

NLWJC - KAGAN

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FG065 133788SS

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Folder Title:
FG065

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133788 SS
FG065

THE WHITE HOUSE
WASHINGTON
October 5, 1995

MEMORANDUM FOR THE PRESIDENT

REVISIONS
10-6-95

FROM: ABNER J. MIKVA *ajm*
Counsel to the President
ELENA KAGAN *ek*
Associate Counsel to the President
THROUGH: LEON PANETTA, GEORGE STEPHANOPOULOS
SUBJECT: PROPOSAL FOR NATIONAL GAMBLING COMMISSION

Rep. Frank Wolf (R. Va.) and Sens. Paul Simon and Richard Lugar have introduced bills to establish a federal commission to study the extent and effects of gambling and the adequacy of current regulation. Rep. Wolf's bill was the subject of a hearing in the full House Judiciary Committee last week. No action has yet been taken in the Senate.

Both bills would establish a commission of nine persons, three to be appointed by the President, three by the House Speaker, and three by the Senate Majority Leader. The bills charge the commission with undertaking a study of gambling in the United States, including the economic effects of gambling on other businesses and surrounding communities, the relationship between gambling and crime, the extent and impact of pathological gambling, and the costs and effectiveness of current regulatory policy.

Supporters of the proposal note that it does not impose any new restrictions on gambling, but merely recognizes the need for greater information on the scope and effects of the gambling industry. Gambling is one of the fastest growing businesses in the nation. One recent study found that \$330 billion was wagered legally in 1992 (including in lotteries), up 1800% since 1976. Casinos now operate in 25 states, and in 1993 Americans made more trips to casinos than to major league baseball parks. As you said at the Sperling lunch, the introduction of gambling in a community, though providing a quick way to raise revenues, may impose hidden social, economic, and political costs, including those associated with corruption, crime, and addictive behavior. Supporters of these bills argue that we should take a hard look at such matters to ensure sensible regulatory policy.

Opponents of the proposal allege that it is a sort of stalking horse for the religious right -- a first step in a moralistic effort to prohibit gambling altogether. (The Christian Coalition is indeed a fervent supporter of this legislation, but so are many representatives and newspaper editorial writers not associated with that organization.)

Opponents also claim that a national commission will serve little purpose because conditions vary so much from state to state and community to community; sometimes opponents go so far as to frame this argument in terms of "states' rights." Finally, of course, opponents dispute the notion that gambling is linked to corruption or crime and claim it is a boon to local economies.

The only groups so far to oppose the legislation are industry associations, including most prominently the American Gaming Association, headed by Frank Fahrenkopf, former Chair of the RNC. The National Indian Gaming Association, which believes gaming by Indian tribes to be essential to tribal economic development, has indicated that it would not oppose the bills so long as the Commission includes an Indian tribal representative and addresses state lotteries as well as other forms of gambling. Senators and representatives from Nevada are vehement in their opposition to the bills; those from New Jersey, though less openly hostile at this time, may be subject to similar pressures. Finally, state governments may oppose the proposal if they believe it represents a threat to state lotteries.

Recommendation

We recommend that you endorse the idea of a commission to study gambling. Such a commission can perform a useful function in collecting information about the effects of gambling and thus enabling better decisions -- whether on the federal, state, local, or tribal level -- as to appropriate regulation. To the extent formation of such a commission suggests a sort of moralistic discomfort with gambling, this may be perfectly appropriate. We thus believe an endorsement of a national gambling commission is warranted.

1. Oppose the creation of a gambling commission
2. Take no position on the creation of a gambling commission
3. Endorse the creation of a gambling commission
4. Let's discuss

EF

13378855 LP
FG065
To Todd Stern
①

95 OCT 20 P3:04

THE WHITE HOUSE
WASHINGTON

October 11, 1995
THE PRESIDENT HAS SEEN
10/11/95

MR. PRESIDENT:

The attached memo from Ab Mikva and Elena Kagan considers whether you should endorse the idea of a national commission to study gambling. Rep. Frank Wolf and Senators Simon and Lugar have introduced bills to establish a nine-person commission (three appointees each from President, Speaker and Senate Majority Leader) to study the effects of gambling and the adequacy of current regulation.

Gambling has fast become an enormous industry, with casinos operating in 25 states and legal wagering up 1800% since 1976 to some \$330 billion.

The bills are strongly supported by the Christian Coalition as well as many Members of Congress and newspapers with no links to that group. Opponents include the Nevada and New Jersey delegations and the American Gaming Association. The Indian Gaming Association has indicated it wouldn't oppose the bills if an Indian tribal representative were on the Commission and lotteries were covered.

