

purposes of carrying out any administrative or programmatic project or activity under this Act or under the National Oceanographic Partnership Program, including support for the interagency program office, a common infrastructure, and system integration for a ocean and coastal observing system. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Council member and the costs of the same.

SEC. 7. APPLICATION WITH OUTER CONTINENTAL SHELF LANDS ACT.

Nothing in this Act supersedes, or limits the authority of the Secretary of the Interior under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for the implementation of an integrated ocean and coastal observing system under section 4, and the research and development program under section 5, including financial assistance to the interagency program office, the regional associations for the implementation of regional ocean and coastal observing systems, and the departments and agencies represented on the Council, \$150,000,000 for each of fiscal years 2006 through 2010. At least 50 percent of the sums appropriated for the implementation of the integrated ocean and coastal observing system under section 4 shall be allocated to the regional associations certified under section 4(f) for implementation of regional ocean and coastal observing systems. Sums appropriated pursuant to this section shall remain available until expended.

SEC. 9. REPORTING REQUIREMENT.

Not later than March 31, 2010, the President, acting through the Council, shall transmit to Congress a report on the programs established under sections 4 and 5. The report shall include a description of activities carried out under the programs, an evaluation of the effectiveness of the programs, and recommendations concerning reauthorization of the programs and funding levels for the programs in succeeding fiscal years.

Mr. STEVENS. Mr. President, the Committee on Commerce, Science, and transportation, which I co-chair with my good-friend Senator DANIEL INOUE, has unanimously passed out of committee, four bills to protect our oceans and enhance the collective knowledge of the marine environment. The Senate just passed these four bills by unanimous consent, and I look forward to working with the House to get this important legislation enacted into law.

Water covers over 70 percent of the Earth's surface. It is estimated that 80 percent of life on Earth is in the oceans. The Atlantic, Pacific, and Arctic Oceans, and the Gulf of Mexico, make up the waters of the United States Exclusive Economic Zone. In fact, the Pacific Ocean alone covers nearly an entire hemisphere of the globe. But little is known about these waters.

The four bills the Senate passed today will provide greater understanding of the complex ocean environment. Together, they will increase the coordination and effectiveness of the Federal agencies that contribute to the research and management of these critical marine ecosystems.

The four bills are: S. 50, the Tsunami Preparedness Act; S. 39, the National Ocean Exploration Program Act; S. 361, the Ocean and Coastal Observation System Act of 2005; and S. 362, the Marine Debris Research, Prevention, and Reduction Act of 2005.

The Tsunami Preparedness Act is the first bill that Senator Inouye and I drafted as the new Co-chairmen of the Commerce Committee. It was developed in the wake of the devastating Indian Ocean tsunami that took lives in 11 countries and provides an expanded tsunami detection and warning system for the United States. The bill authorizes the National Oceanic and Atmospheric Administration, NOAA, to establish, operate, and maintain a dependable national tsunami warning system that would provide maximum tsunami detection capability for the Nation. The system would build on the model established in the Pacific, and provide for its repair, expansion and modernization by the close of calendar year 2007. In addition, the bill directs NOAA to provide any necessary technical support or other assistance to international efforts to establish regional tsunami detection and warning systems in other parts of the world, including the Indian Ocean.

I wrote the next bill, National Ocean Exploration Program Act, for the simple fact that very little is known about our oceans and more research and exploration is desperately needed. Approximately 95 percent of the ocean floor remains unexplored, much of it located in the polar-regions and southern ocean. We know more about the surface of the moon than the ocean floor; this bill is intended to change that. The National Ocean Exploration Program Act establishes a national program within NOAA to conduct inter-disciplinary ocean exploration voyages in partnership with other Federal agencies or academic institutions. The Act will strengthen interagency coordination on ocean exploration for the purposes of developing and facilitating the transfer of new exploration technologies, communication infrastructure, and data management systems to the Program. The bill gives priority attention to the exploration of deep ocean regions to make exciting new discoveries. In addition, it will promote the development of improved oceanographic research, communication, navigation, and data collection systems, in an effort to increase understanding of the ocean environment.

