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**MEMORANDUM**

**TO:** Lynn Cutler, Office of the Chief of Staff, White House  
**FR:** Mark Van Norman, Director, Office of Tribal Justice  
**RE:** Collection of Child Support at Indian Gaming Establishments

You asked our office to provide some background on Federal Indian law, tribal self-government, and the development of legislation to require Indian tribes to collect overdue child support from Indian gaming establishments.

Prior to the formation of the United States, Indian tribes were sovereign, independent nations. See National Farmers Union v. Crow Tribe, 471 U.S. 845, 851 (1985). The United States Constitution recognizes Indian tribes as sovereign politics both in the Indian Commerce Clause and in the Supremacy Clause affirmation of Indian treaties entered into prior to 1789. Through treaties and war, Indian tribes were incorporated into the United States, and after their incorporation, the Supreme Court then described Indian tribes as "domestic dependent nations." Cherokee Nation v. Georgia, 30 U.S. (5 Pet.) 1, 17 (1831). Indian tribes are termed "domestic" because they are within the territory of the United States; "dependent" because they are under Federal Government protection, and "nations" because they retain their sovereign authority over their members and territory. The United States has historically understood that Indian tribes reserved the right to self-government over internal affairs through treaties, and thus, treaties have been read to "guarantee" tribal self-government. Congress possesses authority to abrogate Indian treaties by subsequent legislation to the same extent as it may abrogate international treaties, but it is presumed that Congress will exercise "good faith" in regard to Indian tribes by protecting their rights and interests.

President Clinton has had the strongest policy in support of Indian tribes and tribal self-government since President Franklin Roosevelt or perhaps even President Grant. For example, in the Executive Order on Consultation and Coordination with Indian Tribal Governments, President Clinton stated that:

The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, Executive orders, and court decisions. Since the formation of the Union, the United States has recognized

Indian tribes as domestic dependent nations under its protection. In treaties, our Nation has guaranteed the right of Indian tribes to self-government. As domestic dependent nations, Indian tribes exercise inherent sovereign powers over their members and territory. The United States continues to work with Indian tribes on government-to-government basis.

Exec. Order 13084 (1998). Indeed, under this policy, the President has signed into law a number of measures that promote tribal self-government, such as the Indian Tribal Justice Act, 25 U.S.C. secs. 3601 et seq.; the Indian Self-Determination Amendments Act of 1994, 25 U.S.C. secs. 450 et seq.; and the Native American Housing Assistance and Self-Determination Act, 25 U.S.C. secs. 4061 et seq. Perhaps most importantly, pursuant to this policy, the Executive agencies are working with Indian tribes on a government-to-government basis, and that means that we consult with tribal government leaders in a meaningful and timely manner on matters that would affect tribal self-government, among other things.

I understand that there has been a proposal by HHS to require through legislation that Indian tribes and others assist the Federal Government in collecting outstanding child support payments due under state or tribal court child support orders from winners at Indian gaming establishments. If this effort goes forward, under the President's policy on government-to-government relations with Indian tribes, HHS should consult with Indian tribes and as part of those consultations, should work cooperatively with tribes to develop an approach respectful of tribal self-government.

In our view, HHS should first consult with Indian tribes concerning any legislative proposal concerning the collection of outstanding child support payments at Indian gaming establishments. Under the President's government-to-government relations policy, consultations should be guided "by the principles of respect for Indian tribal self-government and sovereignty, for tribal treaty and other rights, and for responsibilities that arise from the unique legal relationship between the Federal Government and Indian tribal governments." Exec. Order No. 13084, Sec. 2 (1998). Without consultation guided by respect for tribal sovereignty, Indian tribes would view the legislative proposal to require the collection of child support as burdening treaty- and statutorily-protected rights to engage in Indian gaming to generate tribal government revenue. They would view such an effort as violating the mandate and spirit of the Executive Order. Given this background, under the present facts and circumstances, we would recommend that HHS hold off on its legislative proposal, and instead, work with tribal governments on a voluntary basis to encourage the tribes to create their own standards and policies in this area.

BA -  
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Langley

If we can be of further assistance on this or any other issue, please let us know.

