as reported in your State's *FFY 2010 LIHEAP Carryover and Reallotment Report* that was due on August 1, 2010.

Page Protection

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

Therefore, please do not change the electronic format of your State's Survey by adding or deleting rows or columns. If the Survey cannot accommodate information that you need to display, consider using the note section or contact Katina Lawson to discuss the matter.

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 (round off financial data to the nearest dollar) 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. 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 these funds plus leveraging incentive funds obligated in FFY 2010, and not included as funds payable in FFY 2009.
5. Unless indicated otherwise, definitions of terms should be those used by the State.
6. Any clarifications of a State's response 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.

SECTION II INSTRUCTIONS: Estimated Sources of LIHEAP Funds

The Survey is individualized for your State with pre-printed data, as indicated on page 2. If you believe that the Federal data on the State's block grant allotment, emergency contingency funds, or leveraging incentive awards are incorrect, please contact Katina Lawson as indicated above to discuss the matter.

A. All Funds Except Leveraging Incentive Awards (Items # 1-4).

1. **Block Grant Allotment.** State's FFY 2010 LIHEAP block grant allotment, net of any applicable set-asides to Indian Tribes/Tribal Organizations. **(pre-printed)**
2. **Emergency Contingency Funds.** State's LIHEAP emergency contingency funds for FFY 2010, net of any applicable set-asides to Indian Tribes/Tribal Organizations. **(pre-printed)**
3. **Carryover of All Funds from FFY 2009.** Indicate the amount of unobligated funds, if any, carried over from FFY 2009 for obligation in FFY 2010. Please include any LIHEAP block grant allotment funds and

LIHEAP emergency contingency funds that were subject to the 10 percent carryover limit in FFY 2009. **(pre-printed)**

4. **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 (Item # 5-6).

5. **FY 2010 Leveraging Incentive Award.** State's FFY 2010 leveraging incentive award, if any. **(pre-printed)**
6. **FY 2009 Leveraging Incentive Award Obligated in FFY 2010.** State's unobligated FFY 2009 leveraging incentive award funds, if any, that were obligated in FFY 2010. **(pre-printed)**

C. Total Funds Available

7. **Estimated Total Funds Available.** The above items are totaled to derive the amount of all Federal LIHEAP funds available for FFY 2010. (The total funds available should equal the Estimated Total Uses of Funds in Item # 11 under Column A of Section III.)

SECTION III INSTRUCTIONS: Estimated Uses of LIHEAP Funds

"Uses of Funds" represent a State's **obligation**, not expenditure, of funds. (In some cases, obligated LIHEAP funds are not actually expended until after the end of the FFY.) Include information on all funds/awards that were obligated for use in LIHEAP during FFY 2010 or that were obligated in or carried over to FFY 2011. Except for Item # B.6 below, block grant and emergency contingency funds that were not obligated by the end of FFY 2010 are to be reported as funds carried over to FFY 2011 and subject to the 10 percent carryover limit. Any emergency contingency funds that were distributed in September 2010 can either be reported as funds carried over to FFY 2011 (Item # B.5) or as funds to be obligated in FFY 2011 (Item # B.6). These funds may be reported in Item # B.5 or B.6, but not in both.

NOTE: The term "obligation" is as each State defines it. The 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 its 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 the HHS block grant regulations (45 *CFR* 96).
- Emergency contingency funds generally may be used under 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 are 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.**
- The leveraging incentive award funds may only be used for the purposes specified in section 96.87 of the HHS block grant regulations (45 *CFR* Part 96.87).

- States may receive a waiver, if requested, from HHS and if approved, to use up to 25 percent of the funds for weatherization assistance.

Row Items

A. Type 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, an emergency furnace repair/replacement program that is separate from the regular winter crisis assistance program, etc). 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 residential weatherization or other-energy-related home repairs, if any. In the past, some grantees have reported LIHEAP and Department of Energy weatherization funds together. Report only on LIHEAP funds. Exclude the cost of administering the LIHEAP weatherization assistance component—**Edit Check #2.**

NOTE: Section 2605(k) of the LIHEAP statute limits the amount of LIHEAP funds that may be spent on low-cost 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 to the right of Edit Check # 2 in the Edit Check spreadsheet to indicate whether the State received such a waiver from HHS for weatherization for FFY 2010.

