

## HR 2267

Internet Gambling Regulation, Consumer Protection, and Enforcement Act

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** May 6, 2009

**Current Status:** Placed on the Union Calendar, Calendar No. 398.

**Latest Action:** Placed on the Union Calendar, Calendar No. 398. (Nov 30, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/2267>

### Sponsor

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**Name:** Rep. Frank, Barney [D-MA-4]

**Party:** Democratic • **State:** MA • **Chamber:** House

**Cosponsors** (70 total)

Cosponsor	Party / State	Role	Date Joined
Del. Sablan, Gregorio Kilili Camacho [D-MP-At Large]	D · MP		May 6, 2009
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		May 6, 2009
Rep. Berkley, Shelley [D-NV-1]	D · NV		May 6, 2009
Rep. Capuano, Michael E. [D-MA-8]	D · MA		May 6, 2009
Rep. Carson, Andre [D-IN-7]	D · IN		May 6, 2009
Rep. Cohen, Steve [D-TN-9]	D · TN		May 6, 2009
Rep. Delahunt, Bill [D-MA-10]	D · MA		May 6, 2009
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		May 6, 2009
Rep. King, Peter T. [R-NY-3]	R · NY		May 6, 2009
Rep. McDermott, Jim [D-WA-7]	D · WA		May 6, 2009
Rep. McGovern, James P. [D-MA-3]	D · MA		May 6, 2009
Rep. Paul, Ron [R-TX-14]	R · TX		May 6, 2009
Rep. Perriello, Thomas S.P. [D-VA-5]	D · VA		May 6, 2009
Rep. Watt, Melvin L. [D-NC-12]	D · NC		May 6, 2009
Rep. Wexler, Robert [D-FL-19]	D · FL		May 6, 2009
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		May 7, 2009
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		May 14, 2009
Rep. Miller, George [D-CA-7]	D · CA		May 14, 2009
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		May 14, 2009
Rep. Crowley, Joseph [D-NY-7]	D · NY		May 21, 2009
Rep. Filner, Bob [D-CA-51]	D · CA		May 21, 2009
Rep. McMahon, Michael E. [D-NY-13]	D · NY		May 21, 2009
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		May 21, 2009
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jun 4, 2009
Rep. Moran, James P. [D-VA-8]	D · VA		Jun 4, 2009
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Jun 4, 2009
Rep. Driehaus, Steve [D-OH-1]	D · OH		Jun 12, 2009
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Jun 12, 2009
Rep. Israel, Steve [D-NY-2]	D · NY		Jun 12, 2009
Rep. Polis, Jared [D-CO-2]	D · CO		Jun 12, 2009
Rep. Andrews, Robert E. [D-NJ-1]	D · NJ		Jun 19, 2009
Rep. Honda, Michael M. [D-CA-15]	D · CA		Jun 19, 2009
Rep. Perlmutter, Ed [D-CO-7]	D · CO		Jun 19, 2009
Rep. Rodriguez, Ciro D. [D-TX-23]	D · TX		Jun 19, 2009
Rep. Young, Don [R-AK-At Large]	R · AK		Jun 23, 2009
Rep. Abercrombie, Neil [D-HI-1]	D · HI		Jun 26, 2009
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Jun 26, 2009
Rep. Foster, Bill [D-IL-14]	D · IL		Jun 26, 2009
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Jun 26, 2009
Rep. Ryan, Tim [D-OH-17]	D · OH		Jun 26, 2009
Rep. Hodes, Paul W. [D-NH-2]	D · NH		Jul 7, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Towns, Edolphus [D-NY-10]	D · NY		Jul 7, 2009
Rep. Adler, John H. [D-NJ-3]	D · NJ		Jul 17, 2009
Rep. Courtney, Joe [D-CT-2]	D · CT		Jul 17, 2009
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Jul 17, 2009
Rep. Minnick, Walter [D-ID-1]	D · ID		Jul 17, 2009
Rep. Tonko, Paul [D-NY-21]	D · NY		Jul 17, 2009
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Jul 21, 2009
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Jul 22, 2009
Rep. Thompson, Mike [D-CA-1]	D · CA		Jul 27, 2009
Rep. Maffei, Daniel B. [D-NY-25]	D · NY		Jul 28, 2009
Rep. Carnahan, Russ [D-MO-3]	D · MO		Jul 31, 2009
Rep. Markey, Betsy [D-CO-4]	D · CO		Jul 31, 2009
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Jul 31, 2009
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Sep 16, 2009
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Sep 17, 2009
Rep. Murphy, Christopher [D-CT-5]	D · CT		Sep 17, 2009
Rep. Schiff, Adam B. [D-CA-29]	D · CA		Sep 17, 2009
Rep. Smith, Adam [D-WA-9]	D · WA		Oct 1, 2009
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Oct 1, 2009
Rep. Larson, John B. [D-CT-1]	D · CT		Oct 8, 2009
Rep. Welch, Peter [D-VT-At Large]	D · VT		Oct 15, 2009
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Nov 16, 2009
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Jan 13, 2010
Rep. Melancon, Charlie [D-LA-3]	D · LA		Jan 13, 2010
Rep. Wilson, Charles A. [D-OH-6]	D · OH		Feb 26, 2010
Rep. Owens, William L. [D-NY-23]	D · NY		Apr 15, 2010
Rep. Titus, Dina [D-NV-3]	D · NV		Apr 15, 2010
Rep. Murphy, Scott [D-NY-20]	D · NY		May 13, 2010
Rep. Campbell, John [R-CA-48]	R · CA		Jul 28, 2010

## Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	May 7, 2009
Financial Services Committee	House	Reported By	Sep 29, 2010
Judiciary Committee	House	Referred to	Jun 12, 2009

## Subjects & Policy Tags

### Policy Area:

Commerce

## Related Bills

Bill	Relationship	Last Action
111 S 1597	Related bill	Aug 6, 2009: Read twice and referred to the Committee on Finance.

