EXTENSIONS OF REMARKS

TIME FOR A NATIONAL DIALOGUE ON THE GROWTH OF GAMBLING

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. ROEMER. Mr. Speaker, after two years of research and public hearings, the National Gambling Impact Study Commission has just completed its report and findings on the growth of gambling in America.

It is an eye-opening report which I hope every Federal, State, local and tribal government which sponsors gambling activities will take the time to read and consider.

At the same time, I hope this report will serve as the starting point for a national dialogue on gambling, so we can begin to make some informed decisions about gambling and its impact on people.

The NGISC made a number of major recommendations in its report. Perhaps most important of all, the commissioners unanimously recommended a ''pause,'' or moratorium, on the growth of new gambling activities, to give governments further time to research and assess the impact of gambling on society.

Mr. Speaker, this is an extraordinary recommendation. It reflects the genuine concern among the Commission members—many of whom work in the gambling industry itself—about the dangerous and unpredictable consequences of the explosive growth of gambling we have experienced in recent years.

Here are some of the Commission's other major findings:

(1) The Commission determined that unregulated growth of the gambling industry is seen as a ''dangerous course of action'';

(2) They determined that the more Americans are presented with opportunities to gamble, the more concern there is about problem and pathological gambling, and that the social, legal and financial consequences of gambling addiction are severe;

(3) They determined that technology is revolutionizing the gambling industry, and that the internet in particular poses serious legal, economic and social concerns which the nation is not prepared to deal with; and

(4) They concluded that many policy makers have been forced to make decisions about expanding gambling with virtually no credible studies to rely on and, at best, only an assessment of the perceived social impacts.

Mr. Speaker, it is not hard to find anecdotal evidence about the risks associated with gambling. In Indiana, a recent report by the Governor's Study Commission on Gambling showed that average losses among gamblers have increased by 20% in the three years since riverboat gambling was first introduced. Gambling losses now make up nearly one percent of what Indiana residents spend each year.

If National averages hold true, a disproportionate amount of these losses are coming from low-income households, the elderly and young people—those Americans most vulnerable. Clearly, we need to be concerned about this growing problem.

Just this week, the Gallup Poll surveyed Americans' views about gambling. Among the major findings, 56% of adults believe that casinos have a negative impact on family and community life in the cities in which they operate. Another two-thirds of both the adults and teens surveyed believe that betting on sports events leads to cheating or fixing of games, while 57% of adults oppose legalized betting on sports events as a way to raise state revenue.

Overall, 76% of Americans surveyed expressed the view that gambling should either stay at current levels or be reduced or banned. Clearly, the vast majority of Americans support the Commission's call for a moratorium on new gambling activities.

The NGISC has made a number of positive recommendations in its report, including:

(1) That Congress authorize a general research strategy to build a knowledge of gambling behavior, including research on the social and economic impacts of gambling, and the impacts on crime and property values;

(2) That Governors and State legislatures fund objective studies on the prevalence of problem and pathological gamblers, and undertake research, education and treatment programs for problem gamblers;

(3) That enforceable advertising guidelines be adopted for the gambling industry, particularly as they relate to youths and low-income neighborhoods; and

(4) That a strategy be developed to prohibit internet gambling within the United States;

These are just a few of the major recommendations which the commission made.

In response to this report, Congressmen FRANK WOLF, JOHN LAFALCE and I have just introduced a resolution which encourages Federal, State, local and tribal governments to review the findings of the National Gambling Impact Study Commission, and to consider the implementation of its recommendations.

The NGISC has delivered a powerful warning about the dangers of the unregulated growth of gambling. It is time now to build on this report, and develop a strategy to respond to the many concerns brought about by the rapid acceleration of gambling in our society.

LISTING MOUNTAIN PLOVER AS ''THREATENED''

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SCHAFFER. Mr. Speaker, Colorado's farmers, ranchers, and water and property owners are under assault by the federal government. They face devastatingly low commodities prices, high equipment costs, onerous federal regulations and endangered species policy driven by Boulder-based, special-interest environmental lawsuits. My response to the proposed listing of the mountain plover as ''threatened'' under the federal Endangered Species Act of 1973 is as follows.