Ab and Elena recommend that you endorse the Commission idea. George, Carol Rasco and Rahm concur. George urges that you send letters to Wolf, Simon and Lugar saying that you'll sign legislation passed by Congress.

Approve Disapprove Discuss

I want to see
the letter
lets do it

Todd Stern

I want to see the
letter, but lets do it.

10-20-95

Todd -

Should I send a
copy of the letters?

Yes

no

(RM)

C

133788 SS
FG065

THE WHITE HOUSE
WASHINGTON

October 11, 1995

THE PRESIDENT HAS SEEN
10/11/95

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Approve Disapprove Discuss

I want to see
the White House
Wes do it

Todd Stern

10-12-95
copies sent to:
Mikva
Kagan
Stephanopoulos
Panetta
Griffin
Exec Clerk

THE WHITE HOUSE

WASHINGTON

October 11, 1995

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10/11/95

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Approve

Disapprove

Discuss

I want to see
the White House
does it

Todd Stern

THE PRESIDENT HAS SEEN
10/11/95

THE WHITE HOUSE

WASHINGTON
October 5, 1995

95 OCT 11 AIO: 32

MEMORANDUM FOR THE PRESIDENT

FROM: ABNER J. MIKVA *ajm*
Counsel to the President

ELENA KAGAN *ek*
Associate Counsel to the President

THROUGH: LEON PANETTA, GEORGE STEPHANOPOULOS

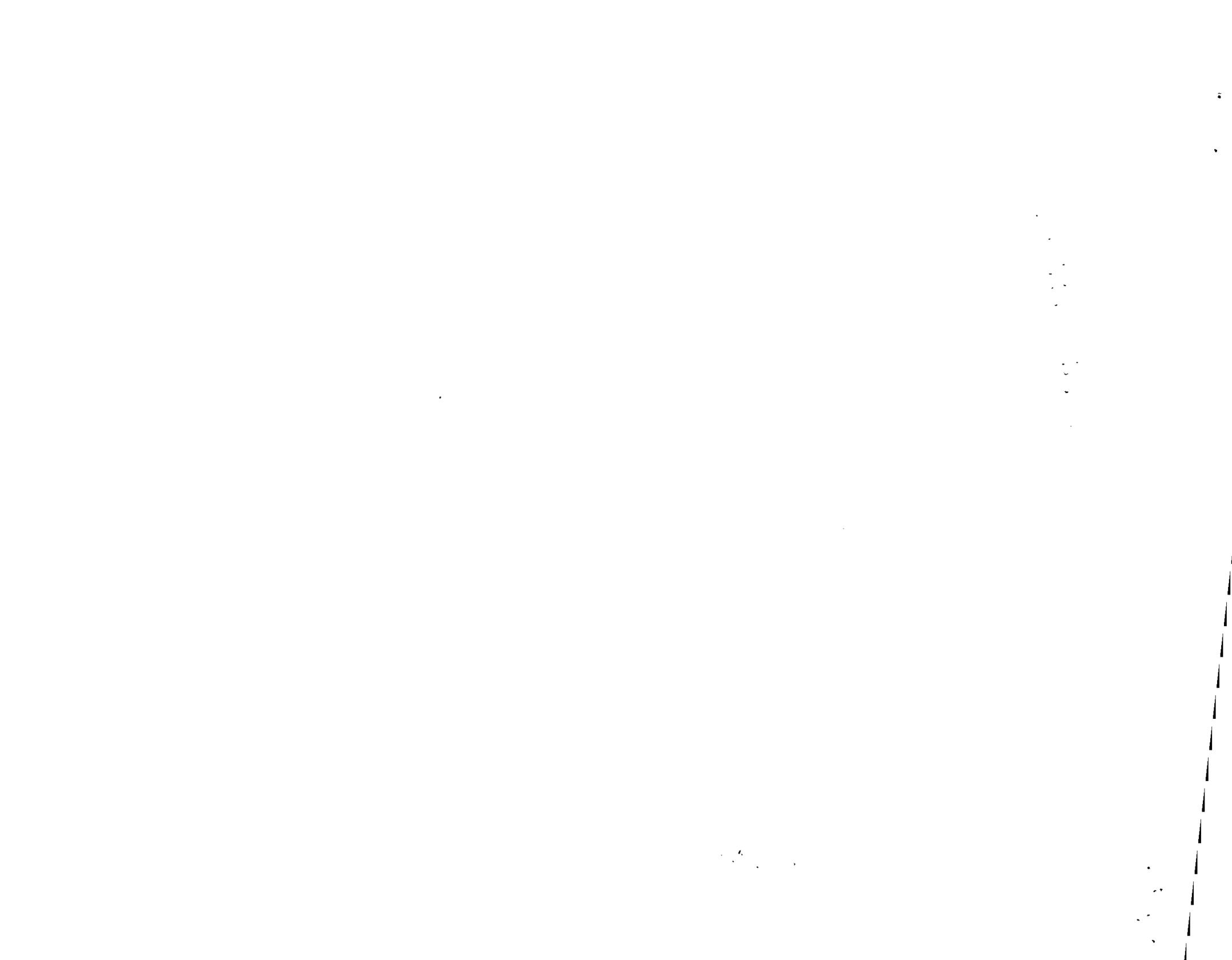
SUBJECT: PROPOSAL FOR NATIONAL GAMBLING COMMISSION

Rep. Frank Wolf (R. Va.) and Sens. Paul Simon and Richard Lugar have introduced bills to establish a federal commission to study the extent and effects of gambling and the adequacy of current regulation. Rep. Wolf's bill was the subject of a hearing in the full House Judiciary Committee last week. No action has yet been taken in the Senate.

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Supporters of the proposal note that it does not impose any new restrictions on gambling, but merely recognizes the need for greater information on the scope and effects of the gambling industry. Gambling is one of the fastest growing businesses in the nation. One recent study found that \$330 billion was wagered legally in 1992 (including in lotteries), up 1800% since 1976. Casinos now operate in 25 states, and in 1993 Americans made more trips to casinos than to major league baseball parks. As you said at the Sperling lunch, the introduction of gambling in a community, though providing a quick way to raise revenues, may impose hidden social, economic, and political costs, including those associated with corruption, crime, and addictive behavior. Supporters of these bills argue that we should take a hard look at such matters to ensure sensible regulatory policy.

Opponents of the proposal allege that it is a sort of stalking horse for the religious right -- a first step in a moralistic effort to prohibit gambling altogether. (The Christian Coalition is indeed a fervent supporter of this legislation, but so are many representatives and newspaper editorial writers not associated with that organization.)



Opponents also claim that a national commission will serve little purpose because conditions vary so much from state to state and community to community; sometimes opponents go so far as to frame this argument in terms of "states' rights." Finally, of course, opponents dispute the notion that gambling is linked to corruption or crime and claim it is a boon to local economies.

