

DETAILED MODEL PLAN (LIHEAP)

Program Name: Low Income Home Energy Assistance

Grantee Name: Eastern Band of Cherokee Indians

Report Name: DETAILED MODEL PLAN (LIHEAP)

Report Period: 10/01/2024 to 09/30/2025


Report Status: Submission Accepted by CO

Report Sections

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Mandatory Grant Application SF-424

| | | | |
|---|--|--|---|
| U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES | | August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01 OMB Clearance No.: 0970-013 Expiration Date: 02/28/2027 | |
| LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY | | | |
| * 1.a. Type of Submission: <input checked="" type="radio"/> Plan | * 1.b. Frequency: <input checked="" type="radio"/> Annual | * 1.c. Consolidated Application/ Plan/Funding Request? Explanation: | * 1.d. Version: <input checked="" type="radio"/> Initial <input type="radio"/> Resubmission <input type="radio"/> Revision <input type="radio"/> Update |
| | | 2. Date Received: | State Use Only: |
| | | 3. Applicant Identifier: | |
| | | 4a. Unique Entity Identifier (UEI) XKNCQTSZ8VD8 | 5. Date Received By State: |
| | | 4b. Federal Award Identifier: | 6. State Application Identifier: |
| 7. APPLICANT INFORMATION | | | |
| * a. Legal Name: Eastern Band of Cherokee Indians | | | |
| * b. Address: | | | |
| * Street 1: | P.O. Box 455 | Street 2: | |
| * City: | CHEROKEE | County: | |
| * State: | NC | Province: | |
| * Country: | United States | * Zip / Postal Code: | 28719 - |
| * c. Organizational Unit: | | | |
| Department Name: Family Support Services | | Division Name: Public Health & Human Services | |
| * d. Name and contact information of person to be contacted on matters involving this application: (person will be listed on Notice of Funding Awards and on the U.S. Department of Health and Human Services' LIHEAP contact list webpage) | | | |
| * First Name: Heidi | | * Last Name: Jones | |
| Title: Senior Grant Analyst | | Organizational Affiliation: | |
| * Telephone Number: 828-359-7088 | | Fax Number: | |
| * Email: heidjone@ebci-nsn.gov | | | |
| * 8. TYPE OF APPLICANT: I: Indian/Native American Tribal Government (Federally Recognized) | | | |
| * a. Is the applicant a Tribal Consortium: <input type="radio"/> Yes <input checked="" type="radio"/> No | | | |
| * b. If yes please attach at least one the following documentation: | | | |
| | | Catalog of Federal Domestic Assistance Number: | CFDA Title: |
| 9. CFDA Numbers and Titles | | 93.568 | Low-Income Home Energy Assistance Program |
| 10. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Low-Income Home Energy Assistance Program | | | |
| 11. AREAS AFFECTED BY FUNDING: Jackson, Swain, Graham, Haywood and Cherokee counties | | | |
| 12. CONGRESSIONAL DISTRICTS OF APPLICANT: NC-011 | | | |
| 13. FUNDING PERIOD: | | | |
| a. Start Date: 10/01/2024 | | b. End Date: 09/30/2025 | |
| * 14. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS? | | | |
| a. This submission was made available to the State under Executive Order 12372 | | | |

| | |
|---|---|
| Process for review on: | |
| b. Program is subject to E.O. 12372 but has not been selected by State for review. | |
| c. Program is not covered by E.O. 12372. | |
| *15. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="radio"/> YES <input checked="" type="radio"/> NO | |
| If Yes, explain: | |
| 16. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001) **I Agree <input checked="" type="checkbox"/> | |
| ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions. | |
| 17a. Typed or Printed Name and Title of Authorized Certifying Official Heidi Jones | 17c. Telephone (area code, number and extension) |
| | 17d. Email Address heidjone@ebci-nsn.gov |
| 17b. Signature of Authorized Certifying Official  | 17e. Date Report Submitted (Month, Day, Year) 09/04/2024 |

Section 1 - Program Components

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Clearance No.: 0970-013
Expiration Date: 02/28/2027

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN Section 1 - Program Components

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Section 1 Program Components

Program Components, 2605(a), 2605(b)(1) - Assurance 1, 2605(c)(1)(C)

| 1.1 Check which components you will operate under the LIHEAP program. (Note: You must provide information for each component designated here as requested elsewhere in this plan.) | Dates of Operation | |
|---|--------------------|------------|
| | Start Date | End Date |
| <input checked="" type="checkbox"/> Heating assistance | 10/01/2024 | 03/31/2025 |
| <input type="checkbox"/> Cooling assistance | | |
| <input type="checkbox"/> Summer crisis assistance | | |
| <input type="checkbox"/> Winter crisis assistance | | |
| <input checked="" type="checkbox"/> Year-round crisis assistance | 10/01/2024 | 03/15/2025 |
| <input type="checkbox"/> Weatherization assistance | | |

Provide further explanation for the dates of operation, if necessary

Estimated Funding Allocation, 2604(C), 2605(k)(1), 2605(b)(9), 2605(b)(16) - Assurances 9 and 16

| 1.2 Estimate what amount of available LIHEAP funds will be used for each component that you will operate: The total of all percentages must add up to 100%. | Percentage (%) | Prior year totals |
|--|------------------|-------------------|
| Heating assistance | 70.00% | 60.00% |
| Cooling assistance | 0.00% | 20.00% |
| Summer crisis assistance | 0.00% | 20.00% |
| Winter crisis assistance | 0.00% | 0.00% |
| Year-round crisis assistance | 30.00% | 0.00% |
| Weatherization assistance | 0.00% | 0.00% |
| Carryover to the following federal fiscal year | 0.00% | 0.00% |
| Administrative and planning costs | 0.00% | 0.00% |
| Services to reduce home energy needs including needs assessment (Assurance 16) | 0.00% | 0.00% |
| Used to develop and implement leveraging activities | 0.00% | 0.00% |
| TOTAL | 100.00% | 100.00% |

Tribal grant recipients: direct-grant tribes, tribal organizations, or territories with allotments of \$20,000 or less may use for planning and administration up to 20% of the funds payable. Grant recipients that are direct grant tribes, tribal organizations, or territories with allotments over \$20,000 may use for planning and administration purposes up to 20% of the first \$20,000 (or \$4,000) plus 10% of the funds payable that exceeds \$20,000. Any administrative costs in excess of these limits must be paid from non-federal sources.

