

on Sept. 11, and spent more than a week sleeping in orange jump suits between razor-wire fences. Today, Mr. Wander appeared in a federal courtroom and quietly listened as Judge Beverley Stites Jones said that she had found probable cause that he had intimidated a flight attendant.

A grand jury will probably decide next week whether to indict him in the crime, which carries up to 20 years in prison.

The story of how Mr. Wander and Mr. Singh, who was released on Wednesday, ended up here involves a missed plane connection, terrorism concerns, a surplus of facial hair and arguably poor judgment on the part of many people. Mr. Wander's lawyer, Matthew J. Ketcham, says his client is the victim of racial profiling and paranoia. Federal prosecutors argue that Mr. Wander scared a flight attendant when he refused to sit down, which resulted in the pilot's landing the Las Vegas-bound plane here.

Mr. Wander, who is a 48-year-old American citizen, and Mr. Singh, a 41-year-old citizen of India, made it a point to travel on Sept. 10 because they wanted to avoid flying on the anniversary of the Sept. 11 attacks, Mr. Ketcham said. Their plane arrived late in Minneapolis, and the two missed their connecting flight. The airline gave each a shaving kit, and they slept in a nearby hotel, Mr. Ketcham said.

They caught a flight the next morning, barely making a connection to Las Vegas through Memphis. They rushed on board, followed by a Hispanic man named Carlos Nieves. Mr. Wander and Mr. Singh carried only their shaving kits, because their luggage had been forwarded. The three men sat in different parts of the plane.

The sudden appearance of the men seemed suspicious to the three flight attendants, who asked burly passengers to keep an eye on them, said Deborah Summers, a flight attendant who testified here today. Right before takeoff, with the "fasten seatbelt" sign on, Mr. Wander left his seat at the rear to get his shaving kit from an overhead compartment. Ms. Summers said she noticed from his boarding pass that he had not taken his assigned seat next to Mr. Singh.

Mr. Ketcham said Mr. Wander just wanted to stretch out because he had had little sleep.

After the plane began ascending, and while the "fasten seatbelt" sign was still on, Mr. Wander asked Ms. Summers if he could use the restroom. She let him go. He stayed inside for 10 minutes, Ms. Summers said, prompting her to knock on the door. Mr. Wander opened the door, told her he needed to clean up and shut the door. She knocked again soon afterward. When he opened the door, he was shirtless and in the middle of shaving. The pilot urged her to check his razor, then told her to tell him to get out. After five exchanges, Mr. Wander sat down.

"He didn't refuse to leave," Mr. Ketcham said. "She only asked him explicitly twice to sit down and he asked for a minute to finish up."

Almost immediately, Mr. Nieves, who did not know the other two men, got up to use the same restroom. This was reported to the pilot, Capt. David McGuirk, who had ordered all passengers to stay in their seats. After Mr. Nieves left the restroom, Mr. Singh went to use it.

By now, Ms. Summers said, she was trying to lock the restroom. She had learned that "an explosive device can be assembled if separate individuals carry the components," an affidavit by an F.B.I. agent who questioned her said.

Ms. Summers tried to dissuade Mr. Singh from using the same restroom, saying it was broken. Mr. Singh insisted, because another one in the rear was occupied, said George

Lucas, a lawyer for Mr. Singh. He used the other restroom, then sat down next to Mr. Wander.

While Mr. Singh was in the restroom, Captain McGuirk decided to make an emergency landing here. Soon, the plane was surrounded by police officers, fire trucks and bomb-sniffing dogs. The three men, along with a native of Egypt living in Louisiana named Alaaeldin M. Abdelsalam, were told to remain in their seats, Mr. Ketcham said. "It's no coincidence that these dark-skinned men were singled out," he said.

The plane's luggage was pulled out, and a dog raised an alert at Mr. Abdelsalam's bag, which was blown open with a water cannon. He was arrested, along with Mr. Wander and Mr. Singh. Mr. Nieves was released after questioning. Mr. Abdelsalam was released after he explained that he worked in an oil field and that his chemical-stained boots and hard hat were in his bag.

The authorities let Mr. Singh go on Wednesday after he agreed to pay a \$500 civil penalty. As for Mr. Wander, Mr. Cromwell said the intimidation charge "is warranted." Mr. Wander was released today on a \$25,000 bond.

Ms. Summers, prosecutors and Northwest Airlines said the flight crew's actions were based on the behavior of the men, not on their skin color.

Mr. Singh could not be reached for comment, and Mr. Wander did not make a public statement today. After his release, he piled into a car with family members to return to his home in Washington, N.J. Apparently, no one wanted to fly.

SHRIMP IMPORTATION FINANCING FAIRNESS ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 2002

Mr. PAUL. Mr. Speaker, I rise to introduce the Shrimp Importation Financing Fairness Act. This bill aids America's struggling domestic shrimping industry by placing a moratorium on restrictive regulations affecting the shrimping industry. This bill also prevents tax dollars from going to the domestic shrimping industry's major foreign competitors.