Child support -  
Gambling

## Child Support and Gambling Winnings February 3, 2000

**We are going to immediately begin consultations with the industry.** We plan on immediately obtaining input from the gaming industry to make the gambling intercept proposal as least burdensome as possible. We realize that this proposal would require gaming establishments to take a few extra steps but we intend to fully discuss the process with them. Expertise from the gaming industry is going to be crucial because they understand the actual process and potential challenges better than anyone.

When implementing the new hire reporting requirement contained in the welfare reform law, HHS worked extensively with States and employer organizations to make sure that employers were involved in the conceptualization and development of the new hire reporting system. HHS held conferences, prepared articles for employer's newsletters, and solicited employer input on the Internet. Employers were instrumental in the number and type of data reporting elements that States now use in their new hire reporting system. We will follow this model with the gaming industry both to make sure that we are cognizant of the gaming industry's concerns, and to ensure that the gaming industry was involved in the development of the gambling intercept process.

**The gaming industry is not being singled out.** Strong enforcement tools put in place since 1992 have strengthened our efforts to collect child support, such as allowing garnishing of wages through employers, seizing of bank accounts through financial institutions, and taking of drivers and other licenses. In addition, based on the 1996 welfare reform law, state lottery winnings are withheld from parents who owe past due child support.

**I think there was a lot of initial opposition to the gaming idea before people understood what we were actually proposing.** This proposal builds on current reporting processes already in place. This proposal only builds on the process already in place to collect taxes on gambling winnings, which gaming establishments already report for certain activities and retain a portion of the winnings in some circumstances for tax purposes. This proposal would only require that gaming establishments also check if an individual who is already submitting information for tax purposes because their winnings exceed a certain amount (\$600 to \$1,500 depending on the type of gambling) owe child support. If they do owe child support, winnings would be retained for the children of the gambler. This proposal would increase child support collections to families by \$348 million over five years and save the federal government \$183 million over the same period.

**Gaming activities that could be intercepted for child support are limited.** Again, our proposal follows the IRS rules for reporting. The IRS already requires information on winnings depending on the type of gaming. For example, if slot machine's winnings exceed \$1,200 an individual has to fill out a W2-G. Our proposal would only require that a few pieces of information from the W2-G -- the person's name, social security number and amount of winnings -- be transmitted to a secure internet site where it would be matched against updated HHS Tax Refund Offset Information on parents who owe child support. The match inquiry would report back: 1) there is no match and the individual does not owe past due child support;

2) the individual owes past due child support which exceeds the amount of the individual's winnings, therefore, the entire amount of winnings should be retained; or 3) the individual owes child support but the amount does not exceed the amount of winnings; therefore, only the amount of child support owed should be retained.

In addition to slot machine winnings above \$1,200, IRS rules require that a W-2G be filled out for: Keno winnings above \$1,500, horse and dog racing and other wagering transaction (sports betting) winnings above \$600.

**It's premature to drop the proposal altogether.** We need to sit down with the entire industry (including the tribal gaming organizations) and discuss the goal we are trying to achieve balanced against the real obstacles that would exist in implementing such a project. After we do that, we'll all be in a more informed position to make further decisions.

**I know the gambling proposal is particularly important to you but it is only a piece of our child support enforcement package.** To collect more child support from fathers who can pay, our budget includes several new initiatives to further crackdown on parents who owe child support and can afford to pay. These initiatives (including intercepting gambling winnings) will collect nearly \$2 billion more over five years in support for children who need and deserve the support of both parents by:

- Booting the Cars of Deadbeat Parents. This will take nationwide a policy adopted in Virginia that immobilizes vehicles owned by deadbeat parents until they begin to pay what they owe. During the pilot phase, this initiative collected an average of \$5,000 from each deadbeat parent. This new tool will enable every state to collect more child support; there will be safeguards to ensure that those legitimately trying to pay are not targeted.
- Denying Passports to Parents Who Owe \$2,500 or More in Child Support. This proposal will deny passports to parents owing more than \$2,500 in child support. This expands the current passport denial program, which rejects passport applications or renewal requests if child support arrearages exceed \$5,000, and currently results in 30-40 denied passports per day. Rejected parents often pay child support immediately in order to obtain their passports.
- Prohibiting Medicare Participation by Providers Owing Child Support. This bars doctors and other health providers who owe child support from becoming Medicare providers.
- Requiring More Frequent Updating of Child Support Orders. This proposal will require states to review support orders every three years for families receiving TANF and adjust them accordingly. New orders reflecting parents' updated salary information will bring more child support to children who need it.