The Ocean and Coastal Observation System Act of 2005, developed by Senator SNOWE, will also contribute to our knowledge of the oceans with greater monitoring and observation of this dynamic environment. The bill will establish a national, integrated ocean and coastal observing system that will collect, compile, and make available data on ocean conditions in the U.S. Exclusive Economic Zone, including the Great Lakes. The ocean and coastal observation system will help improve

weather and flood forecasting, promote understanding of climatic variability processes, enhance safety and efficiency of marine operations, facilitate research, improve management of marine and coastal ecosystems, and provide information to raise public awareness of oceans.

And finally there is the Marine Debris Research, Prevention, and Reduction Act of 2005. Authored by Senator INOUE, this bill responds to the immediate need to prevent and reduce significantly the amount of trash that is collecting in our oceans. The bill establishes separate programs within NOAA and the Coast Guard to identify, assess, reduce and prevent marine debris and its adverse impacts on the marine environment and navigation safety. In addition the bill creates an Interagency Committee on Marine Debris to coordinate federal efforts to prevent and reduce marine debris.

I look forward to the new information and management capabilities these bills will provide. Alaska has more coastline than the rest of the country combined. The oceans are a vital part of our way of life, and we depend on sound scientific research to maintain them. These bills are important to increase our efforts to be good stewards of our oceans.

I thank my colleagues on the Commerce Committee and those in the Senate for their overwhelming support of these bills.

DISCHARGE AND REFERRAL—S. 759

Mr. McCONNELL. I ask unanimous consent the Committee on the Judiciary be discharged from further consideration of S. 759, a bill to amend the Internal Revenue Code of 1986 to make higher education more affordable and for other purposes, and that the bill be referred to the Committee on Finance.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAINING FOR REALTIME WRITERS ACT OF 2005

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 142, S. 268.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A 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.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

S. 268

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 "Training for Realtime Writers Act of 2005".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As directed by Congress in section [723] 713 of the Communications Act of 1934 (47 U.S.C. 613), as added by section 305 of the Telecommunications Act of 1996 (Public Law 104-104; 110 Stat. 126), the Federal Communications Commission adopted rules requiring closed captioning of most television programming, which gradually require new video programming to be fully captioned in English by 2006 and Spanish by 2010.

(2) More than 28,000,000 Americans, or 8 percent of the population, are considered deaf or hard of hearing, and many require captioning services to participate in mainstream activities.

(3) More than 24,000 children are born in the United States each year with some form of hearing loss.

(4) According to the Department of Health and Human Services and a study done by the National Council on Aging—

(A) 25 percent of Americans over 65 years old are hearing impaired;

(B) 33 percent of Americans over 70 years old are hearing impaired; and

(C) 41 percent of Americans over 75 years old are hearing impaired.

(5) The National Council on Aging study also found that depression in older adults may be directly related to hearing loss and disconnection with the spoken word.

(6) Empirical research demonstrates that captions improve the performance of individuals learning to read English and, according to numerous Federal agency statistics, could benefit—

(A) 3,700,000 remedial readers;

(B) 12,000,000 young children learning to read;

(C) 27,000,000 illiterate adults; and

(D) 30,000,000 people for whom English is a second language.

(7) Over the past decade, student enrollment in programs that train realtime writers and closed captioners has decreased by 50 percent, even though job placement upon graduation is 100 percent.

SEC. 3. AUTHORIZATION OF GRANT PROGRAM TO PROMOTE TRAINING AND JOB PLACEMENT OF REALTIME WRITERS.

(a) **IN GENERAL.**—The [National Telecommunications and Information Administration] *Secretary of Commerce* shall make competitive grants to eligible entities under subsection (b) to promote training and placement of individuals, including individuals who have completed a court reporting training program, as realtime writers in order to meet the requirements for closed captioning of video programming set forth in section [723] 713 of the Communications Act of 1934 (47 U.S.C. 613) and the rules prescribed thereunder.

