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POLICY



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# Prioritizing Transparency in the Low-Income Heat and Energy Assistance Program

## EXECUTIVE SUMMARY

Low-Income Heating and Energy Assistance Program (LIHEAP) offices should increase transparency of demographic data collection and outreach in underserved communities. More specifically, the Washington State Department of Commerce Community Services and Housing Division and Washington LIHEAP Office should:

1. Include data reporting requirements for LIHEAP sub-grantees in public-facing documents, such as:
  - a. the LIHEAP Model Plan, and/or
  - b. the LIHEAP Sample Vendor Agreement;
2. Release LIHEAP sub-grantee documents, such as vendor agreements or contracts, on the [Washington Open Data website](#);<sup>1</sup>
3. Release LIHEAP recipient demographic data on the [Washington Geospatial Open Data Portal](#);
4. Encourage LIHEAP sub-grantees to host community listening sessions with recipients to improve the program; and
5. Distribute standardized outreach materials to LIHEAP sub-grantees.

## BACKGROUND

Nationwide, Black, Indigenous, and Hispanic households shoulder a larger energy burden than the average American household. To decrease racial disparities in energy burden, the Washington LIHEAP Office became an early adopter of new [reporting guidelines from the United States Department of Health and Human Services](#) by collecting years of race, ethnicity, and gender data on LIHEAP recipients. However, advocacy groups, community members, and academics do not have access to the LIHEAP demographic data or outreach plans to underserved communities.

Without access to these documents, potential partners such as advocacy and community groups are unable to aid the Department of Commerce in identifying, engaging, and building trust in historically marginalized communities. Additionally, the Washington LIHEAP Office has gone far beyond federal standards for data collection of these key characteristics without recognition. Lastly, other states that have not collected these data do not currently have a model for which data to collect and how to collect them.

## RECOMMENDATIONS

The Washington State Department of Commerce Community Services and Housing Division should increase transparency in demographic data collection and outreach within the Washington LIHEAP Office so that the public can become more involved in how LIHEAP identifies and allocates funds toward underserved racial, ethnic, and/or highly impacted communities.

Five recommendations for how LIHEAP Office can increase transparency are outlined below.

### **1. Include data reporting requirements for LIHEAP sub-grantees in public-facing documents such as the LIHEAP Model Plan and/or Sample Vendor Agreement.**

LIHEAP sub-grantees (also known as local LIHEAP vendors) already collect race and ethnicity data;<sup>2</sup> however, advocacy groups are in the dark on what these data are. Therefore, including the data reporting requirements in public-facing documents will make these requirements more clear to advocacy and community groups and will allow them to request relevant data from LIHEAP sub-grantees, lobby for new data requirements, and advocate for resources to be placed in vulnerable demographics.

Increasing transparency in Washington LIHEAP reporting requirements will allow Washington State to serve as a model for other states that are just beginning to implement new 2023 federal reporting requirements.

The draft Model Plan and draft Vendor Agreement in Appendices A and B provide sample language for how the Department of Commerce could accomplish this recommendation by incorporating existing data collection requirements into two core public-facing documents.

## **2. Put LIHEAP sub-grantee documents on the [Washington Open Data website](#).**

LIHEAP sub-grantees sign an annual Vendor Agreement to continue operating as a local LIHEAP office. These contracts should be public information so that the communities these LIHEAP sub-grantees serve understand the terms of this partnership. For example, communities should understand how LIHEAP sub-grantees are compensated, how long their contracts are for, and what data they're required to collect. In this way, communities can help to hold LIHEAP sub-grantees accountable for the terms of their public partnerships.

Currently, the Department of Commerce has uploaded only Fiscal Year 2015 contracts to the [Washington Open Data website](#). The Community Services and Housing Division should consider uploading LIHEAP sub-grantee contracts to the Washington Open Data website.

## **3. Share LIHEAP demographic data on the [Washington Geospatial Open Data Portal](#).**

Given that LIHEAP demographic data contain confidential and sensitive personal information, the Department of Commerce's LIHEAP Office should aggregate and anonymize LIHEAP demographic data for publication on the [Washington Geospatial Open Data Portal](#).

