
Recommendations for Immigrant and Refugee Inclusion in State Home Energy Rebate Programs

Create a language access plan:

All program materials, including outreach and educational materials for both households and contractors, application and eligibility verification forms, contracts, databases and websites, public input sessions, consumer feedback processes etc., should be made easily available in the most common languages used in Limited English Proficiency populations in the state. State Energy Offices (SEOs) should create or use an existing language access plan consistent with the Department of Energy's (DOE) [2004 policy guidance](#) on how recipients of funding from DOE can meet their obligation under Title VI of the Civil Rights Act of 1964 to ensure that LEP individuals have meaningful and timely access to their programs and activities.

Materials, information and processes should be made available in all languages that are spoken by at least 5% of the households in the state, and at minimum the top five most commonly spoken languages in the state. In developing these plans, SEOs should consider the proportion of LEP persons within the broader eligible population, taking into account both the 40% minimum reservation for low-income households and 10% minimum reservation for low-income multifamily buildings, as well as any LEP populations who may be underserved because of existing barriers. SEOs should include these language access plans, or a proposal for developing them, in their application to DOE and make them publicly available.

Fund and work with community organizations throughout the program:

Immigrant and refugee communities face a myriad of barriers to accessing state programs, including a lack of trust in state agencies. Trusted community-based organizations (CBOs) are often best situated to educate their members about benefits and opportunities and to help them access them. Given the barriers and underinvestment faced by these communities, this can be resource intensive work.

The Department of Energy “strongly encourage(s)” SEOs to “establish partnerships and **provide funding** to community based organizations... that represent or work with underserved households to reach and engage with these communities over the life of this program” (emphasis added).

SEOs should follow this recommendation and set aside enough of their administrative funds to subgrant to or contract with CBOs to engage in stakeholder processes (including the required public input session), promote the program and connect community members to it. Funding levels should be sufficient to fairly compensate CBOs for their time, energy, and expertise.

SEOs should work with CBOs in developing particular sections of the application to DOE. CBOs should be key partners in developing and implementing the education and outreach strategy, to best reach both potential beneficiaries and contractors. In developing the Community Benefits Plan, SEOs should partner with organizations rooted in immigrant and refugee communities to provide language access services, conduct labor and community engagement, and provide input into the workforce, Diversity, Equity, Inclusion, and Accessibility (DEIA), and Justice40 plan components.

In addition, SEOs should consider creating an Advisory Council including representatives from relevant stakeholders, including CBOs from immigrant and refugee communities, to provide input, oversight, and recommendations on the implementation of the rebates program.

Provide a variety of methods for eligibility verification including self attestation:

Complicated eligibility verification processes can be a major barrier to immigrants and refugees. SEOs should include **Self Attestation** as a method of establishing eligibility, as allowed by DOE guidelines. Self attestation, in combination with verification of random samples, dramatically increases the accessibility of the program in disadvantaged communities.

In order to capture accurate information about a household's income, including for individuals who work in the informal economy or who for various reasons lack other documentary proof of income, SEOs need to be flexible about the types of proof they accept for income verification. Many federal and state agencies recognize this and allow for self-attestation of income. For example: [Medicaid regulations 42 CFR 435.945\(a\)](#), [CHIP regulations 42 CFR 457.380](#), the CARE low-income energy rate assistance program in California, HUD's [Home Investment Partnerships Program](#), and programs administered by the Treasury Department during the pandemic, such as [emergency rental assistance](#). An example of a self-attestation form used by the Covered CA program can be seen [here](#).

SEO's should also maintain categorical eligibility lists for state and local or utility-provided programs that meet the income thresholds. Where possible these lists should include programs that do not exclude participants based on national origin or immigration status, so they align with the eligibility criteria for the rebate programs.

Do not require social security numbers or take other steps that would discriminate based on national origin and immigration status:

The Department of Energy determined that the Home Energy Rebates program is not a "federal public benefit", and therefore is not subject to the 1996 welfare law's restrictions based on immigration status, nor would receiving these rebates have any impact on a recipient's immigration status. In addition, DOE's civil rights [regulations](#) prohibit the use of "criteria or methods of administration" that discriminate based on "race, color, national origin or sex".

Consistent with the civil rights principles articulated in the [Tri-Agency guidance](#), SEOs should prohibit inquiring about the immigration status of individuals and their household members in establishing eligibility for participation in the rebates program. SEOs should further ensure that their processes for verifying income do not make the program inaccessible to otherwise eligible non-citizen households, for example by using methods like requiring Social Security Numbers or requiring participation in state or federal programs that exclude those households.

Track and publish language and cultural competencies of qualified contractors:

Finding a qualified contractor with appropriate language skills and cultural competency is a major barrier for disadvantaged LEP households seeking home electrification and energy efficiency retrofits. In creating and maintaining a qualified contractor list, a required element of a State's Consumer Protection Plan, SEOs should incorporate information on contractors with language skills consistent with their language access plan.