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

(1) can document and demonstrate to the Secretary of Commerce that it meets minimum standards of educational and financial accountability, with a curriculum capable of training realtime writers qualified to provide captioning services;

(2) is accredited by an accrediting agency recognized by the Department of Education; and

(3) is participating in student aid programs under title IV of the Higher Education Act of 1965.

(c) **PRIORITY IN GRANTS.**—In determining whether to make grants under this section, the Secretary of Commerce shall give a priority to eligible entities that, as determined by the Secretary of Commerce—

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

(2) demonstrate the most promising collaboration with local educational institutions, businesses, labor organizations, or other community groups having the potential to train or provide job placement assistance to realtime writers; or

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

(d) **DURATION OF GRANT.**—A grant under this section shall be for a period of two years.

(e) **MAXIMUM AMOUNT OF GRANT.**—The amount of a grant provided under subsection (a) to an entity eligible may not exceed \$1,500,000 for the two-year period of the grant under subsection (d).

SEC. 4. APPLICATION.

(a) **IN GENERAL.**—To receive a grant under section 3, an eligible entity shall submit an application to the [National Telecommunications and Information Administration] *Secretary of Commerce* at such time and in such manner as the [Administration] *Secretary* may require. The application shall contain the information set forth under subsection (b).

(b) **INFORMATION.**—Information in the application of an eligible entity under subsection (a) for a grant under section 3 shall include the following:

(1) A description of the training and assistance to be funded using the grant amount, including how such training and assistance will increase the number of realtime writers.

(2) A description of performance measures to be utilized to evaluate the progress of individuals receiving such training and assistance in matters relating to enrollment, completion of training, and job placement and retention.

(3) A description of the manner in which the eligible entity will ensure that recipients of scholarships, if any, funded by the grant will be employed and retained as realtime writers.

(4) A description of the manner in which the eligible entity intends to continue providing the training and assistance to be funded by the grant after the end of the grant period, including any partnerships or arrangements established for that purpose.

(5) A description of how the eligible entity will work with local workforce investment boards to ensure that training and assistance to be funded with the grant will further local workforce goals, including the creation of educational opportunities for individuals who are from economically disadvantaged backgrounds or are displaced workers.

(6) Additional information, if any, of the eligibility of the eligible entity for priority in the making of grants under section 3(c).

(7) Such other information as the Administration may require.

SEC. 5. USE OF FUNDS.

(a) **IN GENERAL.**—An eligible entity receiving a grant under section 3 shall use the grant amount for purposes relating to the recruitment, training and assistance, and job placement of individuals, including individuals who have completed a court reporting training program, as realtime writers, including—

(1) recruitment;

(2) subject to subsection (b), the provision of scholarships;

(3) distance learning;

(4) further develop and implement both English and Spanish curriculum to more effectively train realtime writing skills, and education in the knowledge necessary for the delivery of high-quality closed captioning services;

(5) mentor students to ensure successful completion of the realtime training and provide assistance in job placement;

(6) encourage individuals with disabilities to pursue a career in realtime writing; and

(7) the employment and payment of personnel for such purposes.

(b) SCHOLARSHIPS.—

(1) **AMOUNT.**—The amount of a scholarship under subsection (a)(2) shall be based on the amount of need of the recipient of the scholarship for financial assistance, as determined in accordance with part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk).

(2) **AGREEMENT.**—Each recipient of a scholarship under subsection (a)(2) shall enter into an agreement with the [National Telecommunications and Information Administration] *Secretary of Commerce* to provide realtime writing services for a period of time (as determined by the [Administration] *Secretary*) that is appropriate (as so determined) for the amount of the scholarship received.

