

AMENDMENT NO. 3217

At the request of Mr. SARBANES, his name was added as a cosponsor of amendment No. 3217 proposed to S. 2454, a bill to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

At the request of Ms. MIKULSKI, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from Virginia (Mr. ALLEN), the Senator from New Hampshire (Mr. SUNUNU), the Senator from Wyoming (Mr. THOMAS), the Senator from Alaska (Mr. STEVENS), the Senator from Rhode Island (Mr. REED), the Senator from Michigan (Mr. LEVIN), the Senator from Maine (Ms. SNOWE), the Senator from Vermont (Mr. JEFFORDS), the Senator from South Dakota (Mr. THUNE), the Senator from Maine (Ms. COLLINS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Vermont (Mr. LEAHY), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 3217 proposed to S. 2454, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COLEMAN:

S. 2490. A bill to amend title 5, United States Code, to provide for a real estate stock index investment option under the Thrift Savings Plan; to the Committee on Homeland Security and Governmental Affairs.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the “Real Estate Investment Thrift Savings Act of 2006”.

SEC. 2. REAL ESTATE STOCK INDEX INVESTMENT FUND.

(a) DEFINITION.—Section 8438(a) of title 5, United States Code, is amended—

(1) in paragraph (9), by striking “and” at the end;

(2) in paragraph (10), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(1) the term ‘Real Estate Stock Index Investment Fund’ means the Real Estate Stock Index Investment Fund established under subsection (b)(1)(F).”.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Section 8438(b)(1) of title 5, United States Code, is amended—

(A) in subparagraph (D), by striking “and” at the end;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) a Real Estate Stock Index Investment Fund as provided in paragraph (5).”.

(2) FUND REQUIREMENTS.—Section 8438(b) of title 5, United States Code, is amended by adding at the end the following:

“(5)(A) The Board shall select an index which is a commonly recognized index com-

prised of common stock the aggregate market value of which is a reasonably complete representation of the United States real estate equity markets.

“(B) The Real Estate Stock Index Investment Fund shall be invested in a portfolio designed to replicate the performance of the index selected under subparagraph (A). The portfolio shall be designed such that, to the extent practicable, the percentage of the Real Estate Stock Index Investment Fund that is invested in each stock is the same as the percentage determined by dividing the aggregate market value of all shares of that stock by the aggregate market value of all shares of all stocks included in such index.”.

(c) ACKNOWLEDGMENT OF RISK.—Section 8439(d) of title 5, United States Code, is amended—

(1) by striking “or the Small Capitalization Stock Index Investment Fund,” and inserting “the Small Capitalization Stock Index Investment Fund, or the Real Estate Stock Index Investment Fund,”; and

(2) by striking “and (10),” and inserting “(10), and (11).”.

By Mr. BURNS:

S. 2494. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for the payment of premiums for high deductible health plans, to allow a credit for certain employment taxes paid with respect to premiums for high deductible health plans and contributions to health savings accounts, and for other purposes; to the Committee on Finance.

Mr. BURNS. Mr. President, I rise today to introduce legislation to help provide more affordable health coverage to millions of Americans. This legislation makes commonsense changes that will create tax parity between employer-sponsored insurance and insurance purchased in the individual market.

As we are well aware, the Federal tax code's treatment of medical care has shaped the development of the private third-party system of financing health care in the United States. The tax code treats the self-employed, unemployed, and workers at companies that do not offer health insurance, most of which are small businesses, less generously than it treats workers at companies that do offer health insurance. Employer-sponsored insurance receives a tax subsidy that individually-purchased insurance does not, and as a result two-thirds of non-elderly Americans receive health insurance through their own or a family member's employer.

Of equal concern, the percent of employer-sponsored insurance has dropped from 69 percent in 2000 to 60 percent in 2005 due mainly to the rapid rise in health insurance premiums, which have increased more than 60 percent in real terms over the past 5 years alone. The percent of the non-elderly population with employer-sponsored insurance has correspondingly dropped, from 68 percent in 2000 to 63 percent in 2004. Consequently, more Americans must look to the non-group market for their health insurance needs.

To help rectify this disparity, the legislation I am introducing today

would permit premiums for high-deductible plans purchased in conjunction with a qualifying health savings accounts (HAS) on the individual market to be deductible from income taxes. In addition, an income tax credit would offset payroll taxes paid on these premiums. As such, people who purchase their health benefits in the individual market would receive the same tax treatment as those who receive employer-sponsored insurance.

