



CRS Report for Congress

Low Income Home Energy Assistance Program (LIHEAP): Estimated Allocations

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Summary

The Low Income Home Energy Assistance Program (LIHEAP) is a block grant program under which the federal government gives annual grants to states, the District of Columbia, U.S. territories and commonwealths, and Indian tribal organizations to operate multi-component home energy assistance programs for needy households. This report contains two tables that show estimated LIHEAP allocations to the states. **Table 1** shows state allocations at various levels: (1) the amount appropriated for FY2006, (2) the amount appropriated for FY2007, (3) estimated amounts proposed for FY2007 (but ultimately not appropriated) in three supplemental appropriations bills: H.R. 1591, S. 965, and H.R. 2206, and (4) the estimated state allocations based on the amount proposed by the President for FY2008. **Table 2** shows estimated state allocations at other hypothetical appropriations increments. For detailed information on how the LIHEAP formula allocates funds to the states, see CRS Report RL33275, *Low-Income Home Energy Assistance Allocation Rates: Legislative History and Current Law*, by Julie M. Whittaker and Libby Perl. This report will be updated when proposed funding levels change.

Low Income Home Energy Assistance Program

The Low Income Home Energy Assistance Program (LIHEAP) is a block grant program under which the federal government gives annual grants to states, the District of Columbia, U.S. territories and commonwealths, and Indian tribal organizations to operate multi-component home energy assistance programs for needy households.¹ Established in 1981 by Title XXVI of P.L. 97-35, LIHEAP has been reauthorized and amended several times, most recently in 2005, when P.L. 109-58 reauthorized annual regular LIHEAP funds at \$5.1 billion per year from FY2005 to FY2007. The total LIHEAP

¹ For additional information on LIHEAP, see CRS Report RL31865, *The Low-Income Home Energy Assistance Program (LIHEAP): Program and Funding*, by Libby Perl.

appropriation for FY2007 was \$2.16 billion (P.L. 110-5). In FY2006, \$3.161 billion was appropriated for LIHEAP (P.L. 109-149 and P.L. 109-204), the largest amount ever appropriated for the program.

The LIHEAP statute provides for two types of program funding: regular funds and contingency funds. Regular funds are allotted to states according to methods prescribed by the LIHEAP statute.² The method of allotment may change based on the amount of funds appropriated by Congress. In FY2007, \$1.98 billion was allocated to regular funds, and in FY2006, \$2.48 billion of the total LIHEAP appropriation was distributed as regular funds. The second type of LIHEAP funding, called contingency funds, may be released and allotted to one or more states at the discretion of the President and the Secretary of Health and Human Services (HHS). The contingency funds may be released at any point in the fiscal year to meet additional home energy assistance needs created by a natural disaster or other emergency.³ In FY2007, Congress appropriated \$181 million for contingency funds. The amount provided for contingency funds in FY2006 was \$681 million.

FY2007 Funding and Proposed FY2008 Funding

For FY2007, Congress appropriated \$1.98 billion in LIHEAP regular funds (P.L. 110-5). Column (b) of **Table 1** shows the amount of funds allocated to each state at an appropriation of \$1.98 billion. Two supplemental appropriations bills (H.R. 1591 and H.R. 2206) would have increased FY2007 regular fund appropriations by \$200 million, for a total of \$2.18 billion. The President vetoed the first of these bills (H.R. 1591) on May 1, 2007, and the House failed to override the veto. On May 23, 2007, Congress removed the funding for LIHEAP from the second supplemental appropriations bill (H.R. 2206). Column (c) of Table 1 shows state allocations at an appropriation of \$2.18 billion. The Senate's version of the first FY2007 supplemental appropriations bill (S. 965) would have added \$320 million to LIHEAP regular fund appropriations, for a total of \$2.30 billion in FY2007. However, the amount approved by the House — \$200 million — was approved in conference for H.R. 1591. Column (d) shows allotments to the states at \$2.30 billion. The President's FY2008 budget requested \$1.5 billion for regular block grant funds. Column (e) of Table 1 shows the estimated amount of funds each state would receive at an appropriation of \$1.5 billion. Column (a) shows the amount allotted to each state in FY2006, when \$2.48 billion was appropriated for regular LIHEAP funds.

