

118TH CONGRESS  
1ST SESSION

# H. R. 893

To amend the Low-Income Home Energy Assistance Act of 1981 to increase the availability of heating and cooling assistance, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2023

Mr. BOWMAN (for himself, Ms. BARRAGÁN, Mr. BLUMENAUER, Ms. BUSH, Mr. CARSON, Mr. CARTER of Louisiana, Ms. CHU, Ms. CLARKE of New York, Mr. CLEAVER, Mr. COHEN, Ms. DEGETTE, Mr. ESPAILLAT, Mr. EVANS, Mr. GARCÍA of Illinois, Mr. GOMEZ, Mr. GRIJALVA, Ms. NORTON, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. KHANNA, Ms. LEE of California, Ms. MATSUI, Ms. MENG, Ms. MOORE of Wisconsin, Mr. NADLER, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PAYNE, Mr. POCAN, Ms. PRESSLEY, Ms. SCHAKOWSKY, Mr. TAKANO, Ms. TLAIB, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the Low-Income Home Energy Assistance Act of 1981 to increase the availability of heating and cooling assistance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Heating and Cooling  
3 Relief Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that:

6 (1) Energy remains unaffordable for low-income  
7 households. Nationally, low-income households spend  
8 a larger portion of their income on home energy  
9 costs than other households. The average low-income  
10 household’s energy burden is 3 times that of other  
11 households. The report for the Household Pulse Sur-  
12 vey of the Bureau of the Census, issued on Decem-  
13 ber 22, 2021, noted that, for families with incomes  
14 of less than \$35,000 a year, about 51 percent said  
15 that they reduced or went without basic household  
16 necessities, such as medicine or food, in order to pay  
17 an energy bill, for at least one month in the last  
18 year.

19 (2) The Low-Income Housing Energy Assist-  
20 ance Program was authorized by Congress to reduce  
21 home energy burdens with heating and cooling as-  
22 sistance. In 2019, only 16 percent of income-eligible  
23 households received a subsidy under the program.

24 (3) Climate change is fueling increasingly in-  
25 tense winter storms and extreme temperatures.

1           (4) Heat waves are increasingly common as cli-  
2           mate change accelerates, and now occur more often  
3           in major cities across the United States. The aver-  
4           age heat wave season across 50 cities is approxi-  
5           mately 47 days longer now than it was in the 1960s.  
6           As a result, the Federal Government should provide  
7           further cooling assistance for communities in need.

8           (5) The loss of home energy service due to high  
9           energy burdens is one of the primary reasons for  
10          homelessness, especially for families with children.  
11          In some housing contexts, loss of home energy serv-  
12          ice is a grounds for eviction.

13          (6) The Federal Government should expand and  
14          update the Low-Income Home Energy Assistance  
15          Program, as part of a robust Federal social safety  
16          net, to—

17                 (A) protect families against unaffordable  
18                 home energy bills and home energy shutoffs, by  
19                 providing sufficient funding and imposing regu-  
20                 lations where necessary;

21                 (B) ensure all low- and moderate-income  
22                 families have access to affordable home cooling  
23                 powered by renewable energy, which will enable  
24                 households to adapt to rising temperatures due

1 to climate change and promote climate resiliency;  
2

3 (C) enhance outreach—

4 (i) by including nontraditional partners, including home energy suppliers,  
5 local educational agencies, and entities carrying out other programs for low-income  
6 people, to assist with signups; and  
7

8 (ii) by adding stronger provisions for  
9 presumed eligibility and waiving documentation requirements for eligibility; and  
10

11 (D) further Federal efforts to weatherize  
12 housing for low- and moderate-income households, to help families struggling to pay their  
13 home energy bills and to meet national clean  
14 energy goals.  
15  
16

17 **SEC. 3. FUNDING.**

18 Section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621) is amended—  
19

20 (1) in subsection (b)—

21 (A) by striking “section 2607A)” and inserting “section 2604(f), 2607A, 2607B, or  
22 2607C)”); and  
23

24 (B) by striking “\$2,000,000,000” and all  
25 that follows and inserting “\$400,000,000,000

1           for the period of fiscal years 2024 through  
2           2033.”;

3           (2) in subsection (e), by inserting “, or arising,  
4           for purposes of section 2604(e)(2), from a major  
5           disaster or emergency, as defined in section  
6           2604(e)(2)(A)” before the period at the end; and

7           (3) by adding at the end the following:

8           “(f) There is authorized to be appropriated to carry  
9           out section 2604(f), \$1,000,000,000 for each of fiscal  
10          years 2023 through 2032.