The United States domestic shrimping industry is a vital social and economic force in many coastal communities across the United States, including several in my congressional district. A thriving shrimping industry benefits not only those who own and operate shrimp boats, but also food processors, hotels and restaurants, grocery stores, and all those who work in and service these industries. Shrimping also serves as a key source of safe domestic foods at a time when the nation is engaged in hostilities abroad.

Given the importance of a strong shrimping industry to so many Americans, it seems strange that the federal government continues to burden shrimpers with excessive regulations. For example, the federal government has imposed costly regulations on this industry dealing with usage of items such as by catch reduction devices and turtle excluder devices (TEDS). The mandatory use of these devices results in a significant reduction in the amount of shrimp caught by domestic shrimpers, thus damaging their competitive position and market share.

Many members of Congress have let the National Marine Fisheries Service, which is

the lead federal agency with responsibility to regulate the domestic shrimp industry, know of their displeasure with the unreasonable regulatory burden imposed upon the industry. In response, the agency recently held briefings with House and Senate staffers as well as industry representatives to discuss how the agency's actions are harming shrimpers.

However, even after hearing first-hand testimony from industry representatives and representatives of communities whose economies rely on a thriving shrimping industry, the agency refuses to refrain from placing regulatory encumbrances upon the domestic shrimping industry. Therefore it is up to Congress to protect this industry from overzealous regulators. The Shrimp Importation Financing Fairness Act provides this protection by placing an indefinite moratorium on all future restrictive regulations on the shrimping industry.

Seven foreign countries (Thailand, Vietnam, India, China, Ecuador, Indonesia, and Brazil) have taken advantage of the domestic shrimping industry's government-created vulnerabilities. These countries have each exported in excess of 20,000,000 pounds of shrimp to the United States in the first 6 months of this year. These seven countries account for nearly 70 percent of all shrimp consumed in the United States in the first six months of this year and nearly 80 percent of all shrimp imported to this country in the same period!

Adding insult to injury the federal government is forcing American shrimpers to subsidize their competitors! In the last three years, the United States Government has provided more than \$1,800,000,000 in financing and insurance for these foreign countries through the Overseas Private Investment Corporation (OPIC). Furthermore, the U.S. current exposure relative to these countries through the Export-Import Bank totals some \$14,800,000,000. Thus, the United States taxpayer is providing a total subsidy of \$16,500,000,000 to the home countries of the leading foreign competitors of American shrimpers! Of course, the American taxpayer could be forced to shovel more money to these countries through the International Monetary Fund (IMF).

Many of the countries in question do not have free-market economics. Thus, the participation of these countries in United States-supported international financial regimes amounts to a direct subsidy by American shrimpers to their international competitors. In any case, providing aid to any of these countries indirectly grants benefits to foreign shrimpers because of the fungibility of money.

In order to ensure that American shrimpers are not forced to subsidize their competitors, the Shrimp Importation Financing Fairness Act ends all Export-Import and OPIC subsidizes to the seven countries who imported more than 20 million pounds of shrimp in the first six months of 2002. The bill also reduces America's contribution to the IMF by America's pro rata share of any IMF aid provided to one of those seven countries.

Mr. Speaker, it is time for Congress to reign in regulation-happy bureaucrats and stop subsidizing the domestic shrimping industries' leading competitors. Otherwise, the government-manufactured depression in the price of shrimp will decimate the domestic shrimping industry and the communities whose economies depend on this industry. I, therefore,

hope all my colleagues will stand up for shrimpers by cosponsoring the Shrimp Importation Financing Fairness Act.

HOUSES OF WORSHIP POLITICAL
SPEECH PROTECTION ACT

SPEECH OF

HON. EDWARD L. SCHROCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 1, 2002

Mr. SCHROCK. Mr. Speaker, I would like to express my support for H.R. 2357, The Houses of Worship Political Speech Protection Act, which was defeated in the House last week. It is my belief that political speech is a form of speech that is protected by the first amendment. Churches must be given the same rights and protections as individuals.

I was in my home district participating in the Change of Command for the U.S. Joint Forces Command when the House voted on this legislation. The Joint Forces Command is responsible for joint service training of all U.S. military forces as well as helping transform the services for challenges they face in the 21st century. Navy Admiral Edmund P. Giambastiani, Jr. relieved retiring Army General William F. Kernan yesterday and takes over the command. Kernan retires after a 35 year Army career and two years as commander of Joint Forces Command and as NATO's Supreme Allied Commander Atlantic, responsible for NATO operations in the North Atlantic. Giambastiani spent the past 18 months as Defense Secretary Rumsfeld's military adviser. I wish General Kernan the best in retirement and I look forward to working with Admiral Giambastiani.

Had I been able to vote for H.R. 2357, I would have cast my vote in favor of this legislation.

I was also away from Washington on Thursday, October 3, 2002, accompanying the Secretary of the Navy to the Naval Institute Warfare Exposition in Norfolk. On this day the House voted on H.J. Res. 112, Making Continuing Appropriations for FY 2003. I had hoped to be here to vote for this important resolution to keep the government funded and operational, and had I been here I would have voted in favor of this resolution.

