

limited exemption will ensure that league officials can block franchise relocations they believe not to be in the best interests of their sport. The bill also provides for a 180-day notice period before any team can move. During that time, public hearings must be held, at which time a home community would have the opportunity to induce the team to stay. Finally, the Fans' Rights Act would prohibit the outrageous practice of teams buying the league's approval of a proposed relocation. Current practices allow the paying of relocation fees to the leagues and individual teams prior to the vote by the individual team owners to approve the move. The bill would require that the relocation fee be paid only after the vote of approval has taken place. The era of professional sports teams moving, only to leave behind fans, businesses, and communities who have invested emotional and financial support must come to an end, and this legislation attempts to do just that.

As chairman of the Consumer Subcommittee within the Commerce Committee, I intend to hold hearings on Fans' Rights Act sometime in early March. I will seek testimony from commissioners of all four professional leagues, player representatives, team owners, and elected officials from cities impacted by franchise relocation.

When this bill comes to the floor, it is also my intention to offer an amendment to include a provision similar to that that kept the Mariners in Seattle in 1992. Essentially, this provision would require a team to be put up for sale to local owners for 120 days prior to any relocation at a price to be set by arbitration. Fan loyalty and local support must be rewarded with local ownership, not the removal of the team.

Unfortunately for the Seahawk fans, even if we could enact the Fans' Rights Act into law tomorrow, this legislation will not reverse the clock in Seattle. The decision to relocate the team has been made, although a lawsuit is pending against the organization is a King County Superior Court, an action I believe likely to succeed. I have been invited by King County Executive Gary Locke to serve on a small task force of business and community leaders who will work together to ensure that professional football in Seattle does not become part of Seattle's fading history.

I would also like to take this opportunity to commend King County Executive Gary Locke, King County Prosecutor Norm Maleng, and members of the King County Council for all of their efforts thus far to save the Seahawks.

In closing Mr. President, I would like to send a message to sports fans in Washington State and around the country. While we are in the midst of troubling times with sports teams coming and sports teams leaving, I would like to assure each of you that your loyalty to professional sports franchises will not go unrewarded. Throughout the 8 weeks of the Mari-

ners playoff excitement this fall, the residents of Seattle and the citizens of Washington State were part of an amazing roller-coaster ride that reached beyond anything that could ever be expected from professional sports. The great sense of community pride and support toward a single team, however, must be rewarded with loyalty from the team back to the community. The Seattle Mariners displayed this loyalty in their final game of the season, when all of the Mariner players came out of the clubhouse 20 minutes after game's end, to applaud the 58,000-plus fans who had encouraged the team during the championship run.

Mr. President, the Seahawks will not move and, I believe, Cleveland will not be deserted by the NFL either.

Mr. President, every fan deserves the opportunity to applaud his or her local sports team, and for loyalty from the owners in return. I hope that passing the Fans' Rights Act can begin to recognize that fans are equal players in the world of sports.●

THE NEED FOR A NATIONAL COMMISSION ON GAMBLING

● Mr. SIMON. Mr. President, I would like to call to the attention of my colleagues a recent column in the Washington Post. Cowritten by our former colleague from Maryland, Joseph Tydings, the column cogently describes the importance of a national study on the social and economic impacts of gambling.

The impacts of gambling are regional, national, and international in scope. Local and State governments simply do not have access to the information they need to make wise decisions. Although local and State task forces and commissions continue to produce reports, these entities are not equipped to deal with the regional and national ramifications of local and State policies and tend to focus only on the short term. As the authors suggest, a national commission would help States a great deal.

Although the column is focused on Maryland, States and municipalities across the country are facing the same choices. Strapped for cash, many turn to casinos, riverboats, and lotteries. Gambling should not be the only choice. Identifying alternative sources of revenue will be prominent among the issues considered by a national commission.

I urge my colleagues to read the column and to work with me and the bipartisan group supporting S. 704, the Gambling Impact Study Commission Act.

I ask that the Washington Post column be printed in the RECORD.

The column follows:

[From the Washington Post, Feb. 6, 1996]

CASINO GAMBLING: BRING IN THE FEDS

(By Joseph Tydings and Peter Reuter)

The recent opening of slot machines at two Delaware race tracks is a small event in it-

self but is yet another step along the path to coast-to-coast casinos that many states are reluctantly and uncertainly following. Notwithstanding the pressure from the Delaware move, Maryland's Joint Executive Legislative Task Force to Study Commercial Gambling, on which we served as chair and executive director, recommended against casinos last November.

One of the task force's major conclusions has been largely ignored by the media—namely, that the problem of legal casino gambling is a national one; Maryland cannot deal with this on its own. The problem cries out for attention from the president and Congress. Unfortunately, the casino industry has mobilized cash and lobbyists to prevent federal action on the issue.