While the LIHEAP demographic data soon will be publicly available on the Department of Commerce website, these data will be preprocessed and unavailable for download, making it difficult for a resident to perform their own analysis. Sharing these data on the Geospatial Open Database website in a [geodatabase format](#) will allow advocacy and community organizations to download and analyze the data themselves.

The Washington Geospatial Open Data Portal is the central location for advocacy groups, community members, and academics to download data on Washington State and its residents. These data allow for open analysis of relevant and current statewide statistics. When advocacy groups, among others,

advocate for data-based policy, they need access to relevant data. Therefore, the Washington LIHEAP Office would increase its community engagement with potential community partners by uploading aggregated and anonymized data to the Washington Geospatial Data Portal. The Washington LIHEAP Office could consider reaching out to the Washington State Chief Information Officer to better understand the state's [Geospatial Open Data Guidelines](#).

In addition, if the LIHEAP sub-grantee is not a utilities provider, the LIHEAP office should share these demographic data with their local utilities provider. Currently, the Washington LIHEAP Office gathers data from their sub-grantees. Similarly, LIHEAP sub-grantees provide limited information to local utility providers, which is reported in the utility's [biennial Clean Energy Transformation Act Section 120\(b\)\(3\) energy assistance report](#).<sup>3</sup> Since Washington utilities are not currently required to report on the races and ethnicities of their energy assistance recipients, LIHEAP sub-grantees also do not do so. Therefore, to increase transparency across Washington energy assistance programs, LIHEAP sub-grantees should consider sharing demographic data with their local utility provider.

#### **4. Encourage community listening sessions within LIHEAP sub-grantee outreach plans.**

LIHEAP sub-grantees should be encouraged to host community listening sessions to better understand the needs of their communities. [Community listening sessions](#) are informal public hearings, where community members are invited to voice concerns and grievances. The key to successful community listening sessions is that the LIHEAP sub-grantee meaningfully listens and addresses the concerns. Based on these community listening sessions, sub-grantees should submit an outreach plan to the Washington Department of Commerce in their annual application to provide LIHEAP services.

Currently, LIHEAP sub-grantees outreach plans are internal, which does not allow for other community organizations to provide input. Community organizations often have insightful information on how to engage with local, vulnerable populations. Community listening sessions between LIHEAP offices and community members would enhance outreach plans. The outreach plan should detail how the sub-grantee plans to provide additional support to identified underserved communities. These outreach plans should be publicly available for accountability to the public. Additionally, the Washington LIHEAP Office should evaluate outreach efforts during the following year's desk or on-site audit.

In order to implement this recommendation, the Department of Commerce should modify their Model Plan. Appendix A provides draft language for how to modify this plan.

#### **5. Distribute standardized outreach materials to LIHEAP sub-grantees.**

A common community concern is the lack of a consistent and accessible application process for LIHEAP across district offices. For example, each LIHEAP sub-grantee lists different required documents for the application process, and some of these document lists are erroneous. [The Chelan County LIHEAP Office](#) requires 12 months of utility bills and 3 months of proof of income, when only 1 month of each is required by the State.<sup>4</sup> The State standard of 1 month proof of income was implemented during the 2019 COVID pandemic, and some LIHEAP sub-grantees such as the Chelan County LIHEAP Office may have neglected to edit their websites after the requirements changed.

In order to standardize the application process and make it easier for applicants to access benefits, the Washington LIHEAP Office should provide a collection of standardized LIHEAP materials, including:

- a. Guidelines for what documents LIHEAP sub-grantees can and cannot ask of LIHEAP applicants;
- b. A list of those documents on the Washington Department of Commerce LIHEAP website; and
- c. Outreach materials with consistent application information.

These outreach documents should include a streamlined application 1-pager or flyer with the correct application requirements. These outreach documents can be used both non-digitally as a flyer/mailer, or digitally on the local LIHEAP office website or on social media.

Appendix C and Figures 1 through 3 provide sample outreach materials.