The Administration's budget will also contain a proposal that will ensure that more child support goes directly to families. Current child support distribution rules are complicated, and often result in government, not families, keeping child support monies paid by the father. The budget

also includes a proposal that will enable states to simplify distribution rules and provide incentives to states that pass through more child support payments directly to families. In states that adopt the new options, families that have left welfare will be able to keep all the child support paid by the noncustodial parent; families still working their way off welfare will be able to keep up to \$100 a month. These proposals will create a clearer connection between what a father pays and what his family gets, giving parents more reason to cooperate with the child support system.

SHELLEY BERKLEY  
1ST DISTRICT, NEVADA

1505 LONGWORTH BUILDING  
WASHINGTON, DC 20515  
202-225-5965

2340 PASEO DEL PRADO  
SUITE D106  
LAS VEGAS, NEVADA 89102  
702-220-9823

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Congress of the United States  
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Washington, DC 20515-2501

*Child support  
Gambling*

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**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-2801

January 28, 2000

The Honorable William Jefferson Clinton  
President of the United States  
The White House  
1600 Pennsylvania Avenue  
Washington, D.C. 20500

Dear Mr. President:

I am writing to respectfully request that you reconsider an Administration budget proposal that requires casinos or other gaming establishments to seize the winnings of individuals owing child support. While I have always been a strong proponent of improving child support collections and laud your achievements, this particular proposal would impose an unfair burden on the gaming industry.

I want you to know that the hotel/gaming industry is vital to the economic well-being of my district in southern Nevada providing jobs to over 300,000 people and paying taxes totalling one-half of all public monies in Nevada each year.

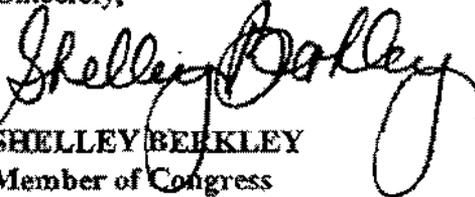
This proposal would harm the industry, its employees, and its customers in many ways. Under this proposal:

- Gaming establishments would be burdened with the onerous bureaucratic demands that this proposal would require, including massive paperwork, record keeping, staff time, and customer inconvenience.
- Gaming establishments would be forced to defend themselves against a host of legal liability risks that would inevitably arise from acting as child support payment investigators and collectors. The high potential for claims of invasion of privacy and damages for errors in withholding would expose gaming establishments to endless legal and bureaucratic entanglements.
- Gaming establishments would be unreasonably and prejudicially singled out to shoulder these burdens. If the gaming industry and its customers are to suffer under oppressive regulation, why not also demand the same law enforcement function of *all* businesses that accept or disburse sums over specified amounts? Because no other type of business is included in the Administration proposal, it is clearly discriminatory toward the gaming industry, its employees, and its customers.

- Customers who do not owe child support payments would have to wait while someone verifies that they do not owe child support. Long wait times directly adversely affect business. The costs required to have every cage cashier and every slot floor person in every casino implement this program effectively 24 hours a day, 7 days a week, would be astronomical.

Thank you for considering my request. Your attention to this matter is of the utmost importance to the people of my district in southern Nevada.

Sincerely,



**SHELLEY BERKLEY**  
Member of Congress



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REVIEW JOURNAL



Thursday, January 27, 2000  
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## COLUMN: John L. Smith

Asking casinos to track **deadbeat** dads a losing proposition



JOHN L. SMITH

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If you've walked anywhere near a crowded craps table, you've probably heard the expression in the heat of the moment.

"Dice be nice," someone yells through the tangle of flailing arms and elbows. "Baby needs shoes!"

It's a cliché left over from the casino racket's Runyonesque past, but it appears that once again President Clinton wants to turn that slice of hyperbole into a piece of public policy.

In his upcoming State of the Union address, Clinton plans to help ensure that baby gets shoes by recommending forcing casinos to squeeze **deadbeat** fathers for unpaid child support. The dollars for diapers would be taken from the **deadbeat's** winnings.

Clinton's cause is admirable. Fathers who refuse to support their offspring are bums who should be dealt with severely. Make them put a lien on their limbs and sell their blood, I say.

