

May 18, 1999 N.G.I.S.C. Meeting Washington, DC

1 CHAIR JAMES: Please come back to your
2 chairs.

3 We have 74 recommendations in this
4 section.

5 COMMISSIONER WILHELM: At 30 seconds each,
6 we'll be done.

7 CHAIR JAMES: I hope that the
8 Commissioners are familiar with them. I don't think
9 that it's necessary for me to read them today, since
10 we -- only those who are in this room are
11 participating with us, so that means that you have a
12 copy, we have a copy, and we'll just move through them
13 as quickly or as thoroughly as we can.

14 With that, Commissioner McCarthy?

15 COMMISSIONER McCARTHY: Madam Chair,
16 members of the Commission, if we could start with 8.1.
17 The first thing that I want to suggest to all of you
18 is that you're only voting on the first paragraph.
19 The rest of the language has been -- it has been
20 brought to my attention by three members of the
21 Commission -- is descriptive text. And while most of
22 that will be submitted for inclusion in the report,

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1 and you'll have an opportunity to object to it then,
2 it is not before you for a vote today.

3 I do want to point out, however, in regard
4 to 8.1, that Mr. Lanni brought to my attention that he
5 strongly disagrees with the estimates that I used in
6 the second paragraph of three million adult
7 pathological gamblers and seven million adult problem
8 gamblers.

9 So we'll see where we go with those
10 estimates and what numbers, if any, are used. At
11 least at this time you are not voting on that.

12 COMMISSIONER BIBLE: You're speaking to
13 the material that was distributed under the yellow --
14 the revised?

15 COMMISSIONER McCARTHY: Is that 8.1 you
16 have in front of you?

17 COMMISSIONER BIBLE: Yes.

18 COMMISSIONER McCARTHY: The language just
19 -- Madam Chair, if I may, just to make sure everybody
20 is looking at the same thing, 8.1, that Congress
21 encourage the appropriate institutes within the
22 National Institutes of Health to convene a

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1 multidisciplinary advisory panel for a fixed term that
2 will help to establish a broad framework for research
3 on problem and pathological gambling within its range
4 of expertise.

5 Now, you may remember earlier there was a
6 recommendation that a center on problem and
7 pathological gambling be created. The reason that it
8 was revised to this version is that after consulting
9 with people in NIH, and searching out every source I
10 could to find out what the words of art were to
11 increase the probability this research would actually
12 be undertaken, what I found was Congress has been
13 actively discouraging the creation of more centers and
14 more structure within the NIH.

15 That's why I changed it to an advisory
16 panel for a fixed term, so we could have someone set
17 the framework for the research early on, and then it
18 would lapse. I didn't, obviously, go so fine as to
19 put in the detail about whether it had been two years
20 or three years. But I avoided making it a permanent
21 center for that reason.

22 COMMISSIONER BIBLE: Do they have

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1 permanent centers at this point for certain areas of
2 study and review?

3 COMMISSIONER McCARTHY: Not ordinarily.
4 Very rarely. There are some 18 institutes within the
5 National Institutes of Health, and at least four or
6 five of them that I can identify, including the
7 Neurosciences Institute, have some bearing upon the
8 problem and pathological research that would be
9 undertaken.

10 So that the point was to try to bring
11 together the disciplines that are within those
12 individual institutes to get them to talk to each
13 other so that there could be, you know, a broad
14 approach taken.

15 And I know we're not voting on this now,
16 but if you'll look at the language of the third
17 paragraph, it talks about understanding how gambling
18 disorders interact with other mental disorders,
19 something that has been brought up by industry
20 researchers several times during the course of the
21 last 22-1/2 months. And there are other factors,
22 other impacts on what shapes a problem and

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1 pathological gambler that individual institutes bring
2 to this.

3 COMMISSIONER BIBLE: How does this
4 typically work? Would the National Institutes of
5 Health seek an appropriation? Does this get reviewed
6 by a money committee? What's the process to make this
7 recommendation become effective?

8 COMMISSIONER McCARTHY: Yes. They would
9 seek an appropriation, if they could justify it. You
10 know, they could probably create this advisory panel.

11 I'm not sure that they need an additional
12 appropriation, but you will see in other research
13 recommendations in here where a lot of the research,
14 of course, is not done by the individual institute
15 itself, but they invite applications from researchers
16 across the country. And then they will grant funds to
17 those individual researchers; then they must come up
18 with the funding.

19 COMMISSIONER BIBLE: Do you have any idea
20 as to cost on a recommendation like this?

21 COMMISSIONER McCARTHY: Not yet.

22 COMMISSIONER BIBLE: But you will develop

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1 some estimates?

2 COMMISSIONER McCARTHY: Say --

3 COMMISSIONER BIBLE: You are going to? So
4 when you say "not yet," I assume then you are going to
5 develop them?

6 COMMISSIONER McCARTHY: See, that would
7 turn on how the advisory panel frames the research
8 that would be required. And Congress is obviously
9 going to, you know, have the final say in limiting
10 whatever funds are put into this.

11 COMMISSIONER BIBLE: And I'm struck by the
12 comprehensive nature of the recommendations you make.

13 And I guess what struck me, since I used to serve as
14 a budget director, is, first, there is no sense of
15 priority among the various recommendations. And
16 there's no sense of price structure.

17 Now, I don't know by approving all of
18 those if we're recommending a research program of
19 \$5 million or \$500 million. I don't have any sense.

20 COMMISSIONER McCARTHY: And I think you
21 recognize the impossibility of my being able to
22 estimate a set of research programs which haven't even

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1 been discussed within the National Institutes of
2 Health or the National Institute of Justice, and the
3 others that are recommending until they get it.

4 The areas were selected because they were
5 frequently discussed by members of this Commission or
6 raised in the testimony before the Commission.

7 COMMISSIONER BIBLE: Do you have any
8 sense, then, of priorities? And I'm thinking a broad
9 category, you know, to this group is more important in
10 this group.

11 COMMISSIONER McCARTHY: I roughly arranged
12 these proposals in what I personally thought was the
13 sequence of priorities.

14 COMMISSIONER BIBLE: Oh, okay.

15 COMMISSIONER McCARTHY: But there are --
16 obviously, different members of the Commission are
17 going to have different views on what the sequence
18 should be.

19 COMMISSIONER BIBLE: Okay.

20 COMMISSIONER McCARTHY: I'm certainly open
21 to changes.

22 COMMISSIONER BIBLE: Yeah. Thank you.

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1 COMMISSIONER WILHELM: Madam Chair?

2 CHAIR JAMES: Commissioner Wilhelm?

3 COMMISSIONER WILHELM: Just a point of
4 information, have we lost Jim for the rest of the --

5 CHAIR JAMES: Yes. I think -- I don't
6 know if he's going to come back.

7 COMMISSIONER BIBLE: He indicated to me he
8 was not going to be --

9 COMMISSIONER WILHELM: Okay.

10 COMMISSIONER BIBLE: -- be available.

11 COMMISSIONER WILHELM: That's too bad.

12 I am trying to be respectful of
13 Commissioners' time constraints here. And I want to
14 make clear that I very much support the overall thrust
15 of these research recommendations, and I realize
16 there's a risk of being misperceived in raising the
17 issues that I want to raise about these. And if I am
18 misperceived, so be it. But I want to emphasize that
19 I support the overall thrust of these.

20 And I think that, speaking both as a
21 member of the Research Subcommittee and as a member of
22 the Commission, I believe that the Commission owes an

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1 enormous debt of gratitude to Leo for the
2 extraordinary amount of effort and time and thought
3 that he has put into this.

4 I have four areas of concern about these.

5 The first Leo has addressed at least in summary form
6 already in his comments this morning, and that is sort
7 of what I would call the editorial concern. I would
8 concur with the implication of his comment about the
9 first paragraph, for example, of 8.1 is against the
10 other three.

11 I think that the recommendations ought to
12 be short and to the point, and the other observations
13 ought to be, to the extent possible, in the text as he
14 suggests.

15 My second concern, which I think is merely
16 an editing question, has to do with what appears to me
17 to be an extraordinary amount of overlap between and
18 among these recommendations, not so much the ones Leo
19 drafted but all of the ones the rest of us lobbed in
20 there.

21 And we could, I suppose, go item by item
22 like we did yesterday, but I would hope that there

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1 might be some sort of shortcut way to deal with the
2 overlap between and among these.