| | | | | |
|---|--|--|--|--|
| 1.3 The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to: | | | | |
| <input type="checkbox"/> | Heating assistance | <input type="checkbox"/> | Cooling assistance | |
| <input type="checkbox"/> | Weatherization assistance | <input checked="" type="checkbox"/> | Other (specify): year-round crisis | |
| Categorical Eligibility, 2605(b)(2)(A) - Assurance 2, 2605(c)(1)(A), 2605(b)(8A) - Assurance 8 | | | | |
| 1.4 Do you consider households categorically eligible if at least one household member receives at least one of the following categories of benefits in the left column below? <input type="radio"/> Yes <input checked="" type="radio"/> No | | | | |
| If you answered "Yes" to question 1.4, you must complete the table below and answer questions 1.5 and 1.6. | | | | |
| | Heating | Cooling | Crisis | Weatherization |
| TANF | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| SSI | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| SNAP | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Means-tested Veterans Programs | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| 1.4a. - Provide your definition of categorical eligibility. | | | | |
| 1.5 Do you automatically enroll households without a direct annual application? <input type="radio"/> Yes <input type="radio"/> No | | | | |
| If Yes, explain: | | | | |
| 1.6 How do you ensure there is no difference in the treatment of categorically eligible households from those not receiving other public assistance when determining eligibility and benefit amounts? | | | | |
| SNAP Nominal Payments | | | | |
| 1.7a Do you allocate LIHEAP funds toward a nominal payment for SNAP households? <input type="radio"/> Yes <input checked="" type="radio"/> No | | | | |
| If you answered "Yes" to question 1.7a, you must provide a response to questions 1.7b, 1.7c, and 1.7d. | | | | |
| 1.7b Amount of Nominal Assistance: \$0.00 | | | | |
| 1.7c Frequency of Assistance | | | | |
| <input type="checkbox"/> | Once Per Year | | | |
| <input type="checkbox"/> | Once every five years | | | |
| <input type="checkbox"/> | Other - Describe: | | | |
| 1.7d How do you confirm that the household receiving a nominal payment has an energy cost or need? | | | | |
| Determination of Eligibility - Countable Income | | | | |
| 1.8. In determining a household's income eligibility for LIHEAP, do you use gross income or net income? | | | | |
| <input type="checkbox"/> | Gross Income | | | |
| <input checked="" type="checkbox"/> | Net Income | | | |
| <input type="checkbox"/> | Other - Describe | | | |
| 1.9. Select all the applicable forms of countable income used to determine a household's income eligibility for LIHEAP | | | | |
| <input checked="" type="checkbox"/> | Wages | | | |
| <input checked="" type="checkbox"/> | Self - Employment Income | | | |
| <input type="checkbox"/> | Contract Income | | | |
| <input type="checkbox"/> | Payments from mortgage or Sales Contracts | | | |
| <input checked="" type="checkbox"/> | Unemployment insurance | | | |
| <input type="checkbox"/> | Strike Pay | | | |

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Social Security Administration (SSA) benefits |
| <input type="checkbox"/> | Including MediCare deduction |
| <input checked="" type="checkbox"/> | Excluding MediCare deduction |
| <input checked="" type="checkbox"/> | Supplemental Security Income (SSI) |
| <input checked="" type="checkbox"/> | Retirement / pension benefits |
| <input type="checkbox"/> | General Assistance benefits |
| <input type="checkbox"/> | Temporary Assistance for Needy Families (TANF) benefits |
| <input type="checkbox"/> | Loans that need to be repaid |
| <input type="checkbox"/> | Cash gifts |
| <input type="checkbox"/> | Savings account balance |
| <input type="checkbox"/> | One-time lump-sum payments, such as rebates/credits, winnings from lotteries, refund deposits, etc. |
| <input type="checkbox"/> | Jury duty compensation |
| <input checked="" type="checkbox"/> | Rental income |
| <input type="checkbox"/> | Income from employment through Workforce Investment Act (WIA) |
| <input type="checkbox"/> | Income from work study programs |
| <input type="checkbox"/> | Alimony |
| <input type="checkbox"/> | Child support |
| <input type="checkbox"/> | Interest, dividends, or royalties |
| <input type="checkbox"/> | Commissions |
| <input type="checkbox"/> | Legal settlements |
| <input type="checkbox"/> | Insurance payments made directly to the insured |
| <input type="checkbox"/> | Insurance payments made specifically for the repayment of a bill, debt, or estimate |
| <input type="checkbox"/> | Veterans Administration (VA) benefits |
| <input type="checkbox"/> | Earned income of a child under the age of 18 |
| <input type="checkbox"/> | Balance of retirement, pension, or annuity accounts where funds cannot be withdrawn without a penalty. |
| <input type="checkbox"/> | Income tax refunds |
| <input type="checkbox"/> | Stipends from senior companion programs, such as VISTA |
| <input type="checkbox"/> | Funds received by household for the care of a foster child |
| <input type="checkbox"/> | Ameri-Corp Program payments for living allowances, earnings, and in-kind aid |
| <input type="checkbox"/> | Reimbursements (for mileage, gas, lodging, meals, etc.) |

| | |
|--|--|
| <input type="checkbox"/> | Other |
| If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here. | |
| 1.10 Do you have an online application process? <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| 1.10a If yes, describe the type of online application (Select all boxes that apply) | |
| <input type="checkbox"/> | A PDF version of the application is available online and can be downloaded, filled out and mailed in for processing. |
| <input type="checkbox"/> | A state-wide online application that allows a customer to complete data entry and submit an application electronically for processing. |
| <input type="checkbox"/> | One or more locally available online applications that allows a customer to complete data entry and submit an application electronically for processing. |
| <input checked="" type="checkbox"/> | Online application that is also mobile friendly |
| <input type="checkbox"/> | Other, please describe |
| Please include a link(s) to a statewide application, if available: | |
| 1.10b Can all program components be applied for online? <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| If no, explain which components can and cannot be applied for online. | |
| 1.11 Do you have a process for conducting and completing applications by phone? <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| 1.12 Do you or any of your subrecipients require in person appointments in order to apply? <input type="radio"/> Yes <input checked="" type="radio"/> No | |
| If yes, please provide more information regarding why in-person appointments are required and in what circumstances they are required. | |
| 1.13 How can applicants submit documentation for verification? Select all that apply: | |
| <input checked="" type="checkbox"/> | In-person |
| <input checked="" type="checkbox"/> | Mail |
| <input checked="" type="checkbox"/> | Email |
| <input checked="" type="checkbox"/> | Portal application |
| <input type="checkbox"/> | Other, please describe |

Hidden for Section 1

Section 2 - HEATING ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Clearance No.: 0970-013
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN Section 2 - Heating Assistance

Section 2 - Heating Assistance

Eligibility, 2605(b)(2) - Assurance 2

2.1 Designate the income eligibility threshold used for the heating component:

| Add | Household size | Eligibility Guideline | Eligibility Threshold |
|-----|---------------------|-----------------------|-----------------------|
| 1 | All Household Sizes | State Median Income | 60.00% |

2.2 Do you have additional eligibility requirements for Heating Assistance? Yes No

2.3 Check the appropriate boxes below and describe the policies for each.

Do you require an Assets test? Yes No

If yes, describe: Do you have additional/differing eligibility policies for:

Renters? Yes No

If yes, describe:

Renters Living in subsidized housing? Yes No

If yes, describe:

Renters with utilities included in the rent? Yes No

If yes, describe:

Definition of Working Poor: A household is considered working poor in cases where one or more members maintains a full-time job (works 40 or more hours weekly) and whose net income meets the requirements of federal Health and Human Services (HHS) poverty guidelines. Heating assistance for those who pay rent for their dwelling must provide proof that rent is separate from their heating expense. This could simply be a breakdown of the payment indicating the amount for heating versus rent. Vendors are paid directly for heating benefits. This may require a process of setting up a vendor for payment and agreement purposes. We ask for information on the portion that is rent and utilities. Exclusive application period in October.

Do you give priority in eligibility to:

Older Adults (60 years or older)? Yes No

If yes, describe:

Exclusive application period in October.

Individuals with a disability? Yes No

If yes, describe:

Exclusive application period in October.

Young children? Yes No

If yes, describe:

Exclusive application period in October.

Households with high energy burdens? Yes No

If yes, describe:

Exclusive application period in October.

Other? Working 40+ weekly hours and meeting income guidelines. Yes No

If yes, describe:

Working 40+ weekly hours and meeting income guidelines. Exclusive application period in October.

Explanations of policies for each "yes" checked above:

Definition of Working Poor: A household is considered working poor in cases where one or more members maintains a full-time job (works 40 or more hours weekly) and whose net income meets the requirements of federal Health and Human Services (HHS) poverty guidelines. Heating assistance for those who pay rent for their dwelling must provide proof that rent is separate from their heating expense. This could simply be a breakdown of the payment indicating the amount for heating versus rent. Vendors are paid directly for heating benefits. This may require a process of setting up a vendor for payment and agreement purposes. We ask for information on the portion that is rent and utilities. Exclusive application period in October.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.4 Describe how you prioritize the provision of heating assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

Eligible households are scored using a Benefit Matrix point system. Scores are calculated based on Income, Household Size, Heating Cost, and presence of Target Group household members. Eligible applicants whom meet the criteria for a multiple Target Group member Household receive a higher score, than those that do not, resulting in a higher benefit. Priority eligibility is granted to Target Group households in the form of an exclusive (early) application period during the month of October. All other applicants must apply during the general intake period starting in November.