After reviewing the U.S. Fish and Wildlife Service's (FWS) proposal to list the mountain plover as threatened, I adamantly oppose this listing because it is scientifically flawed, would devastate the eastern plains economy, fails to adequately consider reasonable alternatives, and contradicts other federal programs benefitting the plains environment.

First, the science used to support the listing is highly suspect and lacks the degree of certainty necessary to proceed with a comprehensive, intrusive and restrictive regulatory regime. The inadequacy of the cited population data is unacceptable. Throughout the listing, extrapolated estimates are relied upon for population numbers, which lays an insufficient scientific foundation. Even if the estimates referenced had a statistical basis, we are told, ''The estimates of abundance provided for each state or area are usually from different researchers, from different times, and using different techniques. Therefore, the estimates should not be considered comparable to one another or necessarily additive.'' (64 FR 7591) Because the FWS population research methods were not compatible, the FWS relied upon dissimilar estimates. Federal regulations, especially those as pervasive as the ESA's, should never be based on approximations.

Furthermore, almost no population data from private lands is referenced. Since most of the land in the identified plover habitat range for Colorado is privately owned, and approximately 75 percent of all wildlife is found on private property, the total number of mountain plovers is certain to be significantly higher. The absence of private land surveys is also concerning because plovers prefer to nest on prairie dog colonies, at least 90 percent of which currently exist on private lands. It is beyond doubt a large number of additional plovers would be found if private land surveys were conducted. Clearly, the FWS does not have definitive evidence of the bird's actual numbers within Colorado, in other states, or as an aggregate across its range.

The FWS was involved in a similar situation with the swift fox. A federal ESA listing was proposed before comprehensive population surveys were completed, an effort abandoned after thorough surveys were conducted. The same situation could occur with the plover. The FWS must not proceed with this listing until an accurate, scientifically-based survey is conducted on both public and private lands through voluntary and confidential participation.

While the population questions are significant, there are other issues undermining the scientific basis of the listing. According to FWS biologists, drought threatens the plover. However, wet years also endanger the bird due to higher rates of grass growth. In fact, FWS biologists admit, ''The long-term effect of such naturally occurring catastrophes on

mountain plover viability is not known.'' (64 FR 7596) In addition, the Service admits to no correlation between increasing numbers of coyotes and foxes, predators of the plover, and declining bird numbers. While predators are discussed, the only conclusion offered is, ''A high rate of nest predation by swift fox . . . is not believed to be a factor in the long-term decline of the mountain plover population.'' (64 FR 7595) Yet, no hard evidence is given to support this claim.

Moreover, the effects of pesticides, especially in California, are not completely known. And, no significant data exists from wintering areas in Mexico or nesting regions in Canada. The only conclusion possible is that neither the current scientific and field research, nor the information presented in this listing, supports federal ESA protection of the bird.

Second, very little thought is given to the impacts of this listing on farmers, ranchers and private property owners. Significant hardship will be borne by landowners, and I have seen almost no attempt to address the devastating results a plover listing would inflict on traditional agricultural and non-agricultural practices on the eastern Colorado plains. The U.S. Department of Agriculture's (USDA) Natural Resource Conservation Service (NRCS) wrote that the plover listing ''may adversely impact a number of common agricultural practices in the short-grass prairie region of the United States.'' [Letter attached for the record.]

For example, the inability of farmers to plant their crops in early summer would be devastating. Most planting on the eastern plains of Colorado occurs in late April through mid-May, which coincides with the plover's nesting. According to the FWS, normal farming practices on cultivated lands would not result in an ESA section 9 violation if they took place between August 10 and April 1. (64 FR 7599) Obviously, producers must be allowed to plant during this time, or the eastern plains economy, already weakened by a national agriculture crisis, would collapse due to devalued land, unemployment, and relocation.

In addition, the listing states the decline of the bird is due, in part, to the tilling of fields between April and June, even though ''the long-term effect of tilling on mountain plover productivity and abundance is not known.'' (64 FR 7593) The land is worked during this time for a number of reasons, including weed and erosion control. While ''no-till'' and ''minimum-till'' methods are being used more often, turning the ground is usually the only option for a producer. Chemical options also exist, but they are prohibitively expensive and could impair the plover and its habitat. Consequently, this petition would reduce the value of private lands by banning land management tilling, and/or encourage an increased use of pesticides.

