

# The WAGER, Vol. 3(35) - From the Hill: Gaming on the 'Net

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In one of its last actions before the month-long August recess, the United States Senate voted 90-10 to pass a bill prohibiting gambling on the Internet. The legislation, sponsored primarily by Jon Kyl (R-Arizona) is considered to be the most sweeping federal regulation of the Internet since the controversial Communications Decency Act of 1996 (1) Two similar bills are currently making their way through the House of Representatives Bill H R 4350, introduced by Congressmen Stearns, Oxley, and Largent, is similar in structure and content to the Senate version H.R. 2380, sponsored by Congressmen Goodlatte and Lobiondo is considerably different. A possible ban on Internet gambling has drawn together an unlikely coalition of backers. Heavy gambling states, New Jersey and Nevada support the ban, as do major league sports, Ralph Nader, the NCAA, and the Christian Coalition (2, 3). Such widespread support, however, is not a guarantee of promulgation It is possible that the final legislative product, if passed at all, will look significantly different than the one passed In the Senate. Several issues need to be considered. It is still unclear how such a ban will affect the sovereignty of Indian nations engaged in the gaming industry. Also, there will undoubtedly be issues of contested state and federal Jurisdiction And, of course, it remains to be seen whether such a prohibition can be effectively enforced. The tables below list some of the key points of the major bills.

<b>"The Kyl bill" and H.R. 4350</b>	<b>H.R. 2380</b>
<ul style="list-style-type: none"><li><input checked="" type="checkbox"/> Introduced to the Senate as S 474 and passed as S 2260 on July 23, 1998. House version introduced as H. R. 4350 on July 29, 1998.</li><li>EI Adds new section of U.S. code dealing with Internet gambling. Also amends section 1081 of Title 18</li><li><input checked="" type="checkbox"/> Defines a 'gambling business' as being in continuous operation for at least 10 days or grossing \$2,000 or more in any 24-hour period.</li><li><input checked="" type="checkbox"/> Persons guilty of gambling via the Internet can be fined and/or imprisoned for up to 3 months.</li><li><input checked="" type="checkbox"/> Persons engaged in a 'gambling business' can be fined and/or imprisoned for up to 4 years</li><li><input checked="" type="checkbox"/> Allows Federal Courts to issue temporary restraining orders or injunctions against violators.</li></ul>	<ul style="list-style-type: none"><li>EI Introduced in the House as H.R. 2380 on September 3, 1997.</li><li><input checked="" type="checkbox"/> Amends Title 18 of U.S. code, sections 1081 and 1084.</li><li><input checked="" type="checkbox"/> Persons operating Internet gambling businesses can be fined and/or imprisoned for up to 4 years</li><li>EI Other persons engaging in internet gambling can be fined and/or imprisoned for up to 6 months.</li><li><input checked="" type="checkbox"/> Adds 'radio, electromagnetic, photo-optical, photoelectric, or other similar facility' to the modes of transmission covered by Federal law.</li></ul>

**Sources:**

1. Swartz. J ( 1998. July 24) Senate OKs gambling ban for Internet - Lopsided vote applies to offshore web sites. San Francisco Chronicle. [www.sfgate.com](http://www.sfgate.com).
2. Lelbowitz. W R. (1998. August 10) Senate bans most 'net gambling. Many bet on poor enforcement. The National Law Journal, 86.
3. Chen. Edwn ( 1998. July 24) Internet gaming ban clears senate with ease. The Los Angeles Times A24.