Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3236

At the request of Mr. PRYOR, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 3236, a bill to amend title 38, United States Code, to improve the protection and enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3267

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3267, a bill to amend the Internal Revenue Code of 1986 to extend and modify the American Opportunity Tax Credit, and for other purposes.

S. 3280

At the request of Mr. JOHANNS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3280, a bill to preserve the companionship services exemption for minimum wage and overtime pay under the Fair Labor Standards Act of 1938.

S. 3302

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3302, a bill to establish an air travelers' bill of rights, to implement those rights, and for other purposes.

S. 3308

At the request of Mr. HELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3308, a bill to amend title 38, United States Code, to improve the furnishing of benefits for homeless veterans who are women or who have dependents, and for other purposes.

S. 3318

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 3318, a bill to amend title 38, United States Code, to prohibit the use of the phrases GI Bill and Post-9/11 GI Bill to give a false impression of approval or endorsement by the Department of Veterans Affairs, and for other purposes.

S. 3326

At the request of Mr. BAUCUS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3326, a bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S.J. RES. 43

At the request of Mr. MCCONNELL, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. RES. 429

At the request of Mr. WICKER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 429, a resolution supporting the goals and ideals of World Malaria Day.

S. RES. 448

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 448, a resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America, Inc.

S. RES. 513

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 513, a resolution recognizing the 200th anniversary of the War of 1812, which was fought between the United States of America and Great Britain beginning on June 18, 1812, in response to British violations of neutral rights of the United States, seizure of ships of the United States, restriction of trade between the United States and other countries, and the impressment of sailors of the United States into the Royal Navy.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL:

S. 3365. A bill to authorize the Attorney General to award grants to State courts to develop and implement State court interpreter programs; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, today I introduce the State Court Interpreter Grant Program Act of 2012. 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. This would help to ensure fair trials for individuals with limited English proficiency.

States are already 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. Unfortunately, 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 interpreter 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, 21 percent of the population over age five speaks a language other than English at home. In 2010, the number of people in this country who spoke English less than ''very well'' was more than 25 million, compared to 23 million in 2005. In 2010, New York had almost 2.5 million. Texas had nearly 3.4 million. California had almost 6.9 million.

The shortage of qualified interpreters has become a national problem, and it has serious consequences. In Pennsylvania, a committee established by the state 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. In Ohio, a woman was wrongly placed on suicide watch after an unqualified interpreter mistranslated her words. In testimony before the Judiciary Committee, Justice Kennedy described a particularly alarming situation where bilingual jurors can understand what the witness is saying and then interrupt the proceeding when an interpreter has not accurately represented the witness' testimony. Justice Kennedy agreed that the lack of qualified court interpreters poses a significant threat to our judicial system,

and emphasized the importance of addressing the issue.

This legislation does just that by authorizing $10 million per year, over 5 years, for a State Court Interpreter Grant Program. The bill does not merely send Federal dollars to States to pay for court interpreters. It will provide much needed ''seed money'' for States to start or bolster their court interpreter programs to recruit, train, test, and certify court interpreters. 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, determined by the percentage of persons in that State over the age of 5 who speak a language other than English at home and who identify as speaking English less than very well. This legislation also directs the Department of Justice to prioritize funding for any State that does not have and has not begun to develop a qualified court interpreter program. In this way, the States most in need will benefit from the grant program.

Some will undoubtedly question whether this modest amount can make a difference. It can, and my home State of Wisconsin is a perfect example of that. When Wisconsin's court interpreter program got off the ground in 2004, using State money and a $250,000 Federal grant, certified interpreters were scarce. Now, 8 years later, the court's public registry of interpreters lists 114 certified interpreters. Most of these are certified in Spanish, where the greatest need exists. However, the State also has interpreters certified in sign language, French and German. The list of qualified interpreters who have received training and attained requisite scores on an oral assessment includes 56 individuals who speak Russian, Hmong, Korean, Bulgarian, Polish and many other languages. All of this progress in only 8 years, and with only $250,000 of Federal assistance.

