

U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

Frequently Asked Questions About Registering Under the Gambling Devices Act of 1962

Should I contact the Department of Justice to find out whether or not I need to register?

No, Department of Justice staff cannot give legal advice to private citizens. We therefore cannot tell you whether you should register, whether a particular device is considered to be a gambling device, or whether a particular component of a gambling device is covered by the statute. The applicable statute, 15 U.S.C. Sections 1171-1178, is available on our website, www.justice.gov/criminal/oeo/gambling. If you have questions of legal interpretation, you may choose to consult with a private attorney familiar with gambling law.

Is registering with the Department of Justice the same thing as obtaining a gambling license?

No, registration is not a license, and does not authorize you to do anything that is not in accord with federal, state, or local laws. You may need to obtain state and/or local licenses in addition to registering with the Department of Justice.

Can I contact the Department of Justice to find out what gambling devices or activities are legal in my state, or what licenses I need?

The Department of Justice cannot advise you on state laws or regulations. You may research the state laws, contact your state's gaming commission, and/or consult with a private attorney.

When do I register?

You should register prior to engaging in any activity covered by the statute. Registration is by calendar year. Always specify the year for which you wish to register. You cannot register for more than one year in a registration request, and requests submitted for registration for the upcoming calendar year cannot be dated nor submitted prior to December 1st.

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At what point is it too late to register for the current year?

You can register at any time during the year, up to and including December 31st for a particular calendar year. If you were unaware that you should have registered prior to engaging in business or otherwise inadvertently did not register, you should register as soon as possible. Your registration is effective on the date we receive all the required information; it is not possible to make your registration retroactive.

How long is my registration good for?

Registration is based on calendar year and always expires on December 31st of the current year.

When and how do I re-register?

If you intend to be engaged in business on January 1st of the upcoming year, you should submit your request in December of the current year (requests cannot be submitted and/or dated prior to December 1st). You must re-submit all the required information; it is not sufficient to simply ask us to “renew” your registration.

What is the fastest way to register?

The quickest way to register is to complete the *Request for Registration* form on our website, www.justice.gov/criminal/oeo/gambling, and submit it electronically to our office. Once submitted, you will receive a return e-mail advising receipt of your request. Once your request has been processed, you will receive an e-mail confirming your registration, which will be sent to the email address(es) specified in your request. Please save an electronic copy of your request form, as you can use this same form to re-register in the future (see *Tips on Completing a Registration Request* on this website for further instructions on this process).

Is there a fee to register?

No.

How do I know that you received my request?

Once you submit your request electronically to our office, most people will receive an e-mail back confirming receipt.

Can I engage in business if I've sent in my request, but haven't received my confirmation letter yet?

You are considered to be registered once your request with all the required information is submitted to the Department of Justice. The statute itself does not require that you wait until you have confirmation in hand before engaging in business. Please provide anyone who should inquire about your registration status a copy of the request you submitted along with a copy of the e-mail receipt you receive when you submitted the request. This will suffice as proof of registration until your confirmation e-mail is received.

How and when will I receive the confirmation letter?

If you submit your request electronically in December through March, it will take approximately four to six business weeks for us to process your request. These are our busiest months. Requests submitted at other times of the year are processed more quickly, within about one to two business weeks. Confirmation of registration will be e-mailed to the address(es) specified in the registration request.

Should I keep the confirmation e-mail?

Yes. You may need a copy for your state license, U.S. Customs or other law enforcement agencies.

What if I lose my confirmation e-mail?

You may request another copy by sending us an e-mail at Gambling.Registration@usdoj.gov, and it can take up to 4 weeks to receive a response, possibly longer during the December to March time frame.

What if any of my information changes after I register?

If your information changes during the calendar year, please email Gambling.Registration@usdoj.gov and indicate that you wish to amend your registration and provide the particulars. Include both the old information and the new information in your e-mail. We will send you a response e-mail confirming that we have made the change; however, we do not issue new confirmation letters. Please keep the email confirmation with your originally issued confirmation letter for your records.

Where do I find information about the gambling device records that I am required to keep?

You can find the information in subsections (c) and (d) of 15 U.S.C. Section 1173, which are posted on our website, www.justice.gov/criminal/oeo/gambling.

Is there a criminal penalty for failing to register?

Yes. You can be fined (no more than \$5,000) and/or imprisoned (no more than two years) and your gambling devices can be seized. Please refer to 15 U.S.C. Sections 1176 - 1177, posted on our website, www.justice.gov/criminal/oeo/gambling, for more details.

Are gambling device records public records?

Yes, except for registrants who are buying/using a gambling device solely for personal use in their home.

Can I contact the Department of Justice to verify if someone is registered with you?

Yes. You may submit your written request by e-mail to crm.foia@usdoj.gov or by mail to:

Department of Justice, Criminal Division
Attn: FOIA/PA Unit
950 Constitution Ave, NW
Washington, DC 20530-0001

Please be sure your request specifically states the information you desire as well as your contact information, should there be any questions. The FOIA/PA unit will advise of any changes that may incur in relation to your request.

To whom should I report possible violations of the Gambling Devices Act?

Since this is a federal law, suspected violations should be reported to your local FBI office. You can find local office numbers at the FBI website, www.fbi.gov. Sovereign Indian tribes that may be in violation of federal gambling laws should be reported to the National Indian Gaming Commission (www.nigc.gov). Suspected violations of state gambling laws should be reported to your local police and/or your state's gaming commission. Please be aware that some states require gambling licensees to be registered with the Department of Justice, in which case you could also report a suspected violation of the Gambling Devices Act to the state gaming commission.