

108TH CONGRESS
1ST SESSION

H. R. 3560

To amend the temporary assistance to needy families program under part A of title IV of the Social Security Act to provide grants for transitional jobs programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2003

Ms. SCHAKOWSKY (for herself, Mr. CONYERS, Ms. MCCOLLUM, Mr. TOWNS, Mr. ACEVEDO-VILÁ, Ms. LEE, Mrs. CHRISTENSEN, Mr. EMANUEL, Mr. LIPINSKI, Mr. PALLONE, Ms. MILLENDER-MCDONALD, Mrs. JONES of Ohio, and Mr. CUMMINGS) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the temporary assistance to needy families program under part A of title IV of the Social Security Act to provide grants for transitional jobs programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Business Links Act
5 of 2003”.

1 **SEC. 2. TRANSITIONAL JOBS GRANTS.**

2 (a) IN GENERAL.—Section 403(a)(4) of the Social
3 Security Act (42 U.S.C. 603(a)(4)) is amended to read
4 as follows:

5 “(4) INNOVATIVE BUSINESS LINK PARTNERSHIP
6 GRANTS.—

7 “(A) IN GENERAL.—The Secretary and the
8 Secretary of Labor (in this paragraph referred
9 to as the ‘Secretaries’) jointly shall award
10 grants in accordance with this paragraph for
11 projects proposed by eligible applicants based
12 on the following:

13 “(i) The potential effectiveness of the
14 proposed project in carrying out the activi-
15 ties described in subparagraph (E).

16 “(ii) Evidence of the ability of the eli-
17 gible applicant to leverage private, State,
18 and local resources.

19 “(iii) Evidence of the ability of the eli-
20 gible applicant to coordinate with other or-
21 ganizations at the State and local level.

22 “(B) DEFINITION OF ELIGIBLE APPLI-
23 CANT.—

24 “(i) IN GENERAL.—In this paragraph,
25 the term ‘eligible applicant’ means a non-
26 profit organization, a local workforce in-

1 vestment board established under section
2 117 of the Workforce Investment Act of
3 1998 (29 U.S.C. 2832), a State, a political
4 subdivision of a State, or an Indian tribe.

5 “(ii) GRANTS TO PROMOTE BUSINESS
6 LINKAGES.—

7 “(I) ADDITIONAL ELIGIBLE AP-
8 PPLICANT.—Only for purposes of
9 grants to carry out the activities de-
10 scribed in subparagraph (E)(i), the
11 term ‘eligible applicant’ includes an
12 employer.

13 “(II) ADDITIONAL REQUIRE-
14 MENT.—In order to qualify as an eli-
15 gible applicant for purposes of sub-
16 paragraph (E)(i), the applicant must
17 provide evidence that the application
18 has been developed by and will be im-
19 plemented by a local or regional con-
20 sortium that includes, at minimum,
21 employers or employer associations,
22 education and training providers, and
23 local labor organizations in the local-
24 ity or region that represent workers in
25 fields or occupations in which employ-

1 ment, training, or a transitional job
2 will be provided using grant funds
3 under this paragraph, in consultation
4 with social service providers that work
5 with low-income families or individ-
6 uals with disabilities.

7 “(C) REQUIREMENTS.—

8 “(i) IN GENERAL.—In awarding
9 grants under this paragraph, the Secre-
10 taries shall—

11 “(I) consider the needs of rural
12 areas and cities with large concentra-
13 tions of residents with an income that
14 is less than 150 percent of the poverty
15 line; and

16 “(II) ensure that—

17 “(aa) all of the funds made
18 available under this paragraph
19 (other than funds reserved for
20 use by the Secretaries under sub-
21 paragraph (K)) shall be used for
22 activities described in subpara-
23 graph (E);

24 “(bb) not less than 45 per-
25 cent of the funds made available

1 under this paragraph (other than
2 funds so reserved) shall be used
3 for activities described in sub-
4 paragraph (E)(i); and

5 “(cc) not less than 45 per-
6 cent of the funds made available
7 under this paragraph (other than
8 funds so reserved) shall be used
9 for the activities described in
10 subparagraph (E)(ii).