11          “(g) There is authorized to be appropriated to carry  
12          out section 2607C, including making grants under that  
13          section, \$1,000,000,000 for each of fiscal years 2023  
14          through 2032.”.

15       **SEC. 4. DEFINITIONS.**

16          Section 2603 of the Low-Income Home Energy As-  
17          sistance Act of 1981 (42 U.S.C. 8622) is amended—

18               (1) by redesignating paragraphs (4) through  
19               (6), (7) through (10), and (11), as paragraphs (5)  
20               through (7), (9) through (12), and (14), respec-  
21               tively;

22               (2) by inserting after paragraph (3) the fol-  
23               lowing:

24               “(4) The term ‘HEAP coordinator’ means an  
25               employee—

1           “(A) who administers a program funded  
2           under section 2602(b); and

3           “(B) whose salary is paid, partly or wholly,  
4           with funds made available under that section.”;

5           (3) by inserting after paragraph (7), as so re-  
6           designated, the following:

7           “(8) The term ‘local coordinating agency’  
8           means any local organization or local office that re-  
9           ceives funds under section 2602(b) to perform cus-  
10          tomer intake, or approval of benefits, on behalf of  
11          the State agency.”; and

12          (4) by inserting after paragraph (12), as so re-  
13          designated, the following:

14          “(13) The term ‘State agency’ means any State  
15          agency that administers the program funded under  
16          section 2602(b).”.

17 **SEC. 5. EMERGENCIES.**

18          Section 2604(e) of the Low-Income Home Energy  
19          Assistance Act of 1981 (42 U.S.C. 8623(e)) is amended—

20                 (1) by striking “(e)” and inserting “(e)(1)”;  
21          and

22                 (2) by adding at the end the following:

23                 “(2)(A) In this paragraph:

24                         “(i) The term ‘covered household’ means an eli-  
25                         gible household in an area where the President, or

1 the Secretary, as the case may be, has declared a  
2 major disaster or emergency.

3 “(ii) The term ‘major disaster or emergency’  
4 means—

5 “(I) a major disaster or emergency de-  
6 clared under section 401 or 501, respectively, of  
7 the Robert T. Stafford Disaster Relief and  
8 Emergency Assistance Act (42 U.S.C. 5170,  
9 5191); or

10 “(II) a public health emergency declared  
11 under section 319 of the Public Health Service  
12 Act (42 U.S.C. 247d).

13 “(B) Upon a declaration described in subparagraph  
14 (A) for an area, the Secretary and the Administrator of  
15 the Federal Emergency Management Agency shall, to the  
16 extent practicable, provide heating or cooling assistance  
17 to covered households in that area.

18 “(C) In particular, in the event of a major disaster  
19 or other emergency due to a period of extreme heat (as  
20 described in section 2604(f)(1)) or cold in an area, the  
21 Secretary and the Administrator shall, to the extent prac-  
22 ticable, provide cooling or heating assistance to covered  
23 households in that area.”.

1 **SEC. 6. ADDITIONAL COOLING ASSISTANCE FOR HEAT**  
2 **WAVES.**

3 Section 2604 of the Low-Income Home Energy As-  
4 sistance Act of 1981 (42 U.S.C. 8623) is amended by add-  
5 ing at the end the following:

6 “(f)(1) In this subsection:

7 “(A) The term ‘additional cooling assistance’  
8 means cooling assistance provided under this sub-  
9 section.

10 “(B) The term ‘extreme heat’ means heat that  
11 exceeds local climatological norms in terms of any 1  
12 or more of the following:

13 “(i) Duration.

14 “(ii) Intensity.

15 “(iii) Season length.

16 “(iv) Frequency.