3 I've tried to list these points in order
4 of ascending importance. My third point is that on a
5 lot of the specifics of some of these recommendations,
6 using 8.1 as an example, the notion of encouraging the
7 appropriate institutes within the NIH to convene a
8 multidisciplinary advisory panel, that sounds logical
9 to me, but -- and it's -- we're the beneficiary in
10 that regard of the extra time and effort Leo has put
11 into this.

12 On the other hand, we neither have a
13 record for that recommendation, nor do we have even
14 any discussion in the Research Subcommittee. Up until
15 recently, the Research Subcommittee was able to find
16 the time, under Leo's leadership, to discuss all of
17 these things, and usually, almost always, come to a
18 conclusion.

19 So using this one as an example, it's not
20 that I disagree with it. I don't disagree with it. I
21 simply know nothing about it. I have known nothing
22 about what it means to say that we should encourage

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1 the appropriate institutes within the NIH to convene a
2 multidisciplinary advisory panel. If Leo says that's
3 a good idea, I'm inclined to think it's a good idea.
4 But I don't know the first thing about it.

5 It reminds me a little bit yesterday of
6 some of the things that Bob Loescher brought up
7 yesterday with respect to the Indian gambling
8 recommendations. The ones that came out of the blue
9 yesterday, I didn't think they were right or wrong. I
10 just didn't know enough about them. And I have the
11 same problem here, and I'm very concerned about that.

12 I don't -- you know, if somebody says to
13 me, "Well, John, why did you support the notion that
14 we should encourage appropriate institutes within the
15 NIH to convene a multidisciplinary advisory panel as
16 opposed to some other approach?" I would have to say,
17 "Gee, I don't have the vaguest idea why I supported
18 that."

19 So I am troubled not by the notion that
20 those are -- these type of things are wrong, but,
21 rather, by the notion that I don't know anything about
22 them, nor do we have a record, nor even any discussion

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1 in the subcommittee on them.

2 Finally, I have a question about --
3 really, a strategic question about these
4 recommendations. There is no expressed sense of
5 priority here, and I worry, and I may be wrong about
6 this. It's simply a worry that by recommending so
7 many things in the area of research that we end up
8 achieving nothing.

9 And in connection with that, I don't know
10 whether or not it's a good idea to make these -- and,
11 again, it's a question, it's not a position -- and I
12 don't know whether it's a good idea to make these
13 recommendations so highly specific as to their
14 mechanics that we run the risk of not achieving the
15 objective.

16 If someone says, "No, that's the wrong
17 institute. It's the wrong department. It's the wrong
18 approach to get at what it was you wanted to get at."

19 So all of those are questions. And, again, I don't
20 want to be perceived as not supporting the thrust of
21 what's been done here because I do.

22 CHAIR JAMES: Commissioner Lanni?

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1 COMMISSIONER LANNI: I, too, want to echo
2 John's comments. I very much support research. I am
3 somewhat -- disheartened might be the word -- that --
4 I had assumed that this is a series of recommendations
5 that would have gone before the Research Subcommittee,
6 and that they would have dealt with it.

7 I don't know where the source is of each
8 of these points of information. In conversations with
9 Leo, I understand that he had a series of
10 conversations with specialists outside of the research
11 committee and outside this Commission. I'd kind of
12 like to know the list of who those people are. Many
13 of these people may well be looking for additional
14 funding for their own projects.

15 So I'm disappointed the Research Committee
16 did not discuss it, and I think that's something that
17 I would recommend that we remand this to the Research
18 Committee for review and recommendations as to what we
19 would approve.

20 Just as yesterday, it seemed to me that I
21 thought that the Indian Gaming Subcommittee had agreed
22 upon all of the matters, well, then it turned out

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1 there were other recommendations coming forth outside
2 of that area. So if at all possible time-wise, I
3 think it should be remanded.

4 I would further ask that when the text is
5 provided in the language for the individual chapters
6 that we're going to be looking at that there be
7 citings as to what the factual information is, because
8 I will have difficulty in a shortened period of time
9 questioning some of the sources that may exist.

10 I mean, the first one is the one that Leo
11 had indicated that I took umbrage at, which I did, the
12 conservative estimates of three million pathological
13 gamblers and seven million adult gamblers. I didn't
14 receive a satisfactory answer as to the source of
15 that, and we need to have sources because we can't go
16 to a meeting on the 2nd and 3rd and read things and
17 then say, "Well, what's the source for us to evaluate
18 it?"

19 We need sources. It just can't be
20 reconfirmation of numbers or recombination of numbers.

21 We need sources, and I really will be very
22 disappointed if we don't have those sources.

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1 So my view is I very much support the
2 research. I think the points that John raised are
3 important also. The specificity could limit us, and I
4 would recommend that it be sent back to the Research
5 committee.

6 COMMISSIONER BIBLE: I think that
7 suggestion makes a lot of sense, and that the Research
8 Committee take a look at the -- all of the proposals
9 and maybe create a broad array, maybe a triage as to,
10 you know, items -- A's -- that we want to see, and put
11 everything in within that umbrella, and item B and
12 item C.

13 It seems to me -- and I -- and I suspect
14 Richard would sympathize with the position as you see
15 it in a budget capacity when you have somebody that
16 comes before you and they have a list of 400 things
17 they want to do, and some of them are something they
18 really want to do and some are just kind of things
19 that they'd like to do, and just develop some sense of
20 notion and priority because I -- quite frankly, I
21 don't think I'd want to be in a position of
22 recommending \$500 million worth of research. I agree

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1 with you. I think there's a lot more research to be
2 done, but I think there is probably some level --

3 COMMISSIONER McCARTHY: Where did that
4 number come from?

5 COMMISSIONER BIBLE: \$500 million? That's
6 just kind of my threshold for -- no, I haven't seen
7 any numbers. That's my threshold for pain, I guess,
8 in terms of what -- it just seems to me that a lot of
9 advisory committees meet and they come up with a whole
10 series of recommendations.

11 And if there is such a large package that
12 none of the items actually go forward and the whole
13 package falls because of its weight -- and I think
14 that we need to take a look and figure out what is
15 most critical, most important, and zero in on those as
16 being our recommendations.

17 CHAIR JAMES: Commissioner Leone?

18 COMMISSIONER LEONE: Well, I think that
19 what Commissioner McCarthy has done, and taken the
20 extra time to do, is to provide a road map for how you
21 would build an ongoing comprehensive capacity to look
22 at these questions, and, indeed, how one would do that

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1 within the existing research institutions in the
2 federal government, because if these are not
3 unconventional thoughts about how one would go forward
4 in these areas, they're what happens in the institutes
5 and other places all the time.

6 And we have to be -- I recognize there's
7 redundancy in the recommendations, and that that's
8 also added to by some of the Commissioner
9 recommendations. I'm sure I've contributed to that.

10 On the other hand -- and I have no
11 objection to further refinement by the Research
12 Subcommittee, but I think we have to give them a
13 little clearer guidance. And I think the core of the
14 logic of these recommendations is quite sound.

15 It is about the steps one would take to
16 begin to develop an ongoing capacity in the United
17 States to look at a whole set of questions that we
18 have looked at and where we have frequently lamented
19 the lack of knowledge and the lack of specificity.
20 And we're always talking about who said that, and
21 let's not add to that.

22 So I think I'm speaking for all of us that

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1 I don't think any of us wants to abandon a pretty
2 rigorous and structured approach. Now, in doing that,
3 Bill was right. We're going to be -- we're going to
4 wind up doing something that budgeters won't like, and
5 that is being unspecific about the cost.

6 But I think the cost of this kind of
7 activity is just literally unknowable at this time,
8 because until you get the attention of the right kinds
9 of experts and the right kinds of agencies, and
10 getting their attention costs money, logically, you
11 won't begin to have the process underway that tells
12 you, "Well, this is an avenue worth pursuing. This is
13 folly. This is one where there's actually quite a bit
14 of information coming from another source."

15 And so I think we have to have a certain
16 amount of good will about these recommendations, and I
17 applaud Leo's attempt to be specific. And we can't
18 kind of have it both ways. We can't say he's got too
19 much in here and he's too specific, and not only that,
20 he doesn't tell us enough, and we don't know what it
21 costs.

22 I mean, the nature of what he's doing is

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1 he is really -- he didn't -- none of this is invented.

2 This is the way your government and mine looks at
3 these big social and economic questions. They
4 establish centers. They have peer review panels.
5 They pull together multidisciplinary groups.

6 And because we're starting from such a low
7 base, here I will applaud the work the industry -- the
8 American Gaming Association and others have done to
9 create some ongoing research capacity. But everybody
10 agrees, I'm sure they would agree, that the best way
11 to do this is nationally and independent and have that
12 supplementing their activity.

