

108TH CONGRESS  
1ST SESSION

# S. 1733

To authorize the Attorney General to award grants to States to develop and implement State court interpreter programs.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 15, 2003

Mr. KOHL (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To authorize the Attorney General to award grants to States to develop and implement State court interpreter programs.

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 “State Court Inter-  
5       preter Grant Program Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) the fair administration of justice depends on  
9       the ability of all participants in a courtroom pro-

1 ceeding to understand that proceeding, regardless of  
2 their English proficiency;

3 (2) 18 percent of the population of the United  
4 States over 5 years of age speaks a language other  
5 than English at home;

6 (3) only qualified court interpreters can ensure  
7 that persons with limited English proficiency com-  
8 prehend judicial proceedings in which they are a  
9 party;

10 (4) the knowledge and skills required of a quali-  
11 fied court interpreter differ substantially from those  
12 required in other interpretation settings, such as so-  
13 cial service, medical, diplomatic, and conference in-  
14 terpreting;

15 (5) the Federal Government has demonstrated  
16 its commitment to equal administration of justice re-  
17 gardless of English proficiency;

18 (6) Executive Order 13166, issued August 11,  
19 2000, requires Federal Agencies, including courts, to  
20 improve access for persons who have limited English  
21 proficiency;

22 (7) 29 States have developed, or are developing,  
23 court interpreting programs;

24 (8) robust, effective court interpreter pro-  
25 grams—

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

3 (B) train those individuals in the interpre-  
4 tation of court proceedings;

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

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

10 (9) Federal funding is necessary to—

11 (A) encourage States that do not have  
12 court interpreter programs to develop them;

13 (B) assist States with nascent court inter-  
14 preter programs to implement them;

15 (C) assist States with limited court inter-  
16 preter programs to enhance them; and

17 (D) assist States with robust court inter-  
18 preter programs to make further improvements  
19 and share successful programs with other  
20 States.

21 **SEC. 3. STATE COURT INTERPRETER PROGRAM.**

22 (a) GRANTS AUTHORIZED.—

23 (1) IN GENERAL.—The Administrator of the  
24 Office of Justice Programs of the Department of  
25 Justice (referred to in this section as the “Adminis-

1       trator”) shall make grants, in accordance with such  
2       regulations as the Attorney General may prescribe,  
3       to States to develop and implement programs to as-  
4       sist individuals with limited English proficiency to  
5       access and understand State court proceedings in  
6       which they are a party.

7               (2) TECHNICAL ASSISTANCE.—The Adminis-  
8       trator shall allocate, for each fiscal year, \$500,000  
9       of the amount appropriated pursuant to section 4 to  
10      be used to establish a court interpreter technical as-  
11      sistance program to assist States receiving grants  
12      under this Act.

13      (b) USE OF GRANTS.—Grants awarded pursuant to  
14      subsection (a) may be used by States to—

- 15               (1) assess regional language demands;
- 16               (2) develop a court interpreter program for the  
17      State;
- 18               (3) develop, institute, and administer language  
19      certification examinations;
- 20               (4) recruit, train, and certify qualified court in-  
21      terpreters;
- 22               (5) pay for salaries, transportation, and tech-  
23      nology necessary to implement the court interpreter  
24      program developed pursuant to paragraph (2); and

1           (6) engage in other related activities, as pre-  
2           scribed by the Attorney General.

3           (c) APPLICATION.—Each State desiring a grant  
4           under this section shall submit an application to the Ad-  
5           ministrator at such time, in such manner, and accom-  
6           panied by such information as the Administrator may rea-  
7           sonably require.

8           (d) STATE ALLOTMENTS.—

9           (1) BASE ALLOTMENT.—From amounts appro-  
10          priated for each fiscal year pursuant to section 4,  
11          the Administrator shall allocate \$100,000 to each  
12          State, which has an application approved under sub-  
13          section (c).

14          (2) DISCRETIONARY ALLOTMENT.—From  
15          amounts appropriated for each fiscal year pursuant  
16          to section 4, the Administrator shall allocate a total  
17          of \$5,000,000 to the States that have extraordinary  
18          needs that must be addressed in order to develop,  
19          implement, or expand a State court interpreter pro-  
20          gram.

21          (3) ADDITIONAL ALLOTMENT.—In addition to  
22          the allocations made under paragraphs (1) and (2),  
23          the Administrator shall allocate to each State, which  
24          has an application approved under subsection (c), an

1 amount equal to the product reached by multi-  
2 plying—

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

6 (B) the ratio between the number of people  
7 over 5 years of age who speak a language other  
8 than English at home in the State and the  
9 number of people over 5 years of age who speak  
10 a language other than English at home in all  
11 the States that receive an allocation under  
12 paragraph (1), as those numbers are deter-  
13 mined by the Bureau of the Census.

14 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated \$15,000,000  
16 for each of the fiscal years 2005 through 2008 to carry  
17 out this Act.

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