This bill includes cost saving measures to ensure funding is spent wisely. For example, it provides for remote interpretation services to facilitate certified court interpretations when costs prohibit in-person interpretations. These services help cover the cost of interpreter transportation fees. Additionally, the bill encourages States to share successful cost saving programs with other States and defines an effective court interpreter program as one that ''efficiently uses funding to create substantial cost savings.'' To make certain grants are being used in the most resourceful manner, the Department of Justice is required to submit an annual report to Congress detailing where and how the funding was spent.

This legislation has the strong support of State court administrators and state Supreme Court justices around the country. Our States are facing this difficult challenge, and Federal law requires them to meet it. Despite their noble efforts, many of them have been unable to keep up with the demand. 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 strongly urge my colleagues to support this critical legislation.

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. 3365

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 of 2012''.

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

(3) only qualified and certified 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 settings;

(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 (42 U.S.C. 2000d et seq.), 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) 43 States have developed, or are developing, qualified court interpreter programs;

(8) a robust and effective court interpreter program—

(A) actively recruits skilled individuals to serve as court interpreters;

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

(C) develops and uses a thorough, systematic certification process for court interpreters;

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

(E) efficiently uses funding to create substantial cost savings; 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 cost saving 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) USE OF GRANTS.—A State court may use a grant awarded under this subsection to—

(A) develop or enhance a court interpreter program for the State court;

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

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

(D) pay for salaries, transportation, and technology necessary to implement the court interpreter program developed or enhanced under subparagraph (A);

(E) provide for remote interpretation services to facilitate certified court interpretations when costs prohibit in-person interpretation; or

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

(b) APPLICATION.—

(1) IN GENERAL.—The highest State court of each State seeking 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) CONTENTS.—The highest State court of each State submitting an application under paragraph (1) shall include in the application—

(A) a demonstration of need for the development, implementation, or expansion of a State court interpreter program;

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

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

(D) the procedures that the highest State court would use to directly distribute grant funds to State courts identified under subparagraph (B).

(c) STATE COURT ALLOTMENTS.—

(1) BASE ALLOTMENT.—From amounts appropriated for each fiscal year pursuant to section 5, the Administrator shall allocate $100,000 to the highest court of each State that has an application approved under subsection (b).

(2) ADDITIONAL ALLOTMENT.—

(A) IN GENERAL.—From amounts appropriated for each fiscal year pursuant to section 5, the Administrator shall allocate $5,000,000 to be distributed among the highest State courts that—

(i) have an application approved under subsection (b); and

(ii) are located in a State with extraordinary needs that prevent the development, implementation, or expansion of a State court interpreter program.

(B) DETERMINING NEED.—In determining whether a State has extraordinary needs required under subparagraph (A), the Administrator shall consider—

(i) based on data from the Bureau of the Census, the ratio between the number of people over 5 years of age who speak a language other than English at home and identify as speaking English less than very well—

(I) in that State; and

(II) in all of the States that receive an allocation under paragraph (1); and

(ii) any efficiency or substantial cost savings expected from a State court interpreter program.

(C) PRIORITY CONSIDERATION.—In allocating amounts under subparagraph (A), the Administrator shall give priority to any State that

does not have and has not begun to develop a qualified court interpreter program.

(d) TREATMENT OF DISTRICT OF COLUMBIA.—For purposes of this section—

(1) the District of Columbia shall be treated as a State; and

(2) the District of Columbia Court of Appeals shall act as the highest State court for the District of Columbia.

SEC. 4. REPORT.

Not later than 1 year after the date on which the first grant is made under section 3, the Administrator shall submit a report to Congress that describes how each highest State court has used the funds from each grant made under section 3 in a manner consistent with section 3(a)(2).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $10,000,000 for each of fiscal years 2013 through 2017 to carry out this Act.

By Mr. BURR:

S. 3367. A bill to deter the disclosure to the public of evidence or information on United States covert actions by prohibiting security clearances to individuals who make such disclosures; to the Select Committee on Intelligence.