Internet Gambling Regulation, Consumer Protection, and Enforcement Act - (Sec. 2) Grants the Secretary of the Treasury regulatory and enforcement jurisdiction over the Internet Gambling Licensing Program established by this Act.

Prescribes administrative and licensing requirements for Internet betting. Prohibits any person from operating an Internet gambling facility that knowingly accepts bets or wagers from persons located in the United States without a license issued by the Secretary.

Denies eligibility to obtain a license to any person unless the Secretary or an appropriate state officer or agency has completed a background check and investigation and determined the applicant, and any person deemed to be in control of the applicant, suitable. Requires a background check and investigation of the president or other chief executive of any applicant corporation, partnership, or other business entity, as well as other partners or senior executives and directors.

Prescribes suitability for licensing standards for the Secretary or the appropriate state or tribal officer or agency to apply. Prescribes criteria rendering: (1) an applicant unsuitable for licensing, or (2) a current licensee no longer qualified to continue as one. Authorizes the Secretary to suspend or revoke the authority of the licensee to engage in licensed activities.

Requires the Secretary to assess fees against licensee institutions to cover the cost of administering this Act.

Cites safeguards required of licensees, including customer and licensee tax collection related to Internet gambling and safeguards to: (1) ensure the legal age of any wagering individual as well as a permissible location for placing the wager; (2) combat fraud, money laundering, and terrorist finance; and (3) combat compulsive Internet gambling.

Specifies a five-year renewable term for any license. Prescribes administrative and judicial actions to enforce this Act.

Directs the Secretary to compile and make available to the public, on the Secretary's website, datasets on player behavior.

Requires the Secretary to assess specified civil money penalties upon licensees or other persons for willful violation of this Act or related regulations.

Prescribes a procedure for qualifying state or tribal regulatory bodies to license suitable applicants.

Directs the Secretary to: (1) monitor, evaluate, and measure compliance effectiveness of each licensee's software, mechanisms, and other systems for preventing minors from placing bets or wagers through the licensee's Internet site; and (2) impose a specified sanction on a licensee whose minor protection systems are insufficiently effective.

Requires the Secretary to place court-ordered child support delinquents on the self-exclusion list (established under this Act) as long as they remain delinquent.

Requires the Secretary and any qualified state or tribal regulatory body to prescribe regulations for: (1) development of a Problem Gambling, Responsible Gambling, Consumer Safeguards, and Self-Exclusion Program; (2) a list of persons self-excluded from gambling activities at licensee sites; and (3) a program to alert the public to the existence, consequences, and availability of the self-exclusion list.

Prohibits a person who is prohibited from gambling with a licensee, including anyone on the self-exclusion list, from

collecting any winnings or recovering any losses that arise as a result of prohibited gambling activity. Requires forfeiture by a prohibited person of any money or thing obtained by or owed to such a person in violation of this prohibition.

Shields a financial transaction provider from liability for engaging in financial activities and transactions on behalf of a licensee, or involving a licensee, including payments processing activities, unless the provider has knowledge that the specific financial activities or transactions are conducted in violation of federal or state law.

Requires the Director of the Financial Crimes Enforcement Network to submit to the Secretary a list of unlawful Internet gambling enterprises which violate this Act for distribution in electronic format to all persons required to comply with regulations under this Act.

Permits states and Indian tribal authorities to opt-out of Internet gambling activities within their respective jurisdictions. Prohibits licensees from engaging in the operation of an Internet gambling facility that knowingly accepts bets or wagers initiated by persons who reside in any opt-out state or the tribal lands of any opt-out Indian tribe.

Prohibits sports betting on the Internet, except pari-mutuel racing, and the use of credit cards for Internet gambling. Exempts from this Act any Internet gambling conducted by any state or tribal lottery authority.

Prohibits electronic cheating devices, and establishes a criminal penalty for using them.

(Sec. 3) Requires the Secretary to report to Congress, one year after the effective date of this Act, on the licensing and regulation of Internet gambling operators.

(Sec. 4) Directs the Secretary to conduct a feasibility study on safeguards to address gambling while impaired through programs such as periodic notices, periodic testing of individuals to establish cognitive competence, and any other similar appropriate option.

## **Actions Timeline**

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- **Nov 30, 2010:** Committee on Energy and Commerce discharged.
- **Nov 30, 2010:** Placed on the Union Calendar, Calendar No. 398.
- **Nov 19, 2010:** Committee on Judiciary discharged.
- **Nov 19, 2010:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than Nov. 30, 2010.
- **Sep 29, 2010:** Reported (Amended) by the Committee on Financial Services. H. Rept. 111-656, Part I.
- **Sep 29, 2010:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than Nov. 19, 2010.
- **Sep 29, 2010:** House Committee on Judiciary Granted an extension for further consideration ending not later than Nov. 19, 2010.
- **Jul 29, 2010:** Committee Consideration and Mark-up Session Held.
- **Jul 29, 2010:** Ordered to be Reported (Amended) by the Yeas and Nays: 41 - 22.
- **Jul 21, 2010:** Committee Hearings Held.
- **Dec 3, 2009:** Committee Hearings Held.
- **Jun 12, 2009:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **May 7, 2009:** Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
- **May 6, 2009:** Introduced in House
- **May 6, 2009:** Referred to House Financial Services
- **May 6, 2009:** Referred to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **May 6, 2009:** Referred to House Energy and Commerce
- **May 6, 2009:** Referred to House Judiciary