

Low Income Energy Assistance Program (LIHEAP) Memorandum of Understanding (MOU)

between the State of Maine

**State of Maine Housing
Authority**

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And

Pleasant Point Passamaquoddy Tribe

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I. Intended Purpose

- 1.1 This memorandum of understanding (MOU) is an agreement between the State of Maine Department of State of Maine Housing Authority and the Pleasant Point Passamaquoddy Tribe is made pursuant to the Low-Income Home Energy Assistance and Energy Crisis Intervention Program (ECIP) Act of 1981 under Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35), as amended by the Title VI of the Human Service Reauthorization Acts of 1984 (Public Law 98-558), of 1986 (Public Law 99-425), of 1990 (Public Law 101-501), of 1994 (Public Law 103-252), and of 1998 (Public Law 105-258), and
- 1.2 To finalize a method for calculating the amount of Low Income Home Energy Assistance (LIHEAP) funds from the federal funds allocated to the Pleasant Point Passamaquoddy Tribe that will be allocated for use by the Pleasant Point Passamaquoddy Tribe LIHEAP Program. The agreement of the parties shall be as follows:

II. State of Maine shall:

- 2.1 Apply to the Federal government, the United States Department of Health and Human Services (HHS), for LIHEAP funds allocated to the State of Maine.
 - 2.2 Submit a LIHEAP State Plan to HHS which will contain the agreed upon percentage or amount of LIHEAP funds allocated to the Tribe out of the state of [insert name of state]'s LIHEAP allocation.
 - 2.3 Negotiate with the Tribe and agree in writing via this document, the percentage or amount of LIHEAP eligible households for which funds allocated to the Tribe should be based, and provide a copy of the signed agreement to the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services, Division of Energy.
 - 2.4 Share information with the tribe about LIHEAP payments issued to households to help the tribe avoid duplicate payments.
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- 2.5 Provide LIHEAP assistance to tribal member(s) if/when the household has moved outside of the tribe's geographical service area or if the tribe has determined the household is not eligible to be served by the tribe.

III. The Passamaquoddy Tribe shall:

- 3.1 Apply to the United States Department of Health and Human Services (HHS), for LIHEAP funds allocated to the Tribe by submitting a LIHEAP Model Plan in OLDC by the federally announced annual due date.
- 3.2 Submit a request for an extension, if necessary, and receive a written approval for an extension if the tribe is not able to submit their annual model plan to HHS by the federally announced due date.
- 3.3 Attach this state-tribe agreement document annually to its LIHEAP Plan in OLDC, until a new agreement is reached.
- 3.4 Provide LIHEAP services to [insert Tribe's name] members in the geographical service area of the following counties of Maine : Washington County.
- 3.5 Provide LIHEAP services to any Federally Recognized American Indian household in the geographical service area of the following counties of Maine Washington County.
- 3.6 Provide LIHEAP services to its tribal members within the tribe's territory of Maine to include Pleasant Point Passamaquoddy Tribe service area.
- 3.7 The tribe will provide LIHEAP services to:
- all households, both American Indian and non-Indian, residing in its geographical service area.
- 3.8 Maintain a record of the amounts awarded to each eligible tribal member(s) and payments made on their behalf.
- 3.9 Share information with the State of [insert name of state] Department of Human Services about tribal LIHEAP payments issued to households to help the state avoid duplicate payments.
- 3.10 Serve only households who have not been served by the State during the same Federal Fiscal Year with LIHEAP funds.

IV. General Provision

- 4.1 There will be no payments made to either party under this MOU.
- 4.2 Allocation of Federal Low Income Home Energy Assistance Program (LIHEAP) funds to the tribe will be calculated using the following allocation formula:
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Allocation of Federal Low Income Home Energy Assistance Program (LIHEAP) funds to the tribe will be calculated using the following allocation formula: The agreed upon tribal allocation shall be based on either 1.202% of the state's allocation, or \$500,000, whichever is greater, until further renegotiated and agreed to by both the state and the tribe."

NOTE: When inserting a dollar figure into the above samples, the figure cannot be less than \$4,000. \$4,000 is the minimum by statute.

4.3 This agreement takes effect on:08/15/2024 and will remain effective until further renegotiated and agreed to by both parties.

This agreement and any attachments thereto set forth all promises, agreements, and understandings between the State of [insert name of state] - Department of Human Services, and the Pleasant Point Passamaquoddy Tribe . No alterations, modifications or amendments of this agreement shall be binding upon either party unless they have been reduced to writing and properly executed by an authorized representative of each party to the agreement. In witness thereof, the State of Maine - Department [insert name of department] and the Pleasant Point Passamaquoddy Tribe hereby execute this agreement.

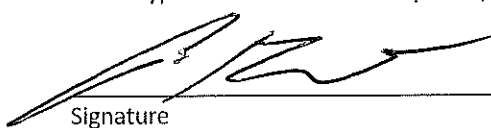
Pos Bassett

Printed or typed name of State-LIHEAP Representative

Printed or typed name of Tribal Chairperson/Chief

Signature

Date


Signature

8-15-24

Date

Printed Name of State LIHEAP Manager

Diane Libby, Social Services Director

Printed Name of Tribal LIHEAP Manager

Signature of State LIHEAP Manager

Date

Diane Libby, Social Services Director
Signature of Tribal LIHEAP Manager

Date