The Maryland Task Force, in its full report, unhappily noted that, lacking a significant federally funded study, it has a very limited basis for making projections of what would happen if Maryland opened its doors to casinos, which nowadays get 70 percent of their revenues from slot machines. Given the limited statistical and economic analysis available, its opposition to casinos reflected a sensible caution.

Casinos do provide a credible promise of substantial financial gains to those states that are the first in their region to introduce them. Foxwoods casino in Connecticut (owned by the Mashantucket Pequot tribe under 1988 federal legislation that allows Indian tribes to operate casinos on certain tribal lands) now yields that state \$115 million in tax revenues. Most of it comes from residents of Massachusetts, Rhode Island and New York who come to play in the world's largest casino. It employs more than 10,000 workers, offering good wages and benefits to many who would otherwise have more menial and unreliable jobs.

Not surprisingly, the state of Massachusetts feels it must also allow slots to compete and is now negotiating with the Wampanoag Indians to let the tribe operate a casino. The state of New York, which created a long legislative and referendum process to prevent a rash decision on casinos, has also responded to Connecticut by starting down a path that could lead to their introduction in 1998.

But the economic gains that entice states to open their doors to casinos are only substantial if neighboring states aren't competing for the same customers. If Maryland were the only state in its region to allow casinos, it might be able to justify building casinos that relied heavily on spending by Virginians, Pennsylvanians, Washingtonians and West Virginians. However, just as the Foxwoods' success had caused Connecticut's neighbors to move toward casinos, so would Maryland's advantage, if any, be short-lived.

The case for casinos has an element of voodoo economics—namely, the claim that providing a new form of entertainment will increase the economic base of the community or state by increasing local spending. Casino expenditures by Maryland citizens would come entirely through reductions in other leisure spending or even in spending on food, shelter and education. Casinos can provide economic development only by attracting spending from other states. Moreover, if casinos lead to greater consumer spending nationally, then clearly it has to come from reductions in people's savings—scarcely a desirable change for a country that chronically undersaves.

There are also important social costs to having casinos readily accessible. Many people have difficulty controlling their gambling, particularly in the artificial environment of a casino where liquor is freely offered and the game is available at all hours. Big gambling losses and the obsessive pursuit of gambling opportunities may lead to

family breakdown and loss of productivity and community involvement. Embezzlement would probably rise. Casino patrons might also make attractive victims for criminal offenses. But whether this is a major problem or just a modest incidental to the simple pleasures of millions is still a matter of debate and in need of serious research.

The opponents of casinos often weaken their case by making exaggerated claims about the social consequences of gambling. Typical is the claim that "40 percent of all white-collar crimes come from pathological gambling," a hardy perennial that appears in all anti-casino writings. It is supposedly the product of the American Insurance Institute. In fact, no such organization exists, and no one has ever been able to locate a copy of a report documenting the claim. Nor is there much more basis for the frequent claim that each problem gambler costs society \$30,000 annually.

An authoritative and independent assessment of the economic and social consequences of casinos would help states a great deal. A federal commission needs to do systematic analysis of the kind that state task forces, with their short time horizons and minuscule budgets (ours had six months and a total of \$50,000 for its work), cannot muster. There seems to be strong congressional support for such a commission, notwithstanding aggressive lobbying against it by the casino industry.

The national commission would also have to focus on the very troubling issue of Indian tribal gambling. Providing Indian tribes with better economic opportunities is clearly an important and legitimate goal, but when those opportunities result in large costs being borne by the entire nation, then the issue needs to be revisited.

In the meantime, states like Maryland will feel a constant pressure from their neighbors to avoid having good Maryland money turn into Delaware gambling revenues. The growing burden of social services on state finances as the federal government cuts back its support will increase that pressure, so that in the next downturn many states may reluctantly, but irreversibly, become casino states as well. A federal commission and some sensible national policy are needed, as soon.●

OPEN TOBACCO HEARINGS ARE NEEDED

Mr. LAUTENBERG. Mr. President, I rise to make a few comments about Sunday's "60 Minutes" program on Dr. Jeffrey Wigand and his statements about what went on inside the Brown & Williamson Tobacco Co.

Mr. President, for those who did not see this interview, Dr. Wigand told the Nation that Brown & Williamson acknowledged that cigarettes are a "nicotine delivery" device and that senior management rejected his efforts to make their tobacco products safer.

Dr. Wigand also claimed that Brown & Williamson knowingly used carcinogens in their tobacco products.

Mr. President, if these allegations were found to be true—if Brown & Williamson knew that nicotine was addictive, if the company knew that its products contained carcinogens, if it withheld this information from the public and this resulted in unnecessary death and disease—it would be absolutely unconscionable.

Mr. President, I ask that a transcript of this interview be printed in the RECORD following my remarks.

