Appendix 1. Federal Register Notice Comments & Responses

#	Commentor	Comment	Change Decision	Change Notes
1	Yakutat Tlingit Tribe	The proposed changes to LIHEAP Annual household reporting will increase the burden of reporting on Tribes who already suffer from short-staff and short-budgets. Tribes in rural areas already have the added burden of providing wrap-around services to all community members, which means that maintaining a positive relationship from a Human Services standpoint is vital. The proposed changes will force tribal employees to request additional information from tribal members, which is cumbersome. It is our goal to ensure that we are providing services to Tribal members who need those services most, and additional reporting requirements could serve as unnecessary barriers to service. We are already asking Tribal members for personal documentation and with these changes we would further be asking tribal members to make decisions on how they would like to categorize themselves.	No Change	OCS appreciates the concerns regarding the reporting burden associated with the collection of demographic data. However, OCS has determined that collecting demographic data is critical for assessing the success of our efforts to conduct outreach and distribute resources equitably, while also assessing the ongoing needs of the populations we serve. To balance the needs of ensuring equitable implementation and not overburdening grant recipients, OCS will continue to require demographic data collection for household applicants in FY 2023. Demographic data collection for household members will be optional in FY 2023. OCS began implementing demographic data collection for household applicants in LIHWAP beginning in FY 2022. Given the significant overlap in LIHWAP and LIHEAP grant recipients, OCS has aligned the demographic data collection start dates to reduce grant recipient reporting burden and ideally increase efficiencies.
2	State of Alaska Grant Recipient	What is the purpose of collecting gender and ethnicity information for all household members? If it is to be like other programs? Aren't these types of requirements moving us away from a "block grant?" Is it legal to request this information? I have always seen these categories as "optional" on other forms. If we cannot require the information be completed for each household member, the information we receive may be incomplete or incorrect (poor response and data quality).		OCS has determined that collecting demographic data is critical for assessing the success of our efforts to conduct outreach and distribute resources equitably, while also assessing ongoing needs of the populations we serve. This type of requirement does not change that LIHEAP is a block grant. LIHEAP can request this information and OCS will continue to require LIHEAP grant recipients to collect demographic data on race, ethnicity, gender, renter/owner status from household applicants in FY 2023. Demographic data collection for household members will remain optional for LIHEAP grant recipients in FY 2023. While OCS is requiring grant

				recipients to collect demographic data on race, ethnicity, gender, and renter/owner status, OCS is not requiring that all households submit this demographic data in order to receive benefits. As with any missing data, grant recipients should attempt to secure this data from Information Technology systems or the household. However**, no household should be denied benefits for not providing data on their, or their household members', race, ethnicity, gender, and renter/owner status.**
		"Gender" would need to be defined with categories other than male and female available to choose from.		Based on White House Toolkit on Transgender Equality best practice to self-identify gender has been defined by the following categories: 1. Self-Identified Male 2. Self-Identified Female 3. Other 4. Unknown/not reported The definitions of gender categories is included in Section VII and IV of the Instructions for the LIHEAP Household Report Form.
		Most of the requested changes to the Household Report will require Grantees to make IT programming changes and changes to LIHEAP applications to include the additional data being requested such as whether an applicant is an owner, renter, renter with heat included, etc. Let us not forget to include subsidized housing options as well. Once again, states will need very specific guidance from ACF/OCS/DEA. Depending upon how long it takes to answer these questions and release guidance, FY 2024 may be too soon. Some of the information may not be collectable before 2025.		OCS recognizes in order to collect this data a significant number of grant recipients will have to update their applications and IT systems. The latter can take a considerable amount of time. In an effort to balance both the need to collect this important data and ensure that the reporting requirements do not cause a disruption in benefit issuance, OCS will require demographic data collection for only household applicants in FY 2023. Demographic data collection for household members will be optional in FY 2023. OCS has added a data collection for

