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Office of Management and Budget (OMB)

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Subject: Non-Substantive Change Request – Low Income Home Energy Assistance Program (LIHEAP) Carryover and Reallotment Report Package (OMB #0970-0106).

This memo requests approval of non-substantive changes to the approved information collection, Low Income Home Energy Assistance Program (LIHEAP) Carryover and Reallotment Report Package (OMB #0970-0106).

Background

The LIHEAP statute requires permits each grantee to carry over no more than 10 percent of their regular LIHEAP block grant funds. Grantees report these funds to HHS on the LIHEAP Carryover and Reallotment Report (Carryover Report). HHS determines how much of the excess, across all grantees, to reallot to grantees or return to the Treasury.

Grantees must submit preliminary versions of their reports by October 1, 2020.

The CARES Act and two other appropriations acts appropriated regular LIHEAP block grant funds for FFY 2020. The CARES Act appropriated a supplemental \$900 million and the other acts appropriated \$3.7 billion. However, the CARES Act overrode the LIHEAP statute and allowed each grantee to carry over up to 100 percent of the \$900 million. Pending legislation proposes to do likewise for additional FFY 2020 supplemental funds. Consequently, HHS must change the Carryover Report to allow grantees to report CARES Act funds and other supplemental FFY 2020 funds separately from the regular CARES Act funds on their reports. This change will apply to only the FFY 2020 and FFY 2021 Carryover Reports. For FFY 2022, HHS plans to request another non-substantive change to return the report to its original form.

Overview of Requested Changes

The request calls for splitting the Carryover Report into three sections. The first section derives directly from the entire FFY 2019 version of the report. It differs from the FFY 2019 version by (1) instructing each grantee to report FFY 2020 LIHEAP funds from non-CARES Act and other FFY 2020 supplemental appropriations; (2) removing references to funding sources, such as “contingency funds”, that don’t apply to FFY 2020; and (3) advancing the estimated due date by one month. It instructs each grantee to report the unobligated amount of such funds. It also calculates the amounts of those funds that the grantee (1) may carry over; and (2) must return to HHS.

The second and third sections are new sections. They instruct each grantee to report the

unobligated amount of FFY 2020 LIHEAP funds from the FFY 2020 CARES Act and any supplemental FFY 2020 acts, respectively. Unlike the first section, they don't calculate the amounts of those funds that the grantee may carry over and must return to HHS—given that the grantee may carry over any portion of those funds. Furthermore, they have lines that grantees will only complete in certain years—funds to be carried over for FFY 2020 and funds to be returned for FFY 2021. This request also calls for revising the Carryover Report's instructions accordingly.

Time Sensitivities

On May 8, 2020, HHS notified grantees that they must prepare to track and report separately on CARES Act LIHEAP funding. The agency also added this requirement as a term and condition to the LIHEAP Notices of Award from the CARES Act. HHS seeks to issue this guidance as quickly as possible to minimize their burden as they prepare to meet the October 1, 2020 deadline.