11 “(ii) CONTINUATION OF AVAIL-
12 ABILITY.—If any portion of the funds re-
13 quired to be used for activities referred to
14 in item (bb) or (cc) of clause (i)(II) are not
15 awarded in a fiscal year, such portion shall
16 continue to be available in the subsequent
17 fiscal year for the same activity, in addi-
18 tion to other amounts that may be avail-
19 able for such activities for that subsequent
20 fiscal year.

21 “(D) DETERMINATION OF GRANT
22 AMOUNT.—

23 “(i) IN GENERAL.—Subject to clause
24 (ii), in determining the amount of a grant
25 to be awarded under this paragraph for a

1 project proposed by an eligible applicant,
2 the Secretaries shall provide the eligible
3 applicant with an amount sufficient to en-
4 sure that the project has a reasonable op-
5 portunity to be successful, taking into ac-
6 count—

7 “(I) the number and characteris-
8 tics of the individuals to be served by
9 the project;

10 “(II) the level of unemployment
11 in the area to be served by the
12 project;

13 “(III) the job opportunities and
14 job growth in such area;

15 “(IV) the poverty rate for such
16 area; and

17 “(V) such other factors as the
18 Secretary deems appropriate in such
19 area.

20 “(ii) MAXIMUM AWARD FOR GRANTS
21 TO PROMOTE BUSINESS LINKAGES OR PRO-
22 VIDE TRANSITIONAL JOBS PROGRAMS.—

23 “(I) IN GENERAL.—In the case
24 of a grant to carry out activities de-
25 scribed in clause (i) or (ii) of subpara-

1 graph (E), an eligible applicant
2 awarded a grant under this paragraph
3 may not receive more than
4 \$10,000,000 per fiscal year under the
5 grant.

6 “(II) RULE OF CONSTRU-
7 TION.—Nothing in subclause (I) shall
8 be construed as precluding an other-
9 wise eligible applicant from receiving
10 separate grants to carry out activities
11 described in clause (i) or (ii) of sub-
12 paragraph (E).

13 “(iii) GRANT PERIOD.—The period in
14 which a grant awarded under this para-
15 graph may be used shall be specified for a
16 period of not less than 36 months and not
17 more than 60 months.

18 “(E) ALLOWABLE ACTIVITIES.—An eligible
19 applicant awarded a grant under this paragraph
20 shall use funds provided under the grant to do
21 the following:

22 “(i) PROMOTE BUSINESS LINKAGES.—

23 “(I) IN GENERAL.—To promote
24 business linkages in which funds shall

1 be used to fund new or expanded pro-
2 grams that are designed to—

3 “(aa) substantially increase
4 the wages of eligible individuals
5 (as defined in subparagraph (F)),
6 whether employed or unemployed,
7 who have limited English pro-
8 ficiency or other barriers to em-
9 ployment by creating or upgrad-
10 ing job and related skills in part-
11 nership with employers, especially
12 by providing supports and serv-
13 ices at or near work sites; and

14 “(bb) identify and strength-
15 en career pathways by expanding
16 and linking work and training
17 opportunities for such individuals
18 in collaboration with employers.

19 “(II) CONSIDERATION OF IN-
20 KIND, IN-CASH RESOURCES.—In de-
21 termining which programs to fund
22 under this clause, an eligible applicant
23 awarded a grant under this paragraph
24 shall consider the ability of a consor-
25 tium to provide funds in-kind or in-

1 cash (including employer-provided,
2 paid release time) to help support the
3 programs for which funding is sought.

4 “(III) PRIORITY.—In deter-
5 mining which programs to fund under
6 this clause, an eligible applicant
7 awarded a grant under this paragraph
8 shall give priority to programs that
9 include education or training for
10 which participants receive credit to-
11 ward a recognized credential, such as
12 an occupational certificate or license.

