

NEW AND EMERGING TECH-  
NOLOGIES 911 IMPROVEMENT  
ACT OF 2008

SPEECH OF

**HON. BART GORDON**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 2008*

Mr. GORDON of Tennessee. Madam Speaker, I rise today to offer unanimous consent to consider the Senate amendment to H.R. 3403, the New and Emerging Technologies 911 Improvement Act of 2008.

When Americans dial 911, they expect the call will go through, regardless of what phone they use. That is why Congress acted in 1999 and 2004 to ensure all Americans had access to 911 services on their wireless phones.

Congress now needs to act to ensure that all Americans have access to lifesaving 911 services on their Voice over the Internet Protocol or VoIP phones and other new technologies.

When I first drafted this legislation in 2005, the intent was to integrate VoIP phones into the Nation's 911 system. Since then the bill has been expanded to include nonvoice technologies used by the deaf and hard of hearing community and other innovative technologies that will exponentially improve public safety for all Americans.

Specifically, the bill will provide VoIP phone service providers direct access to the 911 system at the same rates, terms and conditions, as wireless phone providers. The bill also authorizes VoIP service providers to share customer location information with public safety answering points, PSAPs. This will ensure VoIP services providers can provide full E-911 services to their customers.

The bill extends existing State laws protecting 911 calls made using wireline and wireless phones to not only VoIP 911 calls, but also to any service obligated by the FCC to provide 911 in future, and any service that coordinates with local 911 authorities to offer voluntary 911 emergency services. This will include Video Relay Services and text service used by the deaf and hard of hearing, and new car based 911 services.

By doing this, we will encourage the rapid deployment of innovative new lifesaving 911 technologies, rather than wait for Congress to extend essential liability protections to new technologies.

The bill preserves State, Tribal and local governments' authority to levy 911 fees and stops such fees from being diverted for non 911 purposes.

Finally, the legislation seeks to modernize the Nation's 911 system by requiring the National 911 Coordination Office to establish a national plan to move to an IP-based emergency response network, and allowing 911 PSAP grants to be used for IP-based equipment.

Today's 911 system uses 30-year-old wire and switch technology. Moving to an IP-based system will enable PSAPs for the first time to be interoperable with each other and other first responders. It will also allow them to handle a range of technologies—digital or analog, wireless phone, video, text messaging, data, satellite, VoIP, translation services and even maps of buildings. And it will allow PSAPs to stay operating even if the phone system goes

down or their physical locations are destroyed. Events like 9/11 and Hurricane Katrina where 911 systems were overwhelmed highlight why a robust IP based 911 system must be a priority.

H.R. 3403 is supported by the National Emergency Numbering Association, the VON Coalition, the National Cable & Telecommunications Association, Earthlink, Inc, the Coalition of Organizations for Accessible Technology, Motorola, Intrado, the Telecommunications Systems, Inc., and the U.S. Telecommunications Association.

I want to thank the Energy and Commerce Committee and its staff for the bipartisan effort to move this bill quickly.

I also want to thank Senator TED STEVENS, Senator BILL NELSON, the Senate sponsor of the bill, and the co-chairs of E-911 Congressional Caucus Representative ANNA ESHOO, Representative JOHN SHIMKUS, Senator HILARY CLINTON.

Working collaboratively with public safety, the deaf and disabled community and the communications industry, we have produced a bill that will greatly improve 911 services in America today and for the future.

I'll close by encouraging my colleagues to vote for this bill.

HONORING THE LIFE AND WORK  
OF MS. MING CHIEN HSU

**HON. JOHN L. MICA**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 2008*

Mr. MICA. Madam Speaker, I rise today to recognize the career and contributions of Ming Chien Hsu upon her retirement following a long career in the maritime industry. During the course of her professional life, Ms. Hsu repeatedly distinguished herself in the fields of transportation and international commerce; as well as in government service and community leadership.

Born in Beijing, China, Ms. Hsu came to the United States in the days following World War II. Settling in Washington, she enrolled in, and graduated Summa Cum Laude from, the School of Government Affairs at George Washington University. Degree in hand, Ms. Hsu moved to New Jersey where she began a career that has been interesting and impressive by any measure.

Coming to the workplace in an era before it was common to see women in executive positions, Ms. Hsu joined the RCA Corporation, where she worked in positions related to marketing and planning before being promoted to Vice President for International Trade. Among her many successes at RCA, Ms. Hsu played a vital role in opening the China market for her company, a success enjoyed years before most companies were even contemplating the possibility of doing business in that country.

The leadership and accomplishments of Ming Hsu in the arena of global commerce not only caught the attention of her superiors at RCA, but also that of New Jersey Governor Timothy Kean, who in 1982 appointed her Director of the New Jersey Department of Commerce Division of International Trade and Special Trade Representative, positions she held for 8 years. In those capacities, she led more than 20 trade missions all over the world, in-

cluding to destinations such as Moscow, Saudi Arabia, and Singapore.

