

UTILITY ASSISTANCE PROGRAM POLICY

Purpose of Funds

(Assurance #1)

The Utility Assistance Program operates on a fiscal year (October through September) and serves low-income Native American households within the Osage Reservation (Osage County). The purpose is to provide energy assistance, energy crisis intervention, energy-related home repair, assistance for drinking water, waste water services and to conduct outreach to those households with the lowest income and highest needs. The Low Income Home Energy Assistance Program, commonly called LIHEAP, was authorized by a law passed by Congress and signed by the President on August 13, 1981. The law is called the Omnibus Budget Reconciliation Act (OBRA) of 1981, as amended. The Low Income Home Water Assistance Program is established and Congress appropriated funds in the Consolidated Appropriations Act of 2021, and an additional funds in the American Rescue Plan Act (ARP) of 2021 for a new emergency water and wastewater assistance program.

Heating assistance is available from October 1st through September 30th, and may be awarded each fiscal year, per eligible household. The benefit includes payment for energy costs that provides heat to the home. The energy cost can be wood, propane, natural gas, or electric. In-Kind benefits are available and may include a space heater, an electric blanket and/or weatherization materials, as funding permits. Supplemental payments may be disbursed, based on available funds, and will not count against the other benefits.

Cooling assistance is available from October 1st through September 30th and may be awarded each fiscal year per eligible household. The benefit includes payment for an electric bill. In-Kind benefits are available and may include a window air conditioning window unit, oscillating box fan and/or weatherization materials, as funding permits. Supplemental payments may be disbursed, based on available funds, and will not count against the other benefits.

Crisis assistance is available from October 1st through September 30th, and may be awarded each fiscal year per eligible household. This benefit provides either utility or HVAC assistance. The program will provide an intervention that will resolve the energy crisis within 18 to 48 hours, unless the application period is also during a State of Emergency. The applicant must have used a regular heating or cooling benefit before applying for the crisis utility benefit.

As a component of Crisis Assistance, repair or replacement of an existing Heating, Ventilation, Air Conditioning (HVAC) System is available for eligible homeowners. If repair work is insufficient or the existing system is older than 7 years or inadequate in size, replacement of an existing Heating, Ventilation Air Conditioning system is available for eligible homeowners. The total cost to repair or replace the existing system must be affordable under the limit, as stated in the Annual Low Income Home Energy Assistance Program (LIHEAP) Plan. HVAC system preventative maintenance is also available.

To be an eligible for HVAC repair or replacement the household must contain one of the following: an elder (55 or older), child nine (9) years or younger, or an enrolled member of the Osage Nation. HVAC repair and replacement is limited to once every 7 years. The install of a new system in a dwelling where an existing system does not already exist is prohibited. Homeowners requesting new systems will be referred to alternative resources.

For the purposes of this policy, assistance from the Department of Human Services (DHS) is inclusive and is counted as eligible benefits with Osage Nation Energy Assistance Program. The

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Financial Assistance Department will cross check, confirm and document any benefits received. This program defines a crisis based on the following:

- Possible health threat
- Non-functional heating or cooling equipment
- $\mathcal{K}\Lambda.\mathcal{S}\cap.\mathcal{K}\Lambda$ has declared a State of Emergency
- President has declared a State of Emergency
- Life-threatening crisis (an energy burden that may result in or create a medical or health emergency)

Assistance is available for household drinking water and waste water services to low income Native American households with a high costs for drinking water and waste water, 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. Eligible households may receive assistance twice a year. Crisis assistance is available and may be awarded each fiscal year per eligible household. This benefit provides an additional amount of assistance to household. The applicant must have used both regular benefits before applying for the crisis utility benefit. The eligible household must contain one of the following: an elder (55 or older), child nine (9) years or younger, or an enrolled member of the Osage Nation.

Designation of Local Agency

(Assurance #6)

The program is administered within the Osage Nation Financial Assistance Department, physically located at 239 W. 12th Street Pawhuska, OK 74056. There are no sub grantees.

Eligibility Requirements

(Assurance #2)

Eligible households for Utility Assistance with the Osage Nation Financial Assistance Department must:

- Reside within the boundaries of the Osage Reservation (Osage County)
- Be Native American (evidenced by a membership card from a federally recognized tribe or CDIB)
- Have an income below 60% of the Oklahoma State Median Income level (Each adult residing in the household must provide income verification)
- Be 18 or older
- Submit utility bills in the name of the applicant or member of the household
- Submit a completed application (*Attachment A*).

Priority in eligibility is given to vulnerable households, which include one of the following:

- Elder (55 years or older)
- Children aged nine (9) or younger
- Enrolled member of the Osage Nation

Income verification for the past thirty (30) days is required from each adult household member. The benefit amount will be determined based on net income derived from the following:

- Wages
- Self-Employment Income
- Contract Income
- Unemployment benefits
- Social Security Administration (SSA) benefits; excluding Medicare deductions

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- Supplemental Security Income
- Retirement/pension benefits
- Rental Income
- Alimony
- Child Support

Enrolled members of Osage Nation will receive a standard deduction of \$350.00 per enrolled household member.

Example for a household of five (5) enrolled Osage tribal members

Net income	\$3,800 per month
Deduction	\$1, 750
Adjusted Net Income	\$2, 050

The Utility Assistance Program will also determine household's categorically eligible if one or more of the household's members receive any of the following benefits: Supplemental Nutritional Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), Means-tested Veterans Programs, and Low Income Home Energy Assistance Program (LIHEAP).