TRIBUTE TO THE HONORABLE
BENJAMIN GILMAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 2002

Mr. TOWNS. Mr. Speaker, I am saddened by the action that we take here this week, honoring one of the House's greatest Members, BENJAMIN GILMAN, upon his retirement after 15 terms in Congress.

BEN has been a friend and supporter of many of us on the other side of the aisle. His compassion for serving others is legendary. Whether it was fighting for the creation of the Select Committee on hunger or freeing political prisoners in Cuba, BEN was a stalwart in protecting the rights of others. He brought that same concern for others to his role as the

Ranking Member of the House Post Office and Civil Service Committee from 1989 to 1993 which had oversight over civil service and postal employees. BEN has continued to be a voice of reason on the successor to this committee, the House Government Reform Committee. Having traveled with him on several anti-drug codels, I know how committed he has been not only in fighting drug trafficking but also in working for the resources necessary to assist those affected by drug abuse.

For his entire congressional career, BEN was known as someone from "upstate New York". Within the New York delegation, that simply means that BEN is not from New York city. While he may not hail from "the Big Apple", he is one of "New York's finest" and it has been an honor and a pleasure for me to serve with him and to call him my friend. BEN, please know that you will be sorely missed even by those of us who are not from your side of the aisle or from upstate New York. I can only wish you well and to thank for your years of service to the people of New York and this Nation.

MEDICAL DEVICE USER FEE AND
MODERNIZATION ACT OF 2002

SPEECH OF

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 2002

Mr. GREEN of Texas. Mr. Speaker, I rise today to express my support for H.R. 3580, the Medical Device Amendments.

This bill represents the kind of good public policy that can be developed when the parties work together in a bipartisan fashion.

H.R. 3580 makes a number of important changes to the processes at the Food and Drug Administration (FDA) to ensure that life-saving medical devices are sped to the market, while at the same time ensuring that patient safety is protected. By instituting a system of user fees, this legislation will direct an additional \$25 to \$30 million to the FDA so that they can streamline their device approval process.

The legislation also makes sure that Congress upholds its end of the bargain by requiring an additional \$15 million to be added to FDA's baseline through the appropriations process. As a result, FDA will have \$40-50 million more over the next five years.

Additionally, by providing the FDA some flexibility in allowing third parties to perform biennial FDA quality systems regulations inspections, the agency will be able to clear the backlog, in inspections, and ensure that the facilities where these devices are made meet the same FDA standard that has been the benchmark.

This legislation contains important provisions which help clarify whether a product designed for single-use has been reprocessed, and improves labeling so that individuals and health care providers know when a product has been reprocessed.

However, I am most pleased that this legislation contains provisions that would improve our understanding of the long term health implications of breast implants. Current data regarding the health implications of breast im-

plants fails to answer many questions, especially about the longterm health effects of breast implants, their effect on the auto-immune system, on neurological function, and on the children of women who have them. There is also a gaping void in our understanding of how implants affect breast cancer survivors.

We have also heard from many women that they were not adequately informed of the risks associated with implants before their surgeries. We have worked very closely with the committee to get some of these concerns addressed, and I am pleased that they agreed to include our proposal to have the NIH do a study on the long-term health consequences of breast implants.

This study would require NIH to delve into areas that have not been previously studied, so that we can have a full understanding of how breast implants affect women.

We were also able to agree on a GAO report, which will study the FDA's current informed consent procedures, to evaluate whether women are receiving the information they need to make an informed decision, whether that information is up-to-date, comprehensive, fair and balanced, and understandable. This GAO study will give us the hard data we need to determine whether changes to the FDA's process are necessary and appropriate.

I would like to thank Congressman ROY BLUNT for his hard work on this issue. ROY and I have been working together on this issue for several years because we both have constituents who have experienced problems with breast implants. We have both heard first hand of the deficiencies in our current knowledge base on the effects of implants, as well as concerns about the ability of women to receive comprehensive, fair and balanced information about the risks of implants.

I would like to thank Chairman TAUZIN and his staff for working so closely with us on this issue. A lot of effort went into this entire bill—including these provisions—and it would not have occurred without his leadership.

I would also like to thank Dr. GANSKE. I know that, as a plastic surgeon, he had some concerns about what we were trying to do, but I think we were able to work out a reasonable compromise on these issues, and that the women he treats will be better served as a result. I think that is something we can all be proud of.

Once again, Mr. Speaker, I voice my support for this legislation and urge its passage.

TRUTH IN FINANCING ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 2002

Mr. PAUL. Mr. Speaker, I rise to give taxpayers the power to prevent their tax dollars from subsidizing illegal activity by introducing the Truth in Financing Act. Hard as my colleagues may find it to believe, groups which violate federal and state laws, or make misrepresentations when filing for federal grants, continue to receive federal tax dollars.

For example, according to information obtained by my office, federal bureaucrats are giving taxpayer funds to groups which routinely flaunt laws requiring that cases of statutory rape and child molestation be reported to the relevant authorities.