## ASPEN TECH POLICY HUB

### POLICY

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## TIMELINE

See below for a sample timeline for how the State can implement these recommendations:

- ▶ **September 2022:** LIHEAP Data Visualization website is open to the public.
- ▶ **October 2022:** LIHEAP program year begins and new vendor contracts begin.
- ▶ **November to December 2022:** LIHEAP sub-grantees are given the outreach toolkit and made aware of new open data standards (such as the Department of Commerce uploading FY 2022 and all future vendor contracts to the WA Open Data Portal).
- ▶ **January 2023:** LIHEAP geospatial data is uploaded to the WA Geospatial Data Portal. LIHEAP Vendor contracts are uploaded to the WA Open Data Portal.
- ▶ **February 2023:** LIHEAP vendors are encouraged to share demographic data with local utility providers.

## Appendix A: 2023 LIHEAP Model Plan

The LIHEAP Model Plan acts primarily as a survey for the State of Washington to report their LIHEAP implementation to the federal government. However, the LIHEAP Model Plan also acts as an important public-facing document for advocacy groups to better understand how the Washington LIHEAP Office serves low-income energy assistance recipients. Since Washington is an early adopter of the new federal reporting requirements on race, ethnicity, and gender, the 2023 Washington LIHEAP Model Plan should highlight these accomplishments.

Below is suggested language for the 2023 Washington LIHEAP Model Plan based on language from the [2022 LIHEAP Model Plan](#) Section 8, Section 10, and Section 16, as well as language from the [New Jersey LIHEAP Model Plan](#). The original language is in black, recommendations for additional language are underlined, and recommendations for removed language are marked with a ~~strikethrough~~: These suggested edits include describing race, ethnicity, and gender data collection as well as how those data impact LIHEAP sub-grantee outreach.

### Alternate Outreach and Intake, 2605(b)(15) – Assurance 15

8.2 How do you provide alternate outreach and intake for **HEATING ASSISTANCE**?

Sub-grantees collect data on and identify underserved communities based on race, ethnicity, or gender to engage in outreach within the identified underserved community. Sub-grantees must then submit an outreach plan to Commerce in their annual application to provide LIHEAP services, detailing how they plan to provide additional support to identified underserved communities.

~~Sub-grantees have the option of providing alternate outreach and intake services. Each local agency must have their outreach plan approved by Commerce in their annual application to provide LIHEAP services. Sub-grantees may elect to provide intake and/or outreach opportunities by partnering with local agencies that work with or provided resources for the elderly and/or disabled populations. These partnerships establish a means of getting program information to our most vulnerable households as well as creating a more accommodating means of accessing services.~~

8.3 How do you provide alternate outreach and intake for **COOLING ASSISTANCE**?

N/A Same as stated for Heating Assistance above.

8.4 How do you provide alternate outreach and intake for **CRISIS ASSISTANCE**?

Same as stated for Heating Assistance above.

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

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

The Department of Commerce staffs a division Administrative/Fiscal Monitor. This staff is responsible for monitoring the administrative and fiscal health of all Commerce contractors and sub-grantees. LIHEAP program staff also review specific program requirements, such as demographic reporting and sub-grantee outreach, during annual desk monitoring as well as scheduled onsite monitoring visits.

**Section 16: Performance Goals and Measures, 2605(b)**

16.1 If your state is not able to collect 100% of the performance measure data, what is your plan to get to 100% data collection?

Washington State currently collects performance data at the sub-grantee[*sic*] level. In addition to the traditional performance measure data, Washington collects data on race, ethnicity, and gender. We are looking to establish data exchanges with regulated utilities this heating season.



## Appendix B: LIHEAP Sample Vendor Agreement

The [LIHEAP Sample Vendor Agreement](#) is an important public-facing document allowing advocacy groups and community members to better understand the relationship between the Department of Commerce and LIHEAP sub-grantees. However, there are a number of federal and state reporting requirements for LIHEAP sub-grantees, such as race, ethnicity, and gender, that are not included in the LIHEAP Sample Vendor Agreement. Therefore, the LIHEAP Sample Vendor Agreement should be edited to include all of the reporting requirements for LIHEAP sub-grantees.