13 “(IV) USE OF FUNDS.—

14 “(aa) IN GENERAL.—Funds
15 provided to a program under this
16 clause may be used for a com-
17 prehensive set of employment and
18 training benefits and services, in-
19 cluding job development, job
20 matching, workplace supports
21 and accommodations, curricula
22 development, wage subsidies, re-
23 tention services, and such other
24 benefits or services as the pro-
25 gram deems necessary to achieve

1 the overall objectives of this
2 clause.

3 “(bb) PROVISION OF SERV-
4 ICES.—So long as a program is
5 principally designed to assist eli-
6 gible individuals (as defined in
7 subparagraph (F)), funds may be
8 provided to a program under this
9 clause that also serves low-earn-
10 ing employees of 1 or more em-
11 ployers even if such individuals
12 are not within the definition of
13 eligible individual (as so defined).

14 “(ii) PROVIDE FOR TRANSITIONAL
15 JOBS PROGRAMS.—

16 “(I) IN GENERAL.—To provide
17 for wage-paying transitional jobs pro-
18 grams which combine time-limited em-
19 ployment in the public or nonprofit
20 private sector that is subsidized with
21 public funds with skill development
22 and activities to remove barriers to
23 employment, pursuant to an individ-
24 ualized plan (or, in the case of an eli-
25 gible individual described in subpara-

1 graph (F)(i), an individual responsi-
2 bility plan developed for an individual
3 under section 408(b)). Such programs
4 also shall provide job development and
5 placement assistance to individual
6 participants to help them move from
7 subsidized employment in transitional
8 jobs into unsubsidized employment, as
9 well as retention services after the
10 transition to unsubsidized employ-
11 ment.

12 “(II) ELIGIBLE PARTICIPANTS.—
13 The Secretary shall ensure that indi-
14 viduals who participate in transitional
15 jobs programs funded under a grant
16 made under this paragraph shall be
17 individuals who have been unemployed
18 because of limited skills, experience,
19 or other barriers to employment, and
20 who are eligible individuals (as de-
21 fined in subparagraph (F)), provided
22 that so long as a program is designed
23 to, and principally serves, eligible indi-
24 viduals (as so defined), a limited num-
25 ber of individuals who are unemployed

1 because of limited skills, experience,
2 or other barriers to employment, and
3 who have an income below 100 per-
4 cent of the Federal poverty line but
5 who do not satisfy the definition of el-
6 igible individual (as so defined) may
7 be served in the program to the extent
8 the Secretaries determine that the in-
9 clusion of such individuals in the pro-
10 gram is appropriate.

11 “(III) USE OF FUNDS.—Funds
12 provided to a program under this
13 clause may only be used in accordance
14 with the following:

15 “(aa) To create subsidized
16 transitional jobs in which work
17 shall be performed directly for
18 the program operator or at other
19 public and non profit organiza-
20 tions (in this subclause referred
21 to as ‘worksite employers’) in the
22 community, and in which 100
23 percent of the wages shall be
24 subsidized, except as described in

1 item (ff) regarding placements in
2 the private, for profit sector.

3 “(bb) Participants shall be
4 paid at the rate paid to unsub-
5 subsidized employees of the worksite
6 employer who perform com-
7 parable work at the worksite
8 where the individual is placed. If
9 no other employees perform the
10 same or comparable work then
11 wages shall be set, at a min-
12 imum, at 50 percent of the
13 Lower Living Standard Income
14 Level (commonly referred to as
15 the ‘LLSIL’), as determined
16 under section 101(24) of the
17 Workforce Investment Act of
18 1998 (29 U.S.C. 2801(24)), for a
19 family of 3 based on 35 hours
20 per week.

