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Office of Management and Budget (OMB)

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Administration for Children and Families (ACF)

Date: January 12, 2021

Subject: Non-substantive Change Request – LIHEAP Performance Data Form (OMB #0970-0449)

This memo requests approval of non-substantive changes to the approved information collection, LIHEAP Performance Data Form (LPDF) (OMB #0970-0449). Only state LIHEAP grantees are required to submit this form.

Background

The LIHEAP statute permits each grantee to carry over no more than 10 percent of their regular LIHEAP block grant funds. Grantees must return any un-obligated amount of those funds in excess of that level. Each grantee reports to ACF these amounts on their Carryover and Reallotment Reports. The Office of Community Services (OCS) uses the Module 1 of the LPDF (the Grantee Survey) to validate the Carryover and Reallotment Reports of the states. OCS also uses this module to report on how grantees used their funds.

Two regular appropriations acts appropriated \$3.7 billion of regular LIHEAP funds for FFY 2020. They retained the 10 percent carryover limit required by the LIHEAP statute. The CARES Act (Public Law 116-136) also appropriated \$900 million of LIHEAP funds for FFY 2020. However, it overrode the LIHEAP statute section 2607(b)(2)(B) [42 U.S.C. 8626(b)(2)(B)] by that stipulating funds must remain available until September 30, 2021. Consequently, OCS needs to require grantees to report regular LIHEAP funds and CARES Act LIHEAP funds separately. OCS will use the data from this separation to (1) validate the Carryover and Reallotment Reports of the states, which will also call for separate reporting; and (2) report on how grantees used each funding stream.

This request is time sensitive because (1) grantees need guidance to properly obligate and report the uses of their CARES Act funds; and (2) OCS must reconcile grantees' preliminary Carryover and Reallotment reports, which grantees submitted by October 1, 2020, with this Performance Data Form.

Overview of Requested Changes

ACF seeks to change the Grantee Survey (Module I) to allow grantees to report CARES Act funds separately from non-CARES Act funds on their reports. We anticipate that the changes to Module I will increase the estimated time to respond from 30 to 36 hours. We also seek minor edits to Modules II and III. All proposed edits to forms and instructions are outlined below. We have also updated Supporting Statement A to include discussion of these appropriations and to

reflect the increased burden estimate.

ACF also requests to update certain headings of Modules 2 and 3 of the form to the appropriate years.

These changes will apply to only the FFY 2020 and FFY 2021 state Grantee Surveys. Starting with 2022, ACF plans to request another non-substantive change to return the report to its original form.

*Edits to **MODULE 1 (LIHEAP Grantee Survey)**:*

1. Made the following edits to **SECTION III. ESTIMATED SOURCES OF LIHEAP FUNDS**:
 - a. Changed “2017” in **Fiscal Year (FFY) 2017, FFY 2017, 9/30/2017, and September 30, 2017** to **2020**;
 - b. Changed “2016” in **10/1/2016** and **October 1, 2016** to “2019”;
 - c. Made the following changes to Subsection **A. All Funds Except Leveraging Incentive Awards (Items 1-8)**:
 - i. Changed, in the subsection’s heading, “**Except Leveraging Incentive Awards (Items 1-8)**” to “**Except CARES Act and Other Supplemental Funding (Items 1-7)**”
 - ii. Added “**--regular funds only**” to the end of the description of Item 1;
 - iii. Removed Item **5 Reserved** and renumbered all following items and references thereto accordingly;
 - iv. Removed subsection **B. Leveraging Incentive Award...** (but not the items therein) and re-lettered the following subsections accordingly;
 - v. Inserted, before “**Realloted to FFY**” in in the description of Item 3 “**from FFY 2019**”;
 - d. Made the following changes to Subsection **C. Estimated Total Sources of Funds (Items 1-9)**:
 - i. Added, to the heading of that subsection “**--Non-CARES/Supplemental Funding**” after “**Sources of Funds**”; and
 - ii. Changed number of the item which the figure in Item 10 should equal to **14**;
 - e. Inserted Subsection **D. All Funds Except Leveraging Incentive Awards--CARES Act (Items 12-19)** and the following items:
 - A. Item **11. CARES Act Allotment (Net of Indian Tribal Set-Asides)**. **This should equal the sum in Section IV. Column D, Item 25**;
 - B. Item **12. Other Supplemental1 Allotment (Net of Indian Tribal Set-Asides)**. **This should equal the sum in Section IV. Column D, Item 36**; and
 - C. Item **13. Other Supplemental2 Allotment (Net of Indian Tribal Set-Asides)**. **This should equal the sum in Section IV. Column D, Item 47**;
 - f. Inserted Subsection **E. Estimated Subtotal Sources of Supplemental Funds--(Items**