But don't make the casinos do the dirty work counties, states and even the federal government still refuse to do. After all, the stiff's are on the street because the law allows them to live without paying their familial debts.

American Gaming Association President Frank Fahrenkopf says, "There are very, very serious due process and privacy issues to consider."

But since when has the federal government fretted over such trivial matters?

The casino-as-collection-agency *Ashtick* is nothing new. Nor is attempting to prey on the public's negative perception of the gambling industry. The Clinton administration attempted to place similar language in its 1994 welfare reform bill. The language was deleted as it pertained to casinos, but was left intact for state lotteries.

The difference is obvious. Lotteries are run by the state, which already has access to a *deadbeat dad's* file; casinos are private businesses that make terrible police substations. Without a national registry for *deadbeat dads*, complete with wanted posters and the like, it's hard to imagine the casinos being trusted with sensitive information that often is filed under seal in local courts.

And what constitutes a player's winnings varies from person to person. If you went to the blackjack table with \$10,000 but go to the cashier's window with \$5,000, that constitutes "losings" in most minds.

Probably the only place such a program might work would be in the case of the *Megabucks* and other huge slot jackpots. The winning player is identified; the money is usually paid in annual installments.

Oddly enough, proponents of the measure saw the problem with the plan in 1994. They have forgotten all that in the ensuing six years.

Following Clinton's stream of illogic, it's only natural that he will want to include other businesses in the equation. Banks, investment firms and mortgage companies, for instance.

They know whether the *papas* crying poor-mouth are on the up-and-up. Snatch those dividends, portfolio gains and all that lovely interest and skim it like cream for the *kiddies*. Not that Clinton or any Washington politician is interested in jousting with such dragons.

But while you're at it, enlist help from car agencies, jewelry stores, gourmet restaurants and other businesses these flush fathers might frequent. Have a waiter at *Delmonico's* remind some customer not to order dessert because he's got children he's not supporting. Surely the waiter won't mind not being tipped, and management will be glad to lose such a customer.

And if your aim is for the casino crowd to collect what's owed, why stop with *deadbeat dads*?

What about people who have outstanding income tax debts? Turn loose the pit boss and turn up the

heat.

Many Americans have unpaid hospital bills. Those bills, according to health care propagandists, help drive up the cost of hospitalization, insurance rates and medical care generally.

It's time those stiff received a visit from Dr. Deadbeat, who surgically removes dollars from the players' winnings.

Why stop there?

Let's not forget foreign debts. Nothing steams me more than the dozens of nations that flat refuse to make good on the countless billions in loans and humanitarian aid heaped upon them by the United States. It's time the casinos industry helped.

Some of these high-rolling international gamblers who come to Las Vegas are from countries that owe America billions. I say empty the foreign high-rollers' pockets in the name of old Uncle Sam.

Due process? Privacy?

Fuhgetaboutit.

Baby needs shoes?

No, Bubba needs a legacy.

John L. Smith's column appears Sunday, Tuesday, Wednesday, Thursday and Friday. Reach him at 383-0295 or [Smith@lasvegas.com](mailto:Smith@lasvegas.com).

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## Casinos may police deadbeats

President Clinton wants the gaming industry to take unpaid child support from delinquent parents' winnings.

By Tony Batt  
Donrey Washington Bureau

WASHINGTON — The Clinton administration announced a plan Wednesday to force casinos to withhold winnings from customers who are behind in child support, presenting yet another federal challenge for the gaming industry.

President Clinton intends to include the provision in the budget he will propose on Feb. 7 for the upcoming fiscal year. He may mention the proposal in his State of the Union address tonight.

The White House estimates casinos could collect \$348 million over five years from deadbeat parents.

"Under this initiative, gambling establishments will check whether individuals with large winnings owe child support as they complete existing procedures for withholding federal income taxes," the Clinton administration said in a news release.

The information on deadbeat parents would come from an Internet database, according to the administration. Casinos would be provided software to tap into the database and withhold winnings accordingly.

Las Vegas casino executives immediately expressed concerns about the president's proposal.

"I believe as public policy it is dicey when the government singles out one industry for enforcement," said Alan Feldman, Mirage Resorts

Inc. vice president for public relations. He questioned why car dealers and other types of retailers weren't targeted for enforcing child support.