2.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- Income
- Family (household) size
- Home energy cost or need:
 - Fuel type
 - Climate/region
 - Individual bill
 - Dwelling type
 - Energy burden (% of income spent on home energy)
 - Energy need
 - Other - Describe:

The presence (if any) and number of Target Group members

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.6 Describe estimated benefit levels for the fiscal year for which this plan applies. Please note: the maximum and minimum benefits must be shown in the payment matrix.

| | | | |
|-----------------|-------|-----------------|-------|
| Minimum Benefit | \$600 | Maximum Benefit | \$800 |
|-----------------|-------|-----------------|-------|

2.7 Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits? Yes No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 3 - COOLING ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN Section 3 - Cooling Assistance

Section 3 - Cooling Assistance

Eligibility, 2605(c)(1)(A), 2605 (b)(2) - Assurance 2

3.1 Designate The income eligibility threshold used for the Cooling component:

| Add | Household size | Eligibility Guideline | Eligibility Threshold |
|-----|----------------|-----------------------|-----------------------|
| 1 | | | 0.00% |

3.2 Do you have additional eligibility requirements for Cooling assistance? Yes No

3.3 Check the appropriate boxes below and describe the policies for each.

Do you require an Assets test? Yes No

If yes, describe:

Do you have additional/differing eligibility policies for:

Renters? Yes No

If yes, describe:

Renters Living in subsidized housing? Yes No

If yes, describe:

Renters with utilities included in the rent? Yes No

If yes, describe:

Do you give priority in eligibility to:

Older Adults (60 years or older)? Yes No

If yes, describe:

Individuals with a disability? Yes No

If yes, describe:

Young children? Yes No

If yes, describe:

Households with high energy burdens? Yes No

If yes, describe:

Other? Yes No

If yes, describe:

Explanations of policies for each "yes" checked above:

3.4 Describe how you prioritize the provision of cooling assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- Income
- Family (household) size
- Home energy cost or need:
 - Fuel type
 - Climate/region
 - Individual bill

| | |
|---|-----|
| <input type="checkbox"/> Dwelling type | |
| <input type="checkbox"/> Energy burden (% of income spent on home energy) | |
| <input type="checkbox"/> Energy need | |
| <input type="checkbox"/> Other - Describe: | |
| | |
| Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B) | |
| 3.6 Describe estimated benefit levels for the fiscal year for which this plan applies. <i>Please note: the maximum and minimum benefits must be shown in the payment matrix.</i> | |
| Minimum Benefit | \$0 |
| Maximum Benefit | \$0 |
| 3.7 Do you provide in-kind (e.g., fans, air conditioners) and/or other forms of benefits? <input type="radio"/> Yes <input type="radio"/> No | |
| If yes, describe. | |
| <p>If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.</p> | |

Section 4 - CRISIS ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN Section 4 - Crisis Assistance

Section 4: CRISIS ASSISTANCE

Eligibility - 2604(c), 2605(c)(1)(A)

4.1 Designate the income eligibility threshold used for the crisis component

| Add | Household size | Eligibility Guideline | Eligibility Threshold |
|-----|---------------------|-----------------------|-----------------------|
| 1 | All Household Sizes | State Median Income | 60.00% |

4.2 Provide your LIHEAP program's definition for determining a crisis.

If you administer multiple crisis assistance programs (winter, summer, and/or year-round), Include all program definitions.

A crisis is defined as an event where a household faces an immediate interruption or complete loss of home energy due to circumstances beyond their control. The threat of low levels of firewood or deliverable fuel, an imminent shutoff, or an inoperable or malfunctioning system constitute as time sensitive emergencies otherwise addressable by other means. A true crisis demonstrates immediate need. Priority granted to elderly, disabled, and young children households and those with high energy burdens.

4.3 What constitutes a life-threatening crisis?

It is considered a life-threatening crisis when a household contains a member who is medically dependent on home energy OR when a household member's life could be jeopardized by the total loss of home energy, particularly during weather extremes of the Summer and Winter seasons.

Crisis Requirement, 2604(c)

4.4 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households? 18-48Hours

4.5 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households in life-threatening situations? 8Hours

Crisis Eligibility, 2605(c)(1)(A)

| | Winter Crisis | Summer Crisis | Year-Round Crisis |
|---|--------------------------|--------------------------|--------------------------|
| 4.6 Do you have additional eligibility requirements for Crisis Assistance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

4.7 Check the appropriate boxes below to indicate type(s) of assistance provided

| | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 0 | | | |
| Do you require an Assets test? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Do you give priority in eligibility to: | | | |
| Older Adults (60 years or older)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Individuals with a disability? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Young Children? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Households with high energy burdens? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other (Specify): working 40+ weekly hours & meeting income guidelines | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

In Order to receive crisis assistance:

| | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| Must the household have received a shut-off notice or have a near empty tank? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Must the household have been shut off or have an empty tank? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Must the household have exhausted their regular heating benefit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Must renters with heating costs included in their rent have received an eviction notice? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Must heating/cooling be medically necessary? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|--|--------------------------|-------------------------------------|
| Must the household have non-working heating or cooling equipment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other (Specify): | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Do you have additional/differing eligibility policies for: | | | |
| Renters? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Renters living in subsidized housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Renters with utilities included in the rent? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Explanations of policies for each "yes" checked above: | | | |
| <p>Definition of Working Poor: A household is considered working poor in cases where one or more members maintains a full-time job (works 40 or more hours weekly) and whose gross income meets the requirements of federal Health and Human Services (HHS) poverty guidelines. 4.6 Households seeking crisis assistance for electrical heating service must provide a shut-off/disconnection notice. The disconnection date must be within 7 days of shutoff to be eligible for assistance. Households seeking crisis assistance for utility/ gas line hookup must submit the account number for the existing or new account service location. Utility pole must be installed. Inspection must be completed or scheduled, before the applicant can be eligible for the assistance. Households seeking assistance for system repair or replacement will be asked to submit proof of ownership or lease/rental agreement. For those that rent their residential space additional consent from the landlord will be requested for potential modifications to the structure of the rental for repairs/installations. Heating assistance for those whom pay rent for their dwelling must provide proof that rent is separate from their heating expense. This could simply be a breakdown of the payment indicating the amount for heating versus rent. Vendors are paid directly for heating benefits. This may require a process of setting up a vendor for payment and agreement purposes. 4.7 Intake is processed in the order in which they are received, apart from those that contain a Target Group/vulnerable household member. Such applications will be processed first and foremost. These households will be encouraged to apply for other components of LIHEAP that may benefit their overall heating/cooling expenses. Intake persons will make referrals to other programs within the Tribe for concerns that are presented by the client.</p> | | | |
| Determination of Benefits | | | |
| 4.8 How do you handle crisis situations? | | | |
| <input checked="" type="checkbox"/> | Separate component | | |
| <input type="checkbox"/> | Benefit Fast Track, no separate amount of crisis funds is issued. Rather benefits are issued to crisis customers within crisis response time frames. | | |
| <input type="checkbox"/> | Other - Describe: An eligible household will receive a benefit to resolve the crisis up to the maximum benefit of 700 dollars. If a household seeks more than one Crisis benefit during this time, the cumulative benefit in the federal fiscal year will be used to identify the Crisis benefit remaining to the household, if any. The cumulative is not to exceed the maximum benefit. | | |
| 4.9 If you have a separate component, how do you determine crisis assistance benefits? | | | |
| <input type="checkbox"/> | Amount to resolve the crisis. \$0 | | |
| <input checked="" type="checkbox"/> | Other - Describe: The timeframe refers to the eligibility determination to resolve the crisis and notice to vendor. This does not refer to the issuance of benefits. Households containing Target Group individuals could potentially receive a higher benefit than the minimum amount the resolve the crisis so long as it does not exceed the maximum. This could include assistance with a secondary heating source until primary is delivered or more than the required payment to avoid disconnection of service. | | |
| Crisis Requirements, 2604(c) | | | |
| 4.10 Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? | | | |
| <input checked="" type="radio"/> Yes <input type="radio"/> No Explain. | | | |
| Our department is centrally located for much of our client base. We make every effort to accommodate those that are not. A sister department known as Snowbird Family Services accepts and forwards applications from households who reside in the far western portion of our service area. Other county-based Department of Social Services agencies and local churches and non-profits refer EBCI members to our department. Applications can be emailed or mailed in upon request. | | | |
| 4.11 Do you provide individuals who are individuals with a disability the means to: | | | |
| Submit applications for crisis benefits without leaving their homes? | | | |
| <input checked="" type="radio"/> Yes <input type="radio"/> No | | | |
| If No, explain. | | | |
| Travel to the sites at which applications for crisis assistance are accepted? | | | |
| <input checked="" type="radio"/> Yes <input type="radio"/> No | | | |
| If No, explain. | | | |
| If you answered "No" to both options in question 4.11, please explain alternative means of intake to those who are homebound or physically disabled? | | | |
| Benefit Levels, 2605(c)(1)(B) | | | |