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 to the right of Edit Check # 2 in the Edit Check spreadsheet to indicate whether the State obligated leveraging incentive funds for weatherization.

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

5. **FFY 2010 Unobligated Funds (excluding funds in Item # 6) Carried Over to FFY 2011.** This amount has been pre-printed from the amount reported on your State's *August 1, 2010 LIHEAP Carryover and Reallotment Report for FFY 2010*. Please update this amount as necessary. **Exclude amounts, if any, reported in Item # 6 below—Edit Check # 3. (pre-printed)**

NOTE: Section 2607(b)(2)(B) of the LIHEAP statute limits to 10 percent of the amount of "all funds except leveraging incentive awards" that may be carried over from one FFY for obligation in the following FFY. (Leveraging incentive funds are not subject to the 10 percent limit on carry over funds.) The statute requires that 90 percent of the amount payable must be obligated in the FFY in which the funds are awarded.

6. **FFY 2010 allowable Unobligated Emergency Contingency Funds, not Subject to 10% Carryover Limit, Obligated in FFY 2011.** Indicate FFY 2010 unobligated emergency contingency funds obligated in FFY 2011, if any, from the amount that States received from the \$101 million release of emergency

contingency funds in September 2010. See:

www.acf.hhs.gov/programs/ocs/liheap/guidance/information_memoranda/im11-01.html.

7. **FFY 2010 Leveraging Incentive Award Obligated in FFY 2011.** Indicate FFY 2010 leveraging incentive award funds obligated in FFY 2011, 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.

8. **Amount of FFY 2010 LIHEAP Block Grant Allotment Used to Identify, Develop, and Demonstrate Leveraging Activities.** Indicate the amount of the State's FFY 2010 LIHEAP block grant allotment that was used, if any, to identify, develop, and demonstrate leveraging activities—**Edit Check # 4.**

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. **Amount for Assurance 16 Activities.** Indicate the amount, if any, of the FFY 2010 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 # 5.**

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. **Amount for Administration/Planning Costs.** Indicate the amount of funds obligated for administration and planning costs in FFY 2010. The amount should include (a) all State and local administration and planning costs, and (b) both direct and indirect costs charged as administration and planning costs for the program —**Edit Check # 6.**

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.

Section 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.

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 Estimated Uses of Funds

11. Sum Items # 1-10 to indicate the total uses of all Federal LIHEAP funds available for LIHEAP for FFY 2010. (The “Total Uses of Funds” should equal the “Total Funds Available” in Section II—**Edit Check # 7.**)

Column Items

- A. Total Funds and Awards.** Indicate the amount obligated for each type of assistance and the amounts for other allowable activities for FFY 2010.
- 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 2010, i.e., October 1, 2009. If your State used a higher dollar income cutoff for a specific group of households (such as elderly households) and a lower dollar 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 dollar income cutoff for a 4-person household was at or above 110 percent of the 2009 HHS Poverty Guidelines, as of the beginning of FFY 2010—**Edit Check # 1.**

Survey Edit Checks

The Excel workbook includes a Survey Edit Check tab at the bottom of the Survey. The data from the Survey has been entered into its corresponding edit check. Please correct any data flagged by the Edit Checks after you complete the survey.

Edit Check #	Section III (Estimated Uses of Funds) Edit Checks	Survey Item #
1.	The maximum household income cutoff for a 4-person household is equal to or greater than 110 percent of the 2009 HHS Poverty Guidelines.	Col. C
2.	Weatherization funds are no greater than 15 percent of funds payable unless your State indicates that the amount includes leveraging incentive funds or that your State has received a waiver to obligate up to 25 percent of funds payable.	A.4
3.	Carryover of unobligated funds is no greater than 10 percent of funds payable.	B.5
4.	Funds payable to identify, develop, and demonstrate leveraging programs are not to exceed 0.08 percent or \$35,000, whichever is greater.	B.8
5.	Assurance 16 funds are no greater than 5 percent of funds payable.	B.9
6.	Administrative/planning cost is no greater than 10 percent of funds payable.	B.10
7.	“Estimated Total Funds Available” equals “Estimated Total Uses of Funds.”	B.11