

116TH CONGRESS
1ST SESSION

H. R. 5285

To provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Communications Act of 1934, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2019

Mr. KIND (for himself and Mr. RODNEY DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Communications Act of 1934, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Training for Realtime
5 Writers Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) As directed by Congress in section 713 of
2 the Communications Act of 1934 (47 U.S.C. 613),
3 as added by section 305 of the Telecommunications
4 Act of 1996 (Public Law 104–104; 110 Stat. 126),
5 the Federal Communications Commission began en-
6 forcing rules requiring full closed captioning of most
7 English television programming on January 1, 2006.

8 (2) The Federal Communications Commission
9 rules also require that video programming be fully
10 captioned in Spanish by 2010.

11 (3) More than 37,500,000 Americans are con-
12 sidered deaf or hard of hearing, and many require
13 captioning services to participate in mainstream ac-
14 tivities.

15 (4) The National Institute on Deafness and
16 other Communication Disorders estimates that one
17 in 3 Americans over the age of 60 has already expe-
18 rienced hearing loss. The 79,000,000 Americans who
19 are identified as “baby boomers” represent 39 per-
20 cent of the population of the United States and most
21 baby boomers began to reach age 60 just in the last
22 few years.

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

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

4 **SEC. 3. AUTHORIZATION OF GRANT PROGRAM TO PRO-**
5 **MOTE TRAINING AND JOB PLACEMENT OF**
6 **REALTIME WRITERS.**

7 (a) IN GENERAL.—The Secretary of Education shall
8 make competitive grants to eligible entities under sub-
9 section (b) to promote training and placement of individ-
10 uals, including individuals who have completed a court re-
11 porting training program, as realtime writers in order to
12 meet the requirements for closed captioning of video pro-
13 gramming set forth in section 713 of the Communications
14 Act of 1934 (47 U.S.C. 613) and the rules prescribed
15 thereunder.

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

18 (1) can document and demonstrate to the Sec-
19 retary of Education that it meets minimum stand-
20 ards of educational and financial accountability, with
21 a curriculum capable of training realtime writers
22 qualified to provide captioning services;

23 (2) is accredited by an accrediting agency or as-
24 sociation recognized by the Secretary of Education

1 under section 496 of the Higher Education Act of
2 1965 (20 U.S.C. 1099b); and

3 (3) is participating in programs under title IV
4 of the Higher Education Act of 1965 (20 U.S.C.
5 1070 et seq.).

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

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

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

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

21 (d) DURATION OF GRANT.—A grant under this sec-
22 tion shall be for a period of 5 years.

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

1 may not exceed \$1,500,000 for the 5-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 Education 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 writing training and pro-
11 vide assistance 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 et seq.).

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 Education or the Secretary's designee) for
4 the amount of the scholarship received.

5 (3) COURSEWORK AND EMPLOYMENT.—The
6 Secretary of Education 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. Requirements for repayment of scholarship
13 amounts shall take into account the effect of eco-
14 nomic conditions on the capacity of scholarship re-
15 cipients to find work as realtime writers.

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

23 (d) SUPPLEMENT NOT SUPPLANT.—Grants amounts
24 under this Act shall supplement and not supplant other
25 Federal or non-Federal funds of the grant recipient for

1 purposes of promoting the training and placement of indi-
2 viduals as realtime writers.

3 **SEC. 6. REPORTS.**

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

9 (b) REPORT INFORMATION.—

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

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

1 (c) ANNUAL REVIEW.—The Inspector General of the
2 Department of Education 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 Education to carry out this Act \$10,000,000 for
8 each of fiscal years 2021, 2022, 2023, 2024, and 2025.

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.

