

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Expedited OMB Review and Public Comment: Recordkeeping for New Vaccine and Mask Requirements To Mitigate the Spread of COVID-19 in Head Start**

**AGENCY:** Office of Head Start, Administration for Children and Families, HHS.

**ACTION:** Request for public comment.

**SUMMARY:** An Interim Final Rule with Comment Period (IFC) was published on November 30, 2021 that established the COVID-19 vaccination requirements whereby all Head Start staff, certain contractors, and volunteers must be vaccinated for COVID-19 by January 31, 2022. The Office of Head Start, Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS), is requesting expedited review of an information collection request from the Office of Management and Budget (OMB) and inviting public comments on the following new recordkeeping requirements for Head Start programs:

(1) Collect and maintain records on the vaccination status of staff, certain contractors, and volunteers in Head Start and Early Head Start programs, and (2) develop and maintain a written COVID-19 protocol for testing individuals granted vaccine exemptions including granting such exemptions.

We also invite comments on the impact of this new requirement on the current requirement for Head Start programs to maintain, including regularly update, program policies and procedures for personnel (associated burden approved under OMB #: 0970-0148).

**DATES:** *Comments due within 60 days of publication.* In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described in this notice.

**ADDRESSES:** Copies of the proposed collection of information can be obtained and comments may be submitted by emailing *infocollection@acf.hhs.gov*. All requests should identify the title of the information collection.

**SUPPLEMENTARY INFORMATION:**

*Description:* ACF is requesting that OMB grant a 180-day approval for this

request under procedures for expedited processing. A request for review under normal procedures will be submitted as soon as possible within 180 days of the approval for this request. This request is for recipients of Head Start funding to maintain records of staff (including certain contractors) and volunteer vaccination status to meet the new vaccine requirements and establish written COVID-19 testing protocols, as required by IFC: Title (86 FR 68052).

Additionally, programs are expected to update their program policies and procedures to ensure costs associated with regular testing for those granted an exemption are an allowable use of Head Start funds. The recordkeeping activity of maintaining program policies and procedures for personnel, including the associated burden with updating them on an annual basis, is approved under OMB Control Number 0970-0148. Since the new reporting requirement impacts these activities, we also invite public comment on these reporting requirements.

There is no standard instrument required to be used to meet these recordkeeping requirements.

*Respondents:* Recipients of Head Start funding.

**ANNUAL BURDEN ESTIMATES**

Instrument	Total number of respondents	Responses per respondent	Average annual burden hours	Annual burden hours
Staff and Volunteer Reporting of New Vaccination (one-time) .....	58,116	1	0.6667	38,744
Staff and Volunteer Reporting of Existing Vaccination (one-time) .....	924,000	1	0.0278	25,666.7
Staff and Volunteer Requesting an Exemption (one-time) .....	66,700	1	0.1667	11,116.7
Grant Recipient Maintaining Complete Records of Vaccination Status (ongoing) .....	1,573	1	4.2403	6,670
Grant Recipient Establishing COVID-19 Testing Protocol (one-time) .....	1,573	1	3.3333	5,243.3
Grant Recipient Maintaining COVID-19 Testing Protocol (ongoing) .....	1,573	1	1	1,573

*Estimated Total Annual Burden Hours:* We estimate the one-time and ongoing burden to maintain records on staff and volunteer vaccination rates and establish and maintain a written COVID-19 testing protocol will result in 89,013.7 total annual burden hours.

*Comments:* The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the

use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication. Comments will be considered and any necessary updates to materials made prior to, and responses provided in, the submission to OMB that will follow this public comment period.

(Authority: IFC [86 FR 68052])

**Mary B. Jones,**

*ACF/OPRE Certifying Officer.*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Submission for OMB Review; Low Income Home Energy Assistance Program (LIHEAP) Performance Data Form (OMB #0970-0449)**

**AGENCY:** Office of Community Services, Administration for Children and Families, HHS.

**ACTION:** Request for public comment.

**SUMMARY:** The Administration for Children and Families (ACF) is requesting reinstatement of the Low Income Home Energy Assistance Program (LIHEAP) Performance Data

Form (Office of Management and Budget (OMB) #0970–0449, expiration date March 31, 2021) with changes. Changes include additional reporting items to collect Module 2 (Performance Measures) data on the impacts of supplemental federal LIHEAP funds, and other minor changes to the most recent version of this form.

**DATES:** *Comments due within 30 days of publication.* OMB must make a decision about the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. You can also obtain copies of the proposed collection of information by emailing [infocollection@acf.hhs.gov](mailto:infocollection@acf.hhs.gov). Identify all emailed requests by the title of the information collection.