Mr. President, these accusations made by Dr. Wigand are extremely serious and I believe that Congress and the American people should fully understand the real dangers of tobacco products and all of the recent allegations involving the tobacco industry.

Mr. President, there is so much activity and confusion about tobacco these days.

Let me tell my colleagues about some of the legal matters that are currently pending:

Five States are actively suing the tobacco companies for Medicaid costs associated with tobacco related illnesses of their residents. Other States are seriously considering similar action, including my home State.

On the Federal level, I have introduced legislation to recoup all Medicare and Medicaid costs spent on tobacco related illnesses, some \$20 billion a year, directly from the tobacco companies.

There is a multibillion-dollar class action suit against the tobacco companies going on in New Orleans. It is commonly referred to as the Castano case. The plaintiffs are former smokers and survivors who claim that the tobacco companies knew that nicotine was addictive and dangerous but never told their customers.

There is a Justice Department probe underway to investigate whether the seven tobacco companies' CEO's perjured themselves before Congressman WAXMAN's subcommittee when they testified they did not believe nicotine was addictive.

Because of all of these current legal activities, there have been numerous leaks about the dangers of tobacco in the print and television media. However, Congress and the American people are only getting bits and pieces of the entire story because of the intense legal climate surrounding this entire issue.

This is why I wrote a letter to Senators KASSEBAUM and KENNEDY asking them to hold hearings in the Labor and Human Resources Committee about the entire tobacco issue. I have spoken personally to Senator KASSEBAUM and she assured me that she would seriously consider this request. I also spoke with Senator KENNEDY who is deeply interested in all health issues including the health effects of tobacco and would like to set up hearings on this subject.

Mr. President, I ask that a copy of this letter be printed in the RECORD following my remarks.

Mr. President, the Congress, on behalf of the American people, needs to find out the truth about the addictive nature of nicotine, the health effects of tobacco use and all of the recent allegations involving the tobacco industry. We need this information so that we can evaluate the need for legislation regulating the tobacco industry and trying to recoup the cost of tobacco related illnesses.

It is clear that the only way for Congress and the American people to get

all of this information is to have open hearings in the Senate—so that we can secure for the record as much information as possible.

On the House side, unfortunately, there is little chance of hearings. Congressman BILEY, from Richmond, VA, chairman of the Commerce Committee, has indicated that his committee will not permit these issues to be aired.

I hope that things will be different in the Senate. I hope that both Democrats and Republicans will see the value in holding hearings on this critical issue. Only then, will the Congress and the public be fully informed about the dangers of a product that takes over 400,000 lives per year.

Mr. President, we cannot sit idly by and listen to these types of allegations and do nothing.

The material follows:

TRANSCRIPT FROM 60 MINUTES, FEBRUARY 4, 1996

MIKE WALLACE. A story we set out to report six months ago has now turned into two stories: how cigarettes can destroy people's lives; and how one cigarette company is trying to destroy the reputation of a man who refused to keep quiet about what he says he learned when he worked for them. The Company is Brown & Williamson, America's third-largest tobacco company. The man they've set out to destroy is Dr. Jeffrey Wigand, their former \$300,000 a year director of research.

They employed prestigious law firms to sue him, a high-powered investigation firm to probe every nook and cranny of his life. And they hired a big-time public relations consultant to help them plant damaging stories about him in *The Washington Post*, *The Wall Street Journal* and others. But the *Journal* reported the story for what they thought it was. "Scant evidence" was just one of their comments.

CBS management wouldn't let us broadcast our original story and our interview with Jeffrey Wigand because they were worried about the possibility of a multibillion dollar lawsuit against us for "tortious" interference—that is, interfering with Wigand's confidentiality agreement with Brown & Williamson. But now things have changed. Last week *The Wall Street Journal* got hold of and published a confidential deposition Wigand gave in a Mississippi case, a November deposition that repeated many of the charges he made to us last August. And while a lawsuit is still a possibility, not putting Jeffrey Wigand's story on 60 minutes no longer is.

[Footage of Wigand; Brown & Williamson Tower; cigarettes on machine; of tobacco on conveyor belt; tobacco executives testifying before Congress.]

WALLACE (Voiceover). What Dr. Wigand told us in that original interview was that his former colleagues, executives of Brown & Williamson tobacco, knew all along that their tobacco products, their cigarettes and pipe tobacco, contained additives that increased the danger of disease; and further, that they had long known that the nicotine in tobacco is an addictive drug, despite their public statement to the contrary, like the testimony before Congress of Dr. Wigand's former boss, B&W chief executive officer Thomas Sandefur.

Mr. THOMAS SANDEFUR (Chief Executive Officer, Brown & Williamson). I believe that nicotine is not addictive.

Dr. JEFFREY WIGAND (Testifying Against Brown & Williamson). I believe he perjured himself because—