21 “(cc) Transitional jobs shall
22 be limited to not less than 6
23 months and not more than 24
24 months, however, nothing shall
25 preclude a participant from mov-

1 ing into unsubsidized employ-
2 ment at a point prior to the max-
3 imum duration of the transitional
4 job placement. Participants shall
5 be paid wages based on a work-
6 week of not less than 30 hours
7 per week or more than 40 hours
8 per week, except that a parent of
9 a child under the age of 6, a
10 child who is disabled, or a child
11 with other special needs, or an
12 individual who for other reasons
13 cannot successfully participate
14 for 30 to 40 hours per week, may
15 be allowed to participate for more
16 limited hours, but not less than
17 20 hours per week. In any work
18 week, 50 percent to 80 percent of
19 hours shall be spent in the tran-
20 sitional job and 20 percent to 50
21 percent of hours shall be spent in
22 education or training, or other
23 services designed to reduce or
24 eliminate any barriers.

1 “(dd) Program operators
2 shall provide case management
3 services and ensure access to ap-
4 propriate education, training, and
5 other services, including job ac-
6 commodation, work supports, and
7 supported employment, as appro-
8 priate and consistent with an in-
9 dividual plan that is based on the
10 individual’s strengths, resources,
11 priorities, concerns, abilities, ca-
12 pabilities, career interests, and
13 informed choice and that is devel-
14 oped with each participant. The
15 goal of each participant’s plan
16 shall focus on preparation for un-
17 subsidized jobs in demand in the
18 local economy which offer the po-
19 tential for advancement and
20 growth. Services shall also in-
21 clude job placement assistance
22 and retention services, which may
23 include coaching and work place
24 supports, for 12 months after
25 entry into unsubsidized place-

1 ment. Participants shall also re-
2 ceive support services such as
3 subsidized child care and trans-
4 portation, on the same basis as
5 those services are made available
6 to recipients of assistance under
7 the State program funded under
8 this part who are engaged in
9 work-related activities.

10 “(ee) Providers shall work
11 with individual recipients to de-
12 termine eligibility for other em-
13 ployment-related supports which
14 may include (but are not limited
15 to) supported employment, other
16 vocational rehabilitation services,
17 and programs or services avail-
18 able under the Workforce Invest-
19 ment Act of 1998 (29 U.S.C.
20 2801 et seq.), or the ticket to
21 work and self-sufficiency program
22 established under section 1148,
23 and, to the extent possible, shall
24 provide transitional employment
25 in collaboration with entities pro-

1 viding, or arranging for the pro-
2 vision of, such other supports.

3 “(ff) Not more than 20 per-
4 cent of the placements for a
5 grantee shall be with a private
6 for-profit company, except that
7 such 20 percent limit may be
8 waived by the Secretary for pro-
9 grams in rural areas when the
10 grantee can demonstrate insuffi-
11 cient public and non-profit work-
12 sites. When a placement is made
13 at a private for-profit company,
14 the company shall pay 50 percent
15 of program costs (including
16 wages) for each participant, and
17 the company shall agree, in writ-
18 ing, to hire each participant into
19 an unsubsidized position at the
20 completion of the agreed upon
21 subsidized placement, or sooner,
22 provided that the participant’s
23 job performance has been satis-
24 factory. Not more than 5 percent
25 of the workforce of a private for-

1 profit company may be composed
2 of transitional jobs participants.

3 “(IV) DEFINITION OF TRANSI-
4 TIONAL JOBS PROGRAM.—In this
5 clause, the term ‘transitional jobs pro-
6 gram’ means a program that is in-
7 tended to serve current and former re-
8 cipients of assistance under a State or
9 tribal program funded under this part
10 and other low-income individuals who
11 have been unable to secure employ-
12 ment through job search or other em-
13 ployment-related services because of
14 limited skills, experience, or other bar-
15 riers to employment.

16 “(iii) ADMINISTRATIVE EXPENDI-
17 TURES.—Not more than 5 percent of the
18 funds awarded to an eligible applicant
19 under this paragraph may be used for ad-
20 ministrative expenditures incurred in car-
21 rying out the activities described in clause
22 (i) or (ii) of this subparagraph, or for ex-
23 penditures related to carrying out the as-
24 sessments and reports required under sub-
25 paragraph (H).

