

HR 4411

Internet Gambling Prohibition and Enforcement Act

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Nov 18, 2005

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 519.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 519.
(Jul 13, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/4411>

Sponsor

Name: Rep. Leach, James A. [R-IA-2]

Party: Republican • **State:** IA • **Chamber:** House

Cosponsors (35 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Akin, W. Todd [R-MO-2]	R · MO		Nov 18, 2005
Rep. Bachus, Spencer [R-AL-6]	R · AL		Nov 18, 2005
Rep. Bass, Charles F. [R-NH-2]	R · NH		Nov 18, 2005
Rep. Boehlert, Sherwood [R-NY-24]	R · NY		Nov 18, 2005
Rep. Dent, Charles W. [R-PA-15]	R · PA		Nov 18, 2005
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Nov 18, 2005
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Nov 18, 2005
Rep. Gilchrest, Wayne T. [R-MD-1]	R · MD		Nov 18, 2005
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Nov 18, 2005
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Nov 18, 2005
Rep. Latham, Tom [R-IA-4]	R · IA		Nov 18, 2005
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Nov 18, 2005
Rep. Osborne, Tom [R-NE-3]	R · NE		Nov 18, 2005
Rep. Pence, Mike [R-IN-6]	R · IN		Nov 18, 2005
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Nov 18, 2005
Rep. Ramstad, Jim [R-MN-3]	R · MN		Nov 18, 2005
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Nov 18, 2005
Rep. Walsh, James T. [R-NY-25]	R · NY		Nov 18, 2005
Rep. Franks, Trent [R-AZ-2]	R · AZ		Dec 8, 2005
Rep. Hooley, Darlene [D-OR-5]	D · OR		Dec 8, 2005
Rep. Kennedy, Mark R. [R-MN-6]	R · MN		Dec 8, 2005
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		Dec 8, 2005
Rep. Terry, Lee [R-NE-2]	R · NE		Dec 8, 2005
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Jan 31, 2006
Rep. Wicker, Roger F. [R-MS-1]	R · MS		Jan 31, 2006
Rep. Upton, Fred [R-MI-6]	R · MI		Feb 14, 2006
Rep. Wilson, Joe [R-SC-2]	R · SC		Feb 14, 2006
Rep. Inglis, Bob [R-SC-4]	R · SC		Feb 15, 2006
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Feb 15, 2006
Rep. Blunt, Roy [R-MO-7]	R · MO		Mar 1, 2006
Rep. Shays, Christopher [R-CT-4]	R · CT		Mar 1, 2006
Rep. Wasserman Schultz, Debbie [D-FL-20]	D · FL		Mar 1, 2006
Del. Bordallo, Madeleine Z. [D-GU-At Large]	D · GU		Mar 15, 2006
Rep. Barrett, J. Gresham [R-SC-3]	R · SC		Mar 15, 2006
Rep. Souder, Mark E. [R-IN-3]	R · IN		May 11, 2006

Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Referred to	Jan 5, 2006
Judiciary Committee	House	Reported By	May 26, 2006

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
109 HR 4777	Related bill	Sep 22, 2006: Placed on the Union Calendar, Calendar No. 405.
109 HRES 907	Procedurally related	Jul 11, 2006: Motion to reconsider laid on the table Agreed to without objection.

Internet Gambling Prohibition and Enforcement Act - **Title I: Modernization of the Wire Act of 1961** - (Sec. 101)

Amends the federal criminal code to expand the definition of "wire communication facility" (renamed "communication facility") to include fixed or mobile (i.e., wireless) communication facilities.

Defines "bets and wagers" to include bets for contests, sporting events, games predominantly subject to chance, and lotteries. Excludes from such definition: (1) activities governed by securities laws; (2) transactions under the Commodity Exchange Act; (3) over-the-counter derivative instruments; (4) contracts of indemnity or guarantee; (4) contracts for life, health, or accident insurance; and (5) reward programs or contests conducted by businesses.

(Sec. 102) Modifies existing prohibitions against interstate gambling to prohibit the use of a communication facility to transmit: (1) bets or wagers; (2) information assisting in the placing of bets or wagers; or (3) a communication which entitles the recipient to receive money or credit as a result of bets or wages or for information assisting in the placing of bets or wagers.

Prohibits any individual from accepting, in connection with the placing of bets or wagers to or from the United States: (1) credit, or the proceeds of credit; (2) electronic funds transfers; (3) checks, drafts, or similar instruments; or (4) the proceeds of any other form of financial transaction as prescribed by Treasury regulations.

Imposes a fine and/or prison term of up to five years for violations.

Requires any common carrier which receives notice of a violation of this Act by one of its communication facilities to discontinue or refuse service to such facility. Grants such common carrier immunity from liability for discontinuing or refusing such service.