13 And so I think -- I don't want to send it
14 back to the committee without the instructions to
15 preserve the heart of it.

16 COMMISSIONER BIBLE: No. And that's what
17 I was suggesting is that there's probably a heart and
18 core, and there may be some elements that are -- that
19 you'd like to do but aren't completely necessary to
20 do. And I think you stand a much greater chance of
21 selling a package if it's kind of directed, if it's
22 very focused, if it very clearly indicates where you

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1 want to go, and that there are some things that may
2 fall out.

3 Because I personally agree that, you know,
4 certainly everybody in a public policy position is
5 going to benefit by research that's done in this area
6 by having a greater understanding of the industry,
7 greater knowledge of all of the activities and
8 problems that we've talked about.

9 But it just seems to me that if you send
10 something forward that is -- then maybe we would go
11 through this process today and take the list of 70 and
12 combine it into four or five areas, and compress it
13 somewhat. That you'd stand a more reasonable chance
14 of success than coming forward with 60 or 70
15 recommendations.

16 COMMISSIONER WILHELM: I think Richard's
17 comments are very well taken. I personally have no
18 desire to attempt to figure out the cost of these
19 things. I don't have a clue how we could possibly
20 even begin to approximate that. I don't think that's
21 relevant. I am a little bit concerned about the
22 strategic question, but not the cost question.

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1 CHAIR JAMES: I think it would be very
2 helpful to us, Leo, if you could, with the rest of the
3 committee, look at the some 74 recommendations on
4 future research that we have in front of us, combine
5 them, eliminate the redundant ones, and come back to
6 us in June with a package of future research
7 recommendations.

8 COMMISSIONER McCARTHY: If I can get a
9 commitment from Dr. Dobson and Mr. Wilhelm to meet
10 with me for a couple of days. Certainly, I'll commit
11 myself to doing that.

12 CHAIR JAMES: Well, I think we can leave
13 it to you to see that --

14 COMMISSIONER McCARTHY: Well, the problem
15 is that with the pressure every member of the
16 Commission is on, with rather hectic schedules, I have
17 attempted to run this by my two Research Subcommittee
18 colleagues. Remember now that 85, 90 percent of the
19 language you're looking at here you had in front of
20 you four weeks ago --

21 CHAIR JAMES: Right.

22 COMMISSIONER McCARTHY: -- at the previous

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1 Commission meeting. There was very little change to
2 -- the change is because I talked to two people within
3 the NIH that review these recommendations for
4 research. The language and how we went about asking
5 it was changed. That's the primary change. The
6 essence, the objective of the policy research that's
7 being recommended, that was in front of you four weeks
8 ago.

9 So this is not -- I mean, I get a sense
10 from this conversation this is the first time some of
11 you are even looking at this.

12 CHAIR JAMES: I think with one caveat, and
13 that is that there are many recommendations here that
14 did not emanate from you but came from other
15 Commissioners.

16 COMMISSIONER McCARTHY: I appreciate that.

17 But --

18 CHAIR JAMES: And what we're asking --

19 COMMISSIONER McCARTHY: Not only have I
20 asked John and Jim at least three times each to give
21 me their specific recommendations on what should be in
22 the research, but I've asked most members of this

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1 Commission that I could get hold of. I think I phoned
2 everybody on this Commission and asked opinions of
3 them on one or more sections of this research,
4 opinions on what else should be included. I have
5 worked very hard to reach out to the members of the
6 Commission.

7 CHAIR JAMES: You have, indeed. And I
8 guess what I'm asking you to do right now, Leo, is
9 something a little bit different from maybe what you
10 are focusing it on, and that is to -- the
11 recommendations that they did send out, the ones that
12 are --

13 COMMISSIONER McCARTHY: Well, they were,
14 for the most part, incorporated. Or certain areas of
15 research were excluded. That people had very strong
16 reasoning why they should be excluded.

17 CHAIR JAMES: In that first 17, most of
18 that should be taken care of. And I guess what we're
19 asking of you at this point is now that we have them
20 all in one place, if in your review with the
21 subcommittee, if you could go back and look at that
22 and make sure that all of that has happened.

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1 Otherwise, we will have to sit here and do that right
2 now.

3 COMMISSIONER WILHELM: Well, could I
4 suggest, just for the consideration of the Commission
5 and particularly Leo, a slightly different approach.
6 The fact is that, if I'm reading this right, that Leo
7 has, with considerable effort, formulated 8.1 through
8 8.17. Now, true, we have some new versions of some of
9 those today, but basically 8.1 through 8.17, this is
10 what Leo has come up with. And, again, I support the
11 thrust of those.

12 However, there is 8.18 through --

13 CHAIR JAMES: 74.

14 COMMISSIONER WILHELM: -- 8.74, which
15 apparently were submitted by individual Commissioners.

16 Rather than putting the burden on Leo to somehow
17 decide whether all of those things have been
18 adequately dealt with --

19 CHAIR JAMES: You.

20 COMMISSIONER WILHELM: -- I would reverse
21 that. Well, Jim and I. You know, Leo's schedule is
22 difficult. My schedule is difficult. I think we have

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1 already been told in advance that Jim is not available
2 between now and June 2nd. I believe that's the case,
3 although he's not here to speak for it.

4 But it seems to me we ought to reverse the
5 burden of that. I think that individual Commissioners
6 ought to tell Leo and the subcommittee whether
7 anything that they were concerned about is not in
8 here. To me, that's a much more sensible process.

9 COMMISSIONER BIBLE: Makes sense.

10 COMMISSIONER WILHELM: Because somebody
11 submitted all of these things.

12 Now, we learned yesterday that half of us
13 can't remember what we submitted in the first place or
14 whether we submitted it, including myself. So I would
15 say that if any of us feel that there is something
16 missing in 1 through 17, we ought to tell Leo.

17 COMMISSIONER LANNI: Another --

18 CHAIR JAMES: Commissioner Lanni?

19 COMMISSIONER LANNI: Another factor could
20 be we could go through 18 through 17 to see if there
21 is a significant or a majority that want to include
22 that, and then have that sent back to the subcommittee

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1 to incorporate in the 17 and come back with a
2 proposal.

3 COMMISSIONER WILHELM: Well, when are we
4 going to do that?

5 COMMISSIONER McCARTHY: May I suggest that
6 perhaps we at least move expeditiously through the
7 first 17 to find out if someone strongly opposes
8 these, or if there is some missing --

9 COMMISSIONER WILHELM: That's a good idea.

10 COMMISSIONER McCARTHY: -- factors that --

11 CHAIR JAMES: Yes, we're going to do that.

12 COMMISSIONER LANNI: Absolutely.

13 CHAIR JAMES: Any other summary or overall
14 comments before we move to the discussion? 8.1, and
15 there is a new 8.1 that is in the supplemental. We
16 have that here.

17 COMMISSIONER McCARTHY: The thrust of
18 this, of course, is that because I think members of
19 the Commission, after the last almost two years, apart
20 from members of the industry and, you know, some
21 scattered researchers who have been looking at problem
22 and pathological gambling, we now appreciate what we

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1 know but maybe even more what we don't know in the
2 area of research.

3 The point is this proposal is to get a
4 focus for at least two or three years, so that the
5 federal -- the agency that the Federal Government will
6 assign most of the work we're talking about here that
7 I have defined here in the descriptive text will be
8 organized in some rational fashion.

9 COMMISSIONER LEONE: May I make a
10 suggestion?

11 CHAIR JAMES: Yes.

12 COMMISSIONER LEONE: If we were to say
13 that the first paragraph and the last paragraph
14 constitute the recommendation and its general
15 justification, and that the other language is part of
16 what we'll argue about in the -- you want to use three
17 million, seven million; Terry wants to use --

18 COMMISSIONER McCARTHY: Oh, no. I'm --

19 COMMISSIONER LEONE: -- uncounted
20 millions.

21 COMMISSIONER McCARTHY: I'm amenable on
22 that issue, on prevalence.

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1 COMMISSIONER LANNI: I would just like to
2 use the numbers that we actually have.

3 COMMISSIONER LEONE: Let's focus on the
4 recommendation, and that's the first paragraph. And
5 the last paragraph could be added to that as a further
6 explanation for the record.

7 COMMISSIONER LANNI: No. I think that's a
8 good approach. Otherwise, we'll never get through.

9 CHAIR JAMES: The recommendation that is
10 before us is the first paragraph, the last paragraph.
11 Is there a motion?

12 COMMISSIONER LEONE: I move it.

13 CHAIR JAMES: Is there a second?

14 COMMISSIONER LANNI: I'll second it, and I
15 would ask that there be consideration for removal of a
16 second line for a fixed term, or at least an
17 explanation of why there isn't for a fixed term.