Below is suggested language for the 2023 Washington LIHEAP Sample Vendor Agreement based on language from the [2022 Sample Vendor Agreement](#) sections on “Vendor Responsibilities” and “Required Records for Audit Purposes.” The original language is in black, recommendations for additional language are underlined, and recommendations for removed language are marked with a ~~strikethrough~~:

### **VENDOR RESPONSIBILITIES**

The Vendor shall:

1. Immediately apply the benefit payment to customer’s current/past due bill, deposit/reconnect requirements, or arrearages to eliminate the amount owed by the customer for a period determined by the amount of the benefit.
2. Notify the customer of the amount of benefit payment applied to the customer’s billing.
3. Keep customer records confidential.
4. Maintain records for four (4) years from the date of this agreement, or longer[sic] if the vendor is notified that a fiscal audit for a specific program year is unresolved.
5. Identify underserved communities based on socioeconomic factors such as energy burden, age, ability, family size, race, ethnicity, and gender and develop alternate outreach plans to serve those communities.
6. Submit an outreach plan to the agency and the Washington State Department of Commerce in their annual application to provide LIHEAP services, detailing how they plan to provide additional support to identified underserved communities.

- ~~5~~.7. Not treat adversely, or discriminate against any household that receives assistance payments, either in the cost of the goods supplied or the services provided.
- ~~6~~.8. Upon request of the agency, provide eligible customer's consumption history and account balance for the sole purpose of determining customer benefit.
- ~~7~~.9. Comply with the provisions of the state law regarding disconnects and pertinent provisions of the Washington Administrative Code related to moratorium, if governed by that ruling.
- ~~8~~.10. Make records available for review by authorized staff of the agency and Washington State Department of Commerce and the U.S. Department of Health and Human Services.

#### **REQUIRED RECORDS FOR AUDIT PURPOSES**

The vendor will keep records showing the following:

- 1. Name and address of households who received assistance payments.
- 2. The race, ethnicity, and gender of the recipients.
- 3. Federal LIHEAP performance measures, including age, veteran status, disability status, and family size.
- ~~2~~.4. Amount of assistance to each household.
- ~~3~~.5. Source of payment.

# Appendix C: Sample LIHEAP Outreach Materials



## Low Income Home Energy Assistance Program (LIHEAP)

How to Apply!

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<b>Step 1</b>	<b>Go to the WA Department of Commerce LIHEAP Page</b>	<input type="checkbox"/> Click on the Map <input type="checkbox"/> Find Your County <input type="checkbox"/> Find Your LIHEAP Office
<b>Step 2</b>	<b>Make an Appointment</b>	<input type="checkbox"/> Log in using your SSN <input type="checkbox"/> Find a Date and Time
<b>Step 3</b>	<b>Bring Required Documents to Appointment</b>	<input type="checkbox"/> A Photo ID* <input type="checkbox"/> Proof of Citizenship** <input type="checkbox"/> Proof of Income*** <input type="checkbox"/> Utilities Information****
<b>Step 4</b>	<b>Complete LIHEAP Application at Your Appointment</b>	

\*Driver's license, Washington State ID card, or tribal ID card

\*\*Social Security Card, passport, residency card, or Refugee Application

\*\*\*Proof of Income for 1 month or more: W-2 form, bank stubs, unemployment checks, etc.

\*\*\*\*Utility bill, utility account number, apartment/home lease, etc.

Any questions?  
Phone: 360-725-2857  
Email: LIHEAP@commerce.wa.gov

Figure 1: LIHEAP Application Guide

A sample LIHEAP application guide, including a clear, accessible list of required documents. The guide is customizable, so LIHEAP sub-grantees can add their own contact information.