| | | | |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 4.12 Indicate the maximum benefit for each type of crisis assistance offered. | | | |
| Winter Crisis | \$0.00 maximum benefit | | |
| Summer Crisis | \$0.00 maximum benefit | | |
| Year-round Crisis | \$700.00 maximum benefit | | |
| 4.13 Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits? | | | |
| <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, Describe | | | |
| 4.14 Do you provide for equipment repair or replacement using crisis funds? | | | |
| <input checked="" type="radio"/> Yes <input type="radio"/> No | | | |
| If you answered "Yes" to question 4.14, you must complete question 4.15. | | | |
| 4.15 Check appropriate boxes below to indicate type(s) of assistance provided. | | | |
| | Winter Crisis | Summer Crisis | Year-round Crisis |
| Heating system repair | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Heating system replacement | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Cooling system repair | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Cooling system replacement | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wood stove purchase | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Pellet stove purchase | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Solar panel(s) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Utility poles / gas line hook-ups | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other (Specify): EXPEDITED DELIVERY OF HEATING FUEL WHEN ZERO OR LOW RESERVE DEPOSIT ON NEW ELEC. ACCOUNT DELINQUENT FEES ON PREVIOUS ACCT. HOLDING UP NEW SERVICE PAST DUE CHARGES ON ELECTRIC BILL WHEN FACING DISCONNECTION OF SERVICE WITHIN 7 DAYS HELP WITH INSTALLATIONS ON A PAYMENT AGREEMENT FOR DELINQUENT FEES RECONNECTION FEE FOR DISCONNECTED ACCOUNT PREPAID ELECTRIC SERVICE-DECLINING BALANCE DELIVERABLE FUEL FOR NON-HEATING HOME ENERGY PURPOSES All above for Year-Round Crisis | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.16 Do any of the utility vendors you work with enforce a moratorium on shut offs? | | | |
| <input checked="" type="radio"/> Yes <input type="radio"/> No | | | |
| If you responded "Yes" to question 4.16, you must respond to question 4.17. | | | |
| 4.17 Describe the terms of the moratorium and any special dispensation received by LIHEAP clients during or after the moratorium period. | | | |
| <p>Describe the terms of the moratorium and any special dispensation received by clients during or after the moratorium period. Per Duke Energy's webpage 8/29/2022: "North Carolina Moratorium Period – November 1 through March 31 – five months"</p> <p>To qualify annually under the moratorium provision, a customer must establish ALL of the following:</p> <ul style="list-style-type: none"> • Someone in the customer's household must be either handicapped, elderly (65 or older), or both. • Customer cannot pay his/her account in full, nor installments to bring the account into balance within six months. • The county Department of Social Services that administers the ENERGY CRISIS ASSISTANCE PROGRAM has certified that the household | | | |

is eligible to receive such assistance, regardless of availability of funds.

Per Haywood EMC's webpage 8/29/2022:

HEMC Service Rules:

"Cold Weather Disconnection:

With respect to bills rendered between December 15 and March 15 of every year and in the spirit of the policy considerations expressed by Congress in the Public Utility Regulatory Policies Act (PURPA) of 1978, the notice of proposed termination shall also contain a statement that no termination shall take place without the express approval of the Cooperative's Board of Directors and notification of the North Carolina Rural Electrification Authority if the Member can establish all of the following:

That a member of the Member's household is either disabled or 65 years of age or older.

1. That the Member is unable to pay for such service in full.
2. That the household is certified by the local Social Services office which administers the Energy Crisis Assistance Program or other similar programs to be eligible (whether funds are then available or not) to receive assistance under such programs.
3. The Cooperative may continue to charge interest on accounts that are subject to this provision. As provided in Section VII.A., the Member must provide advance notification and certification of meeting the requirements for special handling of accounts. Member premises that are certified by the local Social Services office may not participate in the voluntary Member in Control prepay program as debit balance on the account after a daily billing will result in the automatic disconnection if service for that member."

4.18 If you experience a natural disaster, do you intend to utilize LIHEAP crisis funds to address disaster related crisis situations? Yes No

If yes, describe

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 5 - WEATHERIZATION ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Clearance No.: 0970-013
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN Section 5 - Weatherization Assistance

Section 5: WEATHERIZATION ASSISTANCE

Eligibility, 2605(c)(1)(A), 2605(b)(2) - Assurance 2

5.1 Designate the income eligibility threshold used for the Weatherization component

| Add | Household Size | Eligibility Guideline | Eligibility Threshold |
|-----|----------------|-----------------------|-----------------------|
| 1 | | | 0.00% |

5.2 Do you enter into an interagency agreement to have another government agency administer a WEATHERIZATION component? Yes No

5.3 If yes, name the agency and attach a copy of the Internal Agreement or Contract.

5.4 Is there a separate monitoring protocol for weatherization? Yes No

WEATHERIZATION - Types of Rules

5.5 Under what rules do you administer LIHEAP weatherization? (Check only one.)

Entirely under LIHEAP (not DOE) rules

Entirely under DOE WAP (not LIHEAP) rules

Mostly under LIHEAP rules with the following DOE WAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):

Income Threshold

Weatherization of entire multi-family housing structure is permitted if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days

Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).

Other - Describe:

Mostly under DOE WAP rules, with the following LIHEAP rule(s) where LIHEAP and WAP rules differ (Check all that apply.)

Income Threshold

Weatherization not subject to DOE WAP maximum statewide average cost per dwelling unit.

Weatherization measures are not subject to DOE Savings to Investment Ratio (SIR) standards.