11-13) and 14. Sum of Items 11-13. This should equal the sum in Section IV. Column D, Item 48.; and

- g. **Inserted Subsection F. Estimated Total of Sources of All Funds (Items 10 plus Item 14) and Item 15. Item 10 plus Item 14. This should equal the sum in Section IV. Column D, Item 49.**

2. Made the following edits to **SECTION IV. ESTIMATED USES OF LIHEAP FUNDS:**

- a. Changed “10/1/16” in the column heading **Maximum Annual Dollar Income for 4-Person Household as of 10/1/16** to “the effective date”
- b. Added “ **--non-supplemental funds**” to the descriptions and headings of subsections **A** through **C** and each of the items therein;
- c. Removed **Item 10. Reserved** and renumbered all following items and references thereto accordingly;
- d. Inserted the following subsections:
 - i. Subsection **D. Type of LIHEAP Assistance--CARES Act (Item ...)**;
 - ii. Subsection **E. Other Permitted Uses of LIHEAP Funds--CARES Act (Item ...)**;
 - iii. Subsection **F. Estimated Total Uses of Funds--CARES Act (Item ...)**;
 - iv. Subsection **G. [RESERVED, if applicable] Other Supplemental Funds1: (Item ...)**;
 - v. Subsection **H. Other Permitted Uses of LIHEAP Funds--Other Supplemental1 (Item ...)**;
 - vi. Subsection **I. Estimated Total Uses of Funds--Other Supplemental1 (Item ...)**;
 - vii. Subsection **J. [RESERVED, if applicable] Other Supplemental Funds2: (Item ...)**;
 - viii. Subsection **K. Other Permitted Uses of LIHEAP Funds--Other Supplemental2 (Item ...)**;
 - ix. Subsection **L. Estimated Total Uses of Funds--Other Supplemental2 (Item ...)**;
 - x. Subsection **M. Estimated Subtotal Uses of Supplemental Funds (Sum of Items ...)**;
and
 - xi. Subsection **N. Estimated Subtotal Uses of All Funds (Sum of Items ...)**
- e. Inserted, into the following subsections the following items:
 - i. Into subsections **D**, **G**, and **J**, items equivalent to those that appear in Subsection **A** of this section;
 - ii. Into subsections **E** and **H**, items equivalent to those that appear in Subsection **B** of this section except the following:
 - A. **Item 8. FFY Allowable Unobligated Emergency Contingency Funds, not Subject to 10% Carryover Limit, Obligated in next FFY;**

- B. Item **9. FFY Leveraging Incentive Award Obligated in next FFY**;
 - C. Item **10. Reserved**; and
 - D. Item **13. FFY Residential Energy Assistance Challenge (REACH) Program**;
- iii. Into subsections **F, I, and L**, items and questions equivalent to those that appear in Subsection **C** of this section except **Q2. Average Household Benefits are estimated due to unique program operation, rather than directly calculated--regular funds**;
 - iv. Into subsection **M**, Item **48. Sum of Items 25, 36, and 47. This should equal the sum in Section III. Column D, Item 14.**; and
 - v. Into subsection **N**, Item **49. Sum of Items 14 and 48. This should equal the sum in Section III. Column D, Item 15.**

*Changes to **Module II (Required LIHEAP Performance Measures)** and **Module III. (Optional LIHEAP Performance Measures)**:*

1. Changed “Fiscal Year (FFY) 2017” to “Fiscal Year (FFY) 2020”.
2. Added, in the instructions, a request to report data for any given “Other” crisis component that delivered benefits from non-CARES Act funds and CARES Act funds (1) in the equivalent positions on the LPDF; and (2) and under exactly the same name.