Perhaps one of the most widespread criticisms of HSA plans is that they are only helpful to those who are young, healthy, and wealthy. However, a recent survey conducted by America's Health Insurance Plans reveals this not to be the case. In that survey, it was shown that 50 percent of all people covered by HSA plans in the individual market are 40 years of age or older. Moreover, 31 percent of new enrollees in HSA plans were previously uninsured.

My legislation would provide substantial savings to middle and low income families. For example, a family in the 15 percent income tax bracket, and 15.3 percent payroll tax bracket, would receive a tax subsidy of over \$1,500 towards the purchase of a \$5,000 family insurance HSA-qualified policy.

Moreover, the income tax credit to offset payroll taxes is designed to help lower income workers. These hard-working Americans are more likely to work for firms that do not offer health insurance, and many have low enough incomes that they are paying no income taxes, but still must pay payroll taxes. My bill helps to give them the affordable and quality health benefits they deserve.

Since being enacted in the Medicare Modernization Act, health savings accounts have helped to provide millions of Americans with an additional option in meeting their health care needs. It is simply not fair that the law does not provide these plans with the same tax treatment provided to employer-sponsored insurance. If we are to seriously begin addressing the rapidly rising cost of health care, it is imperative that we take steps now to ensure that available health care plans are as affordable as possible.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2494

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEDUCTION OF PREMIUMS FOR HIGH DEDUCTIBLE HEALTH PLANS.

(a) IN GENERAL.—Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to additional itemized deductions for individuals) is amended by redesignating section 224 as section 225 and by inserting after section 223 the following new section:

“SEC. 224. PREMIUMS FOR HIGH DEDUCTIBLE HEALTH PLANS.

“(a) DEDUCTION ALLOWED.—In the case of an individual, there shall be allowed as a deduction for the taxable year the aggregate amount paid by such individual as premiums under a high deductible health plan with respect to months during such year for which such individual is an eligible individual with respect to such health plan.

“(b) DEFINITIONS.—For purposes of this section—

“(1) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ has the meaning given such term by section 223(c)(1).

“(2) HIGH DEDUCTIBLE HEALTH PLAN.—The term ‘high deductible health plan’ has the meaning given such term by section 223(c)(2).

“(c) SPECIAL RULES.—

“(1) DEDUCTION LIMITS.—

“(A) DEDUCTION ALLOWABLE FOR ONLY 1 PLAN.—For purposes of this section, in the case of an individual covered by more than 1 high deductible health plan for any month, the individual may only take into account amounts paid for such month for the plan with the lowest premium.

“(B) PLANS COVERING INELIGIBLE INDIVIDUALS.—If 2 or more individuals are covered by a high deductible health plan for any month but only 1 of such individuals is an eligible individual for such month, only 50 percent of the aggregate amount paid by such eligible individual as premiums under the plan with respect to such month shall be taken into account for purposes of this section.

“(2) GROUP HEALTH PLAN COVERAGE.—

“(A) IN GENERAL.—No deduction shall be allowed to an individual under subsection (a) for any amount paid for coverage under a high deductible health plan for a month if that individual participates in any coverage under a group health plan (within the meaning of section 5000 without regard to section 5000(d)).

“(B) EXCEPTION FOR PLANS ONLY PROVIDING CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNTS.—Subparagraph (A) shall not apply to an individual if the individual’s only coverage under a group health plan for a month consists of contributions by an employer to a health savings account with respect to which the individual is the account beneficiary.

“(C) EXCEPTION FOR CERTAIN PERMITTED COVERAGE.—Subparagraph (A) shall not apply to an individual if the individual’s only coverage under a group health plan for a month is coverage described in clause (i) or (ii) of section 223(c)(1)(B).

“(3) MEDICAL AND HEALTH SAVINGS ACCOUNTS.—Subsection (a) shall not apply with respect to any amount which is paid or distributed out of an Archer MSA or a health savings account which is not included in gross income under section 220(f) or 223(f), as the case may be.

“(4) COORDINATION WITH DEDUCTION FOR HEALTH INSURANCE OF SELF-EMPLOYED INDIVIDUALS.—Any amount taken into account by the taxpayer in computing the deduction under section 162(l) shall not be taken into account under this section.

“(5) COORDINATION WITH MEDICAL EXPENSE DEDUCTION.—Any amount taken into account by the taxpayer in computing the deduction under this section shall not be taken into account under section 213.”