Boyd Gaming Corp.'s Rob Stillwell, vice president of corporate communications, said his company had reservations about enforcement, noting that child support collection is a matter of state law.

Harrah's Entertainment's Jan Jones, vice president for corporate communications, said her company would support the president's plan if "an accurate procedure" could be implemented. But Jones questioned whether an accurate database of people owing child support existed.

Under the president's proposal, the child support search would be triggered when a gambler fills out a W2G tax form at the casino cashier's window after winning more than \$1,200.

For gaming industry lobbyists, who already are trying to thwart pending legislation that would ban Nevada casinos from taking bets on college games, Clinton's proposal came as an unwelcome surprise.

Frank Fahrenkopf, chairman of the American Gaming Association, said the industry would not declare support or opposition until it learns more details.

Although voicing support for making parents meet child care obligations, Fahrenkopf and other gaming representatives expressed concern about how casinos would carry out Clinton's plan.

"I can see some tremendous problems here in implementation," Fahrenkopf said.

Wayne Mehl, a Washington lobbyist for the Nevada Resort Association, said the child support provision dates to 1994, when the Clinton administration floated and then abandoned a plan to finance welfare reform with a 4 percent tax on gross revenues from the gaming industry.

"The child support requirement was limited to state lotteries after we argued that casinos are not well-suited to be enforcement police," Mehl said.

In addition to casinos, the president's provision also would cover winnings of deadbeat parents from dog racing, jai alai and keno. Current law requires state lotteries to check child support payments.

With the gambling proposal and several others, the Clinton administration aims to collect \$2 billion in delinquent child support payments in five years.

The only member of the Nevada congressional delegation who seemed open to the president's idea was Sen. Harry Reid, D-Nev.

"If it can be done mechanically, of course I would support it. I think people should pay child support," Reid said.

Rep. Jim Gibbons, R-Nev., wondered whether the provision would comply with privacy and due process rights.

"If money is withheld from a person because of inaccurate data, could the casino be held liable?" Gibbons asked. He also wondered whether a casino could be held liable for violation of privacy.

Rep. Shelley Berkley and Sen. Richard Bryan, both D-Nev., expressed annoyance at not being given advance notice of the Clinton administration proposal.

"This came out of left field, and it sets a dangerous precedent by using a private industry to act as a federal agency," Berkley said. "There is no way a casino employee can identify a deadbeat dad. They don't wear a sign around their neck. How can a casino employee enforce interstate laws against felons they can neither identify nor monitor?"

Bryan was skeptical of White House claims that the proposal would not prove onerous for the gaming industry.

"We've heard that before," he said.

Las Vegas.com Gaming Wire writer Jeff Simpson contributed to this report.

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## OTHER IDEAS

### Collecting child support

The idea is tempting: A jackpot winner at a Nevada casino has his back child-support payments deducted from the check before he ever sees it.

With all the problems the government seems to have in actually collecting child support, it would be a \$348 million windfall over five years for the nation's children and custodial parents who scrape by month after month without the money owed to them by a deadbeat dad or mom.

President Clinton made the proposal in his 2001 budget. Supporters point to similar methods, such as state lotteries, which already are required to deduct unpaid child support before a winner can collect.

Certainly private business is already involved in the collection process by garnishing wages. The government has also seized bank accounts, withheld driver's licenses, and taken the money out of federal tax returns.

So this would be one more step toward making the scofflaws pay, right?

Yes, and it would be one more step in the wrong direction.

The fact is that too many local, state and federal governments aren't doing their jobs in collecting unpaid child support. ...

If Clinton wants to spend money, it should go to overburdened district attorney's offices so they can enforce collections though the means already available to them.

The NEVADA APPEAL  
January 28

"Score! My bodily fluids -- flu bugs and all -- were all over his hand!"

Dan Savage, writing in Salon magazine that he tried to give GOP candidate Gary Bauer the flu by putting his pen in his mouth and asking the candidate for an autograph. Savage, who is gay, said he was angry over Bauer's anti-gay rhetoric.

"There was enormously sensitive material on this computer at the highest levels of classification."

CIA chief George Tenet, telling Congress this week that his predecessor, John Deutch, had stored 17,000 classified documents during the mid 1990s on his unsecured home computer.