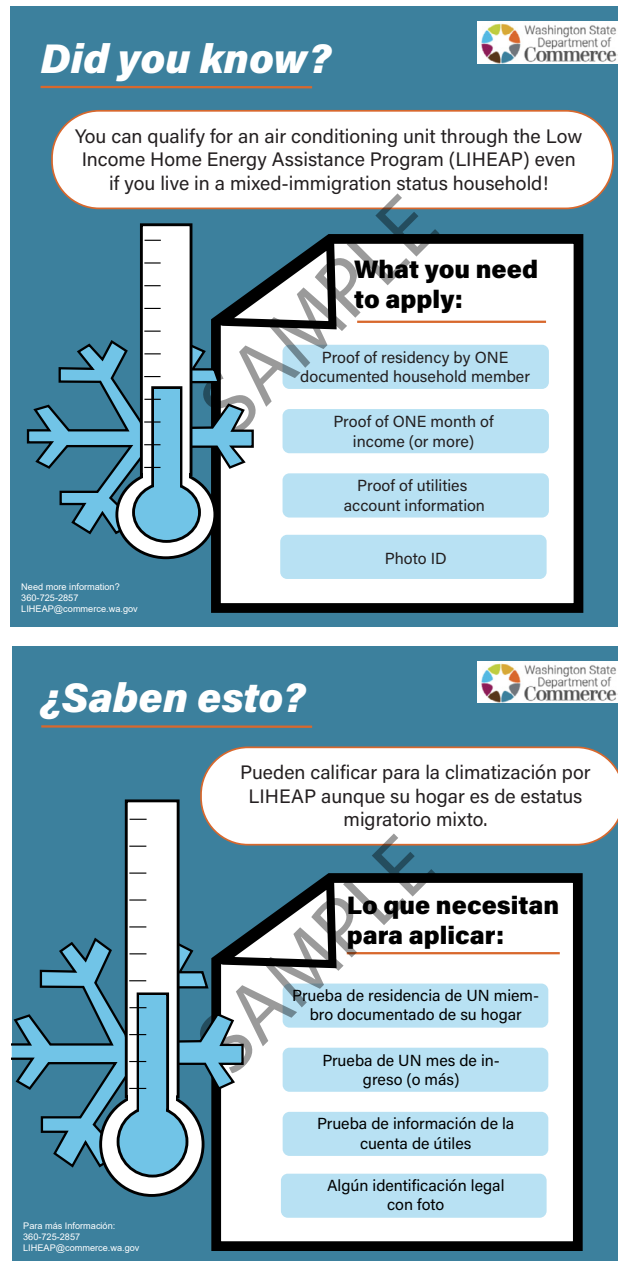


Figure 2: Sample Social Media Post

Sample social media posts aimed toward households with undocumented members, in English and in Spanish.

**Did you know?**

You can use a Tribal ID card to apply for an air conditioning unit through the Low Income Home Energy Assistance Program (LIHEAP)!

**What you need to apply:**

- Proof of residency by ONE documented household member
- Proof of ONE month of income (or more)
- Proof of utilities account information
- Tribal ID or other photo ID

Need more information? 360-725-2857 | LIHEAP@commerce.wa.gov

Figure 3: Sample Social Media Post

A sample social media post aimed at encouraging Indigenous households to apply.

## ENDNOTES

1. LIHEAP Grantees are states, such as Washington and the Washington State LIHEAP Office (referred to as the LIHEAP Office). LIHEAP sub-grantees (also called vendors) are the offices which disperse LIHEAP benefits to a specific service area within the state. LIHEAP sub-grantees can be community action partnership (CAP) agencies (such as food banks), public utilities, etc.
2. Washington State LIHEAP Program Director, phone discussion with the author, August 3, 2022.
3. Utilities are required to report on their energy assistance programs to the state and often cite LIHEAP sub-grantees as a third-party-run energy assistance program within their service area. Therefore, LIHEAP sub-grantees share some, but not all, of the available data with utilities. See “Other materials: 2022 submitted energy assistance program reports” on the [Energy Assistance webpage](#) for more information on how LIHEAP sub-grantees are included in the energy assistance reports submitted by utilities
4. See Washington State LIHEAP Program Director, *supra* note 2. Washington LIHEAP eligibility guidelines can also be found [here](#).