(b) DEDUCTION ALLOWED WHETHER OR NOT INDIVIDUAL ITEMIZES OTHER DEDUCTIONS.—Subsection (a) of section 62 of such Code is amended by inserting before the last sentence at the end the following new paragraph:

“(21) PREMIUMS FOR HIGH DEDUCTIBLE HEALTH PLANS.—The deduction allowed by section 224.”

(c) COORDINATION WITH SECTION 35 HEALTH INSURANCE COSTS CREDIT.—Section 35(g)(2) of such Code is amended by striking ‘or 213’ and inserting ‘, 213, or 224’.

(d) CLERICAL AMENDMENT.—The table of sections for part VII of subchapter B of chapter 1 of such Code is amended by redesignating the item relating to section 224 as an item relating to section 225 and by inserting before such item the following new item:

“Sec. 224. Premiums for high deductible health plans.”

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 2. CREDIT FOR CERTAIN EMPLOYMENT TAXES PAID WITH RESPECT TO PREMIUMS FOR HIGH DEDUCTIBLE HEALTH PLANS AND CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNTS.

(a) ALLOWANCE OF CREDIT.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 36 as section 37 and by inserting after section 35 the following new section:

“SEC. 36. EMPLOYMENT TAXES PAID WITH RESPECT TO PREMIUMS FOR HIGH DEDUCTIBLE HEALTH PLANS AND CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNTS.

“(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the product of—

“(1) the sum of the rates of tax in effect under sections 3101(a), 3101(b), 3111(a), and 3111(b) for the calendar year in which the taxable year begins, multiplied by

“(2) the sum of—

“(A) the aggregate amount paid by such individual as premiums under a high deductible health plan which is allowed as a deduction under section 224 for the taxable year, and

“(B) the aggregate amount paid to a health savings account of such individual which is allowed as a deduction under section 223 for the taxable year.

“(b) CREDIT LIMITED TO CERTAIN EMPLOYMENT TAXES.—

“(1) IN GENERAL.—The credit allowed under subsection (a) with respect to any individual for any taxable year shall not exceed the specified employment taxes with respect to such individual for such taxable year.

“(2) SPECIFIED EMPLOYMENT TAXES.—For purposes of this subsection, the term ‘specified employment taxes’ means, with respect to any individual for any taxable year, the sum of—

“(A) the taxes imposed under sections 3101(a), 3101(b), 3111(a), 3111(b), 3201(a), 3211(a), and 3221(a) (taking into account any adjustments or refunds under section 6413) with respect to wages and compensation received by such individual during the calendar year in which such taxable year begins, and

“(B) the taxes imposed under subsections (a) and (b) of section 1401 with respect to the self-employment income of such individual for such taxable year.

“(c) SPECIAL RULE FOR EMPLOYMENT COMPENSATION IN EXCESS OF SOCIAL SECURITY CONTRIBUTION BASE.—

“(1) IN GENERAL.—If the aggregate amount of employment compensation received by any individual during the calendar year in which the taxable year begins exceeds the contribution and benefit base (as determined under section 230 of the Social Security Act), the amount of the credit determined under subsection (a) (determined before application of subsection (b)) shall be equal to the sum of—

“(A) the amount determined under subsection (a) by only taking into account so much of the amount determined under subsection (a)(2) as does not exceed such excess and by only taking into account the rates of tax in effect under section 3101(b) and 3111(b), and

“(B) the amount determined under subsection (a) by only taking into account so much of the amount determined under subsection (a)(2) as is not taken into account under subparagraph (A) and by taking into account each of the rates of tax referred to in subsection (a)(1).

“(2) EMPLOYMENT COMPENSATION.—For purposes of this subsection, the term ‘employment compensation’ means, with respect to any individual for any taxable year, the sum of—

“(A) the wages (as defined in section 3121(a)) and compensation (as defined in section 3231(e)) received by such individual during the calendar year in which such taxable year begins, and

“(B) the self-employment income (as defined in section 1402(b)) of such individual for such taxable year.”

(b) INCREASE IN ADDITIONAL TAX ON DISTRIBUTIONS NOT USED FOR QUALIFIED MEDICAL EXPENSES.—Paragraph (4) of section 223(f) of such Code (relating to additional tax on distributions not used for qualified medical expenses) is amended to read as follows:

“(4) ADDITIONAL TAX ON DISTRIBUTIONS NOT USED FOR QUALIFIED MEDICAL EXPENSES.—

“(A) IN GENERAL.—The tax imposed by this chapter on the account beneficiary for any taxable year in which there is a payment or distribution from a health savings account of such beneficiary which is includible in gross income under paragraph (2) shall be increased by 30 percent of the amount which is so includible.