In 1990, Ms. Hsu was appointed by President George H.W. Bush as a Commissioner on the Federal Maritime Commission where she served for almost 10 years under four different Chairmen. During her tenure, the Federal Maritime Commission tackled some of the most challenging issues related to shipping in recent years including the Ocean Shipping Reform Act; discriminatory port practices in Japan; and, market access issues in the People's Republic of China. Her ability to work closely with her fellow Commissioners, irrespective of their political affiliation, earned her the respect of her colleagues and she played a key role in assuring that matters before or affecting the Commission were considered carefully and completely and that the final results were equitable to all parties concerned. Ms. Hsu made many valuable contributions to the Federal Maritime Commission and shipping during what was a critical era for that agency and the industry it oversees.

Though she left the Federal Maritime Commission in 1999, Ms. Hsu has remained actively involved in the shipping world working for the NOL Group the past 10 years. The NOL Group is the Singapore-based parent of one of the most historic shipping lines in the United States, American President Lines, which is celebrating the 160th anniversary of its founding this year. In her capacity as a senior advisor, Ms. Hsu has played a leading role for her company in addressing market access issues, providing guidance on regulatory matters, and serving as a sounding board on a variety of concerns related to trade and ocean transportation.

Beyond her many impressive contributions to the transportation and trade communities, Ms. Hsu is a civic-minded individual who always has been, and continues to be, involved in many philanthropic and service related activities. Earlier in her career, Ms. Hsu served as a member of the Defense Advisory Committee on Women in the Services, DACOWITS; a member of the New Jersey Advisory Committee of the U.S. Commission on Civil Rights; the Advisory Committee of the U.S. Holocaust Museum; as a trustee of the Newark Museum; and as an advisor to WNET, Channel 13, in New York.

Her more recent volunteer and service efforts include: being a founding member and serving as a director of the Committee of 100, an organization of leading Chinese-American Citizens; serving as director on the J.T. Tai Foundation; being a sponsor of the Eisenhower Foundation; serving as a trustee of the Angel Island Project; serving as a trustee of the 1990 Institute; serving as a member of the Executive Committee of the Asian/Pacific American Legal Center; being a sponsor of the Hopkins-Nanjing Center; and serving as a member of the Advisory Board of the United States Merchant Marine Academy where she is a perennial presence at graduation, and in fact, she will be at the Academy in June to see the Class of 2008 receive their diplomas and commissions.

I am told by those who know Ms. Hsu best that one of her greatest passions is mentoring others and toward that goal, she has taught college classes; worked to cultivate promising young professionals inside and outside of government; and simply made herself available in general to provide advice and guidance to

those who seek the benefit of her many years of experience. During her tenure at the Federal Maritime Commission, one of her administrative accomplishments was preparing a whole generation of Senior Executive Service employees, many of whom continue to serve at that agency today.

Madam Speaker, throughout her career, Ming Hsu has been a pioneer, someone unafraid of a challenge and an individual who has repeatedly distinguished herself, yet doing so with graciousness and good will. She is an impressive and amazing woman who we thank for her selfless service in so many capacities and who we wish good health and good fortune in the years to come.

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-125)

SPEECH OF

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 18, 2008*

Ms. DeLAURO. Mr. Speaker, I rise in support of the override of the President veto. As a conferee on the farm bill I worked hard to ensure that this bill includes significant improvements to the food assistance program via the nutrition title. A nation with the agricultural abundance we enjoy should not tolerate hunger among its people. This legislation makes important progress in that regard.

Many of its nutrition provisions are important and deserve mention. In the interests of time, however, I will not go into them all. One of the positive aspects of the protracted process of passing the bill is that all Members have had ample opportunity to review the conference report and floor statements surrounding its passage. This is large and complex legislation, and the legislative history accumulated on its first passage and first override is an invaluable guide to Members.

I found particularly helpful the statements of the distinguished chairman of the Nutrition Subcommittee, Mr. BACA, and his distinguished fellow conferee from the Judiciary Committee, Mr. BERMAN. Among other things, they pointed out that this legislation takes decisive steps to preserve the longstanding ability of households on the food stamp program to seek help through the judicial system when Federal rules on how the program is to be administered are not being met. Specifically, the bill provides explicit recognition of applicants' and recipients' suits to enforce the Food Stamp Act, now the Food and Nutrition Act, food stamp regulations, and civil rights regulations.