Other - Describe:

Eligibility, 2605(b)(5) - Assurance 5

5.6 Do you require an assets test? Yes No

5.7 Do you have additional/differing eligibility policies for :

| | |
|--|--|
| Renters | <input type="radio"/> Yes <input type="radio"/> No |
| Renters living in subsidized housing? | <input type="radio"/> Yes <input type="radio"/> No |
| Renters with utilities included in the rent? | <input type="radio"/> Yes <input type="radio"/> No |

5.8 Do you give priority in eligibility to:

| | |
|--------------------------------|--|
| Older Adults? | <input type="radio"/> Yes <input type="radio"/> No |
| Individuals with a disability? | <input type="radio"/> Yes <input type="radio"/> No |
| Young Children? | <input type="radio"/> Yes <input type="radio"/> No |
| House holds with high energy | <input type="radio"/> Yes <input type="radio"/> No |

| | |
|---|--|
| burdens? | |
| Other? | <input type="radio"/> Yes <input type="radio"/> No |
| If you selected "Yes" for any of the options in questions 5.6, 5.7, or 5.8, you must provide further explanation of these policies in the text field below. | |
| Benefit Levels | |
| 5.9 Do you have a maximum LIHEAP weatherization benefit/expenditure per household? <input type="radio"/> Yes <input type="radio"/> No | |
| 5.9a If yes, what is the maximum? \$0 | |
| 5.10 Do you use an Average Cost per Unit (ACPU). <input type="radio"/> Yes <input type="radio"/> No | |
| 5.10a If so, what is the ACPU amount? \$0 | |
| Types of Assistance, 2605(c)(1), (B) & (D) | |
| 5.11 What LIHEAP weatherization measures do you provide ? (Check all categories that apply.) | |
| <input type="checkbox"/> Weatherization needs assessments/audits | <input type="checkbox"/> Energy related roof repair |
| <input type="checkbox"/> Caulking and insulation | <input type="checkbox"/> Major appliance repairs |
| <input type="checkbox"/> Storm windows | <input type="checkbox"/> Major appliance replacement |
| <input type="checkbox"/> Furnace/heating system modifications/repairs | <input type="checkbox"/> Windows/sliding glass doors |
| <input type="checkbox"/> Furnace replacement | <input type="checkbox"/> Doors |
| <input type="checkbox"/> Cooling system modifications/repairs | <input type="checkbox"/> Water Heater |
| <input type="checkbox"/> Water conservation measures | <input type="checkbox"/> Cooling system replacement |
| <input type="checkbox"/> Roof top solar | <input type="checkbox"/> Community solar projects |
| <input type="checkbox"/> Compact florescent light bulbs | <input type="checkbox"/> Other - Describe: |
| <p>If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.</p> | |

Section 6 - Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 6 - Outreach**

Section 6: Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

6.1 Select all outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

- Place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.
- Publish articles in local newspapers or broadcast media announcements.
- Include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.
- Mass mailing(s) to prior-year LIHEAP recipients.
- Inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.
- Execute interagency agreements with other low-income program offices to perform outreach to target groups.
- Web Posting
- Email
- Texting
- Events
- Social Media
- Other (specify):
Also, the sharing of publications between Tribal and non-Tribal entities for purposes of reaching similar targeted households for assistance.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 7 - Coordination, 2605(b)(4) - Assurance 4

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 7 - Coordination

Section 7: Coordination, 2605(b)(4) - Assurance 4

7.1 Describe how you will ensure that the LIHEAP program is coordinated with other programs available to low-income households (TANF, SSI, WAP, etc.).

| | |
|-------------------------------------|---|
| <input type="checkbox"/> | Joint application for multiple programs (indicate programs included) |
| <input checked="" type="checkbox"/> | Intake referrals to/from other programs (indicate programs included) Verbal referrals to and from each program. Program shares office space with WIC. |
| <input type="checkbox"/> | One - stop intake centers |
| <input type="checkbox"/> | Other - Describe: |

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 8 - Agency Designation,, 2605(b)(6) - Assurance 6

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 8 - Agency Designation**

Section 8: Agency Designation, 2605(b)(6) - Assurance 6 (Required for state Grant recipients and the Commonwealth of Puerto Rico)

8.1 How would you categorize the primary responsibility of your State agency?

| | |
|--------------------------|---|
| <input type="checkbox"/> | Administration Agency |
| <input type="checkbox"/> | Commerce Agency |
| <input type="checkbox"/> | Community Services Agency |
| <input type="checkbox"/> | Energy/Environment Agency |
| <input type="checkbox"/> | Housing Agency |
| <input type="checkbox"/> | State Department of Welfare (administers TANF, SNAP, and/or Medicaid) |
| <input type="checkbox"/> | Economic Development Agency |
| <input type="checkbox"/> | Other - Describe: |

Include current list of subrecipient name, main office address (do not list P.O. Box), phone number, county(s) served, Congressional District, and UEI number. Used for Near hotline and OCS Service Provider Tool and clearinghouse.

Alternate Outreach and Intake, 2605(b)(15) - Assurance 15

If you selected "State Department of Welfare (administers TANF, SNAP, and/or Medicaid)" in question 8.1, you must complete questions 8.2, 8.3, and 8.4, as applicable.

8.2 How do you provide alternate outreach and intake for heating assistance?

8.3 How do you provide alternate outreach and intake for cooling assistance?>

8.4 How do you provide alternate outreach and intake for crisis assistance?

| 8.5 LIHEAP Component Administration. | Heating | Cooling | Crisis | Weatherization |
|---|----------------|----------------|---------------|-----------------------|
| 8.5a Who determines client eligibility? | | | | |
| 8.5b Who processes benefit payments to gas and electric vendors? | | | | |
| 8.5c who processes benefit payments to bulk fuel vendors? | | | | |
| 8.5d Who performs installation of weatherization measures? | | | | |

Include a current list of subrecipient(s) name, main office address (do not list P.O. Box), phone number, county(s) served, Congressional District, and UEI number.

If any of your LIHEAP components are not centrally-administered by a state agency, you must complete questions 8.6, 8.7, 8.8, and, if applicable, 8.9.

8.6 What is your process for selecting local administering agencies?

8.7 How many local administering agencies do you use?

8.8 Have you changed any local administering agencies in the last year?

- Yes
 No

8.9 If so, why?

Agency was in noncompliance with Grant recipient requirements for LIHEAP -

Agency is under criminal investigation

Added agency

Agency closed

Other - describe

8.10 If a subrecipient is no longer providing LIHEAP, are you aware of prior-year LIHEAP funds being mismanaged or misspent? Yes

No

8.10a If yes, please explain.

8.10b If you are aware, were other federal programs impacted such as CSBG, SSBG, Head Start, TANF, and Department of Energy Weatherization funding, etc. Yes No

8.10c If yes, please explain.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 9 - Energy Suppliers,, 2605(b)(7) - Assurance 7

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 9 - Energy Suppliers**

Section 9: Energy Suppliers, 2605(b)(7) - Assurance 7

9.1 Do you make payments directly to home energy suppliers?

- | | | |
|-----------------------|--------------------------------------|-------------------------------------|
| Heating | <input checked="" type="radio"/> Yes | <input type="radio"/> No |
| Cooling | <input checked="" type="radio"/> Yes | <input type="radio"/> No |
| Crisis | <input checked="" type="radio"/> Yes | <input type="radio"/> No |
| Are there exceptions? | <input type="radio"/> Yes | <input checked="" type="radio"/> No |

If yes, Describe.

9.2 How do you notify the client of the amount of assistance paid?

A letter is mailed to the applicant following the payment.

9.3 How do you assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment?

A Notice to Vendor pledge is prepared and sent to the vendor. In this letter we describe the expectation of non-discriminatory business practices. The Notice reads "By accepting this pledge the recipient, from here on referred to as the Vendor, will 1.) guarantee to bill the client in the normal billing process, only the difference between the actual cost of the service and the amount described in this pledge." We rely on our clients to report any discrepancy in the billing process where a benefit is applied improperly. Reported cases will be investigated by LIHEAP staff. The Pledge Notice includes "DELIBERATE OR UNINTENTIONAL FAILURE TO ABIDE BY THESE PRACTICES (9.3 & 9.4) MAY COMPROMISE ALL FUTURE BUSINESS WITH THE AGENCY." Confirmation of a true billing error may result in the vendor being barred from approved vendor list. In which case, LIHEAP staff will assist with setting up the client up with another Vendor, preferably TERO approved or current Vendor serving that area of the community. The earlier pledge will be null and void.

9.4 How do you assure that no household receiving assistance under this title will be treated adversely because of their receipt of LIHEAP assistance?

