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Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)

From: Peter Edelman
Office of Community Services (OCS)
Administration for Children and Families (ACF)

Date: July 20, 2024

Subject: NonSubstantive Change Request – *Low Income Home Energy Assistance Program (LIHEAP) Carryout and Reallotment Report (OMB #0970-0106)*

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

Background

The federal Low Income Home Energy Assistance Program (LIHEAP) statute requires the Department of Health and Human Services (HHS) to collect data annually from all LIHEAP grant recipients regarding the status of obligated and unobligated funding (42 U.S.C. § 8626). The amount held available from a prior fiscal year shall not exceed 10 percent of the funds awarded for that fiscal year (42 U.S.C. § 826(b)(2)(B)), with the excess reallotted in the following fiscal year among that year's LIHEAP grant recipients (42 U.S.C. § 8626(b)(1)(C)).

The federal HHS block grant regulations further require that the Carryover and Reallotment Report (Carryover Report) must contain the following information: (1) The amount of funds that the grant recipient requests to hold available for obligation in the following fiscal year; (2) A statement of the reasons that this amount to remain available will not be used in the fiscal year for which it was allotted; (3) A description of the types of assistance to be provided with the amount held available; and (4) The amount of funds, if any, to be subject to reallotment. See 45 C.F.R. § 96.81.

OMB most recently approved the Carryover Report in June 2022 for three years. The form as approved includes three lines that cover unobligations from the following sources: (1) regular LIHEAP funds; (2) supplemental funds from the Infrastructure Investments and Jobs Appropriations Act (IIJA) [Public Law (P. L.) 117-58]; and (3) supplemental funds from other sources. Since the lines for these supplemental funds from other sources, including *Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136)*, *American Rescue Plan Act (ARP) of 2021 (Public Law 117-2)*, are not available for obligation in Fiscal Year 2024 (FY24) they need to be removed prior to the next reporting period (planned to begin August 1, 2024).

The addition of these lines for these supplemental funds was originally processed as nonsubstantive changes. Similarly, this change request is to update the form, instructions, and burden esti-

mates to reflect the removal of these lines. Minor updates were also made to the instructions for clarity, such as wording and punctuation.

Overview of Requested Changes

HHS's Administration for Children and Families (ACF) seeks to revise this form to zero-out the third line (unobligations from other sources of supplemental funds) and close it to user entry. It also seeks to make minor changes to wording and punctuation.

ACF also seeks to accordingly revise the instructions associated with this form.

Finally, for the version of the Carryover Report that was approved in July 2022, we estimated the total average burden to be 7 hours per respondent. This estimate combined (1) three hours per respondent for the standard lines; and (2) four additional hours per respondent to cover the breakouts of funds from non-IIJA supplemental appropriations. With the removal of the non-IIJA supplemental appropriations lines, we are reverting to the previous estimate of an average of 3 hours per response.

Supporting Statement A was updated to explain these updates and to update the burden section.

Time Sensitivities

This approval is time-sensitive. ACF seeks to open the form to user entry on August 1, 2024. It also seeks to announce this availability at that time. This allows grant recipients to spend one month gathering and reporting the necessary information by the statutory deadline of August 1 [42 U.S.C. § 8626(a)(2)].