This is the right thing to do and it is important. In light of the Gonzaga and Sandoval cases, some have argued that Congress did not provide this right to injured households and that instead only USDA can require States to change practices that do not comply with the Act or regulations. Those cases were about different statutes and different programs. Nonetheless, recent decisions out of Ohio and New York either questioned the enforceability of Federal regulations or imposed special hurdles plaintiffs must surmount, such

as showing a particular degree of egregiousness on the part of defendants. These cases are radical departures from the history of this program and Congress's oft-demonstrated intent.

I agree with Representatives BACA and BERMAN that the Food Stamp Program's needs are different from those in which private rights of action are narrowly construed. And, over the years Congress has recognized that. Individuals that received, or wished to receive, food assistance brought numerous cases against State and local authorities in the 1970s to enforce provisions of the Food Stamp Act, its implementing regulations, and even USDA's certification manual. They did this because USDA lacked the resources to force States to comply with its guidance and directives, including basic services standards such as emergency food stamps for the neediest. When Congress wrote the Food Stamp Act of 1977, it analyzed the results of that litigation in detail, approving some results and writing the statute to reach a different result from others. A similar pattern has continued to this day.

We set high standards for the States, counties and localities that run these programs. We do that because they are serving our most vulnerable citizens with tens of billions of Federal dollars. The high standards of compliance that we apply to State and local administration of the program can be seen in our payment accuracy and quality control measurement system, one of the most extensive in the Federal Government. This system, however, does not give equal or adequate weight to improper denials of benefits as it does to payment errors to eligible households. And it does not at all address violations of the procedures set out in the statute and regulations. For example, quality control does not deal with a State's failure to operate a proper fair hearing system, with its improper disclosure of households' confidential information, or with its delay in processing applications beyond statutory and regulatory deadlines.

Claimants' litigation has proven the ideal complement to the quality control system. Where a program is being run badly in a locality, or statewide, a court can issue a corrective injunction to require the State to come into compliance with Federal regulations. This is particularly important in cases where the violation may not have resulted in a denial of benefits, such as violations of privacy protections or of the requirement that only State merit systems workers make decisions about households' ability to receive benefits.

Our goal has never been to punish States and so we do not concern ourselves with why the program is out of compliance. We merely seek to ensure that States comply with Federal rules when administering this program. Litigation has proven time and again that it is the ideal vehicle for that. Past Federal appellate decisions from places such as Virginia and Oregon have it exactly right: State and local administrators need to comply fully in every case.

There is no half-way or partial compliance with the programs' rules. We agree with past federal appellate decisions from places such as Virginia and Oregon that state and local administrators must comply with the rules in each and every case. States must deliver benefits consistent with the program's regulations and law to ensure that the most vulnerable

and needy are protected and supported as they seek to participate in the program. Litigation has proven time and again that it is the ideal vehicle to enforce compliance where States are only partially meeting program standards.

In other programs, the solution to non-compliance may be reducing or terminating federal funds. That is still possible in these programs, but it cannot be a mainstay of enforcement activities. We learned that withdrawing Federal funding led to worse, not better, program administration, depriving States of the resources they needed to correct their problems at the worst possible time. Accordingly, in the last farm bill we modified quality control to place much less emphasis on reducing funding to states. USDA over the years has similarly felt that withholding funding even for serious violations is often counterproductive.

It should be clear that the long history of congressional approval of litigation by needy individuals supports the continuation of that regulation. The statute's entitlement is closely linked with States' obligation to comply with Federal regulations. Particularly with some States embarking on radical changes in their administration of the program, closing offices and turning key functions over to private contractors, it is crucial that the program's intended low-income beneficiaries have access to courts to test the legality of those changes. Although I would have preferred to have expanded the protections on public administration of the program, as the House bill would have done, our acceptance of the Senate package was a compromise that ensures households' access to the courts to test these States' practices under the current restrictions.

SLOAN MUSEUM AND LONGWAY PLANETARIUM

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 2008*

Mr. KILDEE. Madam Speaker, I rise today to honor Sloan Museum and Longway Planetarium for receiving accreditation from the American Association of Museums. Sloan Museum and Longway Planetarium join an elite group of 775 accredited institutions out of 17,500 museums in the United States.

Located in my hometown of Flint, Michigan, Sloan Museum and Longway Planetarium are icons of the Flint Cultural Center. The greater Flint community began planning the Flint College and Cultural Center in 1952. The Sloan Museum, named after Alfred P. Sloan, was designated as the transportation and local history museum and now includes the Buick Gallery and Research Center opened in 1999. The Robert T. Longway Planetarium was conceived as a place to teach students and the greater public about the universe and general science. The two institutions merged in 2004.

Accreditation by the American Association of Museums is the culmination of a 2-year-long application process. To receive accreditation a museum has to demonstrate a commitment to outstanding programming for the public and at the same time meet high standards for the care of the scientific and cultural artifacts in its custody. The Sloan Museum and Longway Planetarium meet the exacting