"I just did what I was trained to do. I was in-country a long time in a very hot area. I didn't do anything special."

Chuck Mawhinney, the subject of a new tell-all paperback, on the record 103 kills he achieved as a Marine sniper during Vietnam.

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February 08, 2000

### Casino proposals draw fire

LAS VEGAS SUN

WASHINGTON — The budget proposal President Clinton sent to Congress on Monday includes two measures opposed by casinos: a plan to withhold income taxes on keno and bingo winnings and a proposal to enlist casinos' help in collecting child-support payments from deadbeat parents.

In a letter to Clinton, Rep. Jim Gibbons, R-Nev., said collecting child support is laudable. But, he said, "the decision to have the federal government require a private industry to assume the role of a government agency concerns me."

Sens. Richard Bryan and Harry Reid also criticized the bingo and keno winnings proposal.

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January 26, 2000

## Clinton turns to gaming to collect support

### Casinos to check for deadbeat parents

By Benjamin Grove  
[<grove@lasvegassun.com>](mailto:grove@lasvegassun.com)

LAS VEGAS SUN

WASHINGTON — One day before his State of the Union address, President Clinton today unveiled a plan to seize gambling winnings from deadbeat dads to pay child support.

The proposal was part of a larger "responsible fatherhood" initiative released by the White House.

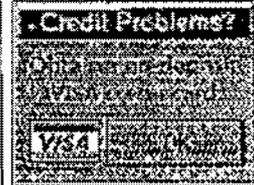
Under the plan casino officials would be required to complete child support verification at the same time that they are making federal tax arrangements with the winners.

Clinton's budget for fiscal 2001 will contain a proposal. The White House estimates that this maneuver alone could bring in \$348 million over five years.

It would apply to winnings through casinos, dog racing, jai alai or keno, Reed said. It would not apply to winnings from lotteries, which already are covered under current law.

The gaming industry and Nevada's members of Congress expressed initial skepticism to the proposal.

"Deadbeat dads ought to pay their child support, no ifs, ands or buts," Sen. Richard Bryan, D-Nev., said.



"But this proposal raises some concerns. What would the burden be on the casinos? Are there databases available? How is it going to work?"

American Gaming Association President Frank Fahrenkopf said casinos could become ensnared in a sticky process and privacy dilemmas as they keep tabs on whether winners owe child support.

"I think clearly everyone in our industry shares the goal of the president in making sure deadbeat parents live up to their responsibilities to their children," Fahrenkopf said as the proposal surfaced this morning. "I can envision facing some real administrative and possible constitutional problems with the proposal."

Rep. Jim Gibbons, R-Nev., said today he didn't find the Clinton proposal "overwhelmingly objectionable," but he also said he was concerned that the plan would put too much responsibility on the casinos to police winners.

It might be difficult for casinos to get up-to-date child support information, he added.

States and counties already keep tabs on deadbeat dads and garnish wages, he said.

"I see some pitfalls," Gibbons said. "I don't want to impose an unfair responsibility on the gaming industry." Laura Chapin, spokeswoman for Rep. Shelley Berkley, D-Nev., said the proposal doesn't yet answer how Nevada casinos could seize money from someone who owes child support in another state.

"It seems to be somewhat duplicative of what the IRS already does," Chapin said. "And it seems to be targeting a single industry to do this." Berkley was on her way back to Washington today from a trip in New York City and could not be reached for further comment.

Sen. Harry Reid, D-Nev., today declined immediate comment.

The gambling provision is one of several items in Clinton's budget seeking to collect \$2 billion in back child support in the next five years. The largest

amount, \$1.2 billion, is expected to come through streamlining of rules governing distribution of child support to ensure that more of the money goes directly to families.

Besides collecting gambling purses, the remainder of the child support payments were to be gathered through efforts from booting the cars of delinquent parents to providing funds to help unemployed fathers who could support their children if they had jobs.

"We view this as the next big step in welfare reform," said Bruce Reed, Clinton's domestic policy adviser. "We've put mothers to work, but they shouldn't bear the whole burden. Fathers should go to work and support their children as well."

The president's budget plan sets aside \$125 million for one year to assist 40,000 low-income non-custodial parents — primarily fathers — in finding work, meeting support payments and re-establishing relationships with their children. The program builds on \$350 million in fatherhood initiatives operating under welfare-to-work efforts at the Labor Department.