**SUPPLEMENTARY INFORMATION:**

*Description:* The ACF Office of Community Services (OCS) within the U.S. Department of Health and Human Services (HHS) administers the Low Income Home Energy Assistance Program (LIHEAP) at the Federal level. The *LIHEAP Performance Data Form (LPDF)* is an annual report in response to Section 2610(b) of the LIHEAP statute (42 U.S.C. 8629(b)) which requires the Secretary of HHS to submit, no later than June 30 of each federal fiscal year, a report to Congress on LIHEAP for the prior federal fiscal year. The completeness, accuracy, consistency, and timeliness of responses to data collections are needed for HHS to do the following:

- Provide reliable and complete fiscal and household data to Congress in the Department’s *LIHEAP Report to Congress* for the federal fiscal year; and
- Respond to questions from the Congress, Department, OMB, White House, and other interested parties in a timely manner; and report LIHEAP performance results as part of the Administration’s annual Congressional Justification.

In response to the 2010 Government Accountability Office (GAO) report, *Low Income Home Energy Assistance Program—Greater Fraud Prevention Controls are Needed* (GAO–10–621),

and in consideration of the recommendations issued by the LIHEAP Performance Measures Implementation Work Group, OCS required the collection and reporting of these performance measures by state LIHEAP grantees, including the District of Columbia. OMB approved the LIHEAP Performance Data Form (LPDF) in November 2014 (OMB Clearance No. 0970–0449) and approved continued collection using the form through March 31, 2021. This request will reinstate approval to collect information using the LPDF for another three years. The LPDF provides for the collection of the following LIHEAP performance measures which are considered to be developmental as part of the LPDF:

1. The benefit targeting index for high burden households receiving LIHEAP fuel assistance;
2. The burden reduction targeting index for high burden households receiving LIHEAP fuel assistance;
3. The number of households where LIHEAP prevented a potential home energy crisis; and
4. The number of households where LIHEAP benefits restored home energy.

All state LIHEAP grantees are required to complete the LPDF on an annual basis. The reporting requirements will be described through the LIHEAP Forms and Funding Applications page (<https://www.acf.hhs.gov/ocs/form/liheap-forms-and-funding-applications>) of ACF’s website.

The previous OMB-approved LIHEAP Grantee Survey on sources and uses of LIHEAP funds was added in 2014 to the LPDF as an addition to the LIHEAP performance data. Additional items for separately reporting LIHEAP funds appropriated by the CARES Act (Pub. L. 116–136) were added in 2020.

ACF proposes additional changes for this data collection activity. These consist of (1) adding an item for reporting previous-year Residential Energy Assistance Challenge (REACH) funds in Module 1; (2) removing three reporting items from Module 1; (3) adding items to collect Module 2 (Performance Measures) data on the impacts of supplemental federal LIHEAP funds; and (4) minor wording or label changes.

The form is divided into the following modules to add clarity:

**Module 1. LIHEAP Grantee Survey (Required Reporting)**

Module 1 of the *LPDF* will continue to require the following data from each state for the federal fiscal year:

- Grantee information;

- Sources and uses of LIHEAP funds, by funding type;
- Average LIHEAP household benefits, by funding type; and
- Maximum income cutoffs for 4-person households for each type of LIHEAP assistance provided by each grantee for the fiscal year, by funding type.

**Module 2. LIHEAP Performance Measures (Required Reporting)**

Module 2 of the *LPDF* will continue to require the following data from each state for the federal fiscal year:

- Grantee information;
- Energy burden targeting;
- Restoration of home energy service; and
- Prevention of loss of home energy.

Module 2 has been revised to include three submodules: Module 2A will collect data on all households, Module 2B will collect data on the subset of households that received assistance from LIHEAP CARES Act funds, and Module 2C will collect data on the subset of households that received assistance from LIHEAP ARPA funds.

**Module 3. LIHEAP Performance Measures (Optional Reporting)**

Module 3 of the LIHEAP *LPDF* will continue to voluntarily collect the following additional information from each interested grantee for the federal fiscal year:

- Average annual energy usage;
- Unduplicated number of households using supplemental heating fuel and air conditioning;
- Unduplicated number of households that had restoration of home energy service, and
- Unduplicated number of households that had prevention of loss of home energy.

LIHEAP grantees will be able to compare their own results to the results for other states, as well as to regional and national results, through the Data Warehouse of the LIHEAP Performance Management website as they manage their programs.

