



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Community Services | 330 C Street, S.W., Washington, DC 20201
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Low Income Home Energy Assistance Program
Information Memorandum

IM#: LIHEAP-IM-2023-03

DATE: June 1, 2023

TO: Low Income Home Energy Assistance Program (LIHEAP) Grant Recipients

SUBJECT: LIHEAP Assistance for Eligible Household Members Residing with Ineligible Household Members

ATTACHMENT(S): N/A

PURPOSE

This Information Memorandum (IM) provides guidance on LIHEAP benefit payments for eligible household members residing in households with at least one member not eligible because they are not a citizen or qualified immigrant. In such circumstances, a LIHEAP grant recipient may pay off arrears in full when necessary to restore utility service or prevent a utility shut-off for eligible household members; grant recipients may also provide other LIHEAP services in full that cannot be prorated for eligible household members such as the purchase/repair/replacement of a heating or air-conditioning unit, weatherization services, and other minor-home energy related repairs.

OFFICIAL POLICY

When providing LIHEAP benefits such as energy bill reductions which can reasonably be prorated, LIHEAP grant recipients must prorate such benefits when they are being provided to eligible individuals residing in a household with ineligible members, based on the number of eligible household members. The income of all household members—regardless of eligibility—must be documented, verified, and included in the calculation of the LIHEAP benefit amount. However, ineligible household members must be excluded from the total household count when determining the benefit.

Additionally, LIHEAP grant recipients may pay the full amount of an arrearage to reconnect services or prevent the disconnection of home energy services for an eligible household member in order to ensure the availability of home energy services, even if the eligible member resides with one or more ineligible household members. Grant recipients may also provide eligible household members with other LIHEAP services that cannot be prorated such as the

purchase/repair/replacement of a heating or air-conditioning unit, weatherization services, and other minor-home energy related repairs.

BACKGROUND

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub. L. 104-193), restricts the access of certain non-citizen populations to specified Federal benefits. PRWORA distinguishes between qualified and not-qualified non-citizens.¹ Non-citizens who are not qualified are ineligible for defined federal public benefits, including LIHEAP. Qualified non-citizens are eligible to receive assistance and services under LIHEAP if they meet other program requirements.

Qualified non-citizens include persons granted permanent residence (green cards), refugees, asylees, persons paroled into the United States for at least a year or more, and certain other categories of non-citizens as specified in section 431 of PRWORA, 8 U.S.C. 1641(b).

An eligible household member for purposes of the LIHEAP Program is any individual who is a U.S. citizen or qualified non-citizen and is a member of a household that meets the eligibility requirements specified in Section 2605(b)(2) of the Low Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)).

RESPONDING TO NEEDS

LIHEAP grant recipients can use this guidance immediately to ensure that they are responding to the needs of low-income households. OCS recognizes that a full arrearage payment or payment arrangement may be required in order to reconnect or prevent the disconnection of household energy services, and that in such circumstances, it is impossible to reconnect heating/cooling services for only certain household members. Similarly, it is not possible to replace half of a heating unit or install part of an air-conditioning unit. It is for this reason that grant recipients are allowed to provide LIHEAP services in full that cannot be prorated for eligible household members when the eligible member resides with one or more ineligible household members.

Please note that this guidance aligns with [guidance](#) issued for the Low Income Household Water Assistance Program. Together, these guidance documents will allow grant recipients to best meet the needs of eligible individuals in low-income households and ensure that those who are eligible for critical utility assistance are not denied services based solely on living with ineligible household members.

RELATED REFERENCE

[LIHEAP IM HHS Guidance on the Use of Social Security Numbers \(SSNs\) and Citizenship Status Verification](#)

¹ The statutory term is “qualified alien.” The meaning of qualified alien and qualified non-citizen is intended to be synonymous.

Thank you for your attention to these matters. OCS looks forward to continuing to provide high-quality services to OCS partners.

/s/

Dr. Lanikque Howard

Director

Office of Community Services