18 COMMISSIONER McCARTHY: I'm sorry. What
19 was your question?

20 COMMISSIONER LANNI: I'm reading line 2 of
21 your 8.1.

22 COMMISSIONER McCARTHY: Oh. That's so --

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1 we weren't trying to create a permanent structure.
2 Congress is loathe to create permanent centers on
3 specific subject areas.

4 COMMISSIONER LANNI: Without being
5 argumentative, I just think that we get too specific.
6 I'd like to see this more general. If we say we're
7 suggesting that the national --

8 COMMISSIONER McCARTHY: So you think the
9 fixed term should come out?

10 COMMISSIONER LANNI: I do.

11 COMMISSIONER McCARTHY: That's fine. It's
12 out.

13 CHAIR JAMES: It has been moved and
14 seconded. Question?

15 COMMISSIONER LOESCHER: Question.

16 CHAIR JAMES: All in favor?

17 (Ayes.)

18 All opposed?

19 (No response.)

20 COMMISSIONER LANNI: And that's the first
21 and the last paragraph.

22 CHAIR JAMES: That's the first and the

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1 last paragraph.

2 COMMISSIONER WILHELM: Madam Chair, I --

3 CHAIR JAMES: Commissioner Wilhelm?

4 COMMISSIONER WILHELM: -- I feel compelled
5 to abstain from this because I don't feel able to vote
6 on something I don't have the vaguest understanding
7 of, nor have had any discussion about. I don't oppose
8 it. I just don't know what it means to say that we
9 think this should be an appropriate institute within
10 the NIH to convene a multidisciplinary advisory panel.

11 I'm sure Leo is right. I just am not
12 comfortable taking a public position on something I
13 don't understand. So for that reason, I'd like to --

14 COMMISSIONER BIBLE: What sort of process
15 do we need --

16 COMMISSIONER WILHELM: -- be recorded as
17 abstaining.

18 COMMISSIONER BIBLE: -- where you can
19 become comfortable? Because I have some of the same
20 feelings. I don't know if NIH or --

21 CHAIR JAMES: We thought we had a process
22 when we were asking the subcommittee to review this

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1 again and come back with -- and give them the
2 opportunity to look at it. But I didn't see that
3 there was a will to do that, and so we are --

4 COMMISSIONER LEONE: Could I say
5 something? And this probably won't make you
6 comfortable. But, in fact, this is just a description
7 of the process by which a variety of federal
8 institutes and research organizations get into an area
9 of research.

10 They impanel a group of usually high
11 profile, relatively prestigious people, through the
12 professions, and they develop a research agenda. Then
13 they still have to get funding for it, normally, and
14 then there's competition and proposals come in to do
15 the research. They may, as part of this, if you go
16 further in it, there's the notion that they might
17 create some centers or piggyback on some existing
18 centers. I mean, this is pretty boilerplate.

19 You can take the language out, but --

20 COMMISSIONER BIBLE: For instance, in this
21 case, why would NIH be more appropriate than National
22 Research Council? Don't know.

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1 COMMISSIONER LEONE: Well, they do perform
2 different functions.

3 COMMISSIONER LANNI: May I make a
4 suggestion?

5 CHAIR JAMES: Yes.

6 COMMISSIONER LANNI: Maybe this will help
7 Bill and John being more comfortable. What if we --
8 what, if Leo would agree, National Institutes of
9 Health, NIH, and then or another appropriate agency?

10 CHAIR JAMES: Just as a point of order,
11 the motion has already passed with one abstention.

12 COMMISSIONER WILHELM: I'm not --

13 COMMISSIONER McCARTHY: If you look at the
14 other area, we get into other institutes and --

15 COMMISSIONER LANNI: I was trying to find
16 a way to have them --

17 COMMISSIONER McCARTHY: Well, for this
18 particular subject area that we're dealing with, NIH
19 is the only -- for these issues. Now, for other
20 issues, there are other institutes. If Bill --

21 COMMISSIONER LANNI: I --

22 COMMISSIONER McCARTHY: I'm sorry.

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1 COMMISSIONER LANNI: No, I interrupted
2 you.

3 COMMISSIONER McCARTHY: I was going to say
4 if Bill said, "Why not NRC?" -- NRC would be fine with
5 me. But the NRC's mandate is not to do original
6 research. It's to do -- to synthesize existing
7 research and make some recommendations based on that.
8 That's what they did in the critical review we
9 authorized them to do and Congress --

10 COMMISSIONER BIBLE: But your
11 recommendation here is that they don't conduct
12 research, but they establish a framework for the
13 research to be conducted. They set the --

14 COMMISSIONER McCARTHY: Yes. But then --

15 COMMISSIONER BIBLE: -- and bounds of the
16 research.

17 COMMISSIONER McCARTHY: But then, the
18 point is that the several institutes that would be
19 part of the advisory panel would be those that
20 ultimately would be giving out the money to
21 researchers to do it, but it would fit within the
22 framework that they established. It has to have some

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1 logic to it.

2 Otherwise, different researchers around
3 the country would want to do what they think is
4 important, what they think -- you know, so there's a
5 lot of latitude given to researchers to get into this,
6 but you want it within some general framework.

7 What if a researcher doesn't want to study
8 the interconnection between a gambling disorder and
9 other kinds of mental disorders? We have to make sure
10 that that's done. So you want to give at least some
11 general framework direction to this.

12 COMMISSIONER BIBLE: I mean, may I --

13 CHAIR JAMES: Please. Go right ahead.

14 COMMISSIONER BIBLE: Maybe it's just my
15 lack of understanding of the process. But we just
16 invested \$700,000 or \$800,000 in NRC to gain some
17 knowledge of the gambling area. They would seem to me
18 to be the logical ones to start --

19 COMMISSIONER LEONE: But they don't
20 perform this function. They don't commission original
21 research. There are places in the -- for example, the
22 National Institute on Aging commissions most of the

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1 research on Social Security, retirement, pension
2 stuff.

3 They just -- it might be -- Leo, you might
4 want to consider as we go through this that we use
5 appropriate agency rather than a specific agency,
6 because I don't think it makes sense to take -- and
7 it's a waste of your time --

8 COMMISSIONER McCARTHY: I know.

9 COMMISSIONER BIBLE: -- to educate the
10 Commission on how research is parceled up in the
11 Federal Government. I mean, and it might be changed
12 in the next year or five years. So I don't think --
13 I'm not sure that's critical.

14 COMMISSIONER McCARTHY: Here's what I was
15 afraid of. I was concerned that if you left it
16 totally undirected that the likelihood of this
17 research being started would be significantly reduced.

18 So I certainly didn't know what would be the
19 appropriate agencies to do this.

20 I asked people -- the NRC panel was
21 praised by, you know, most members of this Commission.

22 I went to Howard Schaeffer. I went to six other

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1 members of that panel asking them, "Who does this kind
2 of research in the Federal Government?" Then, I ended
3 up going to people within the Federal Government and
4 asking them if this made sense. What other agencies
5 were there?

6 Example -- when it came to the very
7 contentious issue of trying to estimate the benefits
8 and the costs of an investment in a gambling facility
9 in a community -- do you remember, we just -- I mean,
10 we never agreed to that.

11 I found out that the NRC had commissioned
12 a paper to Professor Kurt Zorn at Indiana University,
13 an economist, and he went at it in the most
14 intellectually honest way. So the NRC got that done.

15 Then I phoned Carol Petrie at the NRC, and
16 I said, "Could you do this? Could the NRC undertake
17 this study?" She said, "No. Our charter is not
18 original research." I said, "Can you come up with the
19 best answer you can?"

20 She gave me the answer, which I
21 investigated, and it made a lot of sense -- the
22 National Science Foundation, because they do a lot of

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1 economic research, and yet they could bring the multi-
2 disciplinary approach to this that I think would
3 satisfy all sides, pro industry, anti-industry, and
4 those people in the middle trying to find out what's
5 going on. That's the way I've gone about trying to
6 identify what were the most likely, most sensible
7 places to get this information.

8 COMMISSIONER BIBLE: As you went about the
9 process, was there general unanimity that this is the
10 appropriate federal agency? Or if you called
11 Agency A, did they say, "No, we want to do it," and
12 Agency B say, "We want to do it," and you made a
13 choice between A and B?