17 “(C) The term ‘heat’ means any 1 or more of  
18 the parameters associated with increasing human  
19 temperature, such as air temperature, humidity,  
20 solar exposure, and low wind speed.

21 “(D) The term ‘heat event’ means an occur-  
22 rence of extreme heat that may have heat-health im-  
23 plications.

24 “(E) The term ‘heat-health’ means health ef-  
25 fects to humans from heat, during or outside of heat



1 events, including from vulnerability and exposure, or  
2 the risk of such effects.

3 “(2) From funds made available under section  
4 2602(f), the Secretary may provide grants to eligible enti-  
5 ties, which shall be States, territories, or Indian Tribes,  
6 for additional cooling assistance for heat events.

7 “(3) The Secretary shall determine an allocation plan  
8 for providing eligible entities with funding through the  
9 grants to help eligible households respond to heat events.

10 “(4) To receive assistance under this subsection, an  
11 eligible entity shall provide assurances to the Secretary  
12 that—

13 “(A) the eligible entity will not preclude a  
14 household that receives heating assistance under this  
15 title during a calendar year, on the basis of obtain-  
16 ing that assistance, from receiving cooling assistance  
17 under this title during that year; and

18 “(B) the eligible entity will not require a house-  
19 hold to indicate that a household member has a  
20 medical need for cooling assistance under this title,  
21 to be eligible for that assistance.

22 “(5) A eligible entity that receives additional cooling  
23 assistance may use the assistance for purposes for which  
24 cooling assistance is available under the program funded  
25 under section 2602(b), including for providing energy-effi-

1 cient air conditioners, and other equipment needed for  
2 home cooling, to eligible households.”.

3 **SEC. 7. ELIGIBLE HOUSEHOLDS.**

4 Section 2605 of the Low-Income Home Energy As-  
5 sistance Act of 1981 (42 U.S.C. 8624) is amended—

6 (1) in subsection (b)(2)—

7 (A) in the matter preceding subparagraph  
8 (A), by inserting “, subject to subsection  
9 (c)(1)(A),” after “only”;

10 (B) in subparagraph (B), by striking  
11 “(B)” and all that follows through clause (ii)  
12 and inserting the following:

13 “(B) households with—

14 “(i) incomes which do not exceed the  
15 greater of—

16 “(I) an amount equal to 250 per-  
17 cent of the poverty line that is defined  
18 and revised as described in section  
19 673 of the Community Services Block  
20 Grant Act (42 U.S.C. 9902); or

21 “(II) an amount equal to 80 per-  
22 cent of the State median income; or

23 “(ii) a monthly energy burden of 3  
24 percent or more, as averaged across the

1 calendar year preceding the determination  
2 under this paragraph,”; and

3 (C) in the matter following subparagraph  
4 (B), by inserting before the semicolon the fol-  
5 lowing: “, and the State may not exclude a  
6 household from eligibility on the basis of citi-  
7 zenship of 1 or more of the household mem-  
8 bers”;

9 (2) in subsection (c)(1)(A), by striking “assist-  
10 ance to be provided under this title, including cri-  
11 teria” and inserting “assistance to be provided  
12 under this title, including—

13 “(i) certifying that the State and local co-  
14 ordinating agencies in the State—

15 “(I) will allow applicants for the as-  
16 sistance, to the greatest extent possible, to  
17 self-attest that the applicants meet the cri-  
18 teria in this title for an eligible household;  
19 and

20 “(II) will not require the applicants to  
21 submit proof of income, citizenship, or  
22 need, to establish status as an eligible  
23 household; and

24 “(ii) describing criteria”;

1           (3) in subsection (f), by adding at the end the  
2 following:

3           “(3) For purposes of section 401(c), and the remain-  
4 der of title IV, of the Personal Responsibility and Work  
5 Opportunity Reconciliation of 1996 (8 U.S.C. 1611(a),  
6 1601 et seq.) assistance under this title should not be con-  
7 sidered to be a Federal public benefit.”; and

8           (4) in subsection (j), by striking “the State may  
9 apply” and inserting “the State may, subject to sub-  
10 section (c)(1)(A)(i), apply”.