Following **Table 1**, **Table 2** shows estimated allocations to the states at various hypothetical appropriations levels. These amounts are \$1.75 billion, \$2.0 billion, \$2.25 billion, \$2.5 billion, \$2.75 billion, \$3.0 billion, \$4.0 billion, and \$5.1 billion (the amount at which the LIHEAP program was last authorized in P.L. 109-58).

² See Section 2604(a)-(d) of the Low Income Home Energy Assistance Act (Title XXVI of P.L. 97-35), as amended. The section is codified at 42 U.S.C. §8623(a)-(d) (2002).

³ Depending on how Congress appropriates them, contingency funds may remain available for distribution in more than one fiscal year or they may expire with the fiscal year for which they were appropriated.

Table 1. LIHEAP State Regular Fund Allotments for FY2006 and FY2007, and Estimated State Allotments for Proposals in H.R. 1591, S. 965, H.R. 2206 and the President's FY2008 Budget
(\$ in millions)

State	FY2006 regular fund allotments: \$2.48 billion^a	FY2007 regular fund allotments: \$1.98 billion^b	FY2007 regular fund proposal in H.R. 1591 and H.R. 2206: \$2.18 billion^c	FY2007 regular fund proposal in S. 965: \$2.30 billion^c	President's FY2008 regular fund request: \$1.50 billion^d
	(a)	(b)	(c)	(d)	(e)
Alabama	31.310	16.769	22.252	25.443	12.647
Alaska	12.572	10.704	10.828	11.649	8.073
Arizona	15.142	8.110	10.762	12.304	6.116
Arkansas	22.765	12.796	16.980	19.414	9.650
California	153.184	89.963	119.378	136.493	67.847
Colorado	31.729	31.367	31.729	31.729	23.656
Connecticut	47.809	40.920	41.961	44.300	30.860
Delaware	10.141	5.431	7.207	8.240	4.096
District of Columbia	7.852	6.355	6.891	7.276	4.793
Florida	49.542	26.534	35.210	40.258	20.011
Georgia	39.170	20.979	27.839	31.830	15.822
Hawaii	2.555	2.113	2.242	2.367	1.593
Idaho	14.370	12.235	12.376	13.316	9.227
Illinois	145.959	113.259	128.104	135.246	85.415
Indiana	53.986	51.280	51.872	51.872	38.674
Iowa	36.762	36.343	36.762	36.762	27.409
Kansas	26.798	16.690	22.148	24.832	12.587
Kentucky	44.347	26.686	35.412	40.489	20.126
Louisiana	32.010	17.144	22.750	26.011	12.929
Maine	26.815	26.509	26.815	26.815	19.992
Maryland	58.499	31.332	41.576	47.537	23.629
Massachusetts	82.797	81.853	82.797	82.797	61.730
Michigan	108.770	107.529	108.770	108.770	81.094
Minnesota	78.363	77.469	78.363	78.363	58.424
Mississippi	26.843	14.377	19.078	21.813	10.843
Missouri	59.541	45.240	52.258	55.171	34.118
Montana	16.856	14.351	14.517	15.618	10.823
Nebraska	21.109	17.973	18.180	19.560	13.555
Nevada	7.112	3.809	5.054	5.779	2.873
New Hampshire	18.197	15.493	15.672	16.861	11.684
New Jersey	77.540	75.988	76.865	76.865	57.307
New Mexico	11.925	10.153	10.454	11.049	7.657
New York	250.974	248.112	250.974	250.974	187.116
North Carolina	69.038	36.976	49.066	56.101	27.886
North Dakota	18.310	15.590	15.770	16.966	11.757
Ohio	122.259	100.194	107.303	113.285	75.563
Oklahoma	28.780	15.415	20.455	23.387	11.625
Oregon	24.591	24.311	24.591	24.591	18.334
Pennsylvania	134.810	133.273	134.810	134.810	100.509
Rhode Island	15.825	13.473	13.629	14.663	10.161

