

Congress of the United States
Washington, DC 20515

August 15, 2013

The Honorable Kathleen Sebelius
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Madam Secretary:

We are following up on our letter to you, dated October 27, 2011, and your response to that letter, dated February 3, 2012, regarding funding that the Department of Health and Human Services has been providing to the U.S. territories through the Low Income Home Energy Assistance Program (LIHEAP). Our letter asked that you exercise your statutory discretion to apportion these funds to more accurately reflect actual need, given the relatively high rates of poverty and the relatively high costs of energy in the territories we represent. You replied that “HHS staff are currently working on identifying the information required to assess whether the needs of the territories are being appropriately addressed in the allocation of LIHEAP funding.” However, subsequent communication between our respective staffs indicates that, after 18 months, work on this needs assessment remains unfinished. We ask, therefore, that you provide us with a specific date when this work can be expected to be complete and the reconsideration of the apportionment of LIHEAP funds that we requested accomplished.

Since our original letter, new data has become available, which reinforces our view that the current apportionment is inadequate and which we would like to share with your needs assessment team. First, 2010 Census data has been released for the U.S. territories that demonstrate that poverty levels are from three to five times the national average. This data is compiled in the following table¹:

Percentage of Population Below the U.S. Federal Poverty Level

Northern Mariana Islands	66.6%
U.S. Virgin Islands	65.1%
Guam	53.7%
American Samoa	52.6%
Puerto Rico	41.4%
U.S. National Average	13.3%

¹ For individuals 18 years and over. The statistics are drawn from the U.S. Census Bureau: 2011 American Community Survey 1-Year Estimates and Census 2010 data.

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Second, the retail price of electricity, which is the primary source of energy for island households, continues to be two to four times the U.S. average. This information is compiled below:

Retail Price of Electricity (in cents per kilowatt-hour)²

U.S. Virgin Islands	49.9¢
Northern Mariana Islands	42¢
American Samoa	37¢
Guam	29.2¢
Puerto Rico	24.9¢
U.S. National Average³	11.8¢

Congress has directed that HHS apportion each year, for the five territories to share, not less than 0.10% and not more than 0.50% of the total LIHEAP regular fund appropriation "on the basis of need." 42 U.S.C. § 8623(b)(1). Since the inception of the program, HHS has provided unvaryingly 0.135% for the territories each year. Given poverty rates in the U.S. territories and the high costs of energy, and given that these indicators have changed over time, we think it clear that the amounts of LIHEAP funding being provided by HHS are not reflective of need in the territories and should be increased accordingly.

We respect, however, the responsibility of the Department of Health and Human Services to conduct its own assessment of need upon which to base each year's apportionment of LIHEAP funding. So, we ask, again, that the Department complete the assessment promised in your letter of February 3, 2012, so that a more needs-based allocation of funding for the territories that we represent may soon begin.

We thank you for your attention to this important matter.

Sincerely,

Likhi

Gregorio Kilili Camacho Sablan
Member of Congress

Pierluisi

Pedro R. Pierluisi
Member of Congress

Donna M. Christensen

Donna M. Christensen
Member of Congress

Madeleine Z. Bordallo

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² Virgin Islands Water and Power Authority; Commonwealth Utilities Corporation; American Samoa Power Authority; Guam Power Authority; Puerto Rico Electric Power Authority.

³ U.S. Energy Information Administration, *Electricity Monthly Updates*,
http://www.eia.gov/electricity/monthly/update/end_use.cfm (last updated July 22, 2013).