The only groups so far to oppose the legislation are industry associations, including most prominently the American Gaming Association, headed by Frank Fahrenkopf, former Chair of the RNC. The National Indian Gaming Association, which believes gaming by Indian tribes to be essential to tribal economic development, has indicated that it would not oppose the bills so long as the Commission includes an Indian tribal representative and addresses state lotteries as well as other forms of gambling. Senators and representatives from Nevada are vehement in their opposition to the bills; those from New Jersey, though less openly hostile at this time, may be subject to similar pressures. Finally, state governments may oppose the proposal if they believe it represents a threat to state lotteries.

Recommendation

We recommend that you endorse the idea of a commission to study gambling. Such a commission can perform a useful function in collecting information about the effects of gambling and thus enabling better decisions -- whether on the federal, state, local, or tribal level -- as to appropriate regulation. To the extent formation of such a commission suggests a sort of moralistic discomfort with gambling, this may be perfectly appropriate. We thus believe an endorsement of a national gambling commission is warranted.

1. Oppose the creation of a gambling commission
2. Take no position on the creation of a gambling commission
3. Endorse the creation of a gambling commission
4. Let's discuss

WHITE HOUSE STAFFING MEMORANDUM

DATE: 10-10 ACTION/CONCURRENCE/COMMENT DUE BY: 10-10 ³pm

SUBJECT: Proposal for National Gambling Commission

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McGINTY	<input type="checkbox"/>	<input type="checkbox"/>
PANETTA	<input type="checkbox"/>	<input type="checkbox"/>	NASH	<input type="checkbox"/>	<input type="checkbox"/>
McLARTY	<input type="checkbox"/>	<input type="checkbox"/>	QUINN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ICKES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RASCO <i>See Attached note</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BOWLES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SOSNIK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RIVLIN	<input type="checkbox"/>	<input type="checkbox"/>	STEPHANOPOULOS <i>see note</i>	<input type="checkbox"/>	<input type="checkbox"/>
BAER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STIGLITZ	<input type="checkbox"/>	<input type="checkbox"/>
EMANUEL <i>okay/attached</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TYSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GIBBONS	<input type="checkbox"/>	<input type="checkbox"/>	WEBSTER	<input type="checkbox"/>	<input type="checkbox"/>
GRIFFIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>
HALE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERMAN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HIGGINS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LAKE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MIKVA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McCURRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: *If you have views, please let me know ASAP.*

RESPONSE: _____

To: Todd Stern

Fr: George S

I strongly agree that we need to endorse a Commission, but the endorsement should be slightly more explicit. We don't have to sign on to every line of the legislation, but we should send letters to Wolf, Simon & Lujan saying we ~~can't~~ sign ~~legislation~~ endorse basic proposal

and will sign legislation passed by Congress.

