



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

Office of Community Services | 330 C Street, S.W., Washington, DC 20201  
www.acf.hhs.gov/ocs

## Office of Community Services

### Action Transmittal

**DATE:** February 22, 2021

**TO:** State and Territorial Governors and Low Income Home Energy Assistance Program (LIHEAP) Administrators

**SUBJECT:** Notification and Action Request for FY 2021 Low-Income Household Water Assistance Program

**ATTACHMENT(S):** Relevant Statutory Language from Public Law No: 116-260  
Sample Designation Letter

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**Purpose:** To provide States and Territorial Governors and Low-Income Home Energy Assistance Program (LIHEAP) Administrators guidance regarding requested information for the new Low-Income Household Drinking Water and Wastewater Emergency Assistance Program, hereafter referred to as the Low-Income Household Water Assistance Program (LIHWAP).

**Background:** This Action Transmittal provides initial notification of an upcoming funding opportunity and requests establishment of an assigned state and territory official and program contact for a new LIHWAP grant effort.

The [Consolidated Appropriations Act, 2021](#) (Public Law No: 116-260) signed on December 27, 2020, included \$638,000,000 in funding with instructions for the Administration for Children and Families (ACF) within the U.S. Department of Health and Human Services (HHS) to carry out grants to assist low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services, by providing funds to owners or operators of public water systems or treatment works to reduce arrearages of and rates charged to such households for such services. The full text of the statutory instructions is included as **Attachment A**.

**Federal Lead Agency:** Grants will be issued and administered by the [Office of Community Services \(OCS\)](#), which administers LIHEAP and other programs designed to reduce the causes of poverty, increase opportunity and economic security of individuals and families, and revitalize communities.

**Development of Federal Procedures:** Congress instructed that “in carrying out this appropriation, the Secretary, States, and Indian Tribes, as applicable, shall, as appropriate and to the extent practicable, use existing processes, procedures, policies, and systems in place to

provide assistance to low-income households, including by using existing programs and program announcements, application and approval processes,” (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2021).

Consistent with these Congressional instructions, ACF will be closely modeling the procedures and requirements for this funding on existing programs such as LIHEAP and other related programs. Over the next several weeks, OCS will be issuing additional guidance on: 1) amounts allocated to states, territories, and tribes, 2) procedures for submission of state, territorial, and tribal plans (including any required assurances and certifications), and 3) expectations for reporting and tracking funds.

**Immediate Action Request:** OCS requests that the governor's office within each state and U.S. territory that currently receives LIHEAP grants identify a responsible governmental official who will be empowered by the governor to submit a state plan and to sign any required certifications or assurances. Please note that while the governor has discretion to designate a lead agency and lead official, the agency selected must be able to coordinate with current state LIHEAP Administrators regarding existing processes, procedures, policies, and systems in order to expedite the distribution and oversight of these funds. Current State LIHEAP officials and State LIHEAP program contacts are included in the distribution of this action transmittal to facilitate communication. An example of a designation letter is included as **Attachment B**. OCS requests identification of a state official as soon as possible but no later than by **Monday, March 8, 2021**. Please send the official designation letter to the following email address [LIHWAPStates@acf.hhs.gov](mailto:LIHWAPStates@acf.hhs.gov) along with a mailing address, phone number, and email address for the responsible state official and any assigned program contacts.

Thank you for your attention, and OCS looks forward to working with you and your assigned staff to address this important opportunity for low-income families.

Dr. Lanikque Howard  
Director  
Office of Community Services

**Attachment A – Relevant Statutory Language from Public Law No: 116-260**

SEC. 533. For an additional amount for “Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs”, \$638,000,000, to prevent, prepare for, and respond to coronavirus, for necessary expenses for grants to carry out a Low-Income Household Drinking Water and Wastewater Emergency Assistance Program: Provided, That the Secretary of Health and Human Services shall make grants to States and Indian Tribes to assist low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services, by providing funds to owners or operators of public water systems or treatment works to reduce arrearages of and rates charged to such households for such services: Provided further, That in carrying out this appropriation, the Secretary, States, and Indian Tribes, as applicable, shall, as appropriate and to the extent practicable, use existing processes, procedures, policies, and systems in place to provide assistance to low-income households, including by using existing programs and program announcements, application and approval processes: Provided further, That the Secretary shall allot amounts appropriated in this section to a State or Indian Tribe based on the following (i) the percentage of households in the State, or under the jurisdiction of the Indian Tribe, with income equal to or less than 150 percent of the Federal poverty line, and (ii) the percentage of such households in the State, or under the jurisdiction of the Indian Tribe, that spend more than 30 percent of monthly income on housing: Provided further, That up to 3 percent of the amount appropriated in this section shall be reserved for Indian Tribes and tribal organizations: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This division may be cited as the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2021”.

**ATTACHMENT B – Sample Designation Letter**

Dr. Lanique Howard  
Director  
Office of Community Services  
Administration for Children and Families  
U.S. Department of Health and Human Services  
330 C Street, SW  
Washington, D.C. 20201

Dear Dr. Howard:

I hereby designate [name of agency] as the lead agency for administration of the Low Income Household Water Assistance Program (LIHWAP) in the state/territory of [state or territory name]. The executive director of the department, [name of current office holder], and any official successor to this position is authorized to make assurances of certification which may be required as part of the annual LIHWAP application process.

This delegation of authority shall remain in full force and effect until modified or rescinded by federal or state statute or by the chief elected official of this state.

Sincerely

[Signed by Governor]

[Printed Name of Governor]