

Calendar No. 790

108TH CONGRESS
2^D SESSION

S. 480

[Report No. 108–399]

To provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2003

Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. KENNEDY, Mr. COCHRAN, Mrs. LINCOLN, Mr. KERRY, Mr. BINGAMAN, Mr. DODD, Mr. BAUCUS, Mr. EDWARDS, Mr. BUNNING, Mr. WYDEN, Mr. LOTT, Mr. LUGAR, Mr. GRAHAM of South Carolina, Mr. BREAUX, Mr. SANTORUM, Mr. JOHNSON, Mrs. MURRAY, Mr. LIEBERMAN, Mr. NELSON of Florida, Mr. REID, Mr. SCHUMER, Mr. SMITH, Mr. BURNS, Mrs. CLINTON, Mr. DEWINE, Mr. SESSIONS, Mr. KOHL, Mr. BAYH, Mr. CHAMBLISS, Mr. FEINGOLD, Mr. PRYOR, Mr. CRAIG, Ms. SNOWE, Mr. JEFFORDS, Ms. LANDRIEU, Mr. LEAHY, Mr. LAUTENBERG, Mr. CRAPO, Ms. STABENOW, Mr. HOLLINGS, Mr. CORZINE, Mr. ROCKEFELLER, Mr. GREGG, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

OCTOBER 11, 2004

Reported by Mr. MCCAIN, without amendment

A BILL

To provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, 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 “Training for Realtime
5 Writers Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) As directed by Congress in section 723 of
9 the Communications Act of 1934 (47 U.S.C. 613),
10 as added by section 305 of the Telecommunications
11 Act of 1996 (Public Law 104–104; 110 Stat. 126),
12 the Federal Communications Commission adopted
13 rules requiring closed captioning of most television
14 programming, which gradually require new video
15 programming to be fully captioned beginning in
16 2006.

17 (2) More than 28,000,000 Americans, or 8 per-
18 cent of the population, are considered deaf or hard
19 of hearing, and many require captioning services to
20 participate in mainstream activities.

21 (3) More than 24,000 children are born in the
22 United States each year with some form of hearing
23 loss.

1 (4) According to the Department of Health and
2 Human Services and a study done by the National
3 Council on Aging—

4 (A) 25 percent of Americans over 65 years
5 old are hearing impaired;

6 (B) 33 percent of Americans over 70 years
7 old are hearing impaired; and

8 (C) 41 percent of Americans over 75 years
9 old are hearing impaired.

10 (5) The National Council on Aging study also
11 found that depression in older adults may be directly
12 related to hearing loss and disconnection with the
13 spoken word.

14 (6) Empirical research demonstrates that cap-
15 tions improve the performance of individuals learn-
16 ing to read English and, according to numerous
17 Federal agency statistics, could benefit—

18 (A) 3,700,000 remedial readers;

19 (B) 12,000,000 young children learning to
20 read;

21 (C) 27,000,000 illiterate adults; and

22 (D) 30,000,000 people for whom English
23 is a second language.

24 (7) Over the past 5 years, student enrollment in
25 programs that train court reporters to become

1 realtime writers has decreased significantly, causing
 2 such programs to close on many campuses.

3 **SEC. 3. AUTHORIZATION OF GRANT PROGRAM TO PRO-**
 4 **MOTE TRAINING AND JOB PLACEMENT OF**
 5 **REALTIME WRITERS.**

6 (a) IN GENERAL.—The National Telecommuni-
 7 cations and Information Administration shall make com-
 8 petitive grants to eligible entities under subsection (b) to
 9 promote training and placement of individuals, including
 10 individuals who have completed a court reporting training
 11 program, as realtime writers in order to meet the require-
 12 ments for closed captioning of video programming set
 13 forth in section 723 of the Communications Act of 1934
 14 (47 U.S.C. 613) and the rules prescribed thereunder.

15 (b) ELIGIBLE ENTITIES.—For purposes of this Act,
 16 an eligible entity is a court reporting program that—

17 (1) can document and demonstrate to the Sec-
 18 retary of Commerce that it meets minimum stand-
 19 ards of educational and financial accountability, with
 20 a curriculum capable of training realtime writers
 21 qualified to provide captioning services;

22 (2) is accredited by an accrediting agency rec-
 23 ognized by the Department of Education; and

24 (3) is participating in student aid programs
 25 under title IV of the Higher Education Act of 1965.

1 (c) PRIORITY IN GRANTS.—In determining whether
2 to make grants under this section, the Secretary of Com-
3 merce shall give a priority to eligible entities that, as de-
4 termined by the Secretary of Commerce—

5 (1) possess the most substantial capability to
6 increase their capacity to train realtime writers;

7 (2) demonstrate the most promising collabora-
8 tion with local educational institutions, businesses,
9 labor organizations, or other community groups hav-
10 ing the potential to train or provide job placement
11 assistance to realtime writers; or

12 (3) propose the most promising and innovative
13 approaches for initiating or expanding training and
14 job placement assistance efforts with respect to
15 realtime writers.

16 (d) DURATION OF GRANT.—A grant under this sec-
17 tion shall be for a period of two years.

18 (e) MAXIMUM AMOUNT OF GRANT.—The amount of
19 a grant provided under subsection (a) to an entity eligible
20 may not exceed \$1,500,000 for the two-year period of the
21 grant under subsection (d).