The White House was announcing the child support initiative today, as new data was being released showing child support collections nearly doubled between 1992 and 1999, from \$8 billion to \$15.5 billion. About \$1.3 billion of that money was collected by withholding federal income tax refunds, the White House said. The rest came from steps such as garnishing wages, seizing bank accounts and capturing driver's or other licenses.

Under the simplified collection rules, states would be given incentives if they allow custodial parents to keep all the child support paid for their children if they leave welfare, or keep up to \$100 a month if they are in the process of leaving welfare for work.

Other methods Clinton is proposing for collecting child support include:

Attaching a boot to the cars of parents who have failed to pay.

A pilot program in Virginia successfully collected an

average of \$5,000 from each delinquent parent. The White House estimated this would allow states to collect \$183 million over five years.

Denying passports to parents who owe at least \$2,500 in child support.

This would tighten a current program under which passport applications or renewals are rejected for parents who are \$5,000 in arrears. The White House estimated it would generate \$36 million in additional child support payments.

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January 26, 2000

## Casinos May Aid Child Support Plan

ASSOCIATED PRESS

WASHINGTON (AP) — President Clinton is hoping to put the squeeze on parents who owe billions of dollars in child support payments by seizing large jackpots won at casinos or dog races by deadbeat dads and moms.

In his fiscal 2001 budget plan, Clinton is proposing that gambling establishments check to see if their big winners owe child support, and withhold the winnings if they do. The White House estimated Wednesday that this maneuver alone could bring in \$348 million over five years.

But the idea has met resistance on Capitol Hill.

"This does not pass my smell test," said Rep. Shelley Berkley, D-Nev. "This is a proposal that sets a dangerous precedent, by adding a federal burden to an industry that is already regulated. The gaming industry should not become an arm of the federal government, not for this laudatory endeavor or anything else."

The gambling provision is one of several items in Clinton's budget seeking to collect \$2 billion in back child support in the next five years. The largest amount, \$1.2 billion, is expected to come through streamlining rules governing distribution of child support to ensure that more of the money goes directly to families.

Besides collecting gambling purses, the remainder of the child support payments were to be gathered



through efforts from booting the cars of delinquent parents to providing funds to give job training to nonworking fathers who could support their children if they were employed.

"We view this as the next big step in welfare reform," said Bruce Reed, Clinton's domestic policy adviser. "We've put mothers to work, but they shouldn't bear the whole burden. Fathers should go to work and support their children as well."

Clinton will highlight the fathers' job-training program in his State of the Union address Thursday night, Reed said.

The president's budget plan sets aside \$125 million for one year to assist 40,000 low-income noncustodial parents — primarily fathers — in finding work, meeting support payments and re-establishing relationships with their children. The program builds on \$350 million in fatherhood initiatives operating under welfare-to-work efforts at the Labor Department.

The White House announced the child support initiative as it released new data showing child support collections nearly doubled between 1992 and 1999, from \$8 billion to \$15.5 billion. About \$1.3 billion of that money was collected by withholding federal income tax refunds, the White House said. The rest came from steps such as garnishing wages, seizing bank accounts and capturing driver's or other licenses.

The gambling proposal would apply to winnings through casinos, dog racing, jai alai or keno but not lotteries, which are covered under current law. Casinos or other gambling establishments would determine whether a winning patron owes child support as they go through procedures for withholding federal income taxes from their jackpots.

Under the simplified collection rules, states would be given incentives if they allow custodial parents to keep all the child support paid for their children if they leave welfare, or keep up to \$100 a month if they are in the process of leaving welfare for work.

Other methods Clinton is proposing for collecting child support include:

-Placing a boot on the cars of parents who have failed to pay. A pilot program in Virginia successfully collected an average of \$5,000 from each delinquent parent. The White House estimated this would enable states to collect \$183 million over five years.

-Denying passports to parents who owe at least \$2,500 in child support. This would tighten a current program under which passport applications or renewals are rejected for parents who are \$5,000 in arrears. The White House estimated it would generate \$36 million in additional child support payments.