Application & Determination

(Assurance #1, #2, #7, #13)

Eligibility is determined on information provided within the program application and supporting documentation. The applicant is notified of their right to a fair hearing / appeal, in the event the application is denied or not acted upon with reasonable promptness, at the time of application. The applicant is also provided information on how to report possible fraud, waste or the misuse of funds, at the time of application.

The amount of assistance will be in accordance to household size, household income and energy burden. Completed applications contain the following supporting documentation:

- Complete and signed program application, unless during a State of Emergency, where telephone interviews are acceptable and compliant. (*Attachment A*).
- Copies of Osage Nation Membership Cards or Certificate Degree of Indian Blood from a federally recognized tribe for all household members
- Legible copies of the Photo Identification of all adults in the household
- Legible copies of Social Security Cards of all household members
- Verification of monthly income for all adults in the household, unless a member categorically eligible
- Current Energy / Water bill

If applying for repair or replacement of HVAC unit, include:

- Verification of homeownership (Copy of recorded General Warranty Deed, Contract for Deed, Title to Mobile Home, Lease to Purchase Agreement, BIA Permit, or letter from the BIA).

If the applicant is determined eligible for assistance:

- Staff will determine the amount of assistance, as outlined in the Payment Matrix. (*Attachment B*).
- A voucher will be emailed or faxed directly to the vendor. The voucher will include the: name, address, account number, and approved amount of assistance. (*Attachment C*).
- A letter is mailed or emailed to the applicant, notifying them of the determination and amount of

- energy assistance
- A payable is processed to the accounting department
- A check is mailed directly to the vendor

If the applicant is determined ineligible for assistance:

- A letter is mailed or emailed to the applicant, stating the reasons of denial and the appeal process.
- If the applicant appeals the determination, in written form, within 10 business days of the letter, to the Financial Assistance office, the appeal will be forwarded to the Secretary or his /her designee for review.
- A fair hearing / appeal will be scheduled and the applicant will be notified of the date and time, in written or electronic communication.
- The Secretary or his / her designee will hear the applicant, review the appeal and make a determination of eligibility, then respond in written or electronic communication to the applicant.

Benefit Levels

(Assurance #5)

The amount of assistance is based on household size, the combined household income and utility burden. The greater benefit will be given to those households which have the lowest incomes and highest utility costs or needs in relation to income taking into consideration the size of the family. The program will not pay for utility deposits nor assist with cost that that were not incurred by the eligible household. The program will utilize a Payment Matrix, which shall be updated annually, reflecting 60% of State Median Income Limits (*Attachment B*).

Vendor Agreements

(Assurance #7 & #8)

The Osage Nation Financial Assistance Department will execute agreements with local energy vendors, in compliance with requirements stated in Section 2605(b) (7) (8) (*Attachment C*) within vouchers.

Coordination

(Assurance #4)

The program staff will work with administrators of other similar programs so that other program officials will be aware of program and can make referrals. Coordination can prevent an overlap in services between agencies and their programs and ensures that eligible households know about and receive the maximum services and benefits available under all applicable programs. Staff will work closely with Indian Housing Programs, Community Block Grants Programs, Homeowners Assistance Funds and Employment & Training Programs to ensure the eligible household is receiving the available assistance, but not duplicating services. This coordination will be conducted at the intake procedure and during the referral process.

Outreach Activities and Program Resources

(Assurance #3 & #16)

Outreach activities will include, but not be limited to the following:

- Informational material mailed to current applicants and / or previous recipients
- Program fliers published in a local newspaper
- Information material shared to our website and social media
- Information material posted in local & other tribal buildings
- Information material will be shared at tribal events

The program may provide energy reduction tips, pamphlets, and materials that can minimize energy
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consumption. This may include classes on energy conservation, help with developing and following household budgets or offer utility payment incentives for attending the educational classes.

Public Participation

(Assurance #12)

The Osage Nation Financial Assistance Department will hold an annual community event to allow tribal members to provide comments and suggestions, which may be considered when preparing the next annual plan. After the community meeting, and within 30 days, the Osage Nation LIHEAP plan will be available for Public Review and written comments, for a period of at least 14 days.

Admin Cost & Fiscal Controls

(Assurance #9 & #10)

The Osage Nation receives an annual LIHEAP award of less than 200,000; therefore the maximum amount of allowable Administrative expenses will be calculated at: 20% of the first \$20,000 plus 10% of the remaining balance of award. Any amount of Admin expenses beyond this amount will be paid with non-federal funds. For example:

Annual Award = \$160,000
20% * 20,000 = \$4,000
10% * 140,000= \$14,000
Total Admin = \$18,000

The Osage Nation will cap the Administrative Costs on LIHWAP at 15% of the award. The program will operate in accordance to policies and procedures of the Osage Nation Accounting Department, and the Single Audit Act. The program will be subject to internal monitoring, as scheduled by the Osage Nation Grants Compliance Office and will permit and cooperate with federal investigations undertaken in accordance with section 2608.

Confidential Records and Reporting

Applicants are informed, at the time of application, of their Rights and Responsibilities, All program staff are required to sign confidentiality agreements. The Osage Nation Financial Assistance Department will utilize a web based software, Customer Relations Management (CRM) to track applications, eligible households, types of assistance, and energy benefits. In accordance with accounting policies, all expenditures will be processed and tracked in Microix and Abilia software. All hard copy files are stored in locked cabinets, in the Financial Assistance file room, until sent to the Archives department, for retention and disposal.

Quarter financial reports, the annual Carryover and Re-allotment Report and the Short Form Annual Household Report, will be submitted via On-Line Data Collection System (OLDC), by the Office of Grants Management, in accordance with required deadlines. Quarterly LIHWAP reports and annual reports will be submitted via email.