1 “(F) DEFINITION OF ELIGIBLE INDI-
2 VIDUAL.—In this paragraph, the term ‘eligible
3 individual’ means—

4 “(i) an individual who is a parent who
5 is a recipient of assistance under a State
6 or tribal program funded under this part;

7 “(ii) an individual who is a parent
8 who has ceased to receive assistance under
9 such a State or tribal program;

10 “(iii) an individual who is at risk of
11 receiving assistance under a State or tribal
12 program funded under this part;

13 “(iv) an individual with a disability; or

14 “(v) a noncustodial parent who is un-
15 employed, or is having difficulty in paying
16 child support obligations, including such a
17 parent who is a former criminal offender.

18 “(G) APPLICATION.—Each eligible appli-
19 cant desiring a grant under this paragraph
20 shall submit an application to the Secretaries at
21 such time, in such manner, and accompanied by
22 such information as the Secretaries may re-
23 quire.

24 “(H) ASSESSMENTS AND REPORTS BY
25 GRANTEES.—

1 “(i) IN GENERAL.—An eligible appli-
2 cant that receives a grant under this para-
3 graph shall assess and report on the out-
4 comes of programs funded under the
5 grant, including the identity of each pro-
6 gram operator, demographic information
7 about each participant, including education
8 level, literacy level, prior work experience
9 and identified barriers to employment, the
10 nature of education, training, or other
11 services received by the participant, the
12 reason for the participant’s leaving the
13 program, and outcomes related to the
14 placement of the participant in an unsub-
15 sidized job, including 1-year employment
16 retention, wage at placement, benefits, and
17 earnings progression, as specified by the
18 Secretaries.

19 “(ii) ASSISTANCE.—The Secretaries
20 shall—

21 “(I) assist grantees in conducting
22 the assessment required under clause
23 (i) by making available where prac-
24 ticable low-cost means of tracking the

1 labor market outcomes of partici-
2 pants; and

3 “(II) encourage States to provide
4 such assistance.

5 “(I) APPLICATION TO REQUIREMENTS OF
6 THE STATE PROGRAM.—

7 “(i) WORK PARTICIPATION REQUIRE-
8 MENTS.—With respect to any month in
9 which a recipient of assistance under a
10 State or tribal program funded under this
11 part who satisfactorily participates in a
12 business linkage or transitional jobs pro-
13 gram described in subparagraph (E) that
14 is paid for with funds made available
15 under a grant made under this paragraph,
16 such participation shall be considered to
17 satisfy the work participation requirements
18 of section 407 and be included for pur-
19 poses of determining monthly participation
20 rates under subsection (b)(1)(B)(i) of that
21 section.

22 “(ii) PARTICIPATION NOT CONSID-
23 ERED ASSISTANCE.—A benefit or service
24 provided with funds made available under
25 a grant made under this paragraph shall

1 not be considered assistance for any pur-
2 pose under a State or tribal program fund-
3 ed under this part.

4 “(J) WORKER PROTECTIONS.—

5 “(i) NONDUPLICATION.—

6 “(I) IN GENERAL.—Assistance
7 under this paragraph shall be used
8 only for a program that does not du-
9 plicate, and is in addition to, an activ-
10 ity otherwise available in the locality
11 of the program.

12 “(II) PRIVATE NONPROFIT ENTI-
13 TY.—Assistance made available under
14 this paragraph shall not be provided
15 to a private nonprofit entity to con-
16 duct activities that are the same or
17 substantially equivalent to activities
18 provided by a State or local govern-
19 ment agency that the entity resides in,
20 unless the requirements of clause (ii)
21 are met.

22 “(ii) NONDISPLACEMENT.—

23 “(I) IN GENERAL.—An employer
24 shall not displace an employee or posi-
25 tion (including partial displacement

1 such as reduction in hours, wages, or
2 employment benefits) or impair con-
3 tracts for services or collective bar-
4 gaining agreements, as a result of the
5 use by the employer of a participant
6 in a program receiving assistance
7 under this paragraph, and no partici-
8 pant shall be assigned to fill any es-
9 tablished unfilled position vacancy.

