

November 11, 2007

House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Conyers and the House Judiciary Committee:
Cc: Federal Reserve Board UIGEA regulation comment, Dept. of Treasury UIGEA regulation comment

I am writing in regards to the upcoming "Hearing on Establishing Consistent Enforcement Policies in the Context of Online Wagers" to let you know that I, and many like me, believe online poker should be explicitly legalized.

To my disappointment, and contrary to the desires of the American people, my right to play poker online was inadvertently restricted with the passage of the Unlawful Internet Gambling Enforcement Act of 2006 (UIGEA). While it is clear that UIGEA does not apply to Internet poker nationwide (federal case law has consistently held that the Wire Act applies only to sports betting¹, and very few states have any laws against Internet poker), this legislation has nonetheless had a chilling effect on my ability to access and patronize these legal businesses.

Additionally, many offshore poker sites continue to legally offer Internet poker within the U.S. In fact, some offshore poker sites that left the U.S. market with the passage of UIGEA (most notably Doyle Brunson's site, Doyle's Room) are now returning². Unfortunately, U.S.-based sites have been prohibited from opening under pressure from the Justice Department. This has resulted in the exact opposite of the ideal situation, from a U.S. perspective. Rather than U.S.-based sites serving the world (and subject to U.S. laws and regulations), offshore sites serve us. We can do better.

There are two bills currently in the House that correct this situation. HR 2610, the Skill Game Protection Act, clarifies federal law by expressly exempting games of skill like poker from UIGEA. HR 2046, the Internet Gambling Regulation and Enforcement Act, regulates online poker via stringent licensing regulations for poker site operators. Both bills have rigorous safeguards against underage and compulsive gambling. And, neither bill forces any state to permit online poker; states can opt out if they wish. These safeguards will work -- the June 8, 2007 House Financial Services Committee hearing on Internet gaming proved conclusively that Internet poker can be effectively regulated. I am comfortable that your hearing will show the same.

Online poker will continue to exist with or without the participation of the United States. We are losing our opportunity to insist on reasonable regulations, and we are losing valuable opportunities for U.S. companies to operate sites. This is costing America jobs and tax revenue. I urge the committee to recommend that the federal government reject prohibition and to embrace freedom and liberty.

Thank you for your consideration.

¹ In re MasterCard Int'l, et al., 132 F. Supp. 2d 468, (E.D. La. 2001), upheld on appeal by the Fifth Circuit – 2002 C05 518 (USCA5, 2002)

² www.doylesroom.com, statement on main page, effective October 19th, 2007

Sincerely,

Richard Muny