State	FY2006 regular fund allotments: \$2.48 billion ^a (a)	FY2007 regular fund allotments: \$1.98 billion ^b (b)	FY2007 regular fund proposal in H.R. 1591 and H.R. 2206: \$2.18 billion ^c (c)	FY2007 regular fund proposal in S. 965: \$2.30 billion ^c (d)	President's FY2008 regular fund request: \$1.50 billion ^d (e)
South Carolina	24.867	13.318	17.673	20.207	10.044
South Dakota	14.871	12.662	12.808	13.780	9.549
Tennessee	46.363	27.033	35.871	41.014	20.387
Texas	82.421	44.144	58.578	66.976	33.292
Utah	17.120	14.576	14.745	15.863	10.993
Vermont	13.639	11.613	11.747	12.638	8.758
Virginia	71.259	38.166	50.645	57.905	28.783
Washington	40.450	39.988	40.450	40.450	30.158
West Virginia	23.818	17.660	20.905	22.070	13.319
Wisconsin	70.538	69.733	70.538	70.538	52.590
Wyoming	6.854	5.836	5.903	6.351	4.401
Total	2,449.16	1,949.83	2,149.563	2,269.400	1,470.48

Source: Congressional Research Service (CRS) calculations based on factors provided by the Department of Health and Human Services (HHS) in December 2005.

Note: These estimates take into account current program practice where HHS sets aside funds out of the regular LIHEAP fund appropriation for the territories, training and technical assistance, leveraging incentive grants, and the Residential Energy Assistance Challenge Option Program (REACH). This has implications for the total amount of funds going directly to the states. For example, an appropriation of \$1.98 billion is estimated to result in \$1.95 billion in regular LIHEAP funds going directly to the states, after the amounts for these set-asides are subtracted from the total appropriation.

- a. The total regular fund appropriation for FY2006 was \$2.48 billion, \$1.98 billion of which was appropriated in P.L. 109-149, and \$500 million in P.L. 109-204. Initially, P.L. 109-149 appropriated \$2.0 billion for regular funds, but the amount was subject to a 1% across-the-board rescission, resulting in a \$1.98 billion appropriation (P.L. 109-148). In addition, both training and technical assistance and the leveraging incentive and REACH funds were reduced by 1% in column (a).
- b. Congress approved a year-long continuing resolution for FY2007 (P.L. 110-5), which was enacted on February 15, 2007. The law provides that LIHEAP receive the same amount of funds for FY2007 that were appropriated for FY2006 in P.L. 109-149, as reduced by a 1% rescission (P.L. 109-148). The HHS FY2008 budget justifications for the LIHEAP program reserve \$27.225 million for leveraging incentive grants and \$297,000 for training and technical assistance.
- c. Amounts for leveraging incentive grants (\$27.225 million) and training and technical assistance (\$297,000) have been removed.
- d. The President's FY2008 request would set aside \$27.225 million for leveraging incentive grants and \$297,000 for training and technical assistance.

**Table 2. LIHEAP Estimated State Allotments
at Hypothetical Regular Fund Appropriations Levels**

(\$ in millions)

State	\$1.75 billion (a)	\$2.0 billion (b)	\$2.25 billion (c)	\$2.5 billion (d)	\$2.75 billion (e)	\$3.0 billion (f)	\$4.0 billion (g)	\$5.1 billion (h)
Alabama	14.792	16.939	24.054	31.971	40.576	47.024	67.511	87.205
Alaska	9.442	10.812	11.392	12.673	13.955	15.236	20.363	26.002
Arizona	7.153	8.192	11.633	15.461	19.623	22.741	32.649	42.233
Arkansas	11.287	12.925	18.354	22.948	25.269	27.589	36.872	47.082
California	79.353	90.872	129.040	154.416	170.031	185.646	248.107	316.814
Colorado	27.668	31.684	31.729	31.729	31.729	34.080	45.546	58.158
Connecticut	36.094	41.333	43.320	48.194	53.067	57.941	77.435	98.878
Delaware	4.791	5.486	7.791	10.355	11.738	12.816	17.128	21.871
District of Columbia	5.605	6.419	7.115	7.915	8.715	9.516	12.717	16.239
Florida	23.405	26.802	38.060	50.587	64.204	74.406	106.823	138.181
Georgia	18.505	21.191	30.092	39.997	50.763	58.830	84.460	109.253
Hawaii	1.864	2.134	2.315	2.575	2.836	3.096	4.138	5.284
Idaho	10.792	12.359	13.021	14.486	15.951	17.416	23.275	29.721
Illinois	99.901	114.403	132.254	147.132	162.011	176.890	236.404	301.871
Indiana	45.232	51.798	51.872	54.420	59.924	65.427	87.440	111.654
Iowa	32.057	36.710	36.762	36.762	36.762	36.762	47.595	60.776
Kansas	14.722	16.859	23.940	27.014	29.746	32.477	43.405	55.424
Kentucky	23.539	26.956	38.278	44.704	49.224	53.745	71.828	91.718
Louisiana	15.122	17.317	24.591	32.685	41.483	48.075	66.623	85.072
Maine	23.383	26.777	26.815	26.815	26.815	27.561	36.834	47.034
Maryland	27.636	31.648	44.941	59.733	73.382	80.121	107.078	136.730
Massachusetts	72.199	82.680	82.797	82.797	84.738	92.520	123.648	157.890
Michigan	94.847	108.616	108.770	108.770	108.770	116.941	156.286	199.566
Minnesota	68.332	78.251	78.363	78.363	78.363	78.363	78.363	90.280
Mississippi	12.682	14.522	20.622	27.410	34.788	40.316	57.881	74.871
Missouri	39.904	45.697	53.950	60.020	66.089	72.159	96.436	123.142
Montana	12.659	14.496	15.273	16.991	18.709	20.428	27.300	34.861
Nebraska	15.853	18.155	19.127	21.279	23.431	25.583	34.190	43.658