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January 26, 2000

### Casinos shouldn't check for deadbeat parents, industry leaders say

By Angie Wagner  
ASSOCIATED PRESS WRITER

Gambling industry leaders agreed Wednesday that deadbeat parents should pay up, but casinos shouldn't be policing child support slackers.

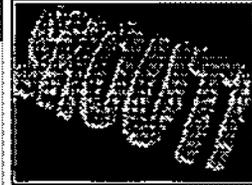
"I don't think it's a good idea for the government to ask businesses to do its job," said Alan Feldman, spokesman for Mirage Resorts Inc.

President Clinton's budget for fiscal 2001 will contain a proposal under which gambling outlets could seize the winnings of patrons who owe child support. The White House estimates that this maneuver alone could bring in \$348 million over five years.

The gambling provision, one of several items in Clinton's budget seeking to collect \$2 billion in back child support in the next five years, was news to Feldman and several other industry leaders.

"We heard it this morning," said Frank Fahrenkopf Jr., president of the American Gaming Association. "To my knowledge, no one in the industry or the congressional delegation was aware of it."

Under the proposal announced Wednesday, casinos or other gambling establishments would check to see whether their big winners owe child support as they go through procedures for withholding federal income taxes. The winnings of those who do would be seized.



It would apply to winnings through casinos, dog racing, jai alai or keno. It would not apply to winnings from lotteries, which already are covered under current law.

"I have some serious reservations about how such a plan would work," Fahrenkopf said. "I think there are serious due process and privacy issues here that would have to be dealt with."

Fahrenkopf said regulating gamblers who owe child support would be too difficult.

"Someone who comes into a casino and wins a lot of money, and he's from Georgia. How are we supposed to find out whether he owes money in Georgia?"

Bill Thompson, a UNLV professor of public administration and gambling expert, said the government was trying to dump deadbeat parents on private businesses.

"The government's got the tools. Why don't they track these people down? They know their addresses. All of a sudden casinos are supposed to do it.

"I think it's absurd. Should they make the payments? Absolutely yes. Send the IRS after them."

Nevada's congressional delegation questioned what the burden would be on casinos.

"The proposal sets dangerous precedent by using a private industry to act as a federal agency," Rep. Shelley Berkley, D-Nev., said.

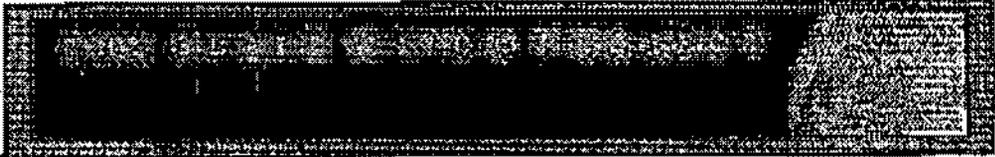
Bill Bible, president of the Nevada Resort Association, said it was too early for the NRA to take a position on the proposal.

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January 28, 2000

### Editorial: Deadbeat collection plan is too intrusive

In recent years government has increased its efforts to get deadbeat parents to pay court-ordered support, ensuring that children aren't forced to financially suffer simply because they have a negligent parent. Between 1992 and 1999, it's estimated that child support collections almost doubled, from \$8 billion to \$15.5 billion. In a bid to improve upon this President Clinton is proposing new initiatives to collect \$2 billion in back child support over the next five years. But one element of that proposal announced Wednesday by the White House — requiring casinos and other gaming establishments to withhold large jackpots won by deadbeat parents — goes too far.

Here's how the plan would work: Casinos, as they go about withholding federal income taxes from big winners, also would try to determine whether the gamblers owe child support. This would be done by tapping into a computerized national database that would determine whether the gambler was delinquent on child support. If the check shows the customer owes money, then the gambler's winnings would be withheld. The administration estimates that over five years this would result in the collection of \$348 million, although this projection seems overly optimistic.

The goal of getting more deadbeat parents to pay their support is laudable, but government gets on a slippery slope when it asks a business, which has no connection to the individual other than the fact that he is a customer, to enforce court orders.



Supporters of this plan will note that state lotteries already perform this task, but the fact is that these are state agencies – not private businesses. Using gambling establishments is an innovative suggestion, but the problem is that it asks a business to do something that really is the responsibility of a government agency. Casinos are correct to be worried about such a scheme. It just isn't right to ask businesses to be an agent for state government in this manner.

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