ACF published a **Federal Register** notice on March 19, 2021 soliciting 60 days of public comment on the renewal of the LIHEAP Performance Data Form with minor changes and the continuation of requiring State grantees and the District of Columbia to collect the data collection annually. ACF received no comments on this notice. Following the publication of the 60-day **Federal Register** notice, new supplemental funds were awarded for LIHEAP. To allow ACF to report information on the impacts of the supplemental LIHEAP funds, ACF is

proposing updates to Module 2 to collect additional performance data related to supplemental LIHEAP funds.

*Respondents:* State governments, including the District of Columbia; the largest five electricity and natural gas

vendors by state; the largest ten fuel oil and propane vendors by state; and state sub-grantees.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Annual number of responses per respondent	Average burden hours per response	Annual burden hours
<b>Module 1 (Grantee Survey)</b>				
State Grantees—Module I .....	51	1	36	1,836
<b>Modules 2 and 3 (LIHEAP Performance Measures)</b>				
State Grantees—Modules II and III .....	51	1	200	10,200
Sub-Grantees (in states with sub-grantee managed systems)—Modules II and III .....	100	1	8	800
Energy Vendors (largest 5 electric, 5 natural gas, 10 fuel oil, and 10 propane vendors per state-average)—Modules II and III .....	* 1,530	1	8.5	13,005

\* Estimate.

*Estimated Total Annual Burden Hours:* 25,841.

*Authority:* 42 U.S.C. 8629(b); 42 U.S.C. 8624(b); 42 U.S.C. 8623(c).

**Mary B. Jones,**

*ACF/OPRE Certifying Officer.*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Community Living**

**Agency Information Collection Activities; Submission for OMB Review; Public Comment Request; National Center on Law and Elder Rights-Resource Support and User Satisfaction; OMB# 0985-0060**

**AGENCY:** Administration for Community Living, HHS.

**ACTION:** Notice.

**SUMMARY:** The Administration for Community Living (ACL) is announcing that the proposed collection of information listed above has been submitted to the Office of Management and Budget (OMB) for review and clearance as required under section 506(c)(2)(A) of the Paperwork Reduction Act of 1995. This 30-Day notice collects comments on the information collection requirements related to the information collection requirements for the National Center on Law and Elder Rights-Resource Support and User Satisfaction [OMB# 0985-0060].

**DATES:** Submit written comments on the collection of information by January 18, 2022.

**ADDRESSES:** Submit written comments and recommendations for the proposed

information collection within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find the information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. By mail to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW, Room 10235, Washington, DC 20503, Attn: OMB Desk Officer for ACL.

**FOR FURTHER INFORMATION CONTACT:**

Aiesha Gurley, Administration for Community Living, Washington, DC 20201, (202) 795-7358 or by email: [Aiesha.Gurley@acl.hhs.gov](mailto:Aiesha.Gurley@acl.hhs.gov).

**SUPPLEMENTARY INFORMATION:** In compliance with 44 U.S.C. 3507, ACL has submitted the following proposed collection of information to OMB for review and clearance.

ACL is requesting approval to collect data for the National Center on Law and Elder Rights-Resource Support and User Satisfaction [OMB# 0985-0060]. ACL contracts with a national legal assistance resource center, the National Center on Law and Elder Rights, to provide the required services. Through the contract, ACL provides aging, disability, and related legal professionals with training, technical assistance, complex case consultations and support for demonstration projects regarding contractually identified priority legal topics. The purpose of the information requested is for ACL to ensure that the resource center creates and prioritizes the training, case consultations and technical assistance resources it was contracted to provide and to ensure that the center targets the contractually designated aging network

practitioners about the priority subject matters.

This approach enables ACL to make data-informed decisions about the deployment of its resource center assets. These data are necessary for ACL to evaluate contractual compliance with established performance indicators.

These metrics include quantifiable increases in uptake by stakeholders of training, case consultation and technical assistance, and measures of satisfaction with and perceived benefit from these services. For example, the metrics measure successful problem resolution as a result of the services provided and quantifiable data on fulfillment of requests for training, technical assistance, and consultation related to the contractually designated legal and systems development topic areas. The information requested by ACL from legal and aging/disability professionals falls into the following areas: (1) Requests for training, case consultation, and technical assistance; (2) general requests for legal training (including the volume of webinar registrations), and case consultations.

**Comments in Response to the 60-Day Federal Register Notice**

A notice published in the **Federal Register** on, August 30, 2021 in 86 FR 48427. There were zero (0) public comments received during the response period for the 60-day notice.

*Estimated Program Burden:* The burden hours are calculated at *one (1) minute 42 seconds* for each respondent to make a request for training, case consultation, or technical assistance. ACL estimates a high end of *20,000* responses with burden hours totaling *700* hours, annually.