(3) **COURSEWORK AND EMPLOYMENT.**—The [Administration] *Secretary* shall establish requirements for coursework and employment for recipients of scholarships under subsection (a)(2), including requirements for repayment of scholarship amounts in the event of failure to meet such requirements for coursework and [employment.] *employment or other material terms under subsection (b)(2).* Requirements for repayment of scholarship amounts shall take into account the effect of economic conditions on the capacity of scholarship recipients to find work as realtime writers.

(c) **ADMINISTRATIVE COSTS.**—The recipient of a grant under section 3 may not use more than 5 percent of the grant amount to pay administrative costs associated with activities funded by the grant. *The Secretary shall use no more than 5 percent of the amount available for grants under this Act in any fiscal year for administrative costs of the program.*

(d) **SUPPLEMENT NOT SUPPLANT.**—Grant amounts under this Act shall supplement and not supplant other Federal or non-Federal funds of the grant recipient for purposes of promoting the training and placement of individuals as realtime writers.

SEC. 6. REPORTS.

(a) **ANNUAL REPORTS.**—Each eligible entity receiving a grant under section 3 shall submit to the [National Telecommunications and Information Administration.] *Secretary of Commerce*, at the end of each year of the grant period, a report on the activities of such entity with respect to the use of grant amounts during such year.

(b) REPORT INFORMATION.—

(1) **IN GENERAL.**—Each report of an entity for a year under subsection (a) shall include a description of the use of grant amounts by the entity during such year, including an assessment by the entity of the effectiveness of activities carried out using such funds in increasing the number of realtime writers. The assessment shall utilize the performance measures submitted by the entity in the application for the grant under section 4(b).

(2) **FINAL REPORT.**—The final report of an entity on a grant under subsection (a) shall include a description of the best practices identified by the entity as a result of the grant for increasing the number of individuals who are trained, employed, and retained in employment as realtime writers.

(c) **ANNUAL REVIEW.**—*The Inspector General of the Department of Commerce shall conduct an annual review of the management, efficiency, and effectiveness of the grants made under this Act.*

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

[There is authorized to be appropriated to carry out this Act, amounts as follows:

【(1) \$20,000,000 for each of fiscal years 2006, 2007, and 2008.

【(2) Such sums as may be necessary for fiscal year 2009.】

There are authorized to be appropriated to the Secretary of Commerce to carry out this Act \$20,000,000 for each of fiscal years 2006, 2007, 2008, and 2009.

SEC. 8. SUNSET.

This Act is repealed effective October 1, 2009.

Mr. MCCONNELL. I ask unanimous consent the committee amendments be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 268) was read the third time and passed.

MINORITY SERVING INSTITUTION DIGITAL AND WIRELESS TECHNOLOGY OPPORTUNITY ACT OF 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 143, S. 432.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 432) to establish a digital and wireless network technology program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALLEN. Mr. President, today I rise to respectfully urge my colleagues to support S. 432, the Minority Serving Institution Digital & Wireless Technology Opportunity Act of 2003. This legislation will provide vital resources to address the technology gap that exists at many minority serving institutions, MSIs. It establishes a new grant program within the National Science Foundation, NSF, that provides annually for 5 years up to \$250 million to help historically black colleges and universities, Hispanic serving institutions, and tribal colleges to close what I often referred to as the “digital divide”, but is more like an “economic opportunity divide.”

Since before I was elected to the Senate, my goal has always been to look for ways to improve education and empower all of our young people—regardless of their race, ethnicity, religion or economic background—to compete and succeed in life.

Additionally, I have always been one who embraces innovations and advances in technology—especially as a means to provide greater opportunities or security for Americans.

In my view, increasing access to technology provides our young people with an important tool for success both in the classroom and in the workforce.

We all know, the best jobs in the future will go to those who are the best prepared. However, I am increasingly concerned that when it comes to high technology jobs—which pay higher

wages—this country runs the risk of economically limiting many college students in our society. It is important for all Americans that we close this economic opportunity gap.

