

Help Americans in Need Develop their Ultimate Potential (HAND UP) Act Section by Section

Section 1: Short Title.

This section designates the title of the bill as the ‘Help Americans in Need Develop their Ultimate Potential (HAND UP) Act’.

Section 2: Program Coordination Demonstration Projects.

PURPOSE - Sec. 2 (a) establishes the purpose of the demonstration projects to coordinate multiple public assistance programs in order to test methods of integrating programs for more effective services to help individuals move towards self-sufficiency, reduce welfare dependence and increase work and earnings.

DEFINITIONS - Sec. 2 (b) provides for the definitions of ‘Administering Secretary’ and ‘Qualified Program’. Qualified programs include:

- Temporary Assistance for Needy Families
- Social Services Block Grant
- Titles I, II and III of the Workforce Investment Act (job training for youth and adults, funding for education and literacy and funding to states for job search assistance and recruitment services)
- United States Housing Act of 1937, less Section 7
- Supplemental Nutrition Assistance Program

APPLICATION REQUIREMENTS - Sec. 2 (c) sets forth application requirements for requests to each administering Secretary to conduct a project. The requirements include:

- Programs to be included in the project
- Population served by the project
- Description of and justification for the project
- A description of statutory and regulatory requirements requested to be waived
- An assurance of cost limitation
- An assurance of evaluation and reports
- A description of how the State will use any savings to meet education requirements
- Inclusion of public housing agency input regarding housing programs in a project

APPROVAL OF APPLICATIONS - Sec. 2 (d) (1) sets out guidelines for the Administering Secretary to approve project applications if a reasonable expectation that a project will meet objectives, an expectation that the cost of the project will not exceed the estimated total amount which would have been paid and that the project includes two or more programs and an assurance that independent evaluation reports will be conducted by the applicant.

PROVISIONS EXCLUDED FROM WAIVER AUTHORITY - Sec. 2 (d)(2) provides a list of provisions in law which are excluded from waiver authority, to include:

- Civil rights or discrimination
- Maintenance of effort requirements
- Health or Safety
- Fair Labor Standards Act (minimum wage)
- Environmental protection
- Section 241(a) Adult Education and Family Literacy Act (use of federal adult education funds)
- Section 5A of United States Housing Act of 1937 (relating to public housing agency plans and resident advisory boards)
- Section 189 (i)(4)(A)(i) of Workforce Investment Act (existing waiver authority in WIA)
- Provisions under SNAP which would have the effect of expanding eligibility
- Title IV of PRWORA (access to welfare by illegal aliens)
- Work requirements under TANF

AGREEMENT OF EACH ADMINISTERING SECRETARY - Sec. 2 (d)(3) provides that an applicant must have the agreement of the Administering Secretary of which a program under the application of their project would be affected.

COST LIMITATION REQUIREMENT - Sec. 2 (d)(4) states that the amounts paid by the Federal Government to a State conducting an approved project shall not exceed the amount the State would receive under normal conditions for the programs affected by the project.

90 – DAY APPROVAL - Sec. 2 (d)(5)(6)(7) states that an Administering Secretary has 90 days after the receipt of an application to approve or deny the application. If in 90 days a decision has not been made then the project is deemed approved. The provisions allow the 90 day clock to stop if additional information is sought by the Secretary. The Secretary is able to make one request for additional information.

DURATION OF A PROJECT - Sec. 2 (e) states that a demonstration project may be approved for a time of not more than five years.

MODIFICATION OF A PROJECT - Sec. 2 (f) allows a State to request termination or modification of an approved project as result of economic conditions which no longer allow the project to be viable.

EARLY TERMINATION OF A PROJECT - Sec. 2 (g) allows for termination of the project if the Secretary finds that a State is not meeting the goals and objectives of the project and does not address those issues.

REPORTS TO CONGRESS - Sec. 2 (h) requires the Administering Secretary to submit to each Committee of jurisdiction in Congress a description of the decision made by that Secretary and reasons for approving or disapproving an application as well as reports on administrative of the projects. This section also requires project evaluations to be submitted by the Administering Secretary to each Committee of jurisdiction in Congress which will include:

- The number of individuals engaged by the program under the project
- The number of individuals engaged by the program under the project who reduced their dependence on government benefits as a result of self-sufficiency

- The number of recipients engaged in the program under the project who completed education or workforce development programs
- An explanation of the functions the State or sub-State project employed to help individuals achieve self-sufficiency
- An up-to-date statement of the cost of the project and of the expected future costs of the project
- Recommendations for modifying programs based on project outcomes
- A determination as to whether the project will be continued after a duration of 30 months

Sec. 3: Amendment to United States Housing Act of 1937.

Provides for a change in such Act to allow for program coordination demonstration projects in concert with the HAND UP Act.