The FWS claims to be working on developing land use recommendations to benefit both plovers and landowners. Since I have yet to see any such suggestions, I must ask how planting during this critical time could possibly be changed, except to stop all planting and tilling? Also, how would these changes be beneficial to farmers and ranchers?

Further evidence of the listing's flawed logic is evident in the following statement: ''Grassland conversion may be considered a threat to mountain plover conservation whether or not the grasslands are presently suitable breeding habitat.'' (64 FR 7593) This contradictory conclusion is advanced because the conversion of grasslands to productive agricultural lands creates locally acceptable plover habitat. (64 FR 7593) In other words, if an area where the plover doesn't exist is developed by a farmer, and the bird subsequently nests on the newly cultivated land, then the FWS will impose regulations on the farmer and his land to protect this habitat, which was not plover habitat in the first place. So, the farmer's initiative to create new, productive farmland from non-plover grassland is rewarded by regulation, limitation and ultimately, ruination. Consequently, this listing will likely result in two unfavorable outcomes: (1) Farmers will choose not to convert grassland into productive farmland, thus limiting the bird's habitat and the farmer's prosperity, reducing food production, and hurting Colorado's economy; (2) Farmers will attempt to farm, but stop due to onerous mitigation measures, thereby causing the land to revert to non-plover habitat, limiting the farmer's prosperity, reducing food production, and hurting Colorado's economy. In other words, this listing, whether intended or not, would suppress the development of new farmland, stifle current agricultural activity, and actually reduce potential plover habitat.

Further, oil and gas development would suffer if the plover is listed as threatened. Leasing and extraction of these natural resources exists over its entire breeding range. However, since the ''development of oil and gas resources could adversely affect mountain plover habitat or cause the death of individuals,'' such activities would be heavily regulated. (64 FR 7595)

In the end, all landowners on Colorado's eastern plains stand to lose if the plover is listed. Their land will lose value due to ESA regulations prohibiting the ''taking'' of endangered species, which would restrict and/or modify how the land could be used. In fact, they will be forced to sustain plover habitat, which will substantially interfere with farming, ranching, building and/or developing natural resources.

Eastern Coloradans have successfully used, enhanced and protected the eastern Colorado plains by providing millions of dollars in agriculture products and improving water quality, soil erosion and wildlife habitat. Priority has to be given to coordination with landowners on reasonable conservation measures. Farmers and ranchers are the best stewards of the land and a friend to the plover; they should be trusted, included in the process, given incentive to collaborate, and flexibility to mitigate.

Third, states, local governments and communities have successfully demonstrated the viability of collaborative on-the-ground solutions in place of command-and-control dictates from Washington. There are a number of partnerships to preserve species, including the High Plains Partnership for Species at Risk, the Western Governor's Association Enlibra doctrine for Environmental Management, and the Upper Colorado River Endangered Fish Recovery Program, to name a few. The FWS would get better cooperation and results from states and localities if it pursued non-regulatory solutions, and I strongly advise the FWS to pursue this option if the plover is indeed threatened.

Another example of a cooperative partnership is the Memorandum of Agreement, Concerning Programs to Manage Colorado's Declining Native Species, between the state of Colorado and the U.S. Department of the Interior, which was signed on November 29, 1995. This agreement, also known as the Colorado Conservation Agreement, attempts to facilitate collaboration in conserving fish and wildlife species and habitat within Colorado, including the mountain plover. Even though the FWS listing mentions this ground-breaking partnership, there are no facts given to support either its continuation or elimination. (64 FR 7599)

Many efforts are underway to benefit this species in Colorado and throughout its range. Such endeavors ought to be allowed to produce results before they are bypassed because they could preempt the need for significant federal intervention. Therefore, I strongly disagree with the FWS conclusion that the only way to protect the plover is an ESA listing.

Fourth, a number of federal agencies and programs will have to be drastically altered to accommodate the listing. Such counter-productive, conflicting interagency relationships indicate systemic flaws in the proposal and waste the American taxpayer's hard-earned money.

