

Calendar No. 291

110TH CONGRESS
1ST SESSION**S. 675****[Report No. 110–138]**

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 16, 2007

Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. COCHRAN, Mr. DODD, Mr. DURBIN, Mr. KERRY, Mr. KOHL, Mrs. MURRAY, Mr. ROCKEFELLER, Ms. SNOWE, Ms. STABENOW, Mr. GRAHAM, Mr. LUGAR, Ms. CANTWELL, Mr. NELSON of Florida, Mrs. LINCOLN, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JULY 31, 2007

Reported by Mr. INOUE with amendments

[Omit the part struck through and insert the part printed in *italic*]

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Training for Realtime
3 Writers Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) As directed by Congress in section ~~723~~ 713
7 of the Communications Act of 1934 (47 U.S.C.
8 613), as added by section 305 of the Telecommuni-
9 cations Act of 1996 (Public Law 104–104; 110 Stat.
10 126), the Federal Communications Commission
11 began enforcing rules requiring full closed captioning
12 of most English television programming on January
13 1, 2006.

14 (2) The Federal Communications Commission
15 rules also require that video programming be fully
16 captioned in Spanish by 2010.

17 (3) More than 30,000,000 Americans are con-
18 sidered deaf or hard of hearing, and many require
19 captioning services to participate in mainstream ac-
20 tivities.

21 (4) The National Institute on Deafness and
22 other Communication Disorders estimates that 1 in
23 3 Americans over the age of 60 has already experi-
24 enced hearing loss. The 79,000,000 Americans who
25 are identified as “baby boomers” represent 39 per-
26 cent of the population of the United States and most

1 baby boomers began to reach age 60 just in the last
2 few years.

3 (5) Closed captioning is a continuous source of
4 emergency information for people in mass transit
5 and other congregate settings.

6 (6) Empirical research studies since 1988 dem-
7 onstrate that captions improve the performance of
8 individuals learning to read English.

9 **SEC. 3. AUTHORIZATION OF GRANT PROGRAM TO PRO-**
10 **MOTE TRAINING AND JOB PLACEMENT OF**
11 **REALTIME WRITERS.**

12 (a) IN GENERAL.—The Secretary of Commerce shall
13 make competitive grants to eligible entities under sub-
14 section (b) to promote training and placement of individ-
15 uals, including individuals who have completed a court re-
16 porting training program, as realtime writers in order to
17 meet the requirements for closed captioning of video pro-
18 gramming set forth in section ~~723~~ 713 of the Communica-
19 tions Act of 1934 (47 U.S.C. 613) and the rules pre-
20 scribed thereunder.

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

23 (1) can document and demonstrate to the Sec-
24 retary of Commerce that it meets minimum stand-
25 ards of educational and financial accountability, with

1 a curriculum capable of training realtime writers
2 qualified to provide captioning services;

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

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

7 (c) PRIORITY IN GRANTS.—In determining whether
8 to make grants under this section, the Secretary of Com-
9 merce shall give a priority to eligible entities that, as de-
10 termined by the Secretary—

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

13 (2) demonstrate the most promising collabora-
14 tion with local educational institutions, businesses,
15 labor organizations, or other community groups hav-
16 ing the potential to train or provide job placement
17 assistance to realtime writers; or

18 (3) propose the most promising and innovative
19 approaches for initiating or expanding training or
20 job placement assistance efforts with respect to
21 realtime writers.

22 (d) DURATION OF GRANT.—A grant under this sec-
23 tion shall be for a period of 2 years.

24 (e) MAXIMUM AMOUNT OF GRANT.—The amount of
25 a grant provided under subsection (a) to an entity eligible

1 may not exceed \$1,500,000 for the 2-year period of the
2 grant under subsection (d).

3 **SEC. 4. APPLICATION.**

4 (a) IN GENERAL.—To receive a grant under section
5 3, an eligible entity shall submit an application to the Sec-
6 retary of Commerce at such time and in such manner as
7 the secretary may require. The application shall contain
8 the information set forth under subsection (b).