10 “(II) JOB OPPORTUNITIES.—A
11 job opportunity shall not be created
12 under this paragraph that will in-
13 fringe in any manner on the pro-
14 motional opportunity of an employed
15 individual.

16 “(III) LIMITATION ON SERV-
17 ICES.—

18 “(aa) SUPPLANTATION OF
19 HIRING.—A participant in any
20 transitional job program shall not
21 perform any services or duties or
22 engage in activities that will sup-
23 plant the hiring of unsubsidized
24 workers.

1 “(bb) DUTIES FORMERLY
2 PERFORMED BY ANOTHER EM-
3 PLOYEE.—A participant in any
4 transitional job program under
5 this paragraph shall not perform
6 services or duties that are serv-
7 ices, duties, or activities—

8 “(AA) with respect to
9 which an individual has re-
10 call rights pursuant to a col-
11 lective bargaining agreement
12 or applicable personnel pro-
13 cedures; or

14 “(BB) which had been
15 performed by or were as-
16 signed to any employee de-
17 scribed in item (cc).

18 “(cc) EMPLOYEE DE-
19 SCRIBED.—An employee is de-
20 scribed in this item if the em-
21 ployee—

22 “(AA) recently resigned
23 or was discharged;

24 “(BB) is subject to a
25 reduction in force;

1 “(CC) is on leave (ter-
2 minal, temporary, vacation,
3 emergency, or sick); or

4 “(DD) is on strike or
5 being locked out.

6 “(iii) CONCURRENCE OF LOCAL
7 LABOR ORGANIZATION.—No work assign-
8 ment under a program receiving assistance
9 under this paragraph shall be made until
10 the program operator has obtained the
11 written concurrence of any local labor or-
12 ganization representing employees who are
13 engaged in the same or substantially simi-
14 lar work as that proposed to be carried out
15 for the program operator or worksite em-
16 ployer with whom a participant is placed.

17 “(iv) Individuals employed in transi-
18 tional jobs created under this paragraph
19 shall be considered to be employees for all
20 purposes under federal and state law, in-
21 cluding but not limited to health and safe-
22 ty, civil rights, and workers compensation.

23 “(v) NONPREEMPTION OF STATE
24 LAW.—This subparagraph shall not be con-
25 strued to preempt any provision of State

1 law that affords greater protections to em-
2 ployees or to other participants engaged in
3 work activities under a program funded
4 under this part than is afforded by this
5 subparagraph.

6 “(vi) ENFORCING ANTIDISPLACEMENT
7 PROTECTIONS.—

8 “(I) IN GENERAL.—The State
9 shall establish and maintain an impar-
10 tial grievance procedure to resolve any
11 complaints alleging a violation of a re-
12 quirement set forth in any the pre-
13 ceding clauses of this subparagraph
14 within 60 days of receipt of the com-
15 plaint and, if a decision is adverse to
16 the party who filed such grievance or
17 no decision has been reached, provide
18 for the completion of an arbitration
19 procedure within 75 days of receipt of
20 the complaint or the adverse decision
21 or conclusion of the 60-day period,
22 whichever is earlier.

23 “(II) APPEALS.—Appeals may be
24 made to the Secretary who shall make
25 a decision within 75 days.

1 “(III) REMEDIES.—Remedies for
2 a violation of a requirement set forth
3 in any of the preceding clauses of this
4 subparagraph shall include termi-
5 nation or suspension of payments,
6 prohibition of the placement of the
7 participant, reinstatement of an em-
8 ployee, and other relief to make an
9 aggrieved employee whole.

10 “(IV) LIMITATION ON PLACE-
11 MENT.—If a grievance is filed regard-
12 ing a proposed placement of a partici-
13 pant, such placement shall not be
14 made unless such placement is con-
15 sistent with the resolution of the
16 grievance pursuant to this subclause.