The listing would impact the USDA Natural Resources Conservation Service (NRCS) assistance to producers in eastern Colorado. Affected programs could include the Environmental Quality Incentives Program (EQIP), Wildlife Habitat Incentives (WHIP), and/or the Conservation Reserve Program (CRP). These conservation programs would have to be reviewed in consultation with the FWS under section 7 of the ESA. Thousands of producers in eastern Colorado receive technical assistance from NRCS programs. A significant amount of time, money and manpower would be required to review each case for ESA compliance, which would delay the implementation of conservation practices and hurt the species and habitats currently prospering under these programs.

The USDA Conservation Reserve Program (CRP), widely considered to benefit both agriculture and the environment, encourages tall grasses for wildlife habitat and ecosystem health. The FWS asserts the plover requires habitat with little grass and/or bare ground. Should the bird be listed, it could thwart conservation efforts designed to help other species and the environment. Is one species to be saved at the expense of another? Moreover, to what extent are these and other conflicting policies contributing to the decline of the plover? The FWS should proactively address these programs, in conjunction with farmers, ranchers and other landowners, before a listing is finalized. Has, or will, the FWS take such a common-sense, initial step before listing the plover? Voluntary, collaborative arrangements would net much better results then coercive, punitive regulations.

I urge the FWS to suspend any further listing action until a comprehensive, scientifically rigorous, locally inclusive research project can be completed on the status of the mountain plover population and ecosystem. Further, the FWS must be cautious during this listing process unless the good accomplished by the people of eastern Colorado is undone and their lives irreparably harmed. Additionally, the state of Colorado and local communities ought to be given the lead role in conserving the species. Other federal agencies must also be consulted prior to listing the mountain plover to clarify contradictory land use policies. Finally, the

FWS must ensure all available information is reviewed by an objective scientific panel per the July 1, 1994 FWS Notice of Policy for ESA Peer Review and the Colorado Conservation Agreement before a determination is made.

Given these factors, the FWS must thoroughly consider whether the proposal ''presents substantial scientific and commercial information to demonstrate the petitioned action may be warranted.'' (16 USC 1531) Nothing in this listing supports the conclusion that the plover is threatened by extinction in the near future. As a result, the only decision the FWS can reach is to decline listing the mountain plover as threatened under the federal ESA. I therefore restate my opposition to this listing.

CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

SPEECH OF

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders:

Mr. MEEKS of New York. Mr. Chairman, I am very disappointed that many of my colleagues voted for the McCollum amendment yesterday. However, we can right this wrong by supporting the Conyers-Scott substitute.

This substitute is fundamentally right because juvenile delinquents will not be jailed with adult criminals. In fact, when you compare New York youth who were prosecuted in adult court with youth with similar charges and prior records in New Jersey who were prosecuted in juvenile court—convictions were no more likely in adult court, punishment was imposed less swiftly, incarceration was less likely, and sentences were nearly identical.

This substitute is fundamentally right because it requires states to address the issue of minority confinement. Minority children are ⅓ of the youth population, but ⅔ of the children in long-term facilities. Studies indicate that minority youth receive tougher sentences and are more likely to be put in jail than non-minority youth for the same offenses.

The substitute is fundamentally right because it would place 20,000 crisis prevention counselors in schools and fund crisis prevention programs—which brings me to an issue that goes hand-in-hand with juvenile justice—the need for educational programs to make sure our children are not getting involved in criminal behavior in the first place.

Research has demonstrated that aggressive prevention programs and alternatives to incarceration are most effective in reducing crime.

In fact, when asked to rank the long-term effectiveness of possible crime fighting approaches, a majority of police chiefs picked ''increasing investments in programs that help all children and youth get a good start'' as ''most effective''—nearly four times as often as ''trying juveniles as adults.''

Children in the Big Brothers/Big Sisters mentoring programs showed that children participating in the program were 46% less likely to initiate drug use.

Cincinnati's violence prevention programs resulted in a 24% drop in crime.

A similar gang-reduction program in Ft. Worth, Texas, resulted in a 26% drop in gang-related crime.

