



## **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.usdoj.gov/criminal/oeo/links/gambling](http://www.usdoj.gov/criminal/oeo/links/gambling). If you have questions of legal interpretation, you may choose to consult with a private attorney.

### ***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 other licenses in addition to registering.

### ***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.

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

It is never too late to register. You can register at any time during the year, up to and including December 31<sup>st</sup> 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?***

Your registration always expires on December 31<sup>st</sup> of the current year.

***When and how do I re-register?***

If you intend to be engaged in business on January 1<sup>st</sup> of the upcoming year, you should send in your request in December of the current year (cannot be submitted prior to December 1st). You must submit all the required information, as if it were a new registration. 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.usdoj.gov/criminal/oeo/links/gambling](http://www.usdoj.gov/criminal/oeo/links/gambling), and fax it to 202-353-7675. The form is available as a PDF file, which will allow you to type in your responses before printing it out. Be sure to sign the form before sending it to us. (You will need Adobe Reader to open the PDF form, which can be downloaded for free from their website, [www.adobe.com](http://www.adobe.com). Unless you have purchased Adobe Professional, you will not be able to save the PDF form to your computer.)

If you prefer, instead of faxing it, you may sign, scan and e-mail the completed *Request for Registration* form to [Gambling.Registration@usdoj.gov](mailto:Gambling.Registration@usdoj.gov). We can also fax or mail you a paper copy of the form, or e-mail you the form in Microsoft Word or WordPerfect format. Please request this by e-mailing us at [Gambling.Registration@usdoj.gov](mailto:Gambling.Registration@usdoj.gov), or by calling 202-353-0888.

***Do I have to use the Request for Registration?***

No, you may prepare your own letter, as long as it contains the same information.

***Is there a fee to register?***

No.

***If I fax or e-mail my request, do I need to mail it as well?***

No. Please submit your request to us by either fax, e-mail or U.S. mail.

***If I prefer to mail my registration request instead of faxing or e-mailing it, what is the current mailing address I should use?***

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Criminal Division, OEO  
Gambling Device Registration Unit  
JCK Building, Room 1048  
Washington, D.C. 20530-0001

Please do not use any other address at the Department of Justice as it may delay or prevent the delivery of your request to our Unit.

***Can I use a third party (such as a management company) to register on my behalf?***

You may use a non-attorney third party to register on your behalf only if you submit a notarized letter of authorization, signed by you (include your contact information), giving the other party permission to do so on your behalf. This document must be submitted to us with the registration request. If you would like more information about this process, please send an e-mail to [Gambling.Registration@usdoj.gov](mailto:Gambling.Registration@usdoj.gov).

If you choose to have an attorney register on your behalf, the attorney's signed registration request must be accompanied by a letter from the attorney indicating that he/she represents you.

***How do I know that you received my request?***

If you send your request by facsimile, you should keep the facsimile transmittal sheet that indicates the transmission was successful. (Please be sure that you use your facsimile machine correctly so that you do not transmit blank sheets of paper.) If you send your request via U.S. mail, you should send it certified or registered so that you will receive a delivery receipt once your letter arrives at the Department of Justice. If you chose to scan and e-mail your signed request, please retain an electronic record showing the date the e-mail and attached request was delivered. Please choose only one method (facsimile, U.S. mail or e-mail) to submit your request to avoid duplication.

***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 arrives at the Department of Justice. The statute itself does not require that you wait until you have the confirmation letter before engaging in business, but it is only once you receive the confirmation letter that you can be sure that you provided us with all the required information.

***How and when will I receive the confirmation letter?***

If you submit your request in December or January, it will take approximately three to four business weeks for us to process your request. December and January are our busiest months. Requests submitted at other times of the year are processed more quickly, within one to two business weeks.

All confirmation letters are sent by U.S. mail. Due to the volume of requests we process, we cannot fax or e-mail you the original confirmation letter.

***What if I don't receive my confirmation letter?***

If it has been more than four weeks since you submitted your request, you should send us an e-mail at [Gambling.Registration@usdoj.gov](mailto:Gambling.Registration@usdoj.gov) and we will e-mail you a copy of your confirmation letter in response. If you do not have e-mail, please call 202-353-0888.

***Should I keep the confirmation letter?***

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

***What if I lose my confirmation letter?***

You may request another copy by sending us an e-mail at [Gambling.Registration@usdoj.gov](mailto:Gambling.Registration@usdoj.gov) or by calling 202-353-0888.

***What if any of my information changes after I register?***

If your information changes during the calendar year, please mail or fax us a letter indicating that you wish to amend your registration. Include both the old information and the new information in your letter. We will send you a response letter confirming that we have made the change.

***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.usdoj.gov/criminal/oeo/links/gambling](http://www.usdoj.gov/criminal/oeo/links/gambling). You may also send an e-mail requesting a copy of the statute to [Gambling.Registration@usdoj.gov](mailto:Gambling.Registration@usdoj.gov).

***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.usdoj.gov/criminal/oeo/links/gambling](http://www.usdoj.gov/criminal/oeo/links/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 to the following address:

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Criminal Division, OEO  
Freedom of Information Act (FOIA) Unit  
JCK Building, 11<sup>th</sup> Floor  
Washington, D.C. 20530-0001

Please be sure your request specifically states the information you desire as well as your contact information, should there be any questions.

***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](http://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](http://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.