				households assisted by housing type as a valuable addition to evaluate equity. However, similar to the demographic data for household members, submitting this data will be optional for FY 2023 to provide grant recipients time to make changes to collect this data. OCS will require the collection of this data in the annual report beginning in FY 2024.
		Question #2 in the notice asks about the number of applicants by ethnicity. Question #3 asks the same question about race. Question #5 appears to ask the same thing that Question #2 does. And Question #6 appears to ask the same information as Question #3. What is the difference between all these questions? In our state we use "ethnicity" and "race" interchangeably. I checked a thesaurus and the synonyms are as follows: Ethnicity – civilization, society, background, culture, origin, traditions, customs, way of life Race – nation, people, ethnic group As you can see, one of the synonyms for "race" is ethnic group. I think this question(s) is confusing and the data may not be trackable. What about mixed-race individuals?		The report asks individuals to identify their race by selecting one of the following categories: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White, Multi-race (two or more of the above), Other, Unknown/not reported. The question re: ethnicity asks individuals to identify if they are Hispanic, Latino, or Spanish Origins. Not Hispanic, Latino, or Spanish Origins, Unknown/not reported. The categories align with the current OMB minimum standards for race/ethnicity data collection. More information on the distinction between race and ethnicity can be found in this U.S. Census Bureau document.
		It would be helpful to see a listing of gender options, and ethnicity options people will be able to choose from. And, to learn why we are collecting both race and ethnicity. I think it should be one or the other.		See response above for gender options and race/ethnicity explanation.
		It would also be helpful to see a mockup of the actual report that will be required along with specific instructions. Only then can a person truly comment on the amount of time it will take to complete this task. How many other interfaces, and which interfaces, will need to be checked to obtain the missing		OPRE sent a copy of the LIHEAP Household Report long and short forms and their instructions to this grant recipient.

		information on applications? This also plays into the amount of time it will take to complete the report. I do have a concern about the quality and consistency of the data collected. I do not want to pend or deny a case because someone did not list the gender of their child; but this means that the data on that household would be incomplete. This means more staff time trying to get the information through data matches or an incomplete and inaccurate report. The form you sent, and the instructions, include CARES and ARPA funding reporting sections/areas. If FY 23 is when you want to start using the new report, why are these funding sources included? Both funding had to be spent down by September 30, 2022. The form would also be shorter, take less time, and look less daunting if we only were reporting on our block grant funding. If ACF is stuck on having other reporting areas, then call then something like "additional supplemental funding". I don't see this form saving any time or telling the program all that much after spending a lot of time collecting the new information. What was cut out? I'm not seeing any less collection in any area. I'm still not understanding the difference between VI and VII. To		While OCS is requiring grant recipients to collect demographic data on race, ethnicity, gender, and renter/owner status, OCS is not requiring that all households submit this demographic data in order to receive benefits. As with any missing data, grant recipients should attempt to secure this data from Information Technology systems or the household. However**, no household should be denied benefits for not providing data on their, or their household members', race, ethnicity, gender, and renter/owner status.** The obligation deadline for CARES Act funding was September 30, 2021, and the obligation deadline for ARP funding is September 30, 2022. However, grant recipients can expend/draw down these funds beyond the obligation deadline in accordance with their state/territory/tribal expenditure rules. Thus, the form retains these categories as households can be served with these funds in FY 2023. The demographic data collection added to these reports will add time to the data collection; however, we tried to offset some of this increase by removing some of the previously required data. OCS removed the reporting requirements for applicant households by assistance type and poverty interval on the Household Report Long Form to offset some of the additional reporting burden entailed by the demographic data collection.

		me it sounds like they are asking the same thing (race and ethnicity). Can someone please explain the difference to me? In Alaska we have large Russian and Philippine populations. How about Korean? What about refugees from Ukraine and Afghanistan? What would they be? Other? The list you propose is limited. I'd suggest adding more categories but that is your decision.		See the response above for the explanation of the difference between race and ethnicity. OCS will take this feedback under consideration. OCS also needs to ensure our questions comply with OMB standards; these standards are currently under review and there is work being done to revise them. For information see here: Race and Ethnicity Flexibilities (whitehouse.gov).