“(B) EXCEPTION FOR DISABILITY OR DEATH.—In the case of payments or distributions made after the account beneficiary becomes disabled within the meaning of section 72(m)(7) or dies, subparagraph (A) shall be applied by substituting ‘15 percent’ for ‘30 percent’.

“(C) EXCEPTION FOR DISTRIBUTIONS AFTER MEDICARE ELIGIBILITY.—In the case of payments or distributions made after the date on which the account beneficiary attains the age specified in section 1811 of the Social Security Act, subparagraph (A) shall be applied by substituting ‘15 percent’ for ‘30 percent’.”

(c) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting “or section 36” after “section 35”.

(2) The table of sections for subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking the item relating to section 36 and by inserting after the item relating to section 35 the following new items:

“Sec. 36. Employment taxes paid with respect to premiums for high deductible health plans and contributions to health savings accounts.

“Sec. 37. Overpayments of tax.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

By Mr. KOHL (for himself and Mr. KENNEDY):

S. 2496. A bill to expand the definition of immediate relative for purposes of the Immigration and Nationality Act; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today with Senator KENNEDY to introduce the Family Reunification Act, a

measure designed to remedy a regrettable injustice in our immigration laws. A minor oversight in the law has led to an unfortunate, and likely unintended, consequence. Parents of U.S. citizens are currently able to enter the country as legal permanent residents, but our laws do not permit their minor children to join them. Simply put, the Family Reunification Act will close this loophole by including the minor siblings of U.S. citizens in the legal definition of "immediate relative." This legislation will ensure that our immigration laws can better accomplish one of the most important policy goals behind them—the goal of strengthening the family unit.

Congress took an important first step in promoting family reunification when it enacted the Immigration and Nationality Act. By qualifying as "immediate relatives," this law currently offers parents, spouses and children of U.S. citizens the ability to obtain immigrant visas to enter the country legally.

We can all agree that this is good immigration policy. Unfortunately, a "glitch" in this law has undermined the effectiveness of the important principle of family reunification. Each year, a number of families—in Wisconsin and across the country—are finding that they cannot take full advantage of this family reunification provision.

Today, U.S. citizens often petition for their parents to be admitted to the United States as "immediate relatives." As I have said, that is clearly allowed under current law. It is not always quite that simple, though. In a small number of cases, a problem arises because minor siblings of U.S. citizens do not qualify as an "immediate relative" under current law. So, a young man or woman can bring his parents into the country, but not his or her 5-year-old brother or sister. Because the parents are unable to leave a young child behind, the child is not the only family member who does not come to the United States. The parents—forced to choose between their children—are effectively prevented from coming as well. The result, then, is that we are unnecessarily keeping families apart by excluding minor siblings from the definition of immediate relative.

For example, one family in my home State of Wisconsin is truly a textbook example of what is wrong with this law. Effiong and Ekon Okon, both U.S. citizens by birth, requested that their parents, who were living in Nigeria, be admitted as "immediate relatives." The law clearly allows for this. Their father, Leo, had already joined them in Wisconsin, and their mother, Grace, was in possession of a visa, ready to join the rest of her family. However, Grace was unable to join her husband and sons in the United States because their 6-year-old daughter, Daramfon, did not qualify as an "immediate relative." Because it would be unthinkable for her to abandon her small child,

Grace was forced to stay behind in Nigeria, separated from the rest of her family. That is not what this law was intended to accomplish.

It is difficult to determine the exact scope of this problem. Because minor siblings do not qualify for visas, the Department of Homeland Security, DHS, does not keep track of how many families have been adversely affected. What we do know, however, is that the cases in my home State are not unique. Though the number is admittedly not large, DHS has notified us that they run into this problem regularly, with the number reaching into the hundreds each year.

If only one family suffers because of this loophole, I would suggest that changes should be made. The fact that there have been numerous cases, probably in the hundreds, demands that we address this issue now, so we can avoid tearing even more families apart.

Many parts of our immigration laws are outdated and in need of repair. The definition of "immediate relative" is no different. Congress's intent when it granted "immediate relatives" the right to obtain immigrant visas was to promote family reunification, but the unfortunate oversight which Senator KENNEDY and I have highlighted has interfered with many families' opportunity to do just that. The legislation introduced today would expand the definition of "immediate relatives" to include the minor siblings of U.S. citizens. By doing so, we can truly provide our fellow citizens with the ability to reunite with their family members. This is a simple and modest solution to an unthinkable problem that too many families have already had to face, so I urge my colleagues to support this important legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITION OF IMMEDIATE RELATIVE.