14 COMMISSIONER McCARTHY: No. There is --
15 the research structure within the Federal Government
16 is now fairly well established. The National
17 Institutes of Health have within it those individual
18 institutes that are doing research on other disorders
19 that we're connected with, that gambling disorders are
20 connected with -- in NIDA, the National Institute on
21 Drug Abuse; NIAAA, National Institute on Alcoholism
22 and Alcohol Abuse.

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1 So all of these cousins to this disorder
2 we've been dealing with are part of the National
3 Institutes of Health. That's why it made sense for at
4 least this area that I'm trying to get to here that's
5 described in the descriptive text that we're not
6 voting on today. That's why it was put in the NIH.

7 But in other cases -- for instance,
8 looking at job quality in the industry, that wouldn't
9 belong in NIH. That's recommended for the Department
10 of Labor because that's the agency that has been doing
11 all of this research for many years.

12 If we could move to 8.2, I'd appreciate
13 it.

14 CHAIR JAMES: I think all of us would.
15 8.2.

16 COMMISSIONER McCARTHY: What I think we're
17 all agreeing --

18 CHAIR JAMES: Excuse me just a minute.
19 This is 8.2. The question before us is: are you
20 offering this as a motion?

21 COMMISSIONER McCARTHY: Yes.

22 CHAIR JAMES: Is there a second?

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1 COMMISSIONER McCARTHY: Move for its
2 adoption.

3 COMMISSIONER WILHELM: I'll second it.

4 CHAIR JAMES: There is a second.
5 Discussion?

6 COMMISSIONER McCARTHY: Now, the purpose
7 of this is very straightforward. We need national
8 prevalence studies to be undertaken. This agency has
9 been assigned by Congress the task of doing prevalence
10 studies for different kinds of substance abuse --
11 alcohol abuse, illicit drug abuse.

12 The suggestion is that we add a gambling
13 component to the research procedure that's already in
14 place.

15 CHAIR JAMES: With that, are there any
16 questions about 8.2 that you have in front of you?

17 COMMISSIONER LANNI: I'm going to propose
18 an amendment.

19 CHAIR JAMES: Okay.

20 COMMISSIONER LANNI: Following the word
21 after the -- in parentheses, S-A-M-H-S-A, I want to
22 add "or other appropriate agency."

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1 CHAIR JAMES: Would the maker and the
2 seconder of the motion accept that?

3 COMMISSIONER MCCARTHY: I accept the
4 amendment.

5 COMMISSIONER WILHELM: It's certainly an
6 irrelevant amendment, but --

7 CHAIR JAMES: Okay. With that, are there
8 any other questions about this? Questions of
9 clarification?

10 COMMISSIONER LOESCHER: Call for the
11 question.

12 CHAIR JAMES: Oh, okay. All in favor?

13 (Ayes.)

14 Any opposed?

15 (No response.)

16 Any abstentions?

17 (No response.)

18 8.3. Are you offering 8.3 as a motion?

19 COMMISSIONER MCCARTHY: Yes, I am.

20 CHAIR JAMES: Is there a second?

21 COMMISSIONER WILHELM: And we have a new
22 version today, right?

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1 CHAIR JAMES: There is a new version in
2 your yellow packet. Make sure you look at that one.

3 I would give Commissioners time to just
4 review it quickly. Are there any questions about this
5 or discussion? Yes, it has been moved and second.

6 COMMISSIONER WILHELM: Call for the
7 question.

8 CHAIR JAMES: Oh, yes. All in favor?

9 (Ayes.)

10 Opposed?

11 (No response.)

12 Any abstentions?

13 (No response.)

14 COMMISSIONER McCARTHY: 8.4 and --

15 CHAIR JAMES: I would ask Commissioners to
16 refer to the document behind the yellow 8.4.

17 COMMISSIONER McCARTHY: Yeah. Please
18 remove the introductory language which was obviously
19 part of my direction to staff, so the language that
20 says "replace first paragraph with this language."
21 And then also, the second paragraph will -- as a
22 matter of fact, we're not going to consider the second

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1 paragraph. That's descriptive text. It would --

2 CHAIR JAMES: So the second paragraph is
3 deleted. So all we're considering right now is the --

4 COMMISSIONER McCARTHY: The language in
5 the first paragraph.

6 CHAIR JAMES: -- the language in the first
7 paragraph.

8 COMMISSIONER McCARTHY: And, again, the
9 reason why that was changed was to adapt to what the
10 actual procedure is, how you submit -- you know, how
11 you try to become a part of the existing research
12 structure.

13 In this instance, there is -- this one --
14 let's see, this one -- we're on 8.4. We did 8.3.
15 Yeah. This one deals with youth research.

16 COMMISSIONER LANNI: I apologize, but I'm
17 going to propose an amendment. On line 4, after the
18 gambling, comma, I think it should be "legal and
19 illegal forms of gambling."

20 COMMISSIONER McCARTHY: I accept the
21 amendment.

22 CHAIR JAMES: Secunder?

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1 COMMISSIONER WILHELM: Leo, is there a
2 typo in the second line? It doesn't make sense. To
3 issue a revision of the special research program
4 announce for a research application.

5 COMMISSIONER McCARTHY: Announcement.

6 COMMISSIONER WILHELM: Oh, I see. Okay.

7 COMMISSIONER McCARTHY: Thanks, John.

8 Question?

9 CHAIR JAMES: All in favor?

10 (Ayes.)

11 Any opposed?

12 (No response.)

13 Any abstentions?

14 (No response.)

15 8.5.

16 COMMISSIONER LANNI: That's new language
17 also.

18 COMMISSIONER McCARTHY: And, again, the A,
19 B, C, D is not new language. As a matter of fact,
20 it's briefer than what was there. But in 8.5, the
21 same --

22 CHAIR JAMES: Excuse me just a minute.

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1 COMMISSIONER McCARTHY: I'm sorry.

2 CHAIR JAMES: Can I ask you to identify
3 which part of this is being offered as the motion?

4 COMMISSIONER McCARTHY: All of it.

5 CHAIR JAMES: All of it.

6 COMMISSIONER McCARTHY: That's all part of
7 the motion.

8 CHAIR JAMES: Okay. Is there --

9 COMMISSIONER McCARTHY: It must be.

10 CHAIR JAMES: Is there a second?

11 COMMISSIONER MOORE: Second.

12 CHAIR JAMES: It has been moved and
13 seconded. Are there any questions concerning this?

14 COMMISSIONER BIBLE: What does it mean
15 where you invite them --

16 COMMISSIONER McCARTHY: Okay. That's --

17 COMMISSIONER BIBLE: -- for applications
18 for supplemental funds?

19 COMMISSIONER McCARTHY: Okay. Two years
20 ago, Congress authorized applications for research in
21 this area, in the gambling area. And, you know, it's
22 -- if you want them to -- and they've expended the

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1 funds appropriately. If they want to invite
2 researchers to touch in these four areas, Congress has
3 to give them more funds to do so. And, of course,
4 they'll have to justify, they'll have to make the
5 case.

6 COMMISSIONER BIBLE: So this is -- we're
7 requesting that Congress invite NIH to make a request
8 for supplemental funding?

9 COMMISSIONER McCARTHY: Right. That's
10 correct. That's the way this is done.

11 COMMISSIONER MOORE: And then NIH accepts
12 this as a study.

13 COMMISSIONER McCARTHY: That's correct.

14 CHAIR JAMES: Any other questions?

15 COMMISSIONER LANNI: I propose an
16 amendment to line 3, after the word add "legal" -- I
17 would include "legal and illegal gambling components."

18 CHAIR JAMES: Accepted? Any other
19 questions about this?

20 COMMISSIONER LOESCHER: Madam Chair?

21 CHAIR JAMES: Commissioner Loescher?

22 COMMISSIONER LOESCHER: I'm having a hard

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1 time following. There's the colon and then going to C
2 and D. Announcement for research applications on
3 pathologic gambling should include the following
4 areas: analysis of the development of gambling
5 difficulties associated with electronic gambling
6 machines and the risk factors that accompany this
7 evolution for customers most likely drawn to this form
8 of gambling. What is it we're after here?

9 COMMISSIONER McCARTHY: If -- and, again,
10 we're not acting on the text. But if you could turn
11 to what I distributed four weeks ago, you would see
12 the explanation from Dr. Richard Rosenthal, an NRC
13 panelist, and he said he speaks for other people --
14 professionals who provide treatment to explain the
15 phenomenon they are beginning to observe among the
16 patients they are treating.

17 COMMISSIONER BIBLE: But we would have
18 heard similar testimony in Las Vegas from Dr. Hunter,
19 at least I believe this panel did, who indicated that
20 that's his experience.

21 COMMISSIONER McCARTHY: Let me see if I
22 can just quickly -- all right. According to Dr.

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1 Richard Rosenthal, an NRC panelist, he says, "Slot and
2 video poker machine players get in trouble much
3 faster, typically seek help three years after they've
4 started gambling, compared to more traditional forms
5 of gambling where the length of time from when they
6 begin playing to when they seek help is usually in the
7 average of 20 years perhaps."

8 That while there has been research on the
9 effects of the more traditional kinds of gaming, there
10 has been no research on electronic gambling machines,
11 and that they are changing constantly and there is
12 little understanding of the response of many players
13 to those kinds of machines. That was Dr.
14 Rosenthal's --

15 CHAIR JAMES: My sense is that there
16 really isn't a question about the substance of it,
17 just the language and how it's --

18 COMMISSIONER MCCARTHY: Oh, I'm sorry.
19 Excuse me, Bob. I didn't --

20 COMMISSIONER LOESCHER: Well, Madam Chair,
21 I --

22 CHAIR JAMES: The analysis of the -- I'm

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1 sorry, Bob.

2 COMMISSIONER LOESCHER: Madam Chair, I'm
3 just having a hard time, you know. I agreed that the
4 professor probably said this, but I have grandchildren
5 that use Gameboys. I have grandchildren that sit in
6 front of computers all day, and there's no difference
7 between that and this. So I kind of wonder what we
8 are after here, if there's really a true phenomenon
9 that we should be concerned about.

10 COMMISSIONER McCARTHY: Neither your
11 grandchildren nor mine put money into the machines or
12 chips that --

13 COMMISSIONER LOESCHER: I put money into
14 the machines.

15 (Laughter.)

16 It costs me a small fortune.

17 (Laughter.)

18 Have you ever tried Blue's Clues? I'll
19 tell you, that's --

20 (Laughter.)

21 Madam Chair, I don't know enough about
22 this to be -- know whether I should vote or not on

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1 this.

2 COMMISSIONER McCARTHY: That's the reason
3 for the research.

4 COMMISSIONER BIBLE: It's an appropriate
5 area for research.

6 COMMISSIONER LOESCHER: Okay.

7 COMMISSIONER LANNI: I move the question.

8 CHAIR JAMES: The question has been
9 called. All in favor?

10 (Ayes.)

11 Any opposed?

12 (No response.)

13 Any abstentions?

14 COMMISSIONER LOESCHER: I abstain.

15 CHAIR JAMES: Two abstentions. Okay.

16 Let's see. 8.6.

17 COMMISSIONER McCARTHY: New language.
18 It's on a single sheet like this. It's in the yellow
19 packet.

20 CHAIR JAMES: Yellow packet. 8.6.

21 COMMISSIONER McCARTHY: All right. This
22 was Dr. Schaeffer's very strong recommendation.

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1 You'll recall we had some discussion on this four
2 weeks ago, or the last Commission meeting, as to the
3 numbers being used. And I have used here past year
4 numbers.

5 This is to get at that entire population
6 of gamblers below the pathological threshold, but who
7 are at risk in some way, to study them for the three
8 reasons enumerated there in the last paragraph, which
9 is not what we're voting on, the three reasons.

10 We're only voting on -- well, we should
11 really include the short second paragraph as well to
12 understand this. So the first two paragraphs is what
13 we should be voting on because that's Dr. Schaeffer's
14 argument, primary argument here.

15 We need to know whether gamblers below the
16 pathological threshold are either going to move
17 towards diminishing risk or may progress towards a
18 pathological state. It has everything to do with
19 figuring out whether they need to be treated or how
20 you treat them.

21 COMMISSIONER LANNI: I would be prepared
22 to vote because I know the motion hasn't been made

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1 yet. I would ask you two questions. One, did Howard
2 Schaeffer also suggest -- Dr. Schaeffer suggest that
3 you use the 5.3 million, the 7.2 million?

4 COMMISSIONER McCARTHY: I gave him this
5 language. I showed him this language.

6 COMMISSIONER LANNI: It's the only
7 instance so far where we are, once again, drawing a
8 conclusion as to the number of people. And there are
9 varying sources in here. I don't see what that adds
10 to this, and I will not be prepared to vote for it if
11 you leave that in. I have no problem --

12 COMMISSIONER McCARTHY: What explanation
13 is it we give a member a Congress who will be looking
14 at this? Suppose we are talking only about 200,000
15 people.

16 COMMISSIONER LANNI: I don't know what the
17 number is.

18 COMMISSIONER McCARTHY: They have many
19 more urgent problems that they would have to pay
20 attention to.

21 COMMISSIONER LANNI: You are reaching
22 numbers which I'd like to know -- you have the source

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1 in here, the --

2 COMMISSIONER McCARTHY: The 5.3 million is
3 Dr. Schaeffer's study. The 7.2 million is the NORC
4 study. That's the range I put down. Do you remember
5 originally --

6 COMMISSIONER LANNI: But that isn't the
7 range. I mean, it's a range of references from two
8 sources.

9 COMMISSIONER McCARTHY: Of their
10 estimates. That's correct.

11 COMMISSIONER LANNI: But it --

12 COMMISSIONER WILHELM: Leo, those are the
13 numbers from those two sources of problem gamblers,
14 excluding pathological gamblers?

15 COMMISSIONER McCARTHY: Correct.

16 COMMISSIONER LANNI: Is it problem and at
17 risk?

18 COMMISSIONER McCARTHY: Yes.

19 COMMISSIONER LANNI: Well, you don't say
20 that.

21 COMMISSIONER McCARTHY: For the past year.

22 COMMISSIONER LANNI: But you don't say

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1 that. See --

2 COMMISSIONER McCARTHY: Earlier what --
3 probably at least four of the NRC panelists with whom
4 I spoke individually said, "You introduce too many
5 terms into this description of populations we're
6 talking about, and it simply confuses the clarity
7 we're trying to get in the research that's done across
8 the country."

9 We are trying to use only two terms --
10 pathological and problem. So that's why -- you know,
11 because Level 2 did, in fact, include that, those at
12 risk below the pathological threshold.

13 COMMISSIONER LEONE: I think in the
14 interest of getting support for what I think is a good
15 recommendation that most people support, this is not
16 necessarily the place where we settle how and if the
17 Commission wants to go on record about what the most
18 reliable estimates are that are available.

19 I think the overall report and other
20 things that are said make a strong case for the
21 further research. We know that a large number of
22 people are involved. Part of the research is --

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1 COMMISSIONER McCARTHY: I'm going to
2 abbreviate this. I'm going to remove the language
3 that refers to 5.3 million to 7.2 million.

4 COMMISSIONER LANNI: Thank you.

5 COMMISSIONER McCARTHY: So for research
6 applications to commence a study of the American adult
7 problem gamblers below the pathological gambler
8 threshold.

9 COMMISSIONER LANNI: Thank you.

10 COMMISSIONER McCARTHY: I would second
11 that.

12 COMMISSIONER McCARTHY: It was easy. I
13 just didn't understand you.

14 COMMISSIONER LANNI: I would second the
15 motion. We have a difficult time understanding each
16 other, but we still respect each other.

17 CHAIR JAMES: Call for the question.

18 COMMISSIONER LOESCHER: Question.

19 CHAIR JAMES: All in favor?

20 (Ayes.)

21 All opposed?

22 (No response.)

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1 Any abstentions?

2 CHAIR JAMES: One abstention.

3 8.7.

4 COMMISSIONER McCARTHY: That is the single
5 sheet that you have in front of you. This language
6 has not -- the first paragraph is the recommendation.
7 That has not changed since the last Commission
8 meeting.

9 CHAIR JAMES: My suggestion, Leo, would be
10 that the only thing that is being considered as a
11 motion right now would be, therefore --

12 COMMISSIONER McCARTHY: The first
13 paragraph.

14 CHAIR JAMES: -- the first three lines.

15 COMMISSIONER McCARTHY: That's correct.

16 CHAIR JAMES: It has been moved and
17 seconded. Is there any discussion?

18 COMMISSIONER LANNI: I would propose an
19 amendment. After the word "administration," "or other
20 appropriate agency."

21 COMMISSIONER McCARTHY: They're the only
22 agency in the Federal Government that does this.

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1 COMMISSIONER LANNI: At this time.

2 COMMISSIONER McCARTHY: Okay.

3 COMMISSIONER LANNI: I second the motion
4 and call the question.

5 CHAIR JAMES: All in favor?

6 (Ayes.)

7 Any opposed?

8 (No response.)

9 Any abstentions?

10 (No response.)

11 Motion passes.

12 8.6 -- I'm sorry, 8.8. No, we don't want
13 to go back. 8.8.

14 COMMISSIONER BIBLE: So moved.

15 CHAIR JAMES: It has been moved. Is there
16 a second?

17 COMMISSIONER MOORE: Second.

18 CHAIR JAMES: It has been seconded. Any
19 questions about this for clarification or
20 understanding?

21 COMMISSIONER McCARTHY: No. Move the
22 question, Madam Chair.

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1 CHAIR JAMES: Oh. The question has been
2 called. All in favor?

3 (Ayes.)

4 All opposed?

5 (No response.)

6 Any abstentions?

7 (No response.)

8 COMMISSIONER WILHELM: We already -- no, I
9 am not abstaining. We already voted on this, but I
10 just have a question so I understand it. What is the
11 -- I never saw this before and I apologize for not
12 raising it earlier. What is the meaning of the phrase
13 "displacement of native inhabitants"?

14 CHAIR JAMES: Which one are you on?

15 COMMISSIONER WILHELM: 8.8, the one we
16 just approved. B, the second line --

17 COMMISSIONER McCARTHY: That was taken out
18 of the Zorn study, and I think that was simply -- that
19 deals with -- maybe when infrastructure is built,
20 their property might be condemned, or it would
21 probably include substitution of businesses.

22 COMMISSIONER WILHELM: Okay. Well, I

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1 didn't want to belabor it.

2 COMMISSIONER McCARTHY: May I -- Madam
3 Chair, forgive me. I had intended -- and I think you
4 would -- several members of the Commission would want
5 this. I had intended to add a couple of words here,
6 same words in both A and B, and the words are simply
7 "benefits associated with different kinds of legalized
8 gambling," etceteras. So after --

9 CHAIR JAMES: Is there --

10 COMMISSIONER McCARTHY: -- on the first
11 line, after "with," "different kinds of."

12 CHAIR JAMES: 8.8.

13 COMMISSIONER McCARTHY: And the same in B,
14 "costs associated with different kinds of" --

15 COMMISSIONER WILHELM: I would support
16 that.

17 COMMISSIONER LEONE: Unanimous consent.

18 COMMISSIONER WILHELM: Good.

19 CHAIR JAMES: 8.9.

20 COMMISSIONER McCARTHY: Again, we're
21 dealing just on the first paragraph, in the first
22 paragraph. Didn't try to name an agency here, but the

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1 note was simply this might be a place where it could
2 go, but it wasn't one that was being specifically
3 asked, because there could be -- there might be other
4 places.

5 COMMISSIONER LANNI: But it said --

6 COMMISSIONER McCARTHY: 8.9 is trying to
7 ascertain, if there are any, any cause of certain
8 kinds of crimes with property values or violent crime
9 rates.

10 COMMISSIONER LANNI: Are you in 8.9?

11 CHAIR JAMES: Wait, wait. 8.9.

12 COMMISSIONER WILHELM: Yes, that's what
13 he's on.

14 COMMISSIONER McCARTHY: Okay.

15 COMMISSIONER WILHELM: Has this been
16 moved?

17 CHAIR JAMES: No, it has not. The
18 language that we're looking at for a motion would
19 start with, "The Commission recommends that Congress,"
20 ends with, "does not include the note." Leo, are you
21 --

22 COMMISSIONER McCARTHY: That's correct.

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1 It's only the first paragraph we're --

2 CHAIR JAMES: Are you prepared to offer
3 that as a motion?

4 COMMISSIONER McCARTHY: I do.

5 CHAIR JAMES: Is there a second?

6 COMMISSIONER LANNI: I'll second it and
7 propose an amendment.

8 CHAIR JAMES: And the amendment?

9 COMMISSIONER LANNI: It would read, "The
10 Commission recommends that Congress direct the
11 National Institute of Justice (NIJ) or other
12 appropriate agency to research what effect legal
13 gambling has on property" --

14 COMMISSIONER McCARTHY: Or another
15 appropriate agency.

16 COMMISSIONER LANNI: Or other appropriate
17 agency. The same language we're using in the other
18 ones.

19 COMMISSIONER McCARTHY: All right.

20 COMMISSIONER LANNI: To research what
21 effect legal gambling has on property and/or --

22 COMMISSIONER WILHELM: Did you get the

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1 second one?

2 CHAIR JAMES: What effect?

3 COMMISSIONER WILHELM: He's got two, Leo.

4 COMMISSIONER McCARTHY: What was your
5 second amendment?

6 COMMISSIONER LANNI: What effect, rather
7 than whether legal gambling raises property --

8 COMMISSIONER McCARTHY: In place of the
9 word "whether," "what effect"?

10 CHAIR JAMES: Correct.

11 COMMISSIONER WILHELM: Legal gambling.

12 COMMISSIONER McCARTHY: That's fine.

13 COMMISSIONER WILHELM: And then the word
14 "has" in place of the word "raises," is that what you
15 said, Terry?

16 COMMISSIONER LANNI: Yes. And there is --
17 I left out one, I apologize. Again, my regular legal
18 and illegal. I'm consistent --

19 COMMISSIONER McCARTHY: As on.

20 COMMISSIONER LANNI: Yeah.

21 COMMISSIONER McCARTHY: Okay.

22 COMMISSIONER LANNI: And I want legal and

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1 illegal. Wherever there's legal, I'm going to
2 recommend illegal.

3 COMMISSIONER McCARTHY: You know, I'm a
4 little bit concerned about this. Let's discuss this
5 for just a minute.

6 COMMISSIONER LANNI: Sure.

7 COMMISSIONER McCARTHY: Our charter in
8 this Commission is to try to understand the
9 implications of legal gambling on American society, as
10 to the economic and social impacts. I don't know how
11 much of this institute's time would be taken if we
12 divert them off into illegal gambling.

13 That has been a massive subject they have
14 been researching for many, many years. I'd be a
15 little bit concerned that what limited funds there
16 might be for this study might be diluted by getting
17 into the area of illegal gambling. I don't know.
18 Just a thought.

19 COMMISSIONER BIBLE: Well, I think this
20 would be a particularly appropriate institute to take
21 a look at the relationship between legal and illegal
22 and whether or not the legal, in effect, suppresses

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1 some of the illegal activities.

2 You know, we heard from the lottery people
3 -- we heard the arguments from the lottery people that
4 lotteries drove the numbers off the streets, the
5 number game. I mean, this would be an appropriate
6 institute to take a look at that.

7 COMMISSIONER LANNI: I move the question.

8 COMMISSIONER LEONE: This is the amendment
9 on the amendment, right?

10 COMMISSIONER LANNI: Well, I thought he --
11 before he --

12 COMMISSIONER LEONE: Oh. You accepted the
13 amendment.

14 COMMISSIONER LANNI: We accepted the
15 amendment.

16 COMMISSIONER LEONE: Okay. Fine.

17 COMMISSIONER McCARTHY: We're adding
18 illegal gambling?

19 CHAIR JAMES: Legal and illegal.

20 COMMISSIONER LEONE: Right.

21 CHAIR JAMES: We're also "adding other
22 appropriate agency." We're also adding "what effect

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1 has on."

2 COMMISSIONER LANNI: Right.

3 CHAIR JAMES: All in favor?

4 (Ayes.)

5 Any opposed?

6 (No response.)

7 COMMISSIONER WILHELM: Madam Chair, I know
8 we're in a terrible hurry here, but could we take a
9 very short break, please?

10 CHAIR JAMES: Before you vote on this?

11 COMMISSIONER WILHELM: Yes, Madam Chair.

12 CHAIR JAMES: Any abstentions?

13 COMMISSIONER WILHELM: Oh. No, no. Not
14 before we vote. I'm sorry.

15 CHAIR JAMES: Oh, okay. Any abstentions?

16 (No response.)

17 Okay. We will take a break.

18 CHAIR JAMES: I call the meeting back to
19 order.

20 Commissioner McCarthy?

21 COMMISSIONER McCARTHY: Madam Chair, I
22 believe we are on 8.10.

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1 CHAIR JAMES: We are indeed.

2 COMMISSIONER McCARTHY: It's a nice brief
3 paragraph.

4 CHAIR JAMES: It is. Do I hear --

5 COMMISSIONER LANNI: Madam Chair?

6 CHAIR JAMES: Commissioner Lanni?

7 COMMISSIONER LANNI: I would propose, if
8 there is unanimous support, that we approve the
9 remaining 8.10 through 8.17 unanimously, as long as
10 wherever there is legal forms of gambling included
11 that illegal gambling be, and that other appropriate
12 agencies be added to each of them. If that's the
13 case, I would propose we approve all of them at once.

14 COMMISSIONER LOESCHER: Second the motion.

15 CHAIR JAMES: The motion has been made and
16 seconded. Any discussion?

17 COMMISSIONER LANNI: Question.

18 CHAIR JAMES: All in favor?

19 (Ayes.)

20 Any opposed?

21 (No response.)

22 Any abstentions?

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1 (No response.)

2 COMMISSIONER LANNI: I have one further
3 motion. I would propose that we take the general
4 research items numbered -- Leo, you have to listen to
5 this.

6 CHAIR JAMES: Leo, listen up.

7 COMMISSIONER LANNI: I propose that the
8 general research proposals 8.18 through 8.74 be
9 remanded to the Research Committee for
10 recommendations, to see where they should be included
11 or excluded, where they are redundant, which they
12 are --

13 COMMISSIONER MCCARTHY: I'm sorry.
14 8.18 --

15 COMMISSIONER LANNI: The rest of the
16 recommendations from individual Commissioners I
17 request be remanded to the Research Committee to
18 delete those that are already covered in the first 17
19 and come back with proposals as to what we do with the
20 remaining.

21 COMMISSIONER LEONE: Second.

22 CHAIR JAMES: It has been moved and

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1 seconded. All in favor?

2 (Ayes.)

3 Any opposed?

4 (No response.)

5 That is the process that we will use for
6 the --

7 COMMISSIONER WILHELM: I'd just like to
8 get --

9 CHAIR JAMES: Any abstentions? Sorry.

10 COMMISSIONER WILHELM: No.

11 CHAIR JAMES: Okay.

12 COMMISSIONER BIBLE: But I'd like to just
13 request again, because I think that's a -- I'd like to
14 request again for purposes of efficiency that those
15 Commissioners who submitted some of those things who
16 think they're not covered should say so. Otherwise,
17 we're liable to ditch them.

18 COMMISSIONER McCARTHY: Would you send a
19 letter to each Commissioner to that effect?

20 CHAIR JAMES: I will do that.

21 COMMISSIONER McCARTHY: Especially I see
22 we have identified the source of each of these

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1 recommendations.

2 CHAIR JAMES: Wherever we could.
3 Sometimes we were not able to do that.

4 COMMISSIONER MCCARTHY: Well, then maybe
5 we just drop those.

6 COMMISSIONER WILHELM: One other point. I
7 know that all of us appreciate Commissioner Lanni's
8 efforts to be efficient with his last motion. But
9 Commissioner McCarthy points out that there may be
10 some of these items 11 through 17 where legal and
11 illegal is not particularly relevant. For example,
12 we're probably not going to ask people to examine --

13 CHAIR JAMES: No. He said only where
14 relevant, I believe.

15 COMMISSIONER BIBLE: And I believe 8.14
16 was included in your action yesterday to require
17 states to conduct prevalence and incidence studies.
18 Isn't 8.14 covered in the material presented
19 yesterday?

20 COMMISSIONER WILHELM: Okay.

21 CHAIR JAMES: We do have a pair of
22 sunglasses. Excuse me. Anybody want to claim they're

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1 yours? They're up here.

2 Commissioner Lanni?

3 COMMISSIONER LANNI: I think we had three
4 to five items that are still -- were moved over to the
5 Research section from the earlier --

6 CHAIR JAMES: My assumption is that they
7 would review those. Do you remember those, Leo?

8 COMMISSIONER McCARTHY: That's fine.

9 CHAIR JAMES: Yes. There were several
10 that were referred to be more appropriately handled in
11 this section.

12 Let me just say a couple of things about
13 where we are in the process right now. Having been
14 through this, I have asked the staff that within the
15 next 48 hours they turn around for Commissioners a
16 completed list of all of the recommendations that were
17 approved.

18 It would be, I think, also important for
19 Commissioners to check, because it was significant
20 with some people that they be recorded as having
21 abstained. I think it's important to have that
22 record, so that when you see it you should know what

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1 the vote was, when we had a roll call vote, and where
2 there were abstentions, for the record.

3 I would ask Commissioners to review that.

4 And with a great deal of restraint, as you review
5 that document, I would ask you to look to see if there
6 are any major holes. Having been through this two-day
7 process or day and a half process, and having approved
8 some, not approved others, dropped some, added a few,
9 I just want you to review it in total to make sure
10 that the package is as you would have it.

11 If there is one, maybe two, no more than
12 two, major holes that you see, I would suggest that
13 you get that to me immediately after having received
14 that document, and I will make a determination based
15 on that information that you send to me what could or
16 should be included for our discussion along with the
17 text in San Francisco.

18 And I would please remind Commissioners as
19 we go through this final process of drafting
20 recommendations and editing that the temptation is to
21 continue tweaking and adding, and I will ask your
22 restraint.

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1 At this point, it would have to be major
2 policy issues. And, of course, we're always ready to
3 entertain editing comments that you may have in terms
4 of spelling, grammatical, typing, and that sort of
5 thing.

6 Having said that, please understand that
7 the staff will have to at some point put this bed to
8 document -- this document to bed. It's late.

9 With that, is there any other business to
10 come before the Commission? Commissioner Lanni?

11 COMMISSIONER LANNI: One last thing, Madam
12 Chair, is I distributed -- staff provided me with a
13 copy of the New Jersey limitations/prohibitions on
14 contributions. And since Commissioner Dobson is not
15 here, I would propose that we wait until the next
16 meeting to vote on that, since I may need his vote.

17 CHAIR JAMES: That's fine.

18 COMMISSIONER McCARTHY: You may.

19 (Laughter.)

20 CHAIR JAMES: Commissioner Wilhelm?

21 COMMISSIONER WILHELM: I don't seek by
22 this comment to open Pandora's Box, but you had

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1 observed previously, Kay, that the Commission might be
2 better served in terms of hopefully having some sort
3 of impact somewhere by having a limited number of
4 recommendations.

5 So while I realize that we may run the
6 risk of regenerating debate by any kind of edit from
7 what's been approved, nevertheless, I think it would
8 be prudent for staff to take a look at the question of
9 whether or not some of these recommendations could
10 either be consolidated without doing injury to
11 everyone's sense of linguistic fine-tuning, or at
12 least grouped perhaps in some way that would give them
13 more punch.

14 COMMISSIONER LEONE: Huddled together so
15 they look smaller.

16 (Laughter.)

17 COMMISSIONER WILHELM: Yeah.

18 CHAIR JAMES: The other thing that I would
19 remind Commissioners, particularly as you go through
20 the last round of edits, is that -- to remember that
21 each Commissioner will be asked to include a personal
22 statement that will be a part of the body of the

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1 document, where they can say whatever they like.

2 I would ask for consistency purposes,
3 though, that we have a limit, whether it's two pages,
4 three pages, or whatever, so that it will not be
5 edited in any way, it would not be changed in any way.

6 It would simply be typeset as you brought it in,
7 photoed and put into the document.

8 COMMISSIONER LEONE: You ought to have a
9 deadline on that.

10 COMMISSIONER BIBLE: Well, how can you
11 have a deadline until you've seen the report?

12 CHAIR JAMES: Yeah.

13 COMMISSIONER LEONE: Well, but, I mean,
14 the report -- we've only got a few days after the
15 report is out, so I think we should discuss -- I think
16 we should have in mind a date --

17 COMMISSIONER BIBLE: Well, at some point,
18 the report is going to get put to bed. I don't know
19 if you've determined that date. I assume it's after
20 California.

21 CHAIR JAMES: It's going to be as soon
22 after California as we can --

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1 COMMISSIONER BIBLE: So probably four days
2 or five days after California.

3 COMMISSIONER LEONE: Okay.

4 COMMISSIONER WILHELM: If you've already
5 covered this, I apologize. But in terms of process,
6 we have one more meeting, right?

7 CHAIR JAMES: That's correct.

8 COMMISSIONER WILHELM: And when is it that
9 we're going to have an opportunity to read the
10 proposed text?

11 CHAIR JAMES: That's going to be delivered
12 to you.

13 COMMISSIONER WILHELM: Between now and
14 June 2nd?

15 CHAIR JAMES: Right. Yes.

16 COMMISSIONER WILHELM: Okay. Just
17 wondering.

18 CHAIR JAMES: Any other questions? With
19 that, the meeting is adjourned.

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