A Notice to Vendor pledge is prepared and sent to the vendor. In this letter we describe the expectation of non-discriminatory business practices. The Notice continues from the statement provided in 9.3 as "And, 2.) guarantee treatment in a manner that is right and fair." Clients are responsible for reporting instances where they are treated adversely or suspect mistreatment solely due to their receiving low-income home energy assistance. The client's report will be documented, and every attempt will be made to resolve the situation. Reported cases will be investigated by LIHEAP staff. The Pledge Notice includes "DELIBERATE OR UNINTENTIONAL FAILURE TO ABIDE BY THESE PRACTICES (9.3 & 9.4) MAY COMPROMISE ALL FUTURE BUSINESS WITH THE AGENCY." If the circumstance proves to be a true case of discrimination the vendor could be barred from approved vendor list. LIHEAP staff will assist with setting up the client up with a new Vendor, preferably TERO approved and current Vendor serving that area of the community.

9.5. Do you make payments contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households?

- Yes No

If so, describe the measures unregulated vendors may take.

Attach a copy of the template statewide vendor agreement or a policy that indicates local agreements must adhere to statewide policies and assurances.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 10 - Program, Fiscal Monitoring, and Audit, 2605(b)(10) - Assurance 10

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 10 - Program, Fiscal Monitoring, and Audit**

Section 10: Program, Fiscal Monitoring, and Audit, 2605(b)(10)

10.1. How do you ensure good fiscal accounting and tracking of funds?

The EBCI Office of Finance separately handles all fiscal accounting and internal audits. The Grants Compliance Office which is in the Office of Finance is responsible for monitoring grants and contracts for compliance as specified in each grant and contract agreement. To assist in the priorities of the Grants Compliance Office the Tribe has a comprehensive financial management system that provides accurate, current, and complete disclosure of results regarding the use of funds under grants and contracts. Also, provide adequate source documentation for Federal and non-Federal funds used under grants and contracts. The Tribal financial management system maintains effective internal control and fund accountability procedures and allows separation of functions so that the person who make obligations for the grantee is not the same person who signs the checks to disburse the funds for those obligations. The PHHS Office of Regulatory and Compliance in tandem with the Grants Compliance Office oversees all program grant compliance that are under PHHS. Additionally, the program maintains an in-house cuff account for day-to-day budget tracking. The program tracks any vendor refunds, obligation of funds and tracks by heating, cooling and crisis. Grants Compliance Office performs quarterly reviews and annual hard close on all awards. All awards are tracked to ensure that funds are expended within the allowable contractual period. Regular block grant and supplemental awards are tracked separately and by fiscal year.

10.1a Provide your definitions of the following:

Obligation

Refers to pending benefit(s) the program has earmarked for approved households but has not yet paid within the allowable fiscal year spending period.

Expenditures

Liquidated transactions for approved benefits within a grant cycle.

Expenditure timeframe

Refers to the allowable period for the expenses to occur in a grant cycle. For the tribal LIHEAP program this would be 90% of the grant within the same year awarded and the other 10% carried over for obligation in the following year.

Administrative costs

Any cost necessary to conduct proper administration of the tribal LIHEAP program, including trainings, travel, public relations and postage.

Audit Process

10.2. Is your LIHEAP program audited annually under the Single Audit Act and OMB Circular A - 133?

Yes No

10.2a - if yes, describe your auditor selection process.

Selection of programs to be audited in the Single Audit is a combination of dollar thresholds based on the size of the total SEFA and a risk based approach based on knowledge of the program and previous audit results.

10.3. Describe any audit findings of the grant recipient (i.e. State/Tribe/Territory) rising to the level of material weakness or reportable condition cited in the single audits, inspector general reviews, or other government agency reviews from the most recently audited fiscal year.

No Findings

| Finding | Type | Brief Summary | Resolved? | Action Taken |
|---------|------|---------------|-----------|--------------|
| 1 | | | | |

10.4. Audits of Local Administering Agencies

What types of annual audit requirements do you have in place for local administering agencies/district offices?
Select all that apply.

- Local agencies/district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133
- Local agencies/district offices are required to have an annual audit (other than A-133)

| |
|--|
| <input type="checkbox"/> Local agencies/district offices' A-133 or other independent audits are reviewed by Grant recipient as part of compliance process. |
| <input type="checkbox"/> Grant recipient conducts fiscal and program monitoring of local agencies/district offices |
| <input type="checkbox"/> Local agencies and district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133 |
| Compliance Monitoring |
| 10.5. Describe your monitoring process for compliance at each level below. Check all that apply. |
| Grant recipients have a policy in place for appropriate separation of duties and internal controls. |
| <input checked="" type="checkbox"/> Internal program review |
| <input checked="" type="checkbox"/> Departmental oversight |
| <input checked="" type="checkbox"/> Secondary review of invoices and payments |
| <input type="checkbox"/> Other program review mechanisms are in place. Describe: |
| |
| Local Administering Agencies/District Offices: |
| <input type="checkbox"/> On - site evaluation |
| <input type="checkbox"/> Annual program review |
| <input type="checkbox"/> Monitoring through central database |
| <input type="checkbox"/> Desk reviews |
| <input type="checkbox"/> Client File Testing/Sampling |
| <input type="checkbox"/> Other program review mechanisms are in place. Describe: |
| |
| 10.6 Explain, or attach a copy of your local agency monitoring schedule and protocol. |
| No local agencies to monitor |
| 10.7. Describe how you select local agencies for monitoring reviews. Attach a risk assessment if subrecipients are utilized. |
| Site Visits: No local agencies to monitor |
| Desk Reviews: No local agencies to monitor |
| 10.8. How often is each local agency monitored? <i>Please attach a monitoring schedule if one has been developed.</i> |
| 10.9. How many local agencies are currently on corrective action plans? N/A |
| If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here. |

Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2)

| | |
|--|--|
| U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES | August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01 OMB Clearance No.: 0970-013 Expiration Date: 02/28/2027 |
| <p>LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN Section 11 - Timely and Meaningful Public Participation</p> | |

Section 11: Timely and Meaningful Public Participation, 2605(b)(12), 2605(C)(2)

11.1 How did you obtain input from the public in the development of your LIHEAP plan? Select all that apply.
Note: Tribes do not need to hold a public hearing but must ensure participation through other means.

- Tribal Council meeting(s)
- Public Hearing(s)
- Draft Plan posted to website and available for comment
- Hard copy of plan is available for public view and comment
- Comments from applicants are recorded
- Request for comments on draft Plan is advertised
- Stakeholder consultation meeting(s)
- Comments are solicited during outreach activities
- Other - Describe:

Hard copy of plan is available for public view and comment. Request for comments on draft Plan is advertised. Anonymous survey available leading up to the submission of the Model Plan.

Public Hearings, 2605(a)(2) - For States and the Commonwealth of Puerto Rico Only

11.2 List the date and location(s) that you held public hearing(s) on the proposed use and distribution of your LIHEAP funds?

| | Date | Event Description |
|---|------|-------------------|
| 1 | | |

11.3. How many parties commented on your plan at the hearing(s)?

11.4 Summarize the comments you received at the hearing(s).

11.5 What changes did you make to your LIHEAP plan as a result of public participation and solicitation of input?

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 12 - Fair Hearings,2605(b)(13) - Assurance 13

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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 12 - Fair Hearings**

Section 12: Fair Hearings, 2605(b)(13) - Assurance 13

12.1 How many fair hearings did the Grant recipient have in the prior federal Fiscal Year? 0

12.2 How many of those fair hearings resulted in the initial decision being reversed? 0

12.3 Describe any policy and/or procedural changes made in the last federal Fiscal Year as a result of fair hearings?

N/A

12.4 Describe your fair hearing procedures for households whose applications are denied and/or not acted upon in a timely manner.