This Nation’s economic stability and growth are increasingly dependent on a growing portion of the workforce possessing technological skills.

African Americans, Hispanics and Native Americans constitute one-quarter of the total U.S. workforce. Approximately one-third of all students of color in this Nation are educated at minority serving institutions. It is estimated that in 10 years minorities will comprise nearly 40 percent of all college-age Americans.

Yet, members of these minorities represent only 7 percent of the U.S. computer and information science workforce; 6 percent of the engineering workforce; and less than 2 percent of the computer science faculty.

U.S. information technology companies are increasingly relying on foreign workers to fill important IT positions. I am not against legal immigration, but I say let’s properly educate and train Americans to get and fill those good-paying technology jobs. Let’s make sure all American students are prepared to meet the requirements on the 21st century workforce.

However, minority serving institutions still lack desired information and digital technology infrastructure. A study completed by the Department of Commerce and the National Association for Equal Opportunity in Higher Education indicated that:

No historically black college or university, HBCUs, requires computer ownership for their undergraduate students;

Thirteen HBCUs reported to have no students—not one—owning their own personal computer;

Over 70 percent of the students at HBCUs rely on the universities to provide computers, however only 50 percent of those universities can provide their students access to computers in computer laboratories, libraries, classrooms or other locations; and

Most of these minority serving colleges do not have the private foundation resources to provide financial support to upgrade their network infrastructure.

So it is not surprising that most HBCUs do not have high-speed Internet access especially the desired ATM or asynchronous transfer mode technology and that only 3 percent of HBCUs have financial aid available to help students close the computer ownership gap.

Access to the Internet is no longer a luxury, it is a necessity. Because of the rapid advancement and growing dependence on technology, being technologically proficient has become more essential to educational advancement.

The fact is 60 percent of all jobs require information technology skills. And jobs in information technology pay significantly higher salaries than

jobs in non-information technology fields. Thus, students who lack access to these information technology tools are at an increasing disadvantage. Consequently, it is vitally important that all institutions of higher education provide their students with access to the most current IT and digital equipment.

This technology program will allow eligible HBCUs, HSIs and tribal institutions the opportunity to acquire equipment, networking capability, hardware and software, digital network technology and wireless technology and infrastructure—such as wireless fidelity or Wi-Fi—to develop and provide educational services. Additionally, the funds in this bill could be used to offer students much needed universal access to campus networks, dramatically increasing their connectivity rates or make necessary infrastructure improvements.

There are over 200 Hispanic serving institutions; over 100 historically black colleges and universities and 34 tribal colleges throughout our country.

It is clear that minority serving institutions in the U.S. are providing a valuable service to the educational strength and future growth of our Nation. These institutions must upgrade their technology capabilities for their students. We cannot leave any college student behind!

I am proud to say Virginia is home to five HBCUs—Norfolk State University, St. Paul’s College, Virginia Union University, Hampton University and Virginia State University.

I will continue to look for ways to: (1) improve education; (2) create new jobs; and (3) seek out new opportunities to benefit the people of Virginia and America. By improving technology-education programs in minority serving institutions, we can accomplish all three of these goals for students throughout our Nation.

We all recognize the technology requirements on the 21st century workforce call for tangible action, not rhetoric. Our future economic and national security needs depend on and demand all of our young students have the highly technical skills needed to compete and succeed in the workforce.

We must tap the underutilized talent of our minority serving institutions to ensure that America’s workforce is prepared to lead the world.

I thank my colleagues for joining me today: Senators MCCAIN, WARNER, BURNS, GRAHAM, HUTCHISON, LINCOLN, PRYOR, TALENT, CORNYN, GRASSLEY, LAUTENBERG, LOTT, MURKOWSKI, SANTORUM, and THUNE.

This legislation is a significant, constructive, and positive action to ensure that many more of our college students are provided access to better technology and education, and most importantly, even greater opportunities in life.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the