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The Ban on Internet Poker: Only an Inconvenience

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Since President Bush signed the Unlawful Internet Gambling Enforcement Act (the "Act") in mid-October, many popular Internet gambling sites have voluntarily blocked U.S. gamblers from real money games. However, other sites are continuing to advertise, promote and host real money games.



In passing the Act, Congress failed to understand that Internet gamblers are exceptionally resourceful, fiercely independent and technologically savvy. A determined poker player will be able to play cash games on-line, despite this ill-conceived law.

First, gambling on-line is not a crime in the U.S., except in certain states. It's a misdemeanor in seven states and a felony in one. Ironically, these states have billion dollar legalized gambling industries, so it's arguably a matter of hypocrisy, tax avarice, cronyism, corruption, and/or political contributions.

Second, the Act is a major attack on Americans' Internet rights. When the Act is implemented, the U.S. will go from "zero" blocked Internet sites to approximately 2,000 sites initially, before tens of thousands of hypertext links to online sites are required to be removed or disabled. The Act deputizes "Interactive Computer Services," which include: internet service providers, search engines, libraries and education institutions to screen in real time the surfing activities of approximately 100 million U.S. users in order to

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block about eight million recreational web-gamblers. Interactive computer services will each choose and contract with commercial net-filtering technology companies. The Act requires the Justice Department to provide to interactive computer services up-dated lists of “to be” censored sites.

With the passage of the Act, the U.S. joins with such other stalwart states as Iran, China and North Korea in mandating Internet censorship. Luckily, the U.S. has funded the development of various circumvention software to allow the oppressed citizens of these and other countries to bypass state censors. These circumvention technologies include: web-based circumventors, proxy servers, and tunneling and anonymous communication systems. Many of these technologies are robust, redundant, stable, fast and secure enough for even the high-stakes professional gambler.



Additionally, the Act gives the Secretary of the Treasury and the Federal Reserve Board until mid-July 2007 to devise an enforcement plan to prevent the transfer of monies to foreign gambling sites. The Act also allows the Board to give up, too.

During Congressional testimony in April a representative of the Independent Community Bankers of America commented that the U.S. banking system does not have the same capabilities as the credit card association networks to identify different types of transactions. The Act would not only require a

massive overhaul of the U.S.'s check clearing and electronic funds transfer systems, but also create an enormous regulatory burden requiring the deputization of tens of thousands of financial institutions to identify and block illegal transactions.

At present the recreational gambler can still use foreign payment services; such as NETeller, eWalletXpress, ATM Online, Central Coin and epassport. These payment services also serve a wide-range of legitimate transactions and industries. If foreign payment services are eventually blocked—which we think doubtful—active gamblers can always open foreign bank checking accounts with Internet portals—and then transfer their funds directly to any payment services still serving the U.S. market.

In summary, the Act subjects Americans to the same type of censorship technologies burdening the citizens of Iran, China and North Korea. Luckily, blocked foreign gambling sites can be accessed easily by the



technologically-savvy gambler. With advance preparation, funds can be moved overseas and transferred in an instant. As a first step, join with the Poker Players Alliance (<http://capwiz.com/pokerplayersalliance>) in pressing for a skill game exemption legislation for Internet poker.

NetRightsAdvocates.com seeks to preserve the right of adult Americans to access all Internet content, with the sole exception of child pornography. All state-directed Internet filtering and surveillance practices can be defeated with available knowledge and technologies. The Advocates stress political action to educate the undecided politician and to defeat the election of any politico advocating censorship in any form.

CORRECTION: This piece was written in full by Philip Hage, not, as originally stated, allinmag.com editor Lena Katz,.

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