11 **SEC. 8. CONDITIONS FOR FUNDING.**

12           Section 2605 of the Low-Income Home Energy As-  
13 sistance Act of 1981 (42 U.S.C. 8624) is amended—

14           (1) in subsection (b)—

15           (A) in paragraph (1)(C), by inserting be-  
16 fore the semicolon the following: “, using toxin-  
17 free materials that do not contain asthmagens  
18 or respiratory sensitizers, giving priority in the  
19 use of those funds, to the greatest extent prac-  
20 ticable, to supporting emergency home repairs  
21 that foster energy efficiency, decarbonization,  
22 and climate resilience, including through bene-  
23 ficial electrification of heating and cooling”;

24           (B) in paragraph (7)—

1 (i) in subparagraph (C), by striking  
2 “and” at the end; and

3 (ii) by adding at the end the fol-  
4 lowing:

5 “(E) ensure that—

6 “(i) the home energy supplier will not  
7 charge late fees for any payment, by a  
8 household receiving assistance through the  
9 program funded under section 2602(b),  
10 during the period beginning 6 months be-  
11 fore and ending 6 months after a date on  
12 which the supplier receives funds through  
13 the program for the household; and

14 “(ii) if the supplier receives funds  
15 through the program for such a household  
16 and charged such late fees during that pe-  
17 riod, the supplier shall refund the fees to  
18 the household not later than 7 days after  
19 the date the supplier receives the funds;

20 “(F) ensure that the home energy supplier  
21 will not shut off home energy from a household  
22 that received assistance through the program  
23 funded under section 2602(b), within the 1-year  
24 period beginning on the date the household re-  
25 ceived the assistance;

1           “(G) ensure that the home energy supplier,  
2 in return for receiving assistance through the  
3 program funded under section 2602(b)—

4           “(i) will provide to the State data on  
5 households that have not paid their home  
6 energy bills, to enable the State and the  
7 supplier to carry out coordinated outreach  
8 concerning assistance available through the  
9 program funded under section 2602(b);  
10 and

11           “(ii) will, when sending a notice of  
12 late payments to such households, include  
13 information on such assistance, on how to  
14 access such assistance through the HEAP  
15 program, and on eligibility criteria for the  
16 program; and

17           “(H) ensure that the home energy supplier  
18 will, not later than 2 years after the date of en-  
19 actment of the Heating and Cooling Relief Act,  
20 in return for receiving assistance under the pro-  
21 gram funded under section 2602(b) and  
22 through a partnership with the State, offer per-  
23 centage of income payment plans;” and

24           (C) in paragraph (9)—

25           (i) in subparagraph (A)—

1 (I) by striking “10 percent” and  
2 inserting “15 percent”; and

3 (II) by striking “and” at the end;  
4 and

5 (ii) by adding at the end the fol-  
6 lowing:

7 “(C) in planning and administering that  
8 program, the State shall use the portion of the  
9 amount described in subparagraph (A), that ex-  
10 ceeds 10 percent of the funds described in sub-  
11 subparagraph (A), to expand the State program  
12 funded under section 2602(b) so that the State  
13 operates the program on a year-round basis;  
14 and

15 “(D) in planning and administering that  
16 program, the State—

17 “(i) shall make technological changes  
18 to allow, not later than 5 years after the  
19 date of enactment of the Heating and  
20 Cooling Relief Act, for online submission of  
21 applications for assistance through that  
22 program; and

23 “(ii) shall, to the extent practicable—

1           “(I) conduct outreach activities,  
2 including activities to increase enroll-  
3 ment as described in subsection (m);

4           “(II) ensure that all HEAP coor-  
5 dinators in the State receive wages,  
6 for administration funded under sec-  
7 tion 2602(b), at not less than the  
8 greater of \$15 per hour or the appli-  
9 cable Federal, State, or local min-  
10 imum wage rate;

11           “(III) conduct training;

12           “(IV) as needed, conduct out-  
13 reach relating to the program funded  
14 under section 2602(b) to rural electric  
15 cooperatives, home energy suppliers  
16 owned by a political subdivision of a  
17 State, such as a municipally owned  
18 electric utility, and home energy sup-  
19 pliers owned by any agency, authority,  
20 corporation, or instrumentality of a  
21 political subdivision of a State; and