Division of EBCI. Applicants must do so within 48 hours of the original denial. R&C staff will review the case. Provided the denied party remains dissatisfied with the original basis for denial a fair hearing will be scheduled and proceed as follows:Swear everyone in that will be giving a testimony.1.State why a hearing was called.2.Inform both sides of how the hearing will proceed and state any policy and/or statute that should be enforced.3.Tribal LIHEAP allowed to begin by stating pertinent facts of the case and reasoning for the denial (or whatever reason the hearing is called).4.Next, the client follows by stating their facts about the case.5.Both sides are allowed to rebuttal information that was already stated. Once again, Tribal LIHEAP first then the client follows.6.Both sides are asked to submit any additional evidence that may support the reasoning behind the denial or appeal.7.The hearing concludes and the Appeals Manager informs both parties that a final determination will be issued and sent by mail.

12.5 When and how are applicants informed of these rights?

In writing at the time of application.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 13 - Reduction of home energy needs,2605(b)(16) - Assurance 16

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 13 - Reduction of Home Energy Needs**

Section 13: Reduction of home energy needs, 2605(b)(16) - Assurance 16

13.1 Describe how you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance?

13.2 How do you ensure that you don't use more than 5% of your LIHEAP funds for these activities?

13.3 Describe the impact of such activities on the number of households served in the previous federal Fiscal Year.

13.4 Describe the level of direct benefits provided to those households in the previous federal Fiscal Year.

13.5 How many households received these services?

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 14 - Leveraging Incentive Program ,2607A

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
 ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
 MODEL PLAN
 Section 14 - Leveraging Incentive Program**

Section 14:Leveraging Incentive Program, 2607(A)

14.1 Do you plan to submit an application for the leveraging incentive program?

Yes No

14.2 Describe instructions to any third parties and/or local agencies for submitting LIHEAP leveraging resource information and retaining records.

14.3 For each type of resource and/or benefit to be leveraged in the upcoming year that will meet the requirements of 45 C.F.R. § 96.87(d)(2)(iii), describe the following:

| Resource | What is the type of resource or benefit ? | What is the source(s) of the resource ? | How will the resource be integrated and coordinated with LIHEAP? |
|----------|---|---|--|
| 1 | | | |

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 15 - Training

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Clearance No.: 0970-013
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN Section 15 - Training

Section 15: Training

15.1 Describe the training you provide for each of the following groups:

a. Grant recipient Staff:

Formal training provided virtually, on-site, and/or formal training conference

How often?

Annually

Biannually

As needed

Other, describe:

Employees are provided with policy manual

Other, describe:

Staff will aim to attend recommended conferences hosted by NEUAC, NEADA, etc.

b. Local Agencies:

Formal training provided virtually, on-site, and/or formal training conference

How often?

Annually

Biannually

As needed

Other, describe:

On-site training

How often?

Annually

Biannually

As needed

Other, describe:

Employees are provided with policy manual

Other, describe:

c. Vendors

Formal training conference

How often?

Annually

Biannually

As needed

Other, describe:

Policies communicated through vendor agreements

| | |
|--|--|
| <input type="checkbox"/> Policies are outlined in a vendor manual | |
| <input checked="" type="checkbox"/> Other, describe: Vendors are reminded of policy on the pledge page | |
| 15.2 Does your training program address fraud reporting and prevention? <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here. | |

Section 16 - Performance Goals and Measures, 2605(b)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 16 - Performance Goals and Measures**

Section 16: Performance Goals and Measures, 2605(b) - Required for States Only

16.1 Describe your progress toward meeting the data collection and reporting requirements of the four required LIHEAP (Benefit Targeting Index, Burden Reduction Targeting Index, Restoration of Home Energy Service, and Prevention of Loss of Home Energy Service). Include timeframes and plans for meeting these requirements and what you believe will be accomplished in the coming federal fiscal year.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 17 - Program Integrity, 2605(b)(10)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
Section 17 - Program Integrity**

Section 17: Program Integrity, 2605(b)(10)

17.1 Fraud Reporting Mechanisms

a. Describe all mechanisms available to the public for reporting cases of suspected waste, fraud, and abuse. Select all that apply.

- Online Fraud Reporting
- Dedicated Fraud Reporting Hotline
- Report directly to local agency/district office or Grant recipient office
- Report to State Inspector General or Attorney General
- Forms and procedures in place for local agencies/district offices and vendors to report fraud, waste, and abuse
- Other - Describe:

b. Describe strategies in place for advertising the above-referenced resources. Select all that apply

- Printed outreach materials
- Posted in local administering agencies offices.
- Addressed on LIHEAP application
- Website
- Other - Describe:

17.2. Identification Documentation Requirements

a. Indicate which of the following forms of identification are required or requested to be collected from LIHEAP applicants or their household members.

| Type of Identification Collected | Collected from Whom? | | |
|---|---|---|---|
| | Applicant Only | All Adults in Household | All Household Members |
| Social Security Card is photocopied and retained | <input type="checkbox"/> Required | <input type="checkbox"/> Required | <input type="checkbox"/> Required |
| | <input checked="" type="checkbox"/> Requested | <input checked="" type="checkbox"/> Requested | <input checked="" type="checkbox"/> Requested |
| Social Security Number (Without actual Card) | <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Required | <input type="checkbox"/> Required |
| | <input type="checkbox"/> Requested | <input checked="" type="checkbox"/> Requested | <input checked="" type="checkbox"/> Requested |
| Government-issued identification card (i.e.: driver's license, state ID, Tribal ID, passport, etc.) | <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Required | <input type="checkbox"/> Required |
| | <input type="checkbox"/> Requested | <input checked="" type="checkbox"/> Requested | <input checked="" type="checkbox"/> Requested |

17.3. Citizenship/Legal Residency Verification

What are your procedures for ensuring LIHEAP recipients are U.S. citizens or qualified non-citizens who are eligible to receive LIHEAP

benefits? Select all that apply.

Clients sign an attestation of citizenship or U.S. Citizen or Qualified Non-Citizen

Client's submission of certain Social Security Administration cards is accepted as proof of U.S. Citizen or Qualified Non-Citizen.

Non-Citizens must provide documentation of immigration status

Citizens must provide a copy of their birth certificate, naturalization papers, or passport

Non-Citizens are verified through the SAVE system

Tribal members are verified through Tribal enrollment records/Tribal ID card

Other - Describe:
Match SSNs on application with the card photocopied, tax forms, Medicaid documents

| | Other | Applicant Only Required | Applicant Only Requested | All Adults in Household Required | All Adults in Household Requested | All Household Members Required | All Household Members Requested |
|---|-------|--------------------------|--------------------------|----------------------------------|-----------------------------------|--------------------------------|---------------------------------|
| 1 | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

17.4. Income Verification

What methods does your agency utilize to verify household income? Select all that apply.

Require documentation of income for all adult household members

Pay stubs

Social Security award letters

Bank statements

Tax statements

Zero-income statements

Unemployment Insurance letters

Other - Describe:
Statements or documentation from an employer describing the history of pay in the past 30 days or more detailed report where available including number of hours works, rate of pay & start date.

Computer data matches:

Income information matched against state computer system (e.g., SNAP, TANF)

Proof of unemployment benefits verified with state Department of Labor

Social Security income verified with SSA

Utilize state directory of new hires

Other - Describe:

b. Describe any exceptions to the above policies.