Mr. BURR. Mr. President, I come to the Senate floor today for a reason I never dreamed would be needed. Recently there has been a series of articles published in the media that have described and in some cases provided extensive details about highly classified unilateral and joint intelligence operations, including covert actions. To describe these leaks as troubling and frustrating is by all standards an understatement. They are simply inexcusable criminal acts that must stop and must stop now. Our intelligence professionals, our allies and, most important, the American people deserve better than this.

I understand there are ongoing efforts in the House and Senate of which I am a part to address these leaks through legislation and that the Director of National Intelligence has implemented some administrative steps to investigate these leaks. I support those efforts. But I also believe special attention needs to be drawn to unauthorized disclosures relating to covert actions, so today I have introduced the Deterring Public Disclosure of Covert Action Act of 2012.

This act will ensure that those who disclose or talk about covert actions by the United States will no longer be eligible for Federal Government security clearance. It is novel. It is very simple. If you talk about covert actions you will have your clearance revoked and you will never get another one.

This is not a bill that any Member should ever have to introduce. Covert actions are by their very definition supposed to be kept quiet. Those who engage in them, those who support them, and those who work to get them authorized all know that. Yet those rules, those very laws that are supposed to protect classified information, are being disregarded with few repercussions, even though each one of those leaks undermines the hard work of our intelligence officers, puts lives at risk, and jeopardizes our relationship with overseas partners.

As I said in this Chamber last month, I strongly believe those leakers are violating the trust of the American people. Those who are given access to classified information, especially covert actions, are given the same responsibility we as Members have. As long as something is classified, you do not talk about it.

In other words, keep your mouth shut. Yet month after month, we see articles about covert actions that quote a wide range of U.S. officials, mostly anonymously, and often senior administration officials. While this act focuses on covert action, it in no way minimizes the importance of maintaining the secrecy of other types of classified information. Those who leak any classified information should no longer be trusted with our Nation's secrets. But I believe the damage that is being done to our covert action programs by these leaks deserves special attention today.

The act also ensures that any determination that an individual has leaked information about a covert action will be made only in accordance with the applicable law or regulation. In short, no one will lose his clearance without appropriate due process. I believe that is an important requirement, as losing clearance often means losing your livelihood.

Today I am taking one step to silence those who may have done irreparable harm by putting their own personal agendas above their colleagues and, most importantly, their country. We cannot afford to wait for more leaks or more compromised covert actions.

The bill I have introduced today may target only one part of the problem, but I believe it is an essential part of a solution. I urge my colleagues in the days and weeks to come to be supportive of this piece of legislation. I think it is a small thing to ask of those who are entrusted with our Nation's most important secrets, that they actually keep them secret or we take that ability away to be entrusted with that information.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2490. Mrs. MCCASKILL (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table.

SA 2491. Mr. HATCH (for himself, Mr. MCCONNELL, Mr. CORNYN, Mr. GRASSLEY, Mr. THUNE, Mr. KYL, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2492. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2493. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2494. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2495. Mr. ENZI (for himself, Ms. SNOWE, Mr. TESTER, Mr. BROWN of Ohio, and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2496. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Mr. WHITEHOUSE, Mr. BINGAMAN, Mr. CARDIN, Mr. ROCKEFELLER, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2497. Mr. HATCH (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2498. Mr. RUBIO (for himself, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2499. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2500. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2501. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2502. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2503. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2504. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2505. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2506. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2507. Mr. BROWN of Ohio (for Mr. WICKER) proposed an amendment to the resolution S. Res. 429, supporting the goals and ideals of World Malaria Day.

TEXT OF AMENDMENTS

SA 2490. Mrs. MCCASKILL (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 2237, to provide a temporary income tex credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—TEMPORARY DUTY SUSPENSION PROCESS ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Temporary Duty Suspension Process Act of 2012''.

SEC. 202. DEFINITIONS.

In this title: