

1           MR. McCARTHY: Do you really want to get  
2 into this right now?

3           MR. BIBLE: Oh, we take the money and put  
4 it in the Treasury and don't spend it.

5           MR. SNOWDEN: And, in fact, you're right.  
6 What happens is if you accept the money, it goes into  
7 the general fund, and it goes to the good of the  
8 entire federal government because you do have gift use  
9 authority.

10          CHAIRPERSON JAMES: So if Commissioner  
11 McCarthy wanted to take us all out to dinner and pay  
12 for it?

13          MR. SNOWDEN: Well, in fact, he can.

14          CHAIRPERSON JAMES: Good. That's all we  
15 need to know.

16          MR. SNOWDEN: And let me know where.

17          (Laughter.)

18          CHAIRPERSON JAMES: That's fine.

19          I'd like to, with that caveat that you  
20 will continue to have some conversation and  
21 correspondence on the issue of contracts and clarify  
22 some of those issues, and that information will be

1 distributed to all Commissioners, I'd like to now move  
2 our discussion to our work plan discussion. You can  
3 find that, in case you're having a little bit of  
4 difficulty, behind Tab 7.

5           At the last meeting we briefly discussed  
6 the proposed schedule and said it would include four  
7 to five Commission meetings, a series of hearings and  
8 site visits, and then a retreat and meetings to begin  
9 to synthesize our findings and recommendations.

10           I know that the scheduling portion of the  
11 plan is something all of you are interested in, and I  
12 hope that we may begin to lock in dates for the  
13 remainder of the year.

14           The work plan incorporates all of the  
15 comments or directions given by Commissioners since  
16 our last meeting. I literally had staff take the  
17 transcript of our last meeting and go through and  
18 highlight any suggestions or recommendations made by  
19 Commissioners, and then attempted to incorporate all  
20 of that into the plan.

21           It's not intended to be a check-off list  
22 for staff, and I anticipate that the Executive

1 Director will develop procedures for each meeting and  
2 site visit that are crucial to the operation of the  
3 Commission, but I don't think that it's necessary --  
4 it is a necessary ingredient for the Commission's  
5 overall work plan.

6 In addition, full production and  
7 distribution schedule I don't think can be developed  
8 until after we have our conversation today.

9 I think that our work plan will, by  
10 necessity, evolve around our research questions. Once  
11 that is formalized a little bit more, it will shape  
12 the direction that it goes.

13 And I should note this because I got asked  
14 several times by the press yesterday. Evidently the  
15 Las Vegas lobby was really at work because they did  
16 not see a suggested site visit for Las Vegas, and you  
17 know, they immediately try to read everything possible  
18 into that.

19 Well, we only gave recommendations for the  
20 first year, and it was a simple decision of in 1998  
21 maybe we would end with a visit there. It certainly  
22 was not to be left out.

1           If, in fact, the Commission decides that  
2 they want to do something in a different order, this  
3 is nothing but a point of departure for our  
4 discussion. The Commission will develop the work  
5 plan. The process, I think, should be as we go  
6 through this, that Commissioners, if there are pieces  
7 that you see missing, if there are things that you  
8 want added, if you will simply state those, we can  
9 have discussion about that, and the staff will then go  
10 back and incorporate all of those ideas, and then it  
11 will be distributed to the full Commission.

12           So this is the point of departure for our  
13 discussion today, and we can, in fact, then move  
14 forward.

15           Yes, John.

16           MR. WILHELM: Question which pertains to  
17 the timetable in Roman numeral one behind Tab 7. I  
18 know that the appointing authorities, and particularly  
19 the President, paid no attention whatsoever to the  
20 time frames in the law, and my question is: as a  
21 practical matter, what happens if the Commission has  
22 not issued its report or otherwise completed its work

1 within the two years from the first meeting?

2           For example, does that mean there's no  
3 more money, or is there any practical consequence of  
4 running past the two-year period?

5           MR. SNOWDEN: Let me try to answer that  
6 question. Your enabling legislation has a sunset  
7 requirement. So at the end of the two years you cease  
8 to exist.

9           What can happen --

10          (Laughter.)

11          MR. SNOWDEN: You, in the organizational  
12 sense. Mr. Wilhelm, I wish you no ill will.

13          Okay. And again, many times the  
14 appointing authority is unaware of the sunset  
15 requirements of legislation, are not guided by that  
16 appointing principle, and it is not unusual for a  
17 commission -- and we've structured language for other  
18 commissions -- technical amendments that will be a no  
19 cost time extension to enable you to meet the charge  
20 or the mandate of the law, but you would have to go  
21 back to Congress and ask them to give you a no cost  
22 time extension if you see that as being an appropriate

1 action.

2 CHAIRPERSON JAMES: The chair recognizes  
3 Mr. Bible.

4 MR. BIBLE: Mr. Snowden, as I read Section  
5 10, it just says the Commission terminates 60 days  
6 after the Commission submits the report. So what  
7 you're saying is the report date is binding, and then  
8 you take 60 days beyond that, and there's automatic  
9 termination of the Commission?

10 MR. SNOWDEN: That's true.

11 MR. BIBLE: Thank you.

12 CHAIRPERSON JAMES: Any questions,  
13 comments, additions, deletions, timing issues?

14 Mr. Wilhelm.

15 MR. WILHELM: Yes. I have a series of  
16 comments about the -- if it's appropriate at this  
17 point -- about the proposed schedule and site visits.

18 CHAIRPERSON JAMES: Well, let's try to do  
19 this in some sort of an orderly way --

20 MR. WILHELM: Fine.

21 CHAIRPERSON JAMES: -- so that everyone  
22 can have their opportunity. Would you like to talk

1 about the time line first and any additions,  
2 deletions?

3                   And, again, remember point of departure.  
4 It's your pleasure.

5                   MR. BIBLE: I'd like to talk a little bit  
6 about the time lines because I think the time line  
7 gets driven to some extent by the appointment of the  
8 Executive Director, and as you know, that's within  
9 your prerogative. So when will that occur? When will  
10 a nomination be submitted to the Commission so we then  
11 have that nomination to consider?

12                   CHAIRPERSON JAMES: Well, in one sense it  
13 could be determined by that. It is my desire that it  
14 not be. The Commission work is moving forward, and as  
15 I reported to the Commission yesterday, we have  
16 several candidates that are being reviewed by Dr.  
17 Moore and by Mr. Leone, and you know, as soon as they  
18 can finish their work -- and believe me, no one wants  
19 that done more quickly than I.

20                   MR. BIBLE: I would think certainly after  
21 you make that nomination it would be appropriate to at  
22 least have another Commission meeting, probably

1 discuss that nomination, discuss the proposed rules.  
2 Perhaps GSA will be in a position at that point and  
3 will meet fairly soon after this meeting because I  
4 agree with Dr. Moore. I think we've dallied way too  
5 long, and we need to get going.

6 CHAIRPERSON JAMES: I would concur.

7 The chair recognizes Mr. Leone.

8 MR. LEONE: As I read the time line, the  
9 draft review is in February of '99, which means people  
10 would be preparing, that staff would be preparing a  
11 draft for us to work on in advance of that, right?

12 CHAIRPERSON JAMES: That's correct.

13 MR. LEONE: In effect. So the --

14 CHAIRPERSON JAMES: There is one incorrect  
15 date on there, and that's the study contracts, which  
16 are 9/20/99. That would be far too late.

17 MR. LEONE: Yeah, yeah.

18 CHAIRPERSON JAMES: And so we have to  
19 adjust that. That was actually a typo.

20 MR. LEONE: This means that some of these  
21 contracts that we'd be letting this fall really ought  
22 to be for one year. That's a constraint we should

1 impose on anybody we ask to do the work so that we  
2 have them by late '98 and they can be incorporated  
3 into the early 1999 draft writing and thinking about  
4 the report.

5 I mean, I think that's fine, by the way.  
6 I mean everybody wants more time to do studies and  
7 writing, but I think we should have that in mind, that  
8 to the extent our work is driven by these dates, the  
9 research and other things we commission will have to  
10 be driven by these dates, and basically we're talking  
11 about 12, 13, 14-month studies at the outside going  
12 forward, I think.

13 CHAIRPERSON JAMES: Commissioner Dobson.

14 DR. DOBSON: The NRC made it very clear  
15 yesterday and when they met before our Commission that  
16 they have a 15-month schedule that is not subject to  
17 flexibility, as I understood them.

18 Leo, did you agree with that?

19 And they don't issue preliminary reports.  
20 So if you take their work, you wait 15 months for it.

21 CHAIRPERSON JAMES: That's why you see the  
22 dates here that you do. It's not the best of all

1 possible worlds, but it's what we have to work with.

2 MR. McCARTHY: Is this, Madame Chair --

3 CHAIRPERSON JAMES: Microphone.

4 MR. McCARTHY: Have we given ourselves the  
5 maximum amount of time we can give? As I heard  
6 Commissioner Bible's question a moment ago, I would  
7 like to give us the maximum amount of time to  
8 authorize the research to be done because some of the  
9 research will not be authorized quite possibly for  
10 another four or five months.

11 CHAIRPERSON JAMES: What you see here in  
12 terms of the date are pushed back to the maximum of  
13 what we can give in every area to give the absolute  
14 most --

15 MR. McCARTHY: Okay. That's my question.

16 CHAIRPERSON JAMES: Yeah. It's  
17 incredible, and you know, a lot of people thought that  
18 the limiting factor would be money, but I think it's  
19 important to note for the record that a very limiting  
20 factor is time, and that's as much of a limitation as  
21 our dollar amounts. To do good research requires  
22 time.

1                   Any other changes at the pleasure of the  
2 Commission on the time line? Dr. Dobson.

3                   DR. DOBSON: Madame Chairman, I'm sure  
4 that other Commissioners here are in the same  
5 situation I'm in, but specific dates as far as  
6 possible in advance would really help me. I live by  
7 the calendar. I know everybody does, and it would  
8 really be helpful if we could nail down the dates.

9                   CHAIRPERSON JAMES: What I'd like to do is  
10 rather than getting into specific dates right now with  
11 nine Commissioners who are all extremely busy people  
12 is to make a commitment to you that by next week,  
13 working with your schedulers, we will try to come --  
14 now, hear this. I mean, I've already had complaints  
15 from some Commissioners. "I'm sorry I cannot do  
16 that." We will go with the best date that we can come  
17 up with that will accommodate the most people, but  
18 recognizing that it is not going to be perfect, and we  
19 will try to have that completed by the end of next  
20 week, which is going to mean a lot of phone calls and  
21 a lot of working with schedulers, but we would like to  
22 lock in those dates as soon as possible.

1           Let's turn over now, and let's look at  
2 methodology, issues assessment, and what we are  
3 recommending here is that there are several kinds of  
4 meetings that the Commission can have. We can have  
5 hearings; we can have site visits; and then there will  
6 be working meetings where we are reviewing research,  
7 where we are listening to panelists give us  
8 information, and for scheduling purposes, we're trying  
9 to group as many of those as we can into one meeting,  
10 one time period.

11           So that we may have a three-day meeting  
12 that would include on Day 1 site visits by  
13 Commissioners, so that we would actually go out and  
14 visit some of these places, hear from people face to  
15 face, and interact with individuals on a personal  
16 basis.

17           Day 2 perhaps would be the hearing day;  
18 Day 3, Commission meetings and public comments. The  
19 distinction between hearings and public comments are  
20 that hearings and when we would receive testimony from  
21 people that we have invited to come before us,  
22 panelists, experts in the field.

1                   Mr. Leone, I think yesterday you said that  
2 you felt that we had a tremendous need to hear from a  
3 variety of people and to collect information. That  
4 would give us the opportunity to do that.

5                   And on Day 3, we would have the Commission  
6 meeting and have the opportunity to hear from the  
7 public. In other words, rather than trying to divide  
8 up and we'd have site visits and then at a later date  
9 have our Commission meeting and at a later date have  
10 hearings, we tried to do it and just get us together  
11 for three days to accommodate that.

12                   Now, why don't you see hearings listed?  
13 Who are the individuals that will speak there? Who  
14 are the people that will be there?

15                   First of all, for the record, let me state  
16 that the chair has made every attempt to accommodate  
17 every request of every Commissioner, and that's not  
18 going to change, and so if there are individuals that  
19 you want to hear from, please continue to let me know,  
20 and I will incorporate that.

21                   The reason that you don't see them there  
22 at this point is because we're waiting on the work of

1 the Research Commission to be completed, because we at  
2 this point cannot shape what direction we're going to  
3 go until we hear from Commissioner McCarthy and  
4 Wilhelm and Dobson on those important issues.

5 We have got to take that huge body of  
6 questions that we were presented with yesterday and  
7 narrow it down so that we can then begin to structure  
8 the hearings to accommodate what we have set as our  
9 priorities.

10 It's the old question again: what comes  
11 first, the chicken or the egg?

12 Commissioner McCarthy.

13 MR. McCARTHY: Are you still on  
14 methodology here?

15 CHAIRPERSON JAMES: Yes, I'm still up and  
16 answering the question why under hearings, as an  
17 example, don't we see a listing of who all those  
18 hearing speakers will be.

19 MR. McCARTHY: Well, if I may suggest, the  
20 subject matter that is listed here tentatively for the  
21 Commission meetings is related to the discussion we're  
22 now in. I looked at the first hearing, and the

1 subject matter, the focus, would be on crime and  
2 political corruption.

3 I don't think that's occupied five minutes  
4 of the Subcommittee on Research's discussion; whereas,  
5 the second meeting, addiction and local economic  
6 development, has occupied probably 90 percent of the  
7 time, and if you look at the list of study questions  
8 from Mr. Wilhelm and Dr. Dobson, they make up the vast  
9 bulk of the questions that are posed here. There are  
10 obviously a number of breakdowns underneath that.

11 CHAIRPERSON JAMES: Leo, all you have to  
12 do is say, "Let's switch them," and it's done if  
13 that's the sense of the Commission.

14 MR. McCARTHY: Well, I want to go beyond  
15 that. I'm not -- in looking at all of the priorities  
16 of the subject matter, I'm not sure where crime and  
17 political corruption fit. I'm not suggesting that  
18 it's not an important issue. I'm just suggesting with  
19 the resources that we have both on research and time,  
20 I would certainly like to address very aggressively  
21 the whole issue of pathological gambling and all of  
22 the related issues and even -- I think it's going to

1 be more time consuming -- the whole issue of economic  
2 impact, economic consequences of legalized gambling.

3           So when we start to draft the folks, I  
4 hope that's where it would be, and I'll slip this in  
5 incidentally. I do think there's some logic in maybe  
6 going to the two major forces of gambling in the  
7 United States, Atlantic City and Las Vegas, but I sort  
8 of think of Atlantic City in connection with New  
9 England, and maybe the Pequot Indian tribe and somehow  
10 not just limit our focus to Atlantic City, but in a  
11 larger regional sense, and that would, I think, let us  
12 get into the economic development issue and ask  
13 questions about who are the customers, where do they  
14 come from, and many other questions.

15           CHAIRPERSON JAMES: That can certainly be  
16 done in a three-day visit to the area. We can have  
17 the site visits around the -- and I think you will see  
18 that there, to local communities so that we can get  
19 outside a little bit, if necessary up to New England,  
20 and that certainly can be done.

21           Commissioner Wilhelm and then Commission  
22 Lanni.

1                   MR. WILHELM: I have a number of comments  
2 if it's appropriate on the combination of the  
3 methodology and the schedule. Is that appropriate?

4                   CHAIRPERSON JAMES: It certainly is.

5                   MR. WILHELM: Thank you.

6                   Well, first of all, I concur with Leo's  
7 comments with respect to the focus. I think this  
8 Commission will be more likely to have some measure of  
9 success in what Jim described a couple of minutes ago  
10 as an impossible task if we try to focus primarily on  
11 the pathological gambling or whatever term we're going  
12 to use for that and on economic impact.

13                   I don't mean to suggest by that that it's  
14 inappropriate ever to look at related issues. Some  
15 issues, of course, fit into a variety of categories.  
16 Crime, for example, can be a piece of economic impact.  
17 of course, but it seems to me that we ought to focus  
18 primarily on those two because they're huge by  
19 themselves, as Leo says.

20                   And along with that, I don't understand  
21 the logic of suggesting that a particular visit to a  
22 particular city or region ought to focus on one issue.

1 Now, I am inferring that the word "focus" is not meant  
2 to be an exclusive term, but nevertheless, I would  
3 like to see us focus on the two issues that Leo puts  
4 forward, that is, pathological gambling or problem  
5 gambling and economic impact, wherever we go.

6           So for that reason I do not think that it  
7 makes sense to ascribe a particular focus to the  
8 particular city or region to which we're going.

9           Having said that, I have a number of  
10 comments about the proposed visits. First of all,  
11 there is a comment at the end of Roman numeral two  
12 that says 1999 dates and sites to be determined by the  
13 Commission. As a practical matter, if I understand  
14 the time line, which as you say is sort of not a whole  
15 lot we can do about, it seems to me that in essence  
16 1999 visits are meaningless at least insofar as they  
17 might have an impact on the report.

18           So at least in my mind, whatever visits  
19 that are going to have some impact on the report need  
20 to be completed by the end of 1998, and so I've tried  
21 to think about where I think we need to go, and I have  
22 the following comments on the proposal.

1                   I agree with the proposed visits -- and I  
2 don't have much of an opinion about the particular,  
3 you know, months -- but --

4                   CHAIRPERSON JAMES: Could I interrupt just  
5 a minute?

6                   MR. WILHELM: Certainly.

7                   CHAIRPERSON JAMES: To suggest that before  
8 we get into the proposed visits because we really do  
9 need that information from everyone that we discuss  
10 briefly your first point, John, which is whether or  
11 not we have -- and this is purely a logistical  
12 question -- whether or not we want to focus a meeting  
13 on a particular subject and have experts talk to us on  
14 that particular subject; whether or not we want to  
15 have a broad range of issues that are discussed at  
16 every site or every visit.

17                   Now, let me give you some pros and cons of  
18 each one. One of the things that we struggled with is  
19 that if you talk about a particular issue while you're  
20 at a particular site, the implication would be that  
21 there is a problem or an issue with that site related  
22 to the topic that's being discussed. That is

1 certainly not the case, and we don't want to give that  
2 impression.

3           However, for the work of the Commission,  
4 it would certainly be good for us to be able to focus  
5 our comments and to be able to focus our discussion  
6 and to deal with an issue, hear the advice, hear the  
7 experts deal with that issue, and then set it aside  
8 and move on to the next issue.

9           If it is the pleasure of the Commission  
10 that we talk about every issue at every meeting, I  
11 mean it just makes for a logistical problem. There  
12 are lots of ways that we can do this. It really is  
13 what works best for you, and the chair will  
14 accommodate what is the wisdom of the Commission.

15           The chair recognizes Dr. Dobson.

16           DR. DOBSON: Madame Chair, you partially  
17 clarified what that statement -- what I was going to  
18 ask, but it does seem to me that there's a need for a  
19 primary focus at a particular point so that we're not  
20 taking the shotgun approach, but I would hope that  
21 when we're going to a city where certain questions are  
22 relevant, that we ought to deal with those.

1           For example, going to Cripple Creek,  
2 Colorado, which did not have gambling and then the law  
3 changed and suddenly they did, so what's the impact of  
4 that? That's a very different question than going to  
5 Las Vegas or Atlantic City.

6           So I would hope that where there are  
7 issues related to the location of the meeting, that we  
8 ought to include those.

9           CHAIRPERSON JAMES: The chair recognizes  
10 Mr. Wilhelm.

11           MR. WILHELM: I agree with Jim, and using  
12 as an example the suggested focus for Cripple Creek  
13 and Central City is problem gambling, and I don't  
14 think we should preclude a conversation about problem  
15 gambling in those cities, but I think you're quite  
16 right. You know, what happened before and after?  
17 Well, that covers a multitude of things in addition to  
18 problem gambling.

19           So, again, I was attempting, as a follow-  
20 up to Leo's comment to suggest something sort of part  
21 way between the two poles that you outline, Kay,  
22 because I think we ought to try to the extent we can

1 to focus everywhere we go primarily, though not  
2 exclusively, on problem gambling and economic impact.

3 CHAIRPERSON JAMES: The chair recognizes  
4 Mr. Leone.

5 MR. LEONE: I understand that there's  
6 really two parts to your point you're making, John.  
7 One is that you want the report to heavily emphasize  
8 some issues more than other issues, and we could argue  
9 about which issues those ought to be. I don't have  
10 any particular problem with the ones you suggest.

11 On the other hand, I think that the  
12 chair's work plan which has the individual meetings  
13 focused on particular clusters of issues or particular  
14 issues is sound and is the only reasonable way to  
15 proceed. I think we should try to sort out what we  
16 want that focus to be.

17 There are a couple of things that are  
18 maybe on the list by implication, but that I'd like to  
19 see on the list. For example, in addition to speaking  
20 to the public and to communities that are trying to  
21 deal with the introduction of gambling or decide about  
22 the introduction of gambling, I think we're also

1 speaking to the federal government and governments,  
2 and I think there are substantial regulatory issues in  
3 the area of gambling, and as you know, I think there  
4 are substantial issues about the way states conduct  
5 lotteries, which doesn't naturally fall into any of  
6 these categories.

7           So I guess what I'd say is I think you  
8 have to organize the work so that there's a coherent  
9 set of subjects or subject at each meeting. I don't  
10 think that's at all in conflict with the notion that  
11 the report might emphasize some issues more than other  
12 issues. I think that's inevitably going to be the  
13 case.

14           I think it would be fatal for us to try to  
15 decide that today. We have a long way to go to have  
16 an easy going working relationship as a group. It  
17 would be my observation --

18           (Laughter.)

19           MR. LEONE: -- here at our second  
20 gathering, and to now put on the table the notion of  
21 what should be left in and what should be, by  
22 implication, left out or reduced to a comment would be

1 really red meat because, you know, all of us have  
2 particular things that concern us.

3           But I do think that it's reasonable to  
4 proceed in this way and appropriate to proceed this  
5 way. I think we should talk about the broad  
6 categories. I have no particular view about where we  
7 need to go or where we don't need to go or in what  
8 sequence. I do think though that Kay's comment about  
9 what we're going to talk about in a particular  
10 community will not dissuade the local press from  
11 deciding that we've come there to explore that issue,  
12 and we might want to relabel some of these categories.

13           For example, I would never go to  
14 California to discuss intergovernmental agencies.

15           CHAIRPERSON JAMES: Leo, would you like to  
16 take issue with that?

17           The chair recognizes Dr. Dobson.

18           DR. DOBSON: Madame Chairman, I remind our  
19 Commissioners that the broad categories are spelled  
20 out for us in the law. There are six categories that  
21 the law, the statute says will be studied at a  
22 minimum, and in two years' time, we're not going to

1 get much beyond that I wouldn't think.

2 I've got them listed here. You all  
3 probably remember what they are, but they're laid down  
4 for us.

5 CHAIRPERSON JAMES: You will notice that  
6 the work plan tried to address the categories that  
7 were laid out in the law. That's how they were  
8 resolved.

9 The chair recognizes Mr. Lanni, then Mr.  
10 Bible, and then after that we will go to Dr. Moore.

11 MR. LANNI: Madame Chair, a couple of  
12 comments.

13 One, relative to John Wilhelm's comments,  
14 I think the idea of maybe reducing some of the  
15 concerns that local citizens might have may have an  
16 emphasis at every stop, shall we say, on problem areas  
17 of gaming, economic impacts, and then a third one to  
18 be featured.

19 That might be a better way to do it. I  
20 think it would be very important though on that third  
21 one that is featured, it shouldn't be a micro view,  
22 but a macro view. You might go to a particular area,

1 and if it's a micro view and only at that particular  
2 area, we're not going to as a Commission have a full  
3 understanding of the impact in that particular area on  
4 a nationwide basis. So I think that would need to be  
5 done.

6 I also have a couple of comments. I'm a  
7 little confused as to why Branson, Missouri, was  
8 suggested unless some Commissioners or some staff  
9 members are interested in some of the supper clubs  
10 that are there because there's no gaming of any type  
11 in that area, which is confusing to me.

12 CHAIRPERSON JAMES: As I said, the chair  
13 tried to accommodate the request of all Commissioners,  
14 and it's there at the request of a Commissioner, and  
15 perhaps that Commissioner would like to address that.

16 Before I ask Dr. Dobson to address it, I  
17 think that was your -- that was not your  
18 recommendation?

19 MR. LANNI: See, they won't admit to it  
20 now. You know that.

21 CHAIRPERSON JAMES: They won't admit to  
22 it.

1 (Laughter.)

2 CHAIRPERSON JAMES: Who was that?

3 DR. DOBSON: Is there gambling nearby at  
4 Joplin or anything?

5 MR. LANNI: I think about two and a half  
6 hours if you speed, but there are a lot of great  
7 supper clubs there, and Bobby Rydell, I think, is  
8 there. Maybe you want to see him. I don't know.

9 (Laughter.)

10 CHAIRPERSON JAMES: Must have been for the  
11 entertainment.

12 DR. MOORE: I'm too young to remember him.

13 (Laughter.)

14 MR. LANNI: I'm not. I know Bobby, so I  
15 don't want to say anything.

16 I have a couple of other things.

17 CHAIRPERSON JAMES: Well, one thing --

18 MR. LANNI: I'm sorry.

19 CHAIRPERSON JAMES: -- before you do that,  
20 and I do recognize that we have to go to Mr. Bible and  
21 Mr. Moore, there's only one thing that concerns me at  
22 this point. I think your recommendation is an

1 excellent one, and that is that we look at a problem,  
2 look at the economic factors.

3           The law clearly says that we should look  
4 at economic and social, and what I would like to do is  
5 see us look at a problem, look at the economic impact,  
6 look at the social implications, and feature. So that  
7 would be the only caveat that I would have there.

8           MR. LANNI: One --

9           CHAIRPERSON JAMES: Absolutely.

10          MR. LANNI: Just a final point. I'm  
11 sorry.

12          There is a discussion, and I want to be  
13 very careful about this because I realize when you  
14 come to certain locales that people may take umbrage  
15 if you comment, but if you take a look, for example,  
16 at political corruption in Louisiana without offering  
17 any pejorative comments, I would say this. I remember  
18 Senator Glenn's comments on the floor of the Senate  
19 specifically said that this Commission would not be  
20 looking into political corruption.

21          And since time is of the essence and we  
22 have a lot of work to do, and unless there's

1 objection, I would really ask that we withdraw that  
2 because it wasn't the sense of the Senate, and I think  
3 we could spend a lot more time and with very few  
4 results other than what has been found so far in  
5 various areas.

6 CHAIRPERSON JAMES: I think our plate is  
7 full without taking on that particular issue. I  
8 certainly have no objection.

9 MR. BIBLE: I think Terry partially  
10 addressed the issue in terms of looking at the micro  
11 issues. I think at some point you're going to have to  
12 dovetail the research product into the hearing  
13 schedule.

14 Now, if you're going to take a look at, as  
15 Commissioner Dobson suggests, economic development and  
16 use Cripple Creek as an example, I think we should  
17 have basic, fundamental research available to us prior  
18 to going out, and I think the purpose of hearings is  
19 to understand the meaning of that research, and I  
20 think that's probably true in many of the other areas  
21 also.

22 At some point you've got to dovetail or

1 bring the two work products together. Otherwise  
2 you're just going to have a kind of shotgun approach  
3 to hearings. You're going to have some people that  
4 are going to say, "Yeah, it's been great," and people  
5 that say, "No, it hasn't been great," or whatever in  
6 terms of their own experiences, but you're not going  
7 to have hard facts to talk about and to explore the  
8 meaning of the data.

9 CHAIRPERSON JAMES: Commissioner Moore.

10 DR. MOORE: My only comment would be that  
11 my people back home will think that I don't have much  
12 pull.

13 (Laughter.)

14 DR. MOORE: I see no site visit to  
15 Mississippi. I'll agree with Terrence that Louisiana  
16 has a lot of corruption, and I believe they know that.

17 (Laughter.)

18 DR. MOORE: But they have excellent food,  
19 and it's easier to get to than Mississippi, but there  
20 are a lot of flights, I believe, in the Biloxi  
21 Regional Airport now because of gambling, and you  
22 know, if we can work out a site visit there, I think

1 it would be nice. I think that you would see a nice  
2 state, a pretty state, gambling that economically has  
3 been a success, and then maybe we could find out the  
4 social impacts of it. I don't think too much work has  
5 been done on that, but I don't know of any real  
6 problems, but it would be worth studying.

7 CHAIRPERSON JAMES: Well, Dr. Moore, I  
8 wouldn't want you to overlook that in October, which  
9 would be our next meeting, in fact, we'd be coming to  
10 Mississippi.

11 DR. MOORE: But as a site visit.

12 CHAIRPERSON JAMES: We want to come see  
13 you.

14 DR. MOORE: Site visit.

15 CHAIRPERSON JAMES: Yeah, as a site visit,  
16 yeah, absolutely.

17 DR. MOORE: I was thinking of the major.

18 CHAIRPERSON JAMES: You want the whole  
19 thing.

20 DR. MOORE: The whole thing, the site  
21 visit.

22 CHAIRPERSON JAMES: We will take that

1 under advisement.

2 DR. MOORE: For anyone.

3 CHAIRPERSON JAMES: Commissioner Wilhelm.

4 MR. WILHELM: Yes. If it's appropriate  
5 now, I'd like to make some comments following up on  
6 some of the ones that have been made and adding some  
7 about locations, and also schedule.

8 And I will say at the beginning of my  
9 comments that I'm sure my comments will be universally  
10 unpopular with all of the Commissioners because I see  
11 a need for more meetings than you have laid out, and  
12 I don't say that critically. I just think that we  
13 need more meetings.

14 And in particular, I believe that the  
15 Commission needs to have a meeting in October which is  
16 not a road trip, and I believe that for two reasons.

17 One, I think it would be unwise to launch  
18 out upon these road trips without a set of rules  
19 governing our procedures, and obviously that takes  
20 another meeting based on what happened this morning.

21 And, secondly, I would be extremely  
22 nervous, quite frankly, about -- and you made

1 reference to this a little earlier this morning, Kay,  
2 about launching into these road trips without an  
3 Executive Director because I think that the planning  
4 of these trips, not just the logistics, but the  
5 overall, you know, integration and scheduling and  
6 thought about focus and so forth, while obviously you  
7 as the chair and the Commissioners would participate  
8 in, it's very hard for me to see pulling that off in  
9 a successful and productive way without an Executive  
10 Director.

11           So I would like to propose initially that  
12 we have a Commission meeting in October, which is not  
13 a road trip, which, along with whatever else, would  
14 hopefully deal with the question of the selection of  
15 an Executive Director and with the rules of the  
16 Commission. So that's the first sort of scheduling  
17 and location point that I wanted to make.

18           Now, along with that --

19           CHAIRPERSON JAMES: Before you --

20           MR. WILHELM: Yes.

21           CHAIRPERSON JAMES: -- move on to another  
22 issue, I thought I heard the consensus this morning

1 that we needed to have an additional meeting fairly  
2 soon to address those issues. So that would be in  
3 addition to the October meeting and prior to it.

4 MR. WILHELM: Okay.

5 MR. BIBLE: You're thinking of something  
6 in September?

7 CHAIRPERSON JAMES: Absolutely. Yeah, to  
8 resolve those issues.

9 MR. WILHELM: Okay. I suspect you may  
10 have, based on the Research Committee's work, you may  
11 have trouble scheduling that, but that's something  
12 that can be worked upon.

13 With respect to the trips to other  
14 locations besides Washington, I agree, responding to  
15 the suggestions here and recognizing that they were  
16 suggestions, I agree with going to Atlantic City. I  
17 agree with going to California, and I agree with going  
18 to Connecticut, and I'd like to in a moment make a  
19 couple of comments on the latter two of those.

20 I do not agree with going to Colorado or  
21 to Branson, Missouri, or to New Orleans, and I'd like  
22 to say why in each case.

1           If we had more time, I would support going  
2 to Colorado. I'm personally unfamiliar with that  
3 market. I know it's an unusual market, and I don't  
4 disagree that it would be interesting to look at. I  
5 simply don't see, given other priorities how that  
6 reasonably fits in as a priority.

7           With respect to Branson, as has been  
8 pointed out, there is no gambling there. There is no  
9 gambling, as I understand it, within 200 miles of it.  
10 So I don't understand the logic of that.

11           With regard to New Orleans, I think it  
12 would be much more sensible, as Dr. Moore indicated a  
13 few minutes ago, to have a full-blown visit to  
14 Mississippi, and I have two reasons for that.

15           One, the amount of gambling in Louisiana  
16 as compared to the amount of gambling in Mississippi  
17 is substantially smaller, and, two, I think it would  
18 be suicidal, and I mean that term quite literally, for  
19 this Commission to inject itself purposefully or  
20 inadvertently into the political debate going on in  
21 the State of Louisiana and in the United States Senate  
22 about the Senate race that occurred there, and I

1 believe that a site visit, because as probably most  
2 people or all people in this room know, the questions  
3 of the involvement of the gambling industry in the  
4 contested Senate election has been front and center.

5           So I think that to wander purposefully or  
6 accidentally into that would be catastrophic, and I  
7 don't believe the Commission would probably ever  
8 recover from it.

9           With respect to the Connecticut visit,  
10 which I support, having lived in Connecticut for 24  
11 years, I'm particularly delighted at the idea of going  
12 there in October. There is no nicer place in the  
13 universe than Connecticut in October.

14           But I think that in addition to the two  
15 Native American casinos in Connecticut, which  
16 certainly bear examination, I think we ought to also  
17 take advantage of looking at Bridgeport, Connecticut,  
18 which is a very interesting example of a city where  
19 there was a proposal to have gambling, and that  
20 proposal failed, and I think it would be very  
21 interesting to look at Bridgeport in the wake of that.

22           And I think it would be interesting to

1 look at Massachusetts on the same visit.  
2 Massachusetts is a place where there is presently no  
3 casino gambling, although there have been proposals  
4 for at least Native American, as well as potentially  
5 commercial gambling, but more importantly, I think  
6 Massachusetts, along with California, is a perfect  
7 environment in which to look at the lottery,  
8 particularly because the lottery in Massachusetts has  
9 gone, I believe, as far and probably farther than any  
10 other state in going beyond what we'd traditionally  
11 think of as the lottery, and they have, in particular,  
12 these keno outlets, you know, every time you turn  
13 around in the State of Massachusetts, which I think  
14 really need to be looked at.

15           So I would support the Connecticut visit.  
16 I would advocate including not only the Native  
17 American casinos, but also Bridgeport, and also  
18 Massachusetts in that visit.

19           I support California, and this is part of  
20 why I said this would be unpopular. I want to suggest  
21 the possibility of one more day in California, and the  
22 reason for that is California has a broad -- first of

1 all, it's a huge place. So it takes a while to go  
2 anywhere, but it has a broad spectrum of gambling to  
3 look at, and I think it's important to look at it not  
4 just in separate compartments, but also as they fit  
5 together in that state.

6           There's an enormous number of Native  
7 American casinos, and there are, I think, the -- I'm  
8 assuming that the intergovernmental reference was, in  
9 part, to the disputes that surround the state  
10 government versus the federal government versus the  
11 tribal governments' views of those, of course, but  
12 there are 20-some odd if not 30 Native American  
13 casinos.

14           There is, again, a pretty aggressive  
15 lottery, complete with keno outlets and bars and  
16 restaurants. There are card clubs. There's a new  
17 generation of them that looked from the outside like  
18 full blown casinos, and of course, there's  
19 parimutuels.

20           So I support going to California, but I  
21 would like to suggest the consideration for one  
22 additional day in California.

1           I think we very much need -- and this is  
2 the other reason I know this is unpopular -- I think  
3 we very much need four other visits. As Dr. Moore  
4 said, and as I mentioned a moment ago, I think it  
5 would be entirely appropriate to go to Mississippi.  
6 Mississippi, depending on how you measure it is now  
7 either the second or third largest gambling state in  
8 terms of casino style gambling. It presents the  
9 issues that some people are interested in about the  
10 difference between river boat gambling and dockside  
11 gambling. It presents by far the most rapid growth of  
12 a large scale gambling industry that is available to  
13 look at, and it presents a variety of types of market  
14 environments, between Tunica and Biloxi, in  
15 particular, and finally, it has one variety of Native  
16 American casino which I think needs to be looked at,  
17 which is a Native American casino managed by a  
18 traditional gambling company.

19           So for those reasons, I think it would be  
20 important to go to Mississippi.

21           I think it would be important to go to  
22 Nevada, and I say Nevada as distinguished from simply

1 Las Vegas, and this is the other area where I think we  
2 ought to give consideration to one more day, and the  
3 reason for that is I think it would be silly to look  
4 at the gambling industry without looking at Las Vegas,  
5 but there's a very different market 90 miles down the  
6 road called Laughlin, Nevada, which I think would be  
7 well worth looking at.

8           And in addition, we might consider as an  
9 additional window on Native American gaming the  
10 possibility of trips to Arizona where there's a  
11 substantial amount of Native American gaming,  
12 particularly in the Phoenix and Scottsdale area, which  
13 isn't, you know, all that far, but that's why I  
14 thought we might need another day.

15           Third, I think we need a trip to a --

16           CHAIRPERSON JAMES: John, we're out of  
17 money.

18           MR. WILHELM: I understand that. I knew  
19 this would be very unpopular. I just think we need to  
20 think about where we're going and why. So obviously  
21 all of these probably aren't going to happen, but I  
22 think we need to look at sort of a straight, if you

1 will, normal looking river boat environment, which  
2 could be Missouri and Illinois taken together. I mean  
3 there's a lot of river boats up and down or, for that  
4 matter, it could be Missouri, Illinois, and Iowa taken  
5 together. There's a lot of boats up and down that  
6 river.

7                   And finally, and I think this is  
8 important, and I don't think we ought to lose sight of  
9 it. I think we ought to go to Wisconsin for the  
10 specific reason of looking at a very different kind of  
11 Native American gaming.

12                   So, again, I recognize in advance that  
13 those are unpopular, and I hadn't thought of the  
14 budgetary issue, as well, as you point out, but that  
15 would be my view of the kinds of things that we do  
16 need to look at, recognizing that there's too much  
17 time involved.

18                   CHAIRPERSON JAMES: The chair recognizes  
19 Mr. Lanni.

20                   MR. LANNI: Thank you, Madame Chair.

21                   One way that would help in a little bit,  
22 if you take a look in California, looking at John's

1 proposal there, you might not have to add a day. If  
2 you think about covering card clubs, parimutuel, that  
3 could be done at one facility, Hollywood Park  
4 Racetrack at Inglewood, and then 90 miles to the east,  
5 and if you do it in January, it's a nice time to do  
6 it, speaking of good states with good weather, is in  
7 Palm Springs, where there are Native American  
8 operations there. It could be done in a day, and you  
9 hit three of the more significant aspects, and then  
10 lottery could be part of it also since that's  
11 significant in California.

12           So you might be able to compile it into a  
13 shorter period of time by picking up more venues or  
14 single venues with more events.

15           CHAIRPERSON JAMES: The chair recognizes  
16 Mr. Loescher.

17           MR. LOESCHER: Thank you, Madame Chairman.

18           I would like to offer -- in that package  
19 of material that I gave this morning, there was a  
20 memorandum from the National Indian Gaming  
21 Association, and I had put to them about two months  
22 ago the prospect of being invited to Native American

1 casinos and gaming operations across America, and what  
2 they did is they listed the criteria and how they  
3 would go about it, but they didn't give me any  
4 locations because they couldn't decide among  
5 themselves, and I had an overwhelming list of  
6 communities that they wanted us to go to on my own  
7 letters from these various tribes.

8           But I would recommend that we do have  
9 invitations, and it does make sense looking at their  
10 criteria to go to California, to look at Native  
11 American gaming; the Oneida, Wisconsin, area, to look  
12 at Native American gaming; and to the Phoenix-  
13 Scottsdale, Arizona, area to look at Native American  
14 gaming, and I would recommend that.

15           I don't have an invitation from my friends  
16 in Connecticut, and I certainly wouldn't want to  
17 impose on them without some kind of sense of  
18 invitation, and I would oppose going there right now.

19           Madame Chairman, I really think the field  
20 visits ought to be field visits, maybe coupled with  
21 public hearings, so that we could get a sense of  
22 people across America, what they think about, and

1 there may be short Commission meetings there.

2 I'm worried about this hearing business  
3 because I would like to use the hearing process to  
4 supplement the work that we're doing in the Commission  
5 through the contractors and through the staff, and as  
6 we get the Executive Director on board, he'll have  
7 more of a sense where those gaps are in the work, and  
8 I really would like to offer for the record my  
9 comments that I think the hearings ought to be more  
10 formal, and there ought to be no more than two  
11 locations in America to make it convenient for people  
12 to testify.

13 As you know, our statute says we can pay  
14 their expenses and whatnot to come. So I offer that  
15 idea. I think field visits are going to be really  
16 full. I mean just getting there is going to be  
17 interesting, and then when we get there, lots of  
18 people are going to have lots to show us, and I think  
19 a limited agenda and a public hearing is kind of a  
20 context that would be invaluable to the Commission.

21 I don't, Madame Chairman, agree  
22 necessarily with the way this paper is laid out on the

1 study questions, proposed schedule, and the focused  
2 business. I believe people would take offense, and I  
3 would have a sense of concern, that we go to a  
4 community and we focus on problem gambling or crime or  
5 whatever. I think we're connoting something that may  
6 not be there.

7           And I agree that maybe, you know, saying  
8 everything's on deck in terms of our questions and our  
9 missions is probably too much, as well, but I really  
10 think our field visits have a lot to offer, and if we  
11 go and look and then we ask people to come to public  
12 hearing, maybe have a short Commission meeting, I  
13 think that's good enough.

14           But this idea of having a focus at each  
15 field visit, I don't think -- I don't think is a good  
16 idea.

17           Madame Chairman --

18           CHAIRPERSON JAMES: Let me address that  
19 before --

20           MR. LOESCHER: Yeah.

21           CHAIRPERSON JAMES: -- you move on to your  
22 next item.

1           I thought that I had the sense of the  
2 Commission that we would adopt -- and if I don't, I  
3 need to hear that -- that we would adopt Mr. Lanni's  
4 recommendation that we have at each Commission meeting  
5 the problem, the economic impact, something of a  
6 positive nature, and so that's --

7           PARTICIPANT: Social.

8           CHAIRPERSON JAMES: Yeah, and the social  
9 for each site to avoid the problem that you're  
10 raising, Mr. Loescher. So I thought we had addressed  
11 that and that that one was resolved, but if it isn't,  
12 let me know.

13           It is?

14           MR. McCARTHY: I think the third part of  
15 Mr. Lanni's --

16           CHAIRPERSON JAMES: Microphone, please.

17           MR. McCARTHY: I'm sorry. The third part  
18 of Mr. Lanni's proposal was that there may be some  
19 specific issue that has broad applicability --

20           CHAIRPERSON JAMES: Correct.

21           MR. McCARTHY: -- that could be added,  
22 whether it's a focus on lotteries or a focus on --

1 CHAIRPERSON JAMES: Correct.

2 MR. McCARTHY: -- you know, some other  
3 issue.

4 CHAIRPERSON JAMES: Correct.

5 Mr. Lanni.

6 MR. LANNI: Just an additional factor,  
7 Leo, was that I thought that additional one should be  
8 on a macro basis, not on a micro.

9 MR. LOESCHER: Right.

10 MR. LANNI: That we should be covering a  
11 broad base, not just a particular community that we're  
12 involved, ont that they couldn't respond on their own  
13 particular aspect.

14 CHAIRPERSON JAMES: Yeah, and so that's  
15 the direction that we're going to be headed with that.

16 Did you --

17 MR. LOESCHER: Madame Chairman.

18 CHAIRPERSON JAMES: -- have a comment on  
19 that particular problem?

20 PARTICIPANT: Mine is on cities.

21 CHAIRPERSON JAMES: Okay. We'll get back  
22 to that one. We're going to finish with Mr. Loescher.

1           MR. LOESCHER: Yes. Thank you.

2           Madame Chairman, I appreciate the  
3 clarification, and I support the approach that you've  
4 decided on here.

5           A couple more points. I agree with the  
6 notion that we ought to have a meeting soon, and I  
7 don't know how this schedule is going to work out in  
8 September, and I hope I can make it, and it's really  
9 tough, you know, to come all the way for so many  
10 meetings, but we'll -- you know, I do endorse the  
11 notion that we have a formal meeting before we go  
12 start the field visit routine.

13           And I believe that the Executive Director  
14 business and the rules and the contracts and all of  
15 that should be the essence of that agenda.

16           Just for the record, again, I want to  
17 object to you having a committee to review the  
18 Executive Director without all the Commissioners  
19 knowing who they are and participating in that review,  
20 since you're offering that to some of the  
21 Commissioners, but just for the record, I still object  
22 to that, that practice, procedure you have.

1           The other is that I just want to comment  
2 about something I talked about yesterday, the chicken  
3 and the egg theory. I'm willing to go along and  
4 listen to all of these questions. You know, I think  
5 they're interesting, and they provide a view, a spin  
6 of how people look at things in terms of the various  
7 six or seven areas that we have to study, but I really  
8 support the notion like we did with the NRC yesterday  
9 on pathological gaming and the approach of the  
10 contracting that we ought to request whomever is going  
11 to do the contracting to offer us the prospectus on  
12 each of those six areas, and we, the Commission, get  
13 to look at how they're going to go about the contract  
14 and see how it goes that way.

15           I really endorse that over the notion that  
16 we can formulate questions and get to the end that  
17 way. I think getting experts to offer their  
18 contractual approach is more -- it'll get us done  
19 sooner than later.

20           And, Madame Chairman, that's the extent of  
21 my comments on this business.

22           CHAIRPERSON JAMES: Thank you.

1           I think Dr. Dobson was next, and then I'll  
2 come back over to Mr. McCarthy.

3           DR. DOBSON: Madame Chair, we already have  
4 far more cities than we can possibly go to. I'd like  
5 to make a suggestion for how we might kill two birds  
6 with one stone.

7           I was concerned that if possible we go to  
8 a city that does not have gambling, but which is  
9 nearby. You know, it's across the state line so that  
10 that city does not get the benefits of gambling, and  
11 yet is impacted by it. Such a city is Memphis, where  
12 we could also visit Tunica in the Mississippi Delta  
13 and, therefore, satisfy the request for more clout for  
14 Dr. Moore, which he questioned, and go to Mississippi,  
15 but also see the impact on a city that does not have  
16 gambling, but is influenced by it.

17           CHAIRPERSON JAMES: Let's see. Was there  
18 anyone that I had agreed -- I said I will recognize  
19 Mr. McCarthy, and then I will come back to you, Mr.  
20 Lanni.

21           MR. MCCARTHY: I've personally found the  
22 discussion we've been having and some of the comments

1 of my fellow Commissioners in trying to sharpen my own  
2 thinking on this thing, and I have just a couple of  
3 points that I want to make, Madame Chair.

4           You'll have the usual difficulty in trying  
5 to schedule the next Commission meeting I can tell you  
6 from just trying to talk to Dr. Dobson and Mr.  
7 Wilhelm, trying to schedule the next Subcommittee on  
8 Research meeting to discuss the economic impact  
9 issues. It's been extraordinarily difficult because  
10 we're each quite busy.

11           And I would just suggest it would be wise  
12 of the Commission to give you the flexibility that if  
13 you can't arrange that next Commission meeting  
14 presumably here in D.C. until, say, early October,  
15 then you have the flexibility, and you're going to try  
16 to ascertain that very soon, but we have the  
17 flexibility in our thinking to maybe shift the first  
18 site visit over into early November. That's a  
19 thought.

20           Secondly, after this discussion I'm  
21 persuaded that the chair and that the Executive  
22 Director that we will bring on board soon should

1 really look at Day 1 and Day 2 and Day 3 with a lot of  
2 flexibility because the needs will vary from site to  
3 site, and it may be on Day 1 that we want only half  
4 the day for site visits and use the other half of the  
5 day for something else, and the same is true of Day 2  
6 and Day 3. The logic should order what events we will  
7 have on those three days.

8           Third, regarding site selection, while I'm  
9 always sensitive to the wishes of each Commissioner  
10 to, with pride, have us in their vicinity, be it  
11 Colorado or Mississippi or wherever it would be, both  
12 really remarkable places, I think we've got to apply  
13 very rigorous tests to site selection, and  
14 Mississippi, I think, may meet that. I'm not sure,  
15 Dr. Dobson, that Cripple Creek does, but I'm open to  
16 be persuaded on the point.

17           The rigorous test in my mind -- there's  
18 several tests, but one at least is that there are  
19 thousands of state and local officials that are going  
20 to be looking at the information gleaned from the  
21 research that we authorize, from the hearings that we  
22 hold, from the ultimate report of this Commission, and

1 I do agree that when we hold these hearings, there  
2 have to be macro lessons if not applicable to every  
3 gambling site, present or potential, all over America,  
4 then at least fairly broadly applicable, if you will,  
5 with lessons derived from the testimony and the  
6 questions posed by members of the Commission to  
7 witnesses, what we learn at the site visits.

8           So if I go to any one of these sites, I  
9 want to know that I'm developing knowledge that I may  
10 try to put into the ultimate report with five votes or  
11 more that those elected or appointed or career  
12 officials at the state and local level have to make  
13 the decisions on the initiation or limitation or  
14 expansion of gambling will have to make by the  
15 thousands over the next decade all throughout this  
16 country.

17           And finally, in making these site  
18 decisions, certainly I want lessons to be drawn that  
19 can be as broadly applicable as possible, but there  
20 are also some regional lessons to be drawn, and I  
21 think that's one of the reasons that a couple of the  
22 members of the Commission proposed that we do some

1 micro studies, to try to get a fix on this.

2           And in that dialogue I remember suggesting  
3 to Mr. Wilhelm that we try to make that as broad a  
4 region as we can to understand the travel of the  
5 people who gamble and the movement.

6           There's one Las Vegas which is a  
7 convention and tourist destination, and maybe they  
8 come from all over. That's a unique model, I think.  
9 Atlantic City is very, very different, where a lot of  
10 the people come from areas far outside Atlantic City,  
11 but within that region.

12           And when we look at these site selections,  
13 I would like to be able to understand that movement  
14 and what motivates state and local officials and what  
15 arguments are being made and what the logic of it is,  
16 as well as what it means economically and socially to  
17 that immediate area, Atlantic City and outside  
18 Atlantic City.

19           And I would add the additional thought  
20 that I don't think I was -- I suggested maybe going to  
21 the Pequot. You know, that may or may not be a good  
22 idea. I do think we need to understand which Indian

1 tribal operations have broad applicability. That is  
2 certainly an extraordinary and unique operation, like  
3 Las Vegas. It seems to be pretty unique, and maybe we  
4 do need to look at other Indian tribal gambling sites  
5 to see which ones perhaps have broader application  
6 throughout the country.

7 Thank you, Madame Chair.

8 CHAIRPERSON JAMES: Thank you.

9 The chair recognizes Mr. Leone.

10 MR. LEONE: I have two thoughts. First,  
11 on the topics, I think Jim pushed us in the right  
12 direction, which is to remind us that even though  
13 these six topics that are in the law can inflate  
14 issues, in particular, and one category in some cases  
15 has two or three things that really are not  
16 particularly related to one another; it might make a  
17 certain amount of sense to at least think in terms of  
18 covering those six areas in some fashion even if we're  
19 selective if we have six meetings as at least a  
20 portion of the meeting set aside for whatever people  
21 we can bring forward and information we can bring  
22 forward, whatever discussion we want to have on those

1 issues. I mean that is our mandate, and in each of  
2 them there is something interesting.

3           You know, we could also have the one about  
4 the Internet and cyberspace. We could have our own  
5 meeting and try, but that's an area of unexplored  
6 territory, regulatory issues, as well as what's going  
7 on, that I would hate to see us miss because there's  
8 no place to go and visit where that is happening, but,  
9 say, Antigua, but it's happening everywhere.

10           The second thing is I'd hate to see this  
11 Commission develop into kind of a two tiered body in  
12 which people who in one fashion or another do this for  
13 a living or have the time, are able to participate in  
14 and devote -- I mean, if I were in the business, or in  
15 the business of regulating it, or in the business of  
16 fighting it, or in the business of making money out of  
17 it, I would consider the Commission important enough  
18 to set aside my regular business.

19           And this is the second time I thought of  
20 this today. When you mentioned earlier today I hope  
21 you had your lawyers look over these rules, I didn't  
22 because my private attorney would charge me his usual

1 fees, and that seemed impractical. My daughter's a  
2 lawyer, but she has other interests.

3           For some of us who are serving as  
4 citizens, I know to some people it seems like all it  
5 would mean for me is giving up watching C Span for an  
6 afternoon, but, in fact, we do other things, and we're  
7 not completely -- it is difficult to do all of this.

8           Now, my solution to that is we may want to  
9 have some site visits or explorations that don't  
10 involve the whole Commission, a subgroup, open.

11           I would also say -- let me make a  
12 suggestion, as well, that has worked in other  
13 contexts. While I think subcommittees are rational  
14 and essential as a way, or committees, to approach the  
15 work, I think we could also say that any member is  
16 welcome to attend any meeting of such a group or to be  
17 part of any discussion, and then it would be really  
18 again a case of if you are willing to devote the time  
19 and meet that schedule. That's fine.

20           I mean my own experience in other contexts  
21 is that that works pretty well, and I think we might  
22 suggest that as an informal operating procedure or

1 formal operating procedure when and if we have  
2 operating procedures, and if and when we can have such  
3 committees.

4 (Laughter.)

5 MR. LEONE: If and when they can meet  
6 publicly or otherwise.

7 But I do think this is a good cut at it,  
8 is what I want to say, while I had raised some  
9 questions myself. I don't think a committee of nine  
10 people can select the cities and select the topics and  
11 organize our work, let alone figure out what dates are  
12 going to work for a sufficient quorum.

13 So I suggest that when you get all of this  
14 input, you might propose two tiers of activities, real  
15 Commission meetings at different locations that  
16 involve hearings and other things, as long as you're  
17 getting everybody together, with maybe alternative  
18 dates proposed once you get them set, and I don't see  
19 any reason why -- I understand the importance to  
20 people of -- I mean, frankly, I'd be delighted if you  
21 wanted to visit Princeton and see what a community is  
22 like where all the gambling is in the stock market,

1 and it's been going very well lately. It won't go on  
2 forever, but I understand the importance people attach  
3 to certain kinds of visits and certain kinds of  
4 locations, and I understand that, too, but in fact, as  
5 important as site visits are and direct interaction,  
6 most of the information many of us are going to learn  
7 about this industry and these issues is going to come  
8 from books, reading material, people appearing, other  
9 people's reports, and first-hand information, and just  
10 realistically it's not going to be possible for us to  
11 become experts.

12           So I'm on the other side of this issue  
13 from John and Bob. I think we have to be highly  
14 selective and have a core group of locations and a  
15 core set of issues that we're going to meet about to  
16 move the work of the Commission forward.

17           CHAIRPERSON JAMES: What I'd like to  
18 suggest is that I know that I have a very difficult  
19 job, but that's why they pay us the little bucks, is  
20 to take back the sense that I have from the comments  
21 that I've heard here, try to incorporate as much of as  
22 seems reasonable using some guidelines, and I think,

1 John, that the guidelines that I think you offered --  
2 perhaps it was -- I think you offered them -- about  
3 what are the essential things that would mean a good  
4 site visit, what are the kinds of things that ought to  
5 be there. Someone offered those. I'll look at the  
6 transcript and then pick them out, but for right now  
7 I'll give you the credit, and I have some tough  
8 decisions to make.

9           And I would appreciate the consideration  
10 of the Commission in making those tough decisions,  
11 that it's not going to be easy. Everyone is not going  
12 to be happy with the final outcome. I'll do the best  
13 that I can to accommodate what I feel to be the sense  
14 of the Commission.

15           Having said that, what I would like to  
16 bring back to you and hopefully by the administrative  
17 meeting that we do will be yet again a draft, and the  
18 reason that I think that's important is that while we  
19 focus our attention on perhaps at least the next  
20 meeting after that and fleshing that out, I think that  
21 we want to remain as flexible as we can because my  
22 sense is that as we get deeper into the research and

1 deeper into the discussion, we may want to change our  
2 minds about a site visit. We may want to decide that  
3 one area is more important than another.

4           And I want to maintain that flexibility  
5 for this Commission. So I'd like to flesh out the  
6 next visit or the next meeting.

7           I would also say in answer to you,  
8 Richard, on, you know, the site visits and the  
9 hearings, that was one of the things that we took into  
10 consideration when we broke it out into days like  
11 that. There are certain Commissioners that have a  
12 great deal of expertise in certain areas that may not  
13 have a need to do that, to attend a certain site visit  
14 or feel a need to participate in a certain hearing.  
15 That's at your discretion.

16           But by doing it on days like that, if you  
17 want to come in a day later, if you can't give the  
18 entire time, that's entirely appropriate. It is with  
19 the maximum amount of flexibility for the  
20 Commissioners and their schedules that this was done  
21 with that in mind.

22           The process that I'd like to do on this

1 section, as well as when we continue on the rest, is  
2 to take the sense of the Commission, come up with a  
3 draft, send it out to all of you, let you have your  
4 comments, incorporate those comments, and then have a  
5 final draft document when we return again.

6 Dr. Dobson and then Mr. Wilhelm.

7 DR. DOBSON: Would the chair entertain a  
8 motion? Would that be appropriate at this moment with  
9 regard to several of the comments that have already  
10 been made?

11 CHAIRPERSON JAMES: I am certainly open to  
12 that.

13 DR. DOBSON: I'd like to move that we do  
14 add a meeting, that it occur in October, and that as  
15 Leo suggested, that the first site visit be pushed to  
16 early November in order to accommodate the business  
17 that's not yet completed on the floor.

18 CHAIRPERSON JAMES: Is there a second?

19 MR. LANNI: I'll second.

20 CHAIRPERSON JAMES: All in favor -- oh,  
21 would you like to discuss that? We like to discuss  
22 most everything. Any discussion?

1 (No response.)

2 CHAIRPERSON JAMES: Call for the question.

3 All in favor.

4 (Chorus of ayes.)

5 CHAIRPERSON JAMES: All opposed?

6 (No response.)

7 CHAIRPERSON JAMES: The ayes have it.

8 Great.

9 Mr. Wilhelm.

10 MR. WILHELM: I am quite comfortable with

11 the procedure you just outlined, and I think that

12 Richard's comments are points very well taken. I

13 would, however, like to repeat one point I made

14 earlier. I would like to implore you not to inject

15 this Commission into the Louisiana-Senate political

16 football. I mean quite literally I think it would be

17 suicidal, and I don't think the Commission would ever

18 recover.

19 So I'm very comfortable with the procedure

20 you outlined, but I do want to implore you on that

21 point.

22 Thank you.

1                   MR. McCARTHY: May I answer that, Madame  
2 Chair?

3                   CHAIRPERSON JAMES: The chair recognizes  
4 Mr. McCarthy.

5                   MR. McCARTHY: I think what that means is  
6 that the first meeting should not occur in that region  
7 because I think it would be unavoidable. So I think  
8 there's a general sense that Mississippi is extremely  
9 important and should be included in the schedule of  
10 sites, but perhaps you can consult with Dr. Moore on  
11 a future date and not the first one for this meeting.

12                   CHAIRPERSON JAMES: Is there a sense of  
13 where you'd like to go first?

14                   MR. McCARTHY: I hesitate to differ with  
15 my friend, John Wilhelm, but Atlantic City is not a  
16 bad place to start, the meeting you had proposed for  
17 the second site visit.

18                   MR. BIBLE: Do you want to make that into  
19 more of a regional type meeting? I think your  
20 suggestion of looking at regions makes a lot of sense.

21                   MR. McCARTHY: I agree. That's what I  
22 said before. It's not just about Atlantic City. It's

1 about the larger region, and I hope we do that with  
2 each visit that we're talking about.

3           When we were talking about the research  
4 and doing it on a -- whether it's a local area or  
5 state area, I thought it should be a region, and I had  
6 been thinking in my mind about the Southern Gulf  
7 region, about the Northeast-Mid-Atlantic region, about  
8 the Midwest, and about the West. Those are very large  
9 regions, but I think we have to try to think in those  
10 terms.

11           So I do agree with the point. It's not  
12 just about Atlantic City or its history. It's about  
13 all of the issues that are embraced in that region,  
14 most of which will have a national message.

15           CHAIRPERSON JAMES: Let's see if we can  
16 put together a suggested plan for Atlantic City. I  
17 hope that you all would be available to staff as  
18 they're putting that together to answer a question or  
19 get your input, ideas, and suggestions. I think that  
20 would work well.

21           And for the record, I'd like to state that  
22 because of the immense clout that Dr. Moore has on

1 this Commission and because of the high regard and  
2 respect that this entire Commission has for him -- I'm  
3 doing this for the hometown audience, Dr. Moore. Is  
4 that good?

5 (Laughter.)

6 CHAIRPERSON JAMES: That we will have a  
7 Mississippi site visit at some point on our schedule.

8 Dr. Moore?

9 DR. MOORE: May I comment to that? A lot  
10 of people say that I'm a little critical, and some  
11 people say, you know, that I'm sarcastic. There's a  
12 little bit of truth to my sarcasm, but I would be  
13 perfectly happy, whatever this chair decides and  
14 whatever this Commission likes. I can stand the  
15 pressure in Mississippi.

16 (Laughter.)

17 CHAIRPERSON JAMES: If the rest of them in  
18 Mississippi are like you, we want to come.

19 Mr. Loescher.

20 MR. LOESCHER: Yes. Madame Chairman, I'd  
21 like to supplement my earlier comments because I know  
22 you'll be looking at the transcript again.

1           We had a paper from Mr. Bible on Internet  
2 gaming, and I don't know anything about it, and I  
3 don't think very many people do from what I read in  
4 all the magazines and newspapers, and I think it might  
5 be helpful that an early hearing focus preliminarily  
6 on this topic, and maybe we ought to have several  
7 panels of invited people just to start us off because  
8 I'm kind of hesitant to see a contract go out to do  
9 the work without having some preliminary information  
10 about what it is, and all of these other areas getting  
11 to be a little knowledgeable about, and I'm  
12 comfortable about voting on contracts to those, but  
13 the Internet gaming thing, I believe we ought to have  
14 an early hearing and have invited panels so we can get  
15 some information.

16           CHAIRPERSON JAMES: Can we move on then to  
17 the next section of the work plan, which are just some  
18 general guidelines? I think that for the sake of the  
19 record I'd like to suggest that we at this point in  
20 our formal work plan include the research guidelines  
21 suggested by Mr. Wilhelm and voted on by the  
22 Commission this morning to be included in the document

1 at this point, if the chair can do that.

2 Would you have any objection? Yes.

3 MR. McCARTHY: Are we now back in what --

4 CHAIRPERSON JAMES: We are moving on to  
5 the next section.

6 MR. McCARTHY: I have a comment about the  
7 guidelines that are included in our program here. Is  
8 that appropriate for --

9 CHAIRPERSON JAMES: Well, right now we're  
10 in the general. Let's go page by page --

11 MR. McCARTHY: That's fine.

12 CHAIRPERSON JAMES: -- and do this in some  
13 sort of an orderly fashion.

14 MR. McCARTHY: Fine.

15 CHAIRPERSON JAMES: We're looking at the  
16 research in general. I think that's nothing more  
17 there than a restatement of the law, which helps us  
18 all to stay focused. There shouldn't be any  
19 controversy there.

20 So if you'll turn over to page 4, we are  
21 now at the guidelines, and my suggestion is that we  
22 insert Mr. Wilhelm's research guidelines. I think Mr.

1 McCarthy has the floor, and then we --

2 MR. McCARTHY: In place of what's here?

3 CHAIRPERSON JAMES: That's correct.

4 MR. McCARTHY: That's fine.

5 MR. WILHELM: Well, can I just make an  
6 observation, Leo? Correct me if I'm wrong. I had  
7 sent to the Commissioners, first to the Research  
8 Committee and then to all of the Commissioners, a copy  
9 of the set of proposed research policies.

10 The Research Committee at its meeting last  
11 week adopted and then, of course, as you point out,  
12 the Commission adopted a modified version of one part  
13 of those proposed guidelines. There's a whole set of  
14 other aspects that the Research Committee has not yet  
15 acted upon, including, among other things, some of the  
16 issues that are addressed in B and C here about how  
17 contracts are approved and stuff like that.

18 So we could get into those issues this  
19 morning if you like or, alternatively, it was my  
20 understanding that the Research Committee was going to  
21 try to revisit the rest of those issues and make some  
22 kind of recommendation to the Commission as a whole,

1 again, using as a prime example the issues of how is  
2 a contract or a subcontract approved and by whom and  
3 so forth.

4           So I have no problem in getting into those  
5 today. I just wanted to be clear that those are not  
6 issues that were addressed by the portion of the issue  
7 that the Research Committee recommended and the  
8 Commission adopted.

9           CHAIRPERSON JAMES: I think it would be  
10 very helpful to the Commission, and the chair would  
11 like to recommend that we leave that in the hands of  
12 the Research Subcommittee, let you get the appropriate  
13 information, let you work through some of those, and  
14 report back perhaps at our next meeting on that.

15           And my suggestion was going to be that we  
16 not get into that discussion at this particular time.

17           MR. McCARTHY: That's fine.

18           CHAIRPERSON JAMES: Mr. Wilhelm.

19           MR. WILHELM: I don't know if it's  
20 appropriate right now. I wanted to raise a question  
21 just for my own understanding and perhaps the  
22 understanding of the other Commissioners and the

1 public, as well, about the procedure that we will  
2 follow, not today, but in the future with respect to  
3 the public comment portion of our future meetings.

4           Would that be appropriate?

5           CHAIRPERSON JAMES: Certainly. I was  
6 going to address that issue at the beginning of our  
7 public comment period after lunch, but if you'd like  
8 to do that now we can.

9           MR. WILHELM: Well, I just didn't want to  
10 cut into the public comment time. That's all.

11           CHAIRPERSON JAMES: I'll tell you what I'd  
12 like to do is to finish this discussion on the work  
13 plan, and then we can bring up any other business that  
14 needs to come before the Commission, and that  
15 certainly is an important one.

16           Any other suggestions, guidelines, advice,  
17 guidance for the staff as we go forward? Dr. Dobson.

18           DR. DOBSON: So these guidelines -- excuse  
19 me, Madame Chair -- these guidelines on page 4 are not  
20 applicable?

21           CHAIRPERSON JAMES: That's correct.

22           DR. DOBSON: I have two. Obviously

1 research must be original. That doesn't make any  
2 sense at all.

3 CHAIRPERSON JAMES: Certainly.

4 DR. DOBSON: That is not going to apply.

5 CHAIRPERSON JAMES: That is not.

6 DR. DOBSON: Good.

7 CHAIRPERSON JAMES: And what we have  
8 suggested, to make sure everyone understands, is that  
9 B and C will go to the Research Subcommittee --

10 DR. DOBSON: Yes.

11 CHAIRPERSON JAMES: -- for their  
12 discussion and draft.

13 MR. McCARTHY: I thought we got a  
14 promotion to full committee status. Are we demoted  
15 again since --

16 CHAIRPERSON JAMES: It not clear what you  
17 are, but --

18 MR. McCARTHY: The tides are --

19 (Laughter and simultaneous conversation.)

20 CHAIRPERSON JAMES: All right. Let's see.  
21 We are moving along in our discussion.

22 What we'll do at this point, as I

1 suggested, and just to recap, is that the staff will  
2 go back, incorporate the will of the Commission and  
3 the sense that we have. We will flesh out the next  
4 visit and submit a draft, not in quite that detailed  
5 a form as the next visit, for the Commission's review.

6           It is my suggestion that the work plan  
7 stay in draft form to be able to respond to the  
8 suggestions coming to us from our Research Committee,  
9 as well as from individual Commissioners who have an  
10 interest that they would like to pursue.

11           I don't think any vote is required on  
12 that, and we will send that to our staff to work on.

13           We were doing much too well in terms of  
14 our scheduling, and this is an appropriate time if  
15 there are any other issues, and I know, John, that you  
16 have one that you'd like to bring up, and it has to do  
17 with the public comment period.

18           MR. WILHELM: Yes. I think it's important  
19 for the future for the Commission to have clarity and,  
20 if possible, have the perception of fairness with  
21 respect to the way in which individuals and/or  
22 organizations schedule themselves for the public

1 comment portion of any of our meetings.

2           I do not have a proposal because I don't  
3 have any particular opinion about how this ought to be  
4 done. I do think that we might consider from the  
5 point of view of public perception where it's wise to  
6 have a first come-first serve kind of a sign-up. It  
7 may be wise. This is not a legislative committee  
8 where you can say with some degree of clarity that a  
9 person's testimony is for or against a particular  
10 piece of legislation. We don't have that kind of for  
11 and against here in terms of the issues that we're  
12 talking about.

13           So I'm not completely sure what the  
14 alternative to first come-first serve would be or,  
15 indeed, if there should be an alternative. Speaking  
16 for my own perspective and my own union and the labor  
17 movement generally, certainly if the approach as a  
18 practical matter is going to be that it's whoever can  
19 camp out at the Commission's offices or tie up the  
20 phone line one minute after the Register notice is  
21 published or whoever can produce, you know, 1,000  
22 people in a room or something like that, you know,

1 we're good at that. We know how to do that, and  
2 that's fine. I have no problem with it, but --

3 (Laughter.)

4 MR. WILHELM: -- it doesn't strike me as  
5 necessarily the most ideal form of procedure from the  
6 point of view of public perception.

7 So I'm only raising the issue. I  
8 sincerely don't have a proposal, but I would like to  
9 be completely clear on how this is going to work.  
10 That is, as an example, the Register notice that was  
11 published for this meeting says that people who want  
12 to speak in the public comment portion call a certain  
13 person at a certain phone number. So if the procedure  
14 will be that prior to the publication of the notice  
15 that nobody can sign up and that, you know, starting,  
16 you know, five seconds after the publication of the  
17 notice everybody can sign up, as long as everybody  
18 knows that, I suppose that's okay.

19 It does strike me that that kind of  
20 approach may contribute to the perception of  
21 unfairness, but I'm just really looking to understand  
22 whatever it is we're going to do in that regard.

1 Thank you.

2 CHAIRPERSON JAMES: I can tell you this,  
3 John, that whatever procedure I picked was going to be  
4 perceived as unfair by somebody.

5 MR. WILHELM: I recognize that.

6 CHAIRPERSON JAMES: And so I think it is  
7 important for you to know how we came to that  
8 particular process, and we simply asked: what are the  
9 procedures that other commissions have used? Give us  
10 some guidelines on that.

11 And we actually got the guidelines from  
12 several other commissions, and the language that  
13 appeared in our public announcement was actually  
14 guidelines that were lifted exactly word for word from  
15 several other commissions that have public comment  
16 periods.

17 I don't have a dog in this fight. I just  
18 wanted to be fair, open, and for the public to have  
19 the most opportunity that they have to express their  
20 opinions.

