



# NAVAJO FAMILY ASSISTANCE SERVICES

## CARES Act Supplemental Funding

### Low Income Home Energy Assistance Guideline

#### **Title: CARES Act Supplemental LIHEAP Funding Guideline**

#### **Section One: General Information**

- A. The Navajo Nation received a one-time non-recurring funding through the Coronavirus Aid, Relief, and Economic Recovery (CARES) Act (P.L. 116-136), which provided supplemental Low Income Home Energy Assistance Program (LIHEAP) funding to help “*prevent, prepare for, or respond to*” home energy needs surrounding the national public health pandemic created by the Coronavirus Disease of 2019 (COVID-19).
- B. The Navajo Family Assistance Services (NFAS) within the Navajo Division of Social Services currently administers the regular LIHEAP authorized by P.L. 97-35. Therefore, NFAS will administer and implement the CARES Act Supplemental LIHEAP Funding with these Guidelines.
- C. Due to the numerous Navajo Nation Executive Orders that closed the Navajo Nation government offices and Public Health Emergency Orders mandating guidance to mitigate COVID-19, NFAS will exercise grant flexibilities authorized by the Administration for Children and Families Memorandum IM-ACF-OA-2020-01 as it provides human service activities related to or affected by COVID-19.

#### **Section Two: Purpose**

- A. The NFAS will use the CARES Act Supplemental LIHEAP Funding for any purpose normally authorized by the federal LIHEAP statute (42 USC 8621 et seq.), including heating, cooling, crisis, weatherization assistance, case management for the reduction of home energy burden, and administrative costs.
- B. The severe rain, snow and wind storms, and mud could result in power outages and/or cause impassable road conditions preventing LIHEAP eligible individuals to travel for propane. Overall, it will create health and safety hazards due to the extreme cold during the winter months and extreme heat during the summer months, for which NFAS will use the CARES Act Supplemental LIHEAP Funding to provide LIHEAP eligible individuals with crisis assistance.



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#### Section Three: Eligibility Criteria

To determine eligibility, an Applicant and the household members must meet the following requirements:

##### A. Financial Eligibility Criteria

###### Gross Monthly Income

The Applicant's Total Gross Countable Monthly Income shall not exceed one hundred-fifty percent (150%) of the current National Poverty Guidelines for the applicable household size. The following shall be considered in the Gross Countable Monthly Income calculation:

1. Earned Income includes, but not limited to:
  - a. Hourly wages, salaries, or commissions;
  - b. Contract employment;
  - c. Stipend payment for performing a duty (e.g. board or commission, chapter official, or jury duty), excluding reimbursement for lodging, mileage, or meals in the performance of their duties; or
  - d. Self-Employment Income.
  
2. Disregard Income:

The following shall not be considered in the determination of eligibility for the CARES Act Supplemental LIHEAP Funding assistance:

  - a. Economic impact payment such as the federal stimulus and/or tribal hardship assistance, for a period of twelve (12) months from receipt;
  - b. CARES Act funded supplemental unemployment compensation;
  - c. Federal Income Tax refund; and
  - d. Land Buy-Back Program pursuant to the Claims Resolution Act of 2010, P.L. 111-291, Section 101 (f).

##### B. Non-Financial Eligibility Criteria

1. In order for the application to be considered, the following documents are required:
  - a. Certificate of Indian Blood (CIB) or Tribal Identification Card of the Applicant and household members. The names of the Applicant and household member noted on the CIB or Tribal Identification Card must match the names on the Social Security card and Government-issued identification card. This is required except for a household member that is a newborn under the age of three (3) months.



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- b. Social Security Card: A Social Security card will be required for the Applicant and household members, except a newborn under the age of three (3) months.
  - c. Government-issued Identification Card: A Government-issued identification card (e.g. driver's license, state identification card, tribal identification card, or passport) will be required of the Applicant only.
2. Service Delivery Area: An Applicant must reside within the territorial boundaries of the Navajo Nation.
  3. Household Assistance Limit: A household is defined as any individual or group of individuals who live together as one economic unit for whom residential energy is customarily purchased in common, or who make undesignated payments for energy in the form of rent.

#### C. COVID-19 Related Home Energy Needs

While everyone is impacted by COVID-19, the CARES Act Supplemental LIHEAP Funding will support the following circumstances, including but not limited to:

1. An Applicant and/or household member(s) have been tested positive with COVID-19 and are home recovering from the virus;
2. An Applicant and/or household member(s) was/is in quarantine or caring for family member(s) who tested positive for COVID-19;
3. An Applicant and/or household members suffered from lost wages, reduced wages, or lost employment due to business closure;
4. An Applicant and/or household members require temporary shelter to comply with "social distancing" guidelines due to a household member being tested positive for COVID-19;
5. An Applicant and/or household members' place of employment or school closure causing them to remain home and resulted in an increase of heating and cooling expenditures at the home; or
6. An Applicant, who experience power outage and/or impassable road conditions caused by severe rain, snow or wind storms, or mud creating health and safety hazards due to extreme cold during the winter months and extreme heat during the summer months, for which they will be eligible for crisis assistance.



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**Section Four: Application Process**

- A. Only one application per household will be accepted.
- B. An Applicant may apply for CARES Act Supplemental LIHEAP funding by submitting a completed CARES Act LIHEAP Application for Assistance, by mail, electronic mail, facsimile, or via drop box.
- C. The eligibility will be determined based on Section Three of these Guidelines.

**Section Five: Type of Assistance**

Based on availability of funds, an Applicant may apply for CARES Act Supplemental LIHEAP Funding and receive a one-time assistance for home heating, home cooling, or crisis assistance which may include service re-connection fee. Home heating includes electricity, natural gas, propane, wood, coal, or pellet. Home cooling includes electricity or cooling system unit.

**Section Six: Assistance Priorities**

Everyone is impacted by COVID-19; therefore, the CARES Act Supplemental LIHEAP Funding will be on, first come first serve basis, until the supplemental funding is fully expended by September 30, 2021.

**Section Seven: Assistance and Appeal**

- A. Payment Method: LIHEAP assistance payment will be issued to Applicants.
- B. Appeal: If an application is denied, a written appeal for reconsideration must be submitted to the NFAS Senior Program and Project Specialist within ten (10) working days of the receipt of the denial letter. The written appeal shall outline the reason(s) why the Applicant is disputing the denial of an application and should include supporting document(s) if any. The NFAS Senior Program and Project Specialist decision will be final.