George

THE WHITE HOUSE
WASHINGTON
October 5, 1995

95 OCT 11 10:32 AM '00
- original received

MEMORANDUM FOR THE PRESIDENT

FROM: ABNER J. MIKVA *ajm*
Counsel to the President
ELENA KAGAN *ek*
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THROUGH: LEON PANETTA, GEORGE STEPHANOPOULOS
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 10-10 ACTION/CONCURRENCE/COMMENT DUE BY: 10-10 3 pm

SUBJECT: Proposal for National Gambling Commission

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McGINTY	<input type="checkbox"/>	<input type="checkbox"/>
PANETTA	<input type="checkbox"/>	<input type="checkbox"/>	NASH	<input type="checkbox"/>	<input type="checkbox"/>
McLARTY	<input type="checkbox"/>	<input type="checkbox"/>	QUINN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ICKES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RASCO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BOWLES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SOSNIK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RIVLIN	<input type="checkbox"/>	<input type="checkbox"/>	STEPHANOPOULOS	<input type="checkbox"/>	<input type="checkbox"/>
BAER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STIGLITZ	<input type="checkbox"/>	<input type="checkbox"/>
EMANUEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TYSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GIBBONS	<input type="checkbox"/>	<input type="checkbox"/>	WEBSTER	<input type="checkbox"/>	<input type="checkbox"/>
GRIFFIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>
HALE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERMAN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HIGGINS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LAKE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MIKVA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McCURRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

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RESPONSE: _____

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

10-Oct-1995 11:53am

TO: Todd Stern
TO: Phillip M. Caplan

FROM: Carol H. Rasco
 Economic and Domestic Policy

CC: Michael T. Schmidt

SUBJECT: Proposal for National Gambling Commission

Simply wanted to share with you the attached that my staff sent to OMB. Our purpose is simply to make sure that we all are aware that despite National Indian Gaming Association's purported stand as outlined in Ab's memo there is the potential for a big backlash from Native Americans on this matter. However, that said, I think support by POTUS of the Commission is entirely in order.

Thank you.

EXECUTIVE OFFICE OF THE PRESIDENT

10-Oct-1995 11:01am

TO: Ronald E. Jones
FROM: Michael T. Schmidt
Domestic Policy Council

SUBJECT: Comments on the National Gambling Impact Commission

No substantive comments, just a red flag I want to raise as we think about our position on this bill. The Tribes see this bill as a fundamental attack on their gaming establishments, and therefore their sovereignty. From what I have seen written about this proposed commission, it makes no distinction between Las Vegas-style gaming and Tribal Gaming, which funds essential tribal operations like roads, schools, and health clinics. If we come out supporting this commission, which we may have to for various reasons, we need to be prepared for a HUGE backlash from the Tribes. In the wake of our taking so long to invoke the sovereignty argument on the Gaming Tax issue, this will look like another example of the Administration not understanding, or not caring, about Tribal sovereignty. And let me assure you that the furor over our position on the gaming tax issue is nothing compared to what will come if we support this act.

WHITE HOUSE STAFFING MEMORANDUM

95 OCT 11 10:48:03 PM '07

DATE: 10-10

ACTION/CONCURRENCE/COMMENT DUE BY: _____

SUBJECT: Proposal for National Gambling Commission

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McGINTY	<input type="checkbox"/>	<input type="checkbox"/>
PANETTA	<input type="checkbox"/>	<input type="checkbox"/>	NASH	<input type="checkbox"/>	<input type="checkbox"/>
McLARTY	<input type="checkbox"/>	<input type="checkbox"/>	QUINN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ICKES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RASCO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BOWLES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SOSNIK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RIVLIN	<input type="checkbox"/>	<input type="checkbox"/>	STEPHANOPOULOS	<input type="checkbox"/>	<input type="checkbox"/>
BAER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STIGLITZ	<input type="checkbox"/>	<input type="checkbox"/>
EMANUEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TYSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GIBBONS	<input type="checkbox"/>	<input type="checkbox"/>	WEBSTER	<input type="checkbox"/>	<input type="checkbox"/>
GRIFFIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>
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HERMAN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HIGGINS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LAKE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MIKVA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McCURRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

If you have views, please let me know ASAP.

RESPONSE:

Yes - I'm all for this - Rahm

Staff Secretary
Ext. 6-2702