22           “(V) explore opportunities for  
23 auto-enrollment of eligible households  
24 into the program funded under section  
25 2602(b), and in the process document



1 any potential barriers to auto-enroll-  
2 ment that need to be clarified or oth-  
3 erwise addressed at the Federal  
4 level;”;

5 (2) in subsection (c)(1)—

6 (A) in subparagraph (G), by striking  
7 “and” at the end;

8 (B) by redesignating subparagraph (H) as  
9 subparagraph (I); and

10 (C) by inserting after subparagraph (G)  
11 the following:

12 “(H) describes how the State will expand the  
13 State program funded under section 2602(b) so that  
14 the State operates the program on a year-round  
15 basis in accordance with subsection (b)(9)(C) and  
16 the measures the State has taken so far to carry out  
17 this expansion; and”;

18 (3) by adding at the end the following:

19 “(m) The Secretary shall allow, to the greatest extent  
20 possible, the self-attestation, and shall not require the  
21 proof, described in subsection (c)(1)(A)(i).

22 “(n) The Secretary shall, by grant or contract, pro-  
23 vide for a study that examines the rates of home energy  
24 shutoffs and assessments of late fees among eligible house-

1 holds, relative to those rates for households that are not  
2 eligible households, over a period of several years.

3 “(o) The Secretary shall provide technical assistance  
4 to States to support partnerships described in subsection  
5 (b)(7)(H).

6 “(p)(1) The Secretary, in consultation with the Sec-  
7 retary of Education, shall issue guidance for use of funds  
8 for administrative activities described in subsection (b)(9)  
9 to increase, through partnerships with elementary schools,  
10 secondary schools, and local educational agencies, enroll-  
11 ment in the program carried out with funds made avail-  
12 able under section 2602(b) among eligible households that  
13 include children and that have high energy burdens.

14 “(2) The Secretary shall issue guidance for use by  
15 States on outreach relating to assistance through the pro-  
16 gram funded under section 2602(b) to high-risk individ-  
17 uals, with relevant medical conditions, that benefit from  
18 the use of medical equipment that requires electricity, in-  
19 cluding a ventilator, an oxygen concentrator, or another  
20 medical device.

21 “(3) The Secretary shall issue guidance for use by  
22 States on how to ensure that eligible households are aware  
23 of additional grants, tax credits, and rebates made avail-  
24 able under Public Law 117–169.”.

1 **SEC. 9. WEATHERIZATION.**

2 Section 2605(k) of the Low-Income Home Energy  
3 Assistance Act of 1981 (42 U.S.C. 8624(k)) is amended—

4 (1) in paragraph (1), by striking “15 percent”  
5 and inserting “25 percent”; and

6 (2) in paragraph (2)—

7 (A) in subparagraph (A), in the matter  
8 preceding clause (i)—

9 (i) by striking “subparagraph (B)”  
10 and inserting “subparagraph (C)”; and

11 (ii) by striking “the greater of 25 per-  
12 cent” and inserting “a portion equal to the  
13 greater of 35 percent”;

14 (B) by redesignating subparagraph (B) as  
15 subparagraph (C); and

16 (C) by inserting after subparagraph (A)  
17 the following:

18 “(B) The State—

19 “(i) shall, to the extent practicable—

20 “(I) use the portion described in subpara-  
21 graph (A) for energy-related home repair that  
22 reduces dependence on fossil fuel energy  
23 sources; and

24 “(II) use the portion to facilitate the use  
25 of funds made available under section 2602(b)  
26 to increase the participation of eligible house-

1 holds in community solar programs, or to other-  
2 wise increase access to and ownership of dis-  
3 tributed renewable energy infrastructure among  
4 eligible households; and

5 “(ii) shall if possible give the highest priority to  
6 using the portion for home repair that replaces ap-  
7 pliances that rely on fossil fuels with appliances that  
8 use electric heating or cooling technology, powered  
9 by renewable energy.”.