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State	\$1.75 billion (a)	\$2.0 billion (b)	\$2.25 billion (c)	\$2.5 billion (d)	\$2.75 billion (e)	\$3.0 billion (f)	\$4.0 billion (g)	\$5.1 billion (h)
Nevada	3.360	3.847	5.463	7.262	9.216	10.681	15.334	19.836
New Hampshire	13.666	15.650	16.488	18.343	20.198	22.053	29.472	37.634
New Jersey	67.026	76.756	76.865	78.163	86.068	93.972	125.589	160.368
New Mexico	8.956	10.256	10.805	12.021	13.236	14.452	19.314	24.663
New York	218.850	250.618	250.974	250.974	253.185	276.436	369.444	471.752
North Carolina	32.615	37.350	53.038	70.494	88.265	96.371	128.795	164.462
North Dakota	13.751	15.747	16.591	18.457	20.324	22.190	29.656	37.869
Ohio	88.377	101.207	110.779	123.242	135.705	148.167	198.018	252.854
Oklahoma	13.597	15.570	22.110	29.388	34.672	37.856	50.593	64.604
Oregon	21.444	24.557	24.591	24.591	24.591	24.906	33.286	42.504
Pennsylvania	117.555	134.619	134.810	134.810	146.256	159.688	213.415	272.515
Rhode Island	11.884	13.610	14.339	15.952	17.565	19.178	25.631	32.728
South Carolina	11.748	13.453	19.103	25.391	32.226	37.347	53.618	69.357
South Dakota	11.168	12.790	13.475	14.991	16.507	18.023	24.086	30.756
Tennessee	23.844	27.306	38.775	46.736	51.462	56.188	75.093	95.888
Texas	38.938	44.590	63.319	84.160	106.814	123.787	177.718	229.887
Utah	12.857	14.724	15.513	17.258	19.003	20.748	27.729	35.407
Vermont	10.243	11.730	12.358	13.749	15.139	16.529	22.091	28.208
Virginia	33.664	38.551	54.744	72.762	80.357	87.737	117.256	149.727
Washington	35.272	40.392	40.450	40.450	40.450	40.450	50.121	64.001
West Virginia	15.577	17.839	21.582	24.010	26.438	28.866	38.578	49.261
Wisconsin	61.509	70.438	70.538	70.538	70.538	70.538	82.545	105.404
Wyoming	5.148	5.895	6.211	6.910	7.608	8.307	11.102	14.176
Total	1,719.868	1,969.529	2,219.19	2,468.852	2,718.513	2,968.175	\$3,966.821	\$5,065.33

Source: Congressional Research Service (CRS) calculations based on factors provided by the Department of Health and Human Services (HHS) in December 2005.

Note: For each of these estimates, \$27.5 million for leveraging incentive grants, \$300,000 for training and technical assistance, and the estimated grants to the territories have been removed from the total hypothetical grant amounts.