Section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)) is amended by inserting "For purposes of this subsection, a child of a parent of a citizen of the United States shall be considered an immediate relative if the child is accompanying or following to join the parent." after "at least 21 years of age."

By Mr. KOHL (for himself, Mr. KENNEDY, and Mr. DURBIN):

S. 2497. A bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today, with Senator KENNEDY and Senator DURBIN, to introduce the State Court Interpreter Grant Program Act of 2006. This legislation would create a

modest grant program to provide much needed financial assistance to States for developing and implementing effective State court interpreter programs, helping to ensure fair trials for individuals with limited English proficiency.

States are legally required, under Title VI of the Civil Rights Act of 1964, to take reasonable steps to provide meaningful access to court proceedings for individuals with limited English proficiency. Currently, however, court interpreting services vary greatly by State. Some States have highly developed programs. Others are trying to get programs up and running, but lack adequate funds. Still others have no certification program at all. It is critical that we protect the constitutional right to a fair trial by adequately funding State court interpreter programs.

Our States are finding themselves in an impossible position. Qualified interpreters are in short supply because it is difficult to find individuals who are both bilingual and well-versed in legal terminology. The skills required of a court interpreter differ significantly from those required of other interpreters or translators. Legal English is a highly particularized area of the language, and requires special training. Although anyone with fluency in a foreign language could attempt to translate a court proceeding, the best interpreters are those that have been tested and certified as official court interpreters.

Making the problem worse, States continue to fall further behind as the number of Americans with limited English proficiency—and therefore the demand for court interpreter services—continues to grow. According to the most recent Census data, 18 percent of the population over age five speaks a language other than English at home. In 2000, the number of people in this country who spoke English less than "very well" was more than 21 million, approaching twice what the number was 10 years earlier. Illinois had more than 1 million. Texas had nearly 2.7 million. California had more than 6.2 million.

The shortage of qualified interpreters has become a national problem, and it has serious consequences. In Pennsylvania, a Committee established by the Supreme Court called the State's interpreter program "backward" and said that the lack of qualified interpreters "undermines the ability of the . . . court system to determine facts accurately and to dispense justice fairly." When interpreters are unqualified, or untrained, mistakes are made. The result is that the fundamental right to due process is too often lost in translation. And, because the lawyers and judges are not interpreters, these mistakes often go unnoticed.

Some of the stories associated with this problem are simply unbelievable. In Pennsylvania, for instance, a husband accused of abusing his wife was asked to translate as his wife testified in court.

This legislation addresses this problem by authorizing \$15 million per year, for the next five years, for a State Court Interpreter Grant Program. Those States that apply would be eligible for a \$100,000 base grant allotment. In addition, \$5 million would be set aside for States that demonstrate extraordinary need. The remainder of the money would be distributed on a formula basis, determined by the percentage of persons in that State over the age of five who speak a language other than English at home.

Some will undoubtedly question whether this modest amount can make a difference. It can, and my home State of Wisconsin is a testament to that. When Wisconsin's program got off the ground in 2004, using State money along with a \$250,000 Federal grant, certified interpreters were scarce. Now, just two years later, it has 43 certified interpreters. Most of those are Spanish, where the greatest need exists. However, the State also has interpreters certified in sign language and Russian. The list of provisional interpreters—those who have received training and passed written tests—is much longer, including individuals trained in Arabic, Hmong, Korean, and other languages. All of this progress in only two years, and with only \$250,000 of Federal assistance.

This legislation has the strong support of State court administrators and State supreme court justices around the country.

Our States face this difficult challenge, and Federal law requires them to meet it. Despite their noble efforts, many of them are failing. It is time we lend them a helping hand. This is an access issue, and no one should be denied justice or access to our courts merely because of a language barrier.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2497

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "State Court Interpreter Grant Program Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the fair administration of justice depends on the ability of all participants in a courtroom proceeding to understand that proceeding, regardless of their English proficiency;

(2) 19 percent of the population of the United States over 5 years of age speaks a language other than English at home;

(3) only qualified court interpreters can ensure that persons with limited English proficiency comprehend judicial proceedings in which they are a party;

(4) the knowledge and skills required of a qualified court interpreter differ substantially from those required in other interpretation settings, such as social service, medical, diplomatic, and conference interpreting;

(5) the Federal Government has demonstrated its commitment to equal administration of justice regardless of English proficiency;

