

**Testimony of Rep. Edolphus “Ed” Towns in the House Committee on the
Judiciary
Hearing on: H.R. 5034, the “Comprehensive Alcohol Regulatory Effectiveness
(CARE) Act of 2010”
September 29, 2010**

Thank you Mr. Chairman for allowing me to testify to my support for HR 5034, the CARE Act.

States need assistance in defending laws which protect the public interest from those who are seeking to line their pockets by deregulating the alcohol industry. New York State has been sued not once but twice in the past 4 years alone. Attorney General Cuomo and 38 other Attorneys General wrote to me in the spring seeking Congressional action to assist them in stemming the tide of these lawsuits and I’m proud to help.

On a more personal level, I believe that our constituents know better than anyone the terms of how they want alcohol to be sold and supplied in their communities. Alcohol is different than any other consumer good and should be regulated as such--and our constituents know this and want the ability to control this product to protect public health and the public interest.

Here are two examples of how this bill will help to protect our communities:

First, laws that mandate identification checks have recently come under attack in court by online liquor stores who view them as discriminatory. I believe that ID laws assist retailers and communities keep alcohol away from minors and are vital components in protecting public health and safety.

Second, New York City and communities across the country have begun using “alcohol control zones” to stop the practice of “single sales” and the sale of certain products such as malt liquor. These products are not conducive to public health or public safety.

These control zones have made my community safer and law enforcement has testified to this result. I fear that without Congressional action these laws will be challenged as well, erasing a great deal of progress.

I’ll leave you with one last thought. To gauge how I’m doing back in Brooklyn, I use what’s called the Church Test. This basically involves me speaking directly to my constituents outside my houses of worship.

As I conduct this test, I regularly hear the need for better schools, a better economy, more police presence and better healthcare. What I do **NOT** hear about is a need for cheaper, more accessible alcohol. And THAT will be the end result if we fail to act on this legislation.

Thank you again and I yield back the balance of my time.