10 **SEC. 10. HOME ENERGY ARREARS.**

11 Section 2605 of the Low-Income Home Energy As-  
12 sistance Act of 1981 (42 U.S.C. 8624), as amended, is  
13 further amended by adding at the end the following:

14 “(q)(1) In providing assistance through the program  
15 funded under section 2602(b), a State, or any other per-  
16 son with which the State makes arrangements to carry  
17 out the objectives of this title, shall provide assistance (in  
18 addition to any other assistance available) for home energy  
19 arrears for any eligible household.

20 “(2) Not later than 1 year after the date of enact-  
21 ment of the Heating and Cooling Relief Act, the Secretary  
22 shall, in consultation with the Secretary of Energy, issue  
23 guidance on best practices for States (including through  
24 partnerships with home energy suppliers) to pay for home  
25 energy arrears with assistance provided through the pro-

1 gram, including by paying for such arrears at the time  
2 of dissemination of that assistance.

3 “(3) To the extent practicable, the Secretary and the  
4 Secretary of Energy, shall jointly—

5 “(A) implement a data tracking system to col-  
6 lect aggregate data regarding the number of eligible  
7 households in arrears and their respective energy  
8 burdens and develop recommendations to HEAP co-  
9 ordinators on how to minimize energy burdens for  
10 the households; and

11 “(B) issue guidance to home energy suppliers  
12 with recommendations for working with State agen-  
13 cies to address home energy arrears of eligible  
14 households.”.

15 **SEC. 11. PROGRAM NAME CHANGE.**

16 (a) LIHEAP.—The Low-Income Home Energy As-  
17 sistance Act of 1981 is amended—

18 (1) in section 2607A(b) (42 U.S.C. 8626a(b)),  
19 in the matter preceding paragraph (1), by striking  
20 “low-income”; and

21 (2) in section 2607B(e)(2)(B)(ii) (42  
22 U.S.C.8626b(e)(2)(B)(ii)), by striking “Low-In-  
23 come”.

24 (b) OTHER LAW.—A reference in any other Federal  
25 law (other than that Act), Executive order, rule, regula-

1 tion, or delegation of authority, or any document, of or  
2 relating to the Low-Income Home Energy Assistance Pro-  
3 gram, shall be deemed to refer to the Home Energy As-  
4 sistance Program.

5 **SEC. 12. JUST TRANSITION GRANTS.**

6 The Low-Income Home Energy Assistance Act of  
7 1981 is amended by inserting after section 2607B (42  
8 U.S.C. 8626b) the following:

9 **“SEC. 2607C. HEAP JUST TRANSITION GRANTS.**

10 “(a) GRANT PROGRAM.—The Secretary and the Sec-  
11 retary of Energy shall jointly carry out a grant program  
12 under this section. In carrying out the program, the Secre-  
13 taries shall make grants to States and local governments  
14 to support the development and implementation of inter-  
15 agency plans to reduce energy burdens for eligible house-  
16 holds with high home energy use. The plans shall promote  
17 the reduction of those burdens in a manner that supports  
18 a just transition away from fossil fuel energy and protects  
19 eligible households from the threats of climate change.  
20 The Secretaries shall make the grants for a period of 3  
21 years.

22 “(b) PREFERENCES.—In making the grants, the Sec-  
23 retary shall give a preference to States, and local govern-  
24 ments, who set up coordination systems—

1           “(1) to identify eligible households, that are re-  
2 recipients of assistance through the program funded  
3 under section 2602(b), with high home energy use;

4           “(2) to prioritize those eligible households to re-  
5 ceive emergency repair, weatherization, and retrofit  
6 assistance that results in decarbonization and reduc-  
7 tions in energy use; and

8           “(3) to partner with entities carrying out work-  
9 force development initiatives, unions, or minority or  
10 women-owned business enterprises to provide emer-  
11 gency repairs, weatherization, and retrofit assist-  
12 ance.

13           “(c) REPORT TO CONGRESS.—At the conclusion of  
14 the 3-year grant period, the Secretaries shall—

15           “(1) conduct an evaluation of the program’s  
16 outcomes; and

17           “(2) prepare and submit to Congress a report  
18 containing the results of the evaluation and policy  
19 recommendations.”.

○