22 **SEC. 4. APPLICATION.**

23 (a) IN GENERAL.—To receive a grant under section
24 3, an eligible entity shall submit an application to the Na-
25 tional Telecommunications and Information Administra-

1 tion at such time and in such manner as the Administra-
2 tion may require. The application shall contain the infor-
3 mation set forth under subsection (b).

4 (b) INFORMATION.—Information in the application of
5 an eligible entity under subsection (a) for a grant under
6 section 3 shall include the following:

7 (1) A description of the training and assistance
8 to be funded using the grant amount, including how
9 such training and assistance will increase the num-
10 ber of realtime writers.

11 (2) A description of performance measures to
12 be utilized to evaluate the progress of individuals re-
13 ceiving such training and assistance in matters relat-
14 ing to enrollment, completion of training, and job
15 placement and retention.

16 (3) A description of the manner in which the el-
17 igible entity will ensure that recipients of scholar-
18 ships, if any, funded by the grant will be employed
19 and retained as realtime writers.

20 (4) A description of the manner in which the el-
21 igible entity intends to continue providing the train-
22 ing and assistance to be funded by the grant after
23 the end of the grant period, including any partner-
24 ships or arrangements established for that purpose.

1 (5) A description of how the eligible entity will
 2 work with local workforce investment boards to en-
 3 sure that training and assistance to be funded with
 4 the grant will further local workforce goals, includ-
 5 ing the creation of educational opportunities for in-
 6 dividuals who are from economically disadvantaged
 7 backgrounds or are displaced workers.

8 (6) Additional information, if any, of the eligi-
 9 bility of the eligible entity for priority in the making
 10 of grants under section 3(c).

11 (7) Such other information as the Administra-
 12 tion may require.

13 **SEC. 5. USE OF FUNDS.**

14 (a) IN GENERAL.—An eligible entity receiving a
 15 grant under section 3 shall use the grant amount for pur-
 16 poses relating to the recruitment, training and assistance,
 17 and job placement of individuals, including individuals
 18 who have completed a court reporting training program,
 19 as realtime writers, including—

20 (1) recruitment;

21 (2) subject to subsection (b), the provision of
 22 scholarships;

23 (3) distance learning;

24 (4) development of curriculum to more effec-
 25 tively train realtime writing skills, and education in

1 the knowledge necessary for the delivery of high-
2 quality closed captioning services;

3 (5) assistance in job placement for upcoming
4 and recent graduates with all types of captioning
5 employers;

6 (6) encouragement of individuals with disabil-
7 ities to pursue a career in realtime writing; and

8 (7) the employment and payment of personnel
9 for such purposes.

10 (b) SCHOLARSHIPS.—

11 (1) AMOUNT.—The amount of a scholarship
12 under subsection (a)(2) shall be based on the
13 amount of need of the recipient of the scholarship
14 for financial assistance, as determined in accordance
15 with part F of title IV of the Higher Education Act
16 of 1965 (20 U.S.C. 1087kk).

17 (2) AGREEMENT.—Each recipient of a scholar-
18 ship under subsection (a)(2) shall enter into an
19 agreement with the National Telecommunications
20 and Information Administration to provide realtime
21 writing services for a period of time (as determined
22 by the Administration) that is appropriate (as so de-
23 termined) for the amount of the scholarship re-
24 ceived.

1 (3) COURSEWORK AND EMPLOYMENT.—The
2 Administration shall establish requirements for
3 coursework and employment for recipients of schol-
4 arships under subsection (a)(2), including require-
5 ments for repayment of scholarship amounts in the
6 event of failure to meet such requirements for
7 coursework and employment. Requirements for re-
8 payment of scholarship amounts shall take into ac-
9 count the effect of economic conditions on the capac-
10 ity of scholarship recipients to find work as realtime
11 writers.

12 (c) ADMINISTRATIVE COSTS.—The recipient of a
13 grant under section 3 may not use more than 5 percent
14 of the grant amount to pay administrative costs associated
15 with activities funded by the grant.

16 (d) SUPPLEMENT NOT SUPPLANT.—Grants amounts
17 under this Act shall supplement and not supplant other
18 Federal or non-Federal funds of the grant recipient for
19 purposes of promoting the training and placement of indi-
20 viduals as realtime writers

21 **SEC. 6. REPORTS.**

22 (a) ANNUAL REPORTS.—Each eligible entity receiv-
23 ing a grant under section 3 shall submit to the National
24 Telecommunications and Information Administration, at
25 the end of each year of the grant period, a report on the

1 activities of such entity with respect to the use of grant
 2 amounts during such year.

3 (b) REPORT INFORMATION.—

4 (1) IN GENERAL.—Each report of an entity for
 5 a year under subsection (a) shall include a descrip-
 6 tion of the use of grant amounts by the entity dur-
 7 ing such year, including an assessment by the entity
 8 of the effectiveness of activities carried out using
 9 such funds in increasing the number of realtime
 10 writers. The assessment shall utilize the performance
 11 measures submitted by the entity in the application
 12 for the grant under section 4(b).

13 (2) FINAL REPORT.—The final report of an en-
 14 tity on a grant under subsection (a) shall include a
 15 description of the best practices identified by the en-
 16 tity as a result of the grant for increasing the num-
 17 ber of individuals who are trained, employed, and re-
 18 tained in employment as realtime writers.

19 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated to carry out
 21 this Act, amounts as follows:

22 (1) \$20,000,000 for each of fiscal years 2004,
 23 2005, and 2006.

24 (2) Such sums as may be necessary for fiscal
 25 year 2007.

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