We need to fight crime by putting more monies into education and crime prevention programs like the ones I mentioned and—after-school programs.

The majority of juvenile crimes take place between 3 pm to 6 pm. We need to have enough educational activities after-school to keep our youth mentally busy.

We need more after-school jobs for our youth. I would like to see the President and Congress develop AmeriCorps' programs for high school students throughout the year.

We need to invest in our youth's present so they can have a bright future—without ever facing the juvenile justice system.

CONGRATULATING THERESA SUTTON AS ILLINOIS POSTMASTER OF THE YEAR

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. SHIMKUS. Mr. Speaker, I take this time to congratulate Theresa Sutton from Brighton, Illinois for the National Association of Postmasters of the United States naming her Postmaster of the Year for the state of Illinois.

The small community postmaster responded to the award, ''I have some dedicated employees that really work hard. That makes my job a lot easier.'' Theresa Sutton will meet in Washington, D.C. along with award recipients from other states in order to meet with Representatives and Senators about postal issues.

I commend her dedication and service to the United States Postal Service. With the necessity for efficient postal services, I am comforted that the 20th District has quality postmasters like Theresa Sutton.

CENTRAL NEW JERSEY RECOGNIZES DR. ROBERT ANGELO

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Mr. HOLT. Mr. Speaker, I rise today in recognition of the accomplishments of Dr. Robert Angelo and his contributions to the community. Over the course of the last twenty-five years, Dr. Angelo has worked as a consultant, teacher, advisor, and advocate.

Dr. Angelo served for eight years as the International Director of the AFSCME International Union, the largest public employee organization in the AFL-CIO. As director, he worked throughout the United States organizing campaigns, negotiations, and public events. Dr. Angelo continues to work as a labor arbitrator for the New Jersey State Board of Mediation, and is called upon by private and public sector management to adjudicate disputes arising from collective bargaining agreements.

An educator with a long and commendable career, Dr. Angelo received his B.A. in Economics from Colgate University, an MBA from Drexel University, and has been recently conferred with a doctorate from Rutgers University in Education. He began his career as a college administrator at Middlesex County College in central New Jersey where he was responsible for directing the nationally recognized Occupational Safety and Health training project. At Thomas Edison State College, Dr. Angelo served as a mentor and consultant in the Labor Studies and Organizational Behavior departments. He later was a lecturer and extension faculty member in the School of Management and Labor Relations at Rutgers University, where he taught graduate and undergraduate-level classes.

In 1993, Dr. Angelo founded Capitol Ideas, a multi-service consulting organization dedicated to organizational advocacy and promotion. Capitol Ideas works with a variety of private, public, and non-profit groups to design and implement political, educational, and promotional programs.

Dr. Angelo lives with his wife, Meryle, in East Brunswick, New Jersey. He currently represents SEIU State Council, SEIU Local 510, and IFPTE 195, and continues to work as the CEO of Capitol Ideas and a Professor of Labor Studies at Rutgers University.

Dr. Robert Angelo has demonstrated dedication to his goals and to the community. I ask my colleagues to join me in recognizing Dr. Angelo's accomplishments.

HONORING THE SPECIAL GRADUATES OF MIDDLE SCHOOL 88

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1999

Ms. VELÁZQUEZ. Mr. Speaker, It is with great pride that I ask you and my colleagues to join me in congratulating special graduates of the 12th Congressional District of New York. I am certain that this day marks the culmination of much effort and hard work which has led and will lead them to continued success. In these times of uncertainty, limited resources, and random violence in our communities and schools, it is encouraging to know that they have overcome these obstacles and succeeded.

These students have learned that education is priceless. They understand that education is the tool to new opportunities and greater endeavors. Their success is not only a tribute to their strength but also to the support they have received from their parents and loved ones.

In closing, I encourage all my colleagues to support the education of the youth of America. With a solid education, today's youth will be tomorrow's leaders. And as we approach the new millennium, it is our responsibility to pave the road for this great Nation's future. Members of the U.S. House of Representatives I ask you to join me in congratulating the following Academic Achievement Award Recipients: Marilyn Li and Daniel Ortiz.