(Sec. 103) Grants U.S. district courts original and exclusive jurisdiction to prevent and restrain violations of the Internet gambling ban. Authorizes the Attorney General or any state attorney general to institute proceeding to enforce an Internet gambling ban.

(Sec. 104) Authorizes appropriations to the Department of Justice in FY2007-FY2010 for investigations and prosecutions of unlawful Internet gambling.

(Sec. 105) Declares that nothing in this Act may be construed to prohibit any activity allowed under the Interstate Horseracing Act or to preempt any state law prohibiting gambling.

(Sec. 106) Expresses the sense of Congress that this Act does not address the legality of certain horse racing activities under federal law.

Title II: Policies and Procedures Required to Prevent Payments for Unlawful Gambling - Amends the federal criminal code to prohibit persons engaged in a gambling business from knowingly accepting credit, electronic fund transfers, checks, drafts, or similar financial instruments or the proceeds of any other financial transaction in connection with unlawful Internet gambling (this prohibition is defined by this Act as a "restricted transaction").

Directs the Secretary of the Treasury and the Board of Governors of the Federal Reserve System to prescribe regulations to identify and block restricted transactions. Grants immunity from civil liability for blocking a restricted transaction or one which is reasonably believed to be a restricted transaction.

Title III: Internet Gambling in or through Foreign Jurisdictions - Calls upon the U.S. government, in deliberations with foreign governments, to: (1) encourage cooperation by foreign governments in identifying whether Internet gambling operations are being used for money laundering, corruption, or other crimes; (2) advance policies that promote international cooperation in enforcing this Act; and (3) encourage the Financial Action Task Force on Money Laundering to study the extent to which Internet gambling operations are being used for money laundering purposes.

Directs the Secretary of the Treasury to report to Congress annually on deliberations between the United States and other countries on Internet gambling.

Actions Timeline

- **Jul 13, 2006:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 519.
- **Jul 12, 2006:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Jul 11, 2006:** Rule H. Res. 907 passed House.
- **Jul 11, 2006:** Considered under the provisions of rule H. Res. 907. (consideration: CR H4978-5001; text of measure as introduced: CR H4978-4980)
- **Jul 11, 2006:** Rule provides for consideration of H.R. 4411 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order.
- **Jul 11, 2006:** DEBATE - The House proceeded with one hour of debate on H.R. 4411.
- **Jul 11, 2006:** DEBATE - Pursuant to H. Res. 907, the House proceeded with 20 minutes of debate on the Berkley amendment.
- **Jul 11, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Berkley amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Berkley demanded the yeas and nays and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 11, 2006:** Considered as unfinished business. (consideration: CR H5005-5008)
- **Jul 11, 2006:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of the amendment offered by Ms. Berkely of Nevada, which had been debated earlier and on which further proceedings had been postponed.
- **Jul 11, 2006:** Mr. Conyers moved to recommit with instructions to Judiciary. (consideration: CR H5006-5008; text: CR H5006)
- **Jul 11, 2006:** DEBATE - The House proceeded with 10 minutes of debate on the Conyers motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back with an amendment which inserts a new section outlining a rule to protect against under-age gambling.
- **Jul 11, 2006:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H5007)
- **Jul 11, 2006:** On motion to recommit with instructions Failed by recorded vote: 167 - 243 (Roll no. 362).
- **Jul 11, 2006:** Passed/agreed to in House: On passage Passed by recorded vote: 317 - 93 (Roll no. 363).(text: CR H4980-4983)
- **Jul 11, 2006:** On passage Passed by recorded vote: 317 - 93 (Roll no. 363). (text: CR H4980-4983)
- **Jul 11, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 10, 2006:** Rules Committee Resolution H. Res. 907 Reported to House. Rule provides for consideration of H.R. 4411 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order.
- **May 26, 2006:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-412, Part II.
- **May 26, 2006:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-412, Part II.
- **May 26, 2006:** Placed on the Union Calendar, Calendar No. 267.
- **May 25, 2006:** Committee Consideration and Mark-up Session Held.
- **May 25, 2006:** Ordered to be Reported (Amended) by Voice Vote.
- **Apr 6, 2006:** Reported (Amended) by the Committee on 109-412, Part I.
- **Apr 6, 2006:** Reported (Amended) by the Committee on 109-412, Part I.
- **Apr 6, 2006:** Referred sequentially to the House Committee on the Judiciary for a period ending not later than May 26, 2006 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X.
- **Mar 15, 2006:** Committee Consideration and Mark-up Session Held.
- **Mar 15, 2006:** Ordered to be Reported (Amended) by Voice Vote.
- **Jan 5, 2006:** Referred to the Subcommittee on Financial Institutions and Consumer Credit.
- **Nov 18, 2005:** Introduced in House
- **Nov 18, 2005:** Introduced in House
- **Nov 18, 2005:** Referred to the House Committee on Financial Services.