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Calendar No. 142

109TH CONGRESS *1st Session*	SENATE	REPORT 109–93

TRAINING FOR REALTIME WRITERS ACT OF 2005

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 268



JUNE 27, 2005.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINTH CONGRESS

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Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, submitted the following

R E P O R T

[To accompany S. 268]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 268) 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, having considered the same, reports favorably thereon with amendments and recommends that the bill (as amended) do pass.

PURPOSE OF THE BILL

The primary objective of this legislation is to allow funding to be made available for the purpose of training real-time writers qualified to provide captioning services.

BACKGROUND AND NEEDS

There are over 28 million deaf or hard-of-hearing Americans who rely on closed captioning to get news and other vital information. Closed captioning also opens the world to the deaf and hard-of-hearing by allowing them to interact and participate in civic and personal events. Further, an additional 72 million Americans benefit from closed captioning including remedial readers, young children learning to read, and individuals learning English as a second language.

When Congress passed the Telecommunications Act of 1996 it required that all video programming distributors provide captioning for 100 percent of non-exempt English language programming by 2006 and Spanish language programming by 2010. Currently, there are approximately 300 English language captioners and six Span-

ish language captioners in the United States who are able to consistently caption at the speed and accuracy levels necessary for real-time closed captioning of television programming. In order to ensure that this requirement is met for the over 1700 broadcast stations and hundreds of cable and satellite channels, the National Court Reporters Association estimates that thousands of additional captioners will be needed. This legislation would assist in fulfilling this Congressional requirement.

LEGISLATIVE HISTORY

On February 2, 2005, Senator Harkin introduced S. 268, "The Training for Realtime Writers Act of 2005". The bill has 23 cosponsors. In addition, H.R. 27, "The Job Training Improvement Act of 2005", which would authorize similar funding levels for realtime writers, was approved by the House of Representatives on March 2, 2005.

On March 10, 2005, the Committee held an Executive Session at which S. 268 was considered. The bill was approved unanimously by voice vote and was ordered reported with an amendment by Senator Sununu. The amendment would limit administrative costs for the program to 5 percent of appropriated grant funds; shift management of the program from the National Telecommunications and Information Administration (NTIA) to the Secretary of Commerce; require an annual review of the program be conducted by the Inspector General of the Department of Commerce, sunset the program in 2009; and specify $20 million as the authorization level for fiscal year 2009.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 15, 2005.

Hon. TED STEVENS,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 268, the Training for Realtime Writers Act of 2005.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Melissa E. Zimmerman.

Sincerely,

DOUGLAS HOLTZ-EAKIN, *Director.*

Enclosure.

S. 268—Training for Realtime Writers Act of 2005

Summary: CBO estimates that implementing S. 268 would cost $67 million over the next five years, assuming the appropriation of the authorized amounts. The funds would be used by the Department of Commerce to provide grants to entities that train court re-

porters, including court reporters who have completed training programs for realtime writers. The grants would be used to promote training and job placement for such individuals.

Enacting this bill would not affect direct spending or revenues. S. 268 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA); any costs to state, local, or tribal governments would result from complying with conditions of federal assistance.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 268 is shown in the following table. For this estimate, CBO assumes that $20 million authorized to be appropriated for each of 2006 through 2009 will be appropriated for each fiscal year and that outlays will follow historical trends for similar programs. The costs of this legislation fall within budget function 370 (commerce and housing credit).

	By fiscal year, in millions of dollars—					
	2005	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	0	20	20	20	20	0
Estimated Outlays	0	2	11	16	20	18

Intergovernmental and private-sector impact: S. 268 contains no intergovernmental or private-sector mandates as defined in UMRA; any costs to state, local, or tribal governments would result from complying with conditions of federal assistance.

Estimate prepared by: Federal Costs: Melissa E. Zimmerman; Impact on State, Local, and Tribal Governments: Sarah Puro; Impact on the Private Sector: Craig Cammarato.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

Number of persons covered

The legislation provides an authorization of appropriations for the fiscal years 2006, 2007, 2008, and 2009 to enable the Secretary of Commerce to provide grants to fund educational programs to train real-time writers. This bill will affect the estimated 72,000,000 individuals who use close captioning services, including more than 28,000,000 who are deaf or hard of hearing.

Economic impact

Section 7 of this bill authorizes appropriations of $20 million dollars for fiscal years 2006, 2007, 2008, and 2009.

Privacy

This legislation will not have any adverse impact on the personal privacy of the individuals affected.

Paperwork

S. 268 would require each eligible entity receiving grants to submit to the Secretary of Commerce a report describing the use of grant amounts and the effectiveness of activities aimed at increasing the number of real-time writers. The bill would also require a final report by each entity receiving grants on best practices for increasing the number of individuals who are trained, employed, and retained in employment as real-time writers.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 would provide that the bill may be cited as "Training for Realtime Writers Act of 2005".

Section 2. Findings

Section 2 would set forth Congressional findings on the need for closed captioning services. The findings detail the history of the Federal Communications Commission's adopted rules requiring closed-captioning and its accompanying studies which demonstrate the benefits received from closed captioning services.

Section 3. Authorization of grant program to promote training and job placement of realtime writers

Section 3 would authorize the Secretary of Commerce to provide grants to accredited educational institutions. Grants would be for a period of two years and would not exceed $1.5 million.

Section 4. Application

Section 4 would provide information on the application process to receive a grant from the Secretary of Commerce.

Section 5. Use of funds

Section 5 would set forth the requirements for the use of funds for entities receiving grants. Grants would be used for recruitment, training and assistance, and job placement for individuals who have completed a court reporting training program. Section 5 would impose a 5 percent cap on the amount of grant funds that the Secretary of Commerce could spend on administrative costs.

Section 6. Reports

Section 6 would require each entity receiving a grant to provide a report to the Secretary of Commerce, at the end of each year of the grant period and would require an annual review be conducted by the Inspector General of the Department of Commerce.

Section 7. Authorization of appropriations

Section 7 would authorize $20,000,000 dollars for each of fiscal years 2006, 2007, 2008, and 2009.

Section 8. Sunset

Section 8 would repeal the Act on October 1, 2009.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

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