21 And I can tell you that there are flaws in  
22 any process, and it was suggested by some that perhaps

1 we go a pro-con, pro-con. Can you imagine the staff?  
2 Yeah, can you imagine the staff interviewing the  
3 public to determine their position and then telling  
4 them that based on what they want to say, they have  
5 been denied access to this Commission? I just cannot  
6 imagine the feasibility of that working.

7           And in terms of the Commission, I have to  
8 tell you that to hear some of the -- and there's no  
9 other way to say it -- whining that's gone on -- as my  
10 good friend Arianna Huffington says, there is no  
11 dignified way to whine -- whining about lack of access  
12 to this Commission when, in fact, we have honored  
13 every single request that we possibly can for people  
14 to address this Commission, and we'll continue to do  
15 that, by the way, but you have to know as chair that  
16 there is no easy way to do this, and no way that's  
17 going to be perceived by all interested groups as  
18 being completely open and honest and fair.

19           And so, you know, as crazy as it seems  
20 from my perspective saying, "How about just saying  
21 first come-first serve?" and we did not take any phone  
22 calls until, you know, everyone had the opportunity to

1 be notified about that particular meeting, the  
2 opportunity to address this Commission.

3           And if anyone has another suggestion for  
4 how they'd like to see it done, I'm open to discussing  
5 that. We're happy to change it, and I'm happy to  
6 entertain that kind of discussion.

7           I think I don't need to recognize -- okay.  
8 Then I'll go to Mr. Bible.

9           MR. BIBLE: I think if it does become a  
10 problem, you can just arrange to assign everybody a  
11 number and then draw them by lot as to how you're  
12 going to --

13           CHAIRPERSON JAMES: I'm sorry?

14           MR. BIBLE: Just do a drawing. Just  
15 assign everyone a number and draw.

16           CHAIRPERSON JAMES: Oh, a lottery?

17           (Laughter.)

18           CHAIRPERSON JAMES: Let's see. So we  
19 would let the public gamble on whether or not they  
20 have the opportunity to address this Commission. What  
21 a novel idea.

22           (Laughter.)

1                   CHAIRPERSON JAMES: Well, I'll tell you  
2 there are some interesting things that we could  
3 discuss about whether or not that would be  
4 appropriate. How we would hold the lottery, how you  
5 would notify people as to whether or not they have  
6 been selected; we'll take a look at that at your  
7 suggestion, Mr. Bible, and see the feasibility of  
8 that.

9                   John.

10                  MR. WILHELM: And I suppose we could study  
11 whether people sign up meeting after meeting have a  
12 problem. No, I'm just kidding.

13                  CHAIRPERSON JAMES: Compulsive testifiers.

14                  MR. WILHELM: Yeah, compulsive testifiers,  
15 right. Good.

16                  Kay, I completely recognize the things  
17 that you said. There is no system that will make  
18 everybody happy. I appreciate that, and that's why I  
19 really don't have a proposal. I just want to know how  
20 it's going to work.

21                  CHAIRPERSON JAMES: Why don't I suggest  
22 this? That we come up with whatever these guidelines

1 are, and we will do our work, I mean, in checking and  
2 making sure that there's precedent, and we did that.  
3 You have to know we did that.

4 MR. WILHELM: Sure.

5 CHAIRPERSON JAMES: We checked for  
6 precedent, and we will publish that so that everyone  
7 understands whatever it is is the final outcome.  
8 Everyone should have an equal opportunity to address  
9 this Commission, and I don't want to be in a position  
10 of limiting someone's ability to testify or to come  
11 before us because of what they believe.

12 "We've heard too much from your  
13 perspective. We want to hear another." I just -- you  
14 know, that --

15 MR. WILHELM: I agree.

16 CHAIRPERSON JAMES: -- just does not sound  
17 American to me.

18 MR. WILHELM: I completely agree with  
19 that. I think the idea of sort of publishing or  
20 circulating the procedures is a very good one, and as  
21 a part of that, I think it would be important for the  
22 Commissioners to understand the timetable that you use

1 to issue the Register notice, how that works, and I  
2 also think it would be very important in order to  
3 insulate the Commission staff from any potential  
4 criticism that whoever is responsible for receiving  
5 these requests keep a careful log of not only who, but  
6 when and so forth.

7           And finally, I would just ask -- and  
8 again, I have no proposal -- that we have clarity on  
9 whether the notice for this meeting appears to suggest  
10 telephone is the only way you can do this or whether -  
11 - and again, I don't know if there should be -- but  
12 whether there's either electronic or fax or other  
13 forms or in person; you know, whether there's more  
14 than one way to sign up. I don't know that there  
15 should be or not.

16           CHAIRPERSON JAMES: We will look at all of  
17 that. One of the things that was taken into  
18 consideration is if you have multiple ways of doing  
19 it, then how do you determine in which order they came  
20 in, but we will wrestle with all of that. We will  
21 talk to, again, other commissions. This is not a new  
22 problem, and I know that the more controversial the

1 issue, then the more people are concerned about  
2 fairness.

3           But what I can tell you is this: that I  
4 will absolutely protect the integrity of this  
5 Commission in a fair and open process.

6           Mr. Lanni.

7           MR. LANNI: Madame Chair, just a matter of  
8 notice is that your agenda indicates the meeting is to  
9 be concluded with those public comments at 3:30. As  
10 I indicated to you last night, I have a conflict that  
11 cannot be avoided, and I must leave exactly at 3:30,  
12 and if I do, it will not be in any form of disrespect  
13 to a given speaker at that particular moment.

14           CHAIRPERSON JAMES: Absolutely, and let me  
15 suggest this, too, and it is merely a suggestion, and  
16 if I could get concurrence on this, it would almost be  
17 a miracle.

18           Having been through and chaired public  
19 comment periods before in a variety of settings, the  
20 temptation will be for Commissioners to want to either  
21 address or correct or challenge a speaker that they  
22 disagree with or take the opportunity to agree with

1 someone and launch into a speech as to why that  
2 speaker is absolutely in line and in sync with what  
3 they believe. So either pro or con.

4 My suggestion is going to be this, and  
5 that is that we take it as an opportunity to be in a  
6 listening mode, and that we restrain ourselves from  
7 making comments, from making speeches, and that in the  
8 long run, I want to suggest that that is in the best  
9 interest of the public.

10 We don't want to delay or eat into the  
11 time that someone has by doing that, and it will be an  
12 exercise in restraint, and I know it. It will be very  
13 difficult for us to sit there and hear things that we  
14 think are just absolutely on target or hear things  
15 that we just absolutely disagree with and not comment,  
16 but I'm going to suggest to you as Commissioners that  
17 we do that, that we not comment on and we just are in  
18 a mode to receive information, and that will be a  
19 tremendous exercise of restraint on each and every one  
20 of us, but one that I believe is very important.

21 And we will have the opportunity during  
22 our regular meetings to address misinformation or

1 misconceptions or wrong data, but our job at that  
2 point is to be in a listening mode and to hear from  
3 the public, and we could make this drag on for hours  
4 if we challenge every speaker that comes up and have  
5 to comment on what they have to say.

6           And so with that caveat, are there any  
7 other issues that need to come before the Commission  
8 at this particular point in time?

9           (No response.)

10           CHAIRPERSON JAMES: Well, then I'm going  
11 to suggest that we go into recess until after lunch.  
12 I know that there are scheduling things that need to  
13 happen, subcommittee meetings, people that would like  
14 to talk to each other. Please use that extra time to  
15 do that, and we are in recess until 1:30.

16           Thank you.

17           (Whereupon, at 11:35 a.m., the meeting was  
18 recessed for lunch, to reconvene at 1:30 p.m., the  
19 same day.)

20

21



1 your organization if that applies, and state that at  
2 the beginning of your presentation, and we are asking  
3 that each of our speakers please remain seated during  
4 their presentation.

5           We have 40 individuals registered to speak  
6 and nine on the waiting list. We will go until the  
7 end of the session, and if you are unable to make a  
8 presentation, you may submit your comments for the  
9 record.

10           Let me just say before we begin I want to  
11 make a point about the conduct of these and all other  
12 meetings. As I stated yesterday, it is my  
13 responsibility to insure that the process and conduct  
14 of meetings is done in accord with all federal  
15 regulations, as well as in a professional, respectful,  
16 and fair manner. I have and will bend over backwards  
17 to make sure that no one has an unfair advantage at  
18 these meetings in order to make their case.

19           I appreciate the professional and polite  
20 manner in which the Commissioners have dealt with one  
21 another and the way in which advocates for and against  
22 gambling have approached the Commission and each

1 other.

2           However, I do want to note that in  
3 registering for the public comment period, some  
4 individuals have been rude, demanded to be moved up on  
5 the list, and in other ways attempted to intimidate  
6 Commission staff. One person even suggested that what  
7 they had to say was so much more important than any of  
8 the citizens who registered to testify that they  
9 should be given special consideration.

10           I think you will all agree that this kind  
11 of arrogance and behavior has no place here and will  
12 not be tolerated by the chair. This Commission will  
13 treat all speakers fairly and equally.

14           And for the record, I just want to say  
15 that from my perspective it is the citizens that I am  
16 most interested in hearing from. We will have the  
17 opportunity to hear from our panel of experts and to  
18 look at the research.

19           I have asked Commissioners that, as  
20 difficult as it may be, that we restrain ourselves in  
21 terms of giving agreement or dissent with the  
22 speakers, but no one is to imply that we don't have an

1 opinion. I think it should be clear to all now that  
2 we are all very strong in our beliefs and our  
3 opinions, and but we are going to try to restrain  
4 ourselves so that we can hear as many speakers as  
5 possible.

6           If we get involved in a dialogue or a  
7 debate, that only takes up time from the public.

8           With that, I'd like to welcome our first  
9 speaker, Ms. -- is it Roman or Romain?

10           MS. ROMAN: Roman.

11           CHAIRPERSON JAMES: Roman. Thank you, and  
12 welcome.

13           MS. ROMAN: Thank you.

14           I'm Kim Roman, and I represent No Casino  
15 of Anne Arundel County, Maryland.

16           Imagine being a child left outside a  
17 casino for hours on end while a parent gambles. I  
18 don't have to imagine it. I lived it. Ironically we  
19 moved to Las Vegas for my mother's health, but because  
20 the casinos played upon my father's addictive  
21 behaviors, supplying him with free drinks and constant  
22 encouragement from scantily clad women to keep