

# Low-income Energy Assistance Program (LIHEAP) Memorandum of Understanding

between the State of Oklahoma

**OKLAHOMA DEPARTMENT OF HUMAN SERVICES**  
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And

**Eastern Shawnee Tribe of Oklahoma**  
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## I. **Intended Purpose**

- 1.1 This memorandum of understanding (MOU) is an agreement between the State of Oklahoma Department of Human Services and the **Eastern Shawnee Tribe of Oklahoma** is made pursuant to the Low-Income Home Energy Assistance and Energy Crisis Intervention Program (ECIP) Act of 1981 under Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35), as amended by the Title VI of the Human Service Reauthorization Acts of 1984 (Public Law 98-558), of 1986 (Public Law 99-425), of 1990 (Public Law 101-501), of 1994 (Public Law 103-252), and of 1998 (Public Law 105-258), and
- 1.2 To finalize a method for calculating the amount of Low Income Home Energy Assistance (LIHEAP) funds from the federal funds allocated to the **Eastern Shawnee Tribe of Oklahoma** that will be allocated for use by the **Eastern Shawnee Tribe of Oklahoma** LIHEAP Program. The agreement of the parties shall be as follows:

## II. **State of Oklahoma Department of Human Services shall:**

- 2.1 Apply to the Federal government, the United States Department of Health and Human Services (HHS), for LIHEAP funds allocated to the State of Oklahoma
- 2.2 Submit a LIHEAP State Plan to HHS which will contain the agreed upon percentage or amount of LIHEAP funds allocated to the Tribe out of the state of Oklahoma's LIHEAP allocation.
- 2.3 Negotiate with the Tribe, based on data, and agree in writing via this document, the percentage or amount of LIHEAP eligible households for which funds allocated to the Tribe should be based, and provide a copy of the signed agreement to the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services, Division of Energy.
- 2.4 Provide verification of LIHEAP recipient(s) to the tribe to help avoid duplicate payments.

- 2.5 Provide LIHEAP assistance to tribal member(s) if/when the household has moved outside of the tribe's geographical service area or if the tribe has determined the household is not eligible to be served by the tribe.

**III. The Tribe shall:**

- 3.1 Apply to the United States Department of Health and Human Services (HHS), for LIHEAP funds allocated to the Tribe by submitting a LIHEAP Model Plan in OLDC by the federally announced annual due date.
- 3.2 Attach this state-tribe agreement document to its model plan in OLDC which will include either a.) an agreed upon percentage of LIHEAP funds to be allocated to the tribe, b.) an agreed upon number of eligible households to be served by the tribe, or c.) an agreed upon geographical area the tribe will be responsible for serving.
- 3.3 Provide LIHEAP services to tribal members within the tribe's territory of Oklahoma to include a 50-mile radius from Tribal Headquarters located in Ottawa County, Oklahoma.
- 3.4 Maintain a record of the amounts awarded to each eligible tribal member(s) and payments made on their behalf.
- 3.5 Provide a copy of the annual *LIHEAP Household Report – Short Form* to the State of Oklahoma Department of Human Services by the federally announced due date.
- 3.6 Review and re-submit this signed MOU every five (5) years to the State of Oklahoma Department of Human Services.
- 3.7 Submit a request for an extension, if necessary, and receive a written approval for an extension if the tribe is not able to submit their annual model plan to HHS by the federally announced due date.
- 3.8 The tribe will serve only tribal member households of its own tribal membership
- 3.9 Share information with the State of Oklahoma Department of Human Services about tribal LIHEAP payments issued to households to help the state avoid duplicate payments.
- 3.10 Serve only households who have not been served by the State during the same Federal Fiscal Year with LIHEAP funds.

**IV. General Provision**

- 4.1 There will be no payments made to either party under this MOU.

4.2 Allocation of Federal Low Income Home Energy Assistance Program (LIHEAP) funds to the tribe will be calculated annually using the following allocation formula:

- a. The agreed upon percentage shall be based on either a.) Oklahoma's gross times 8 low-income Native American households in the tribe divided by 430,470 low-income households in the state, or b.) \$ 4,000, whichever is greater, until further renegotiated and agreed to by both the state and the tribe. If an agreement cannot be reached, the funding shall be based on the U.S. Census Bureau's American Community Survey Combined Data Set.

This agreement and any attachments thereto set forth all promises, agreements, and understandings between the State of Oklahoma - Department of Human Services, and the Eastern Shawnee Tribe of Oklahoma. No alterations, modifications or amendments of this agreement shall be binding upon either party unless they have been reduced to writing and properly executed by an authorized representative of each party to the agreement. In witness thereof, the State of Oklahoma - Department of Human Services and the Eastern Shawnee Tribe of Oklahoma hereby execute this agreement.

CASEY KILLION-LETRAN  
DHS-LIHEAP Representative

Glenna J. Wallace  
Tribal Chair/Chief Name

Casey Killion-Letran 07/14/2021 @04:19:23PM CST  
Signature Date

Glenna J. Wallace 7/12/21  
Signature Date

Matthew Conley  
Printed Name of State LIHEAP Manager

Amber Mittag  
Printed Name of Tribal LIHEAP Manager

matthew conley 07-14-2021  
Signature of State LIHEAP Mgr. Date

Amber Mittag 7/12/21  
Signature of Tribal LIHEAP Mgr. Date