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

12 (1) A description of the training and assistance
13 to be funded using the grant amount, including how
14 such training and assistance will increase the num-
15 ber of realtime writers.

16 (2) A description of performance measures to
17 be utilized to evaluate the progress of individuals re-
18 ceiving such training and assistance in matters relat-
19 ing to enrollment, completion of training, and job
20 placement and retention.

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

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

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

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

16 (7) Such other information as the Secretary
 17 may require.

18 **SEC. 5. USE OF FUNDS.**

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

25 (1) recruitment;

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

3 (3) distance learning;

4 (4) further developing and implementing both
5 English and Spanish curriculum to more effectively
6 train realtime writing skills, and education in the
7 knowledge necessary for the delivery of high-quality
8 closed captioning services;

9 (5) mentoring students to ensure successful
10 completion of the realtime training and provide as-
11 sistance in job placement;

12 (6) encouraging individuals with disabilities to
13 pursue a career in realtime writing; and

14 (7) the employment and payment of personnel
15 for all such purposes.

16 (b) SCHOLARSHIPS.—

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

23 (2) AGREEMENT.—Each recipient of a scholar-
24 ship under subsection (a)(2) shall enter into an
25 agreement with the school in which the recipient is

1 enrolled to provide realtime writing services for a pe-
 2 riod of time appropriate (as determined by the Sec-
 3 retary of Commerce or the Secretary's designee) for
 4 the amount of the scholarship received.

5 (3) COURSEWORK AND EMPLOYMENT.—The
 6 Secretary of Commerce or the Secretary's designee
 7 shall establish requirements for coursework and em-
 8 ployment for recipients of scholarships under sub-
 9 section (a)(2), including requirements for repayment
 10 of scholarship amounts in the event of failure to
 11 meet such requirements for coursework and ~~employ-~~
 12 ~~ment.~~ *employment or other material terms under sub-*
 13 *section (b)(2).* Requirements for repayment of schol-
 14 arship amounts shall take into account the effect of
 15 economic conditions on the capacity of scholarship
 16 recipients to find work as realtime writers.

17 (c) ADMINISTRATIVE COSTS.—The recipient of a
 18 grant under section 3 may not use more than 5 percent
 19 of the grant amount to pay administrative costs associated
 20 with activities funded by the grant. The Secretary shall
 21 use not more than 5 percent of the amount available for
 22 grants under this Act in any fiscal year for administrative
 23 costs of the program.

24 (d) SUPPLEMENT NOT SUPPLANT.—Grants amounts
 25 under this Act shall supplement and not supplant other

1 Federal or non-Federal funds of the grant recipient for
2 purposes of promoting the training and placement of indi-
3 viduals as realtime writers.

4 **SEC. 6. REPORTS.**

5 (a) ANNUAL REPORTS.—Each eligible entity receiv-
6 ing a grant under section 3 shall submit to the Secretary
7 of Commerce, at the end of each year of the grant period,
8 a report on the activities of such entity with respect to
9 the use of grant amounts during such year.

10 (b) REPORT INFORMATION.—

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

20 (2) FINAL REPORT.—The final report of an en-
21 tity on a grant under subsection (a) shall include a
22 description of the best practices identified by the en-
23 tity as a result of the grant for increasing the num-
24 ber of individuals who are trained, employed, and re-
25 tained in employment as realtime writers.

1 (c) ANNUAL REVIEW.—The Inspector General of the
2 Department of Commerce shall conduct an annual review
3 of the management, efficiency, and effectiveness of the
4 grants made under this Act.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated to the Sec-
7 retary of Commerce to carry out this Act \$20,000,000 for
8 each of fiscal years 2008, 2009, 2010, 2011, and 2012.

9 **SEC. 8. SUNSET.**

10 ~~This Act is repealed effective the last day of the fifth~~
11 ~~fiscal year in which funds are appropriated to carry out~~
12 ~~this Act.~~

13 *This Act is repealed 5 years after the date of enactment*
14 *of this Act.*

Calendar No. 291

110TH CONGRESS
1ST Session

S. 675

[Report No. 110-138]

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.

JULY 31, 2007

Reported with amendments