17 “(K) ASSESSMENTS BY THE SECRE-
18 TARIES.—

19 “(i) RESERVATION OF FUNDS.—Of
20 the amount appropriated under subpara-
21 graph (M) for each of fiscal years 2005
22 and 2006, \$3,000,000 of such amount for
23 each such fiscal year is reserved for use by
24 the Secretaries to prepare an interim and
25 final report summarizing and synthesizing

1 outcomes and lessons learned from the
2 programs funded through grants awarded
3 under this paragraph.

4 “(ii) INTERIM AND FINAL ASSESS-
5 MENTS.—With respect to the reports pre-
6 pared under clause (i), the Secretaries
7 shall submit—

8 “(I) the interim report not later
9 than 4 years after the date of enact-
10 ment of the Business Links Act of
11 2003; and

12 “(II) the final report not later
13 than 6 years after such date of enact-
14 ment.

15 “(L) EVALUATIONS.—

16 “(i) RESERVATION OF FUNDS.—Of
17 the amount appropriated under subpara-
18 graph (M) for a fiscal year, an amount
19 equal to 1.5 percent of the amount for
20 each such fiscal year shall be reserved for
21 use by the Secretaries to conduct evalua-
22 tions in accordance with the requirements
23 of clause (ii).

24 “(ii) REQUIREMENTS.—The Secre-
25 taries—

1 “(I) shall develop a plan to evalu-
2 ate the extent to which programs
3 funded under grants made under this
4 paragraph have been effective in pro-
5 moting sustained, unsubsidized em-
6 ployment for each group of eligible
7 participants, and in improving the
8 skills and wages of participants in
9 comparison to the participants’ skills
10 and wages prior to participation in
11 the programs;

12 “(II) may evaluate the use of
13 such a grant by a grantee, as the Sec-
14 retaries deem appropriate, in accord-
15 ance with an agreement entered into
16 with the grantee after good-faith ne-
17 gotiations; and

18 “(III) shall include, as appro-
19 priate, the following outcome meas-
20 ures in the evaluation plan developed
21 under subclause (I):

22 “(aa) Placements in unsub-
23 sidized employment.

24 “(bb) Retention in unsub-
25 sidized employment 6 months

1 and 12 months after initial place-
2 ment.

3 “(cc) Earnings of individuals
4 at the time of placement in un-
5 subsidized employment.

6 “(dd) Earnings of individ-
7 uals 12 months after placement
8 in unsubsidized employment.

9 “(ee) The extent to which
10 unsubsidized job placements in-
11 clude access to affordable em-
12 ployer-sponsored health insurance
13 and paid leave benefits.

14 “(ff) Comparison of pre-
15 and post-program wage rates of
16 participants.

17 “(gg) Comparison of pre-
18 and post-program skill levels of
19 participants.

20 “(hh) Wage growth and em-
21 ployment retention in relation to
22 occupations and industries at ini-
23 tial placement in unsubsidized
24 employment and over the first 12
25 months after initial placement.

1 “(ii) Recipient of cash as-
2 sistance under the State program
3 funded under this part.

4 “(jj) Average expenditures
5 per participant.

6 “(iii) REPORTS TO CONGRESS.—The
7 Secretaries shall submit to Congress the
8 following reports on the evaluations of pro-
9 grams funded under grants made under
10 this paragraph:

11 “(I) INTERIM REPORT.—An in-
12 terim report not later than 4 years
13 after the date of enactment of the
14 Business Links Act of 2003.

15 “(II) FINAL REPORT.—A final
16 report not later than 6 years after
17 such date of enactment.

18 “(M) APPROPRIATION.—

19 “(i) IN GENERAL.—Out of any money
20 in the Treasury of the United States not
21 otherwise appropriated, there is appro-
22 priated for grants under this section,
23 \$200,000,000 for each of fiscal years 2005
24 through 2009.

1 “(ii) AVAILABILITY.—Amounts appro-
2 priated under clause (i) for a fiscal year
3 shall remain available for obligation for 5
4 fiscal years after the fiscal year in which
5 the amount is appropriated.”.

6 (b) EFFECTIVE DATE.—The amendment made by
7 subsection (a) shall take effect on October 1, 2004.

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