(6) regulations implementing title VI of the Civil Rights Act of 1964, as well as the guidance issued by the Department of Justice pursuant to Executive Order 13166, issued August 11, 2000, clarify that all recipients of Federal financial assistance, including State courts, are required to take reasonable steps to provide meaningful access to their proceedings for persons with limited English proficiency;

(7) 34 States have developed, or are developing, court interpreting programs;

(8) robust, effective court interpreter programs—

(A) actively recruit skilled individuals to be court interpreters;

(B) train those individuals in the interpretation of court proceedings;

(C) develop and use a thorough, systematic certification process for court interpreters; and

(D) have sufficient funding to ensure that a qualified interpreter will be available to the court whenever necessary; and

(9) Federal funding is necessary to—

(A) encourage State courts that do not have court interpreter programs to develop them;

(B) assist State courts with nascent court interpreter programs to implement them;

(C) assist State courts with limited court interpreter programs to enhance them; and

(D) assist State courts with robust court interpreter programs to make further improvements and share successful programs with other States.

SEC. 3. STATE COURT INTERPRETER PROGRAM.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Administrator of the Office of Justice Programs of the Department of Justice (referred to in this section as the "Administrator") shall make grants, in accordance with such regulations as the Attorney General may prescribe, to State courts to develop and implement programs to assist individuals with limited English proficiency to access and understand State court proceedings in which they are a party.

(2) TECHNICAL ASSISTANCE.—The Administrator shall allocate, for each fiscal year, \$500,000 of the amount appropriated pursuant to section 4 to be used to establish a court interpreter technical assistance program to assist State courts receiving grants under this Act.

(b) USE OF GRANTS.—Grants awarded under subsection (a) may be used by State courts to—

(1) assess regional language demands;

(2) develop a court interpreter program for the State courts;

(3) develop, institute, and administer language certification examinations;

(4) recruit, train, and certify qualified court interpreters;

(5) pay for salaries, transportation, and technology necessary to implement the court interpreter program developed under paragraph (2); and

(6) engage in other related activities, as prescribed by the Attorney General.

(c) APPLICATION.—

(1) IN GENERAL.—The highest State court of each State desiring a grant under this section shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

(2) STATE COURTS.—The highest State court of each State submitting an application under paragraph (1) shall include in the application—

(A) an identification of each State court in that State which would receive funds from the grant;

(B) the amount of funds each State court identified under subparagraph (A) would receive from the grant; and

(C) the procedures the highest State court would use to directly distribute grant funds to State courts identified under subparagraph (A).

(d) STATE COURT ALLOTMENTS.—

(1) BASE ALLOTMENT.—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate \$100,000 to each of the highest State court of each State, which has an application approved under subsection (c).

(2) DISCRETIONARY ALLOTMENT.—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate a total of \$5,000,000 to the highest State court of States that have extraordinary needs that must be addressed in order to develop, implement, or expand a State court interpreter program.

(3) ADDITIONAL ALLOTMENT.—In addition to the allocations made under paragraphs (1) and (2), the Administrator shall allocate to each of the highest State court of each State, which has an application approved under subsection (c), an amount equal to the product reached by multiplying—

(A) the unallocated balance of the amount appropriated for each fiscal year pursuant to section 4; and

(B) the ratio between the number of people over 5 years of age who speak a language other than English at home in the State and the number of people over 5 years of age who speak a language other than English at home in all the States that receive an allocation under paragraph (1), as those numbers are determined by the Bureau of the Census.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$15,000,000 for each of the fiscal years 2007 through 2010 to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 420—EX-
PRESSING THE SENSE OF THE
SENATE THAT EFFECTIVE
TREATMENT AND ACCESS TO
CARE FOR INDIVIDUALS WITH
PSORIASIS AND PSORIATIC AR-
THRITIS SHOULD BE IMPROVED

Mr. SMITH (for himself and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 420

Whereas psoriasis and psoriatic arthritis are serious, chronic, inflammatory, disfiguring, and life-altering diseases that require sophisticated medical intervention and care;

Whereas, according to the National Institutes of Health, between 5,800,000 citizens and 7,500,000 citizens of the United States are affected by psoriasis;

Whereas psoriasis and psoriatic arthritis are—

(1) painful and disabling diseases with no cure; and

(2) diseases that have a significant and adverse impact on the quality of life of individuals diagnosed with them;

Whereas studies have indicated that psoriasis may cause as much physical and mental disability as other major diseases, including—