17.5 Identification Verification

Describe what methods are used to verify the authenticity of identification documents provided by clients or household members. Select all that apply

Verify SSNs with Social Security Administration

Match SSNs with death records from Social Security Administration or state agency

Match SSNs with state eligibility/case management system (e.g., SNAP, TANF)

Match with state Department of Labor system

Match with state and/or federal corrections system

Match with state child support system

Verification using private software (e.g., The Work Number)

In-person certification by staff (for tribal Grant recipients only)

Match SSN/Tribal ID number with tribal database or enrollment records (for tribal Grant recipients only)

Other - Describe:

| |
|---|
| 17.6. Protection of Privacy and Confidentiality |
| Describe the financial and operating controls in place to protect client information against improper use or disclosure. Select all that apply. |
| <input checked="" type="checkbox"/> Policy in place prohibiting release of information without written consent |
| <input checked="" type="checkbox"/> Grant recipient LIHEAP database includes privacy/confidentiality safeguards |
| <input checked="" type="checkbox"/> Employee training on confidentiality for: |
| <input checked="" type="checkbox"/> Grant recipient employees |
| <input type="checkbox"/> Local agencies/district offices |
| <input checked="" type="checkbox"/> Employees must sign confidentiality agreement |
| <input checked="" type="checkbox"/> Grant recipient employees |
| <input type="checkbox"/> Local agencies/district offices |
| <input checked="" type="checkbox"/> Physical files are stored in a secure location |
| <input type="checkbox"/> Electronic files are protected in a secure location. |
| <input type="checkbox"/> Other - Describe: |
| 17.7. Verifying the Authenticity |
| What policies are in place for verifying vendor authenticity? Select all that apply. |
| <input checked="" type="checkbox"/> All vendors must register with the State/Tribe. |
| <input checked="" type="checkbox"/> All vendors must supply a valid SSN or TIN/W-9 form |
| <input checked="" type="checkbox"/> Vendors are verified through energy bills provided by the household |
| <input type="checkbox"/> Grant recipient and/or local agencies/district offices perform physical monitoring of vendors |
| <input type="checkbox"/> Other - Describe and note any exceptions to policies above: |
| 17.8. Benefits Policy - Gas and Electric Utilities |
| What policies are in place to protect against fraud when making benefit payments to gas and electric utilities on behalf of clients? Select all that apply. |
| <input checked="" type="checkbox"/> Applicants required to submit proof of physical residency |
| <input checked="" type="checkbox"/> Applicants must submit current utility bill |
| <input checked="" type="checkbox"/> Data exchange with utilities that verifies: |
| <input checked="" type="checkbox"/> Account ownership |
| <input checked="" type="checkbox"/> Consumption |
| <input checked="" type="checkbox"/> Balances |
| <input checked="" type="checkbox"/> Payment history |
| <input checked="" type="checkbox"/> Account is properly credited with benefit |
| <input type="checkbox"/> Other - Describe: |
| <input checked="" type="checkbox"/> Centralized computer system/database tracks payments to all utilities |
| <input type="checkbox"/> Centralized computer system automatically generates benefit level |
| <input checked="" type="checkbox"/> Separation of duties between intake and payment approval |
| <input type="checkbox"/> Payments coordinated among other energy assistance programs to avoid duplication of payments |
| <input checked="" type="checkbox"/> Payments to utilities and invoices from utilities are reviewed for accuracy |
| <input checked="" type="checkbox"/> Computer databases are periodically reviewed to verify accuracy and timeliness of payments made to utilities |
| <input type="checkbox"/> Direct payment to households are made in limited cases only |
| <input type="checkbox"/> Procedures are in place to require prompt refunds from utilities in cases of account closure |
| <input type="checkbox"/> Vendor agreements specify requirements selected above, and provide enforcement mechanism |
| <input type="checkbox"/> Other - Describe: |
| 17.9. Benefits Policy - Bulk Fuel Vendors |
| What procedures are in place for averting fraud and improper payments when dealing with bulk fuel suppliers of heating oil, propane, wood, |

| |
|--|
| and other bulk fuel vendors? Select all that apply. |
| <input checked="" type="checkbox"/> Vendors are checked against an approved vendors list |
| <input checked="" type="checkbox"/> Centralized computer system/database is used to track payments to all vendors |
| <input checked="" type="checkbox"/> Clients are relied on for reports of non-delivery or partial delivery |
| <input type="checkbox"/> Two-party checks are issued naming client and vendor |
| <input type="checkbox"/> Direct payment to households are made in limited cases only |
| <input type="checkbox"/> Vendors are only paid once they provide a delivery receipt signed by the client |
| <input type="checkbox"/> Conduct monitoring of bulk fuel vendors |
| <input type="checkbox"/> Bulk fuel vendors are required to submit reports to the grant recipient. |
| <input type="checkbox"/> Vendor agreements specify requirements selected above, and provide enforcement mechanism |
| <input checked="" type="checkbox"/> Other - Describe: Benefits are paid invoice to invoice |
| 17.10. Investigations and Prosecutions |
| Describe the Grant recipients procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients, staff, or vendors found to have committed fraud. Select all that apply. |
| <input type="checkbox"/> Refer to state Inspector General |
| <input type="checkbox"/> Refer to local prosecutor or state Attorney General |
| <input type="checkbox"/> Refer to US DHHS Inspector General (including referral to OIG hotline) |
| <input checked="" type="checkbox"/> Local agencies/district offices or Grant recipient conduct investigation of fraud complaints from public |
| <input checked="" type="checkbox"/> Grant recipient attempts collection of improper payments. If so, describe the recoupment process Shall be processed within 90 days |
| <input checked="" type="checkbox"/> Clients found to have committed fraud are banned from LIHEAP assistance. For how long is a household banned? 1 year from date of application |
| <input checked="" type="checkbox"/> Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated |
| <input checked="" type="checkbox"/> Vendors found to have committed fraud may no longer participate in LIHEAP |
| <input type="checkbox"/> Other - Describe: |
| If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here. |

Section 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or

voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later

determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

By checking this box, the prospective primary participant is providing the certification set out above.

Section 19: Certification Regarding Drug-Free Workplace Requirements

Section 19: Certification Regarding Drug-Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the Grant recipient is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the Grant recipient knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For Grant recipients other than individuals, Alternate I applies.
4. For Grant recipients who are individuals, Alternate II applies.
5. Workplaces under grants, for Grant recipients other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the Grant recipient does not identify the workplaces at the time of application, or upon award, if there is no application, the Grant recipient must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the Grant recipients drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the Grant recipient shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grant recipients attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a Grant recipient directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the Grant recipients payroll. This definition does not include workers not on the payroll of the Grant recipient (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the Grant recipients payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grant recipients Other Than Individuals)

The Grant recipient certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Grant recipients workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about --

(1) The dangers of drug abuse in the workplace;

(2) The Grant recipients policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a

central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The Grant recipient may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (*That this must be physical address. No PO Boxes allowed.*)

| | | |
|---|----------------------|----------------------------|
| 73 Kaiser Wilnoty Road * Address Line 1 | | |
| | | |
| Address Line 2 | | |
| | | |
| Address Line 3 | | |
| Cherokee * City | NC * State | 28719 * Zip Code |

Check if there are workplaces on file that are not identified here.

Alternate II. (Grant recipients Who Are Individuals)

(a) The Grant recipient certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

By checking this box, the prospective primary participant is providing the certification set out above.

Section 20: Certification Regarding Lobbying

Section 20: Certification Regarding Lobbying

The submitter of this application certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By checking this box, the prospective primary participant is providing the certification set out above.

Assurances

Assurances

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair;and

(D)plan, develop, and administer the State's program under this title including leveraging programs, and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i)assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of -

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

(except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income

energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that -

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local Grant recipients and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and

thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.



By checking this box, the prospective primary participant is agreeing to the Assurances set out above.

Plan Attachments

| PLAN ATTACHMENTS |
|---|
| The following documents must be attached to this application |
| <ul style="list-style-type: none">• Delegation Letter is required if someone other than the Governor or Chairman Certified this Report. |
| <ul style="list-style-type: none">• Heating component benefit matrix, if applicable |
| <ul style="list-style-type: none">• Cooling component benefit matrix, if applicable |
| <ul style="list-style-type: none">• Minutes, notes, or transcripts of public hearing(s). |
| <ul style="list-style-type: none">• Policy Manual. |
| <ul style="list-style-type: none">• Subrecipient Contract. |
| <ul style="list-style-type: none">• Model Plan Participation Notes for Tribes. |