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108TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
108–145

PROVIDING FOR CONSIDERATION OF H.R. 2143, UNLAWFUL INTERNET GAMBLING FUNDING PROHIBITION ACT

JUNE 9, 2003.—Referred to the House Calendar and ordered to be printed

Mr. LINDER, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 263]

The Committee on Rules, having had under consideration House Resolution 263, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for the consideration of H.R. 2143, the Unlawful Internet Gambling Funding Prohibition Act, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services.

The rule makes in order only those amendments printed in this report. The rule provides that the amendments printed in this report may be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in this report.

Finally, the rule provides one motion to recommend with or without instructions.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 102

Date: June 9, 2003.

Measure: H.R. 2143—Unlawful Internet Gambling Funding Prohibition Act.

Motion by: Mr. Hastings of Florida.

Summary of motion: To make in order and grant the appropriate waivers for the amendment offered by Representative Pombo to ensure that Federally Recognized Indian Tribes (as that term is defined in the Indian Gaming Regulatory Act) are given the same status for the purpose of the bill. Ensures that Tribal gaming is given the same status as gaming conducted under state and federal law.

Results: Defeated 3–7.

Vote by Members: Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries of amendments derived from information provided by the sponsor.)

1. Kelly: Adds a new section 5 to the end of the bill consisting of a rule of construction clarifying that the bill should be read as leaving intact the substantive law with respect to gambling in the United States. It confirms that the bill does not change Federal, State or Tribal law in this regard. (10 minutes)

2. Jackson-Lee: Removes credit cards from the list of bank instruments banned under the bill. The reasoning for removing credit cards is that the age requirements necessary for obtaining a credit card provide a means of preventing minor's use of Internet gambling websites. (10 minutes)

3. Sensenbrenner/Cannon/Conyers: Strikes language in the bill which states that a bet or wager does not include "any lawful transaction with a business licensed or authorized by a State." (20 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY OF NEW YORK, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 13, after line 2, [page and line numbers refer to H.R. 2143, as introduced on May 19, 2003] insert the following new section:

SEC. 5. COMMON SENSE RULE OF CONSTRUCTION.

No provision of this Act shall be construed as altering, limiting, extending, changing the status of, or otherwise affecting any law relating to, affecting, or regulating gambling within the United States.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 7, strike line 3 [page and line numbers refer to H.R. 2143, as introduced on May 19, 2003] and all that follows through line 6 (and redesignate the subsequent subparagraphs and any cross reference to any such subparagraph accordingly).

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SENSENBRENNER OF WISCONSIN, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 9, line 22, after the semicolon, insert "and" .
Page 10, line 17, strike "; and" and insert a period.
Page 10, strike lines 18 and 19.

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