

December 3, 2014

Senator Lindsey Graham
290 Russell Senate Office Building
Washington, DC 20510

Dear Senator Graham,

We write concerning the Restoration of America's Wire Act (S. 2159), your legislation to address the matter of Internet gaming. We appreciate your leadership on this complex issue.

As some of us have mentioned to you previously in discussions over the merits of this measure, we are concerned that your bill would have the practical effect of banning states from legislating on an issue that traditionally has been reserved for state authorities and state legislatures. For decades, states have had the power to prohibit – or sanction and regulate – gaming activity within their borders. The federal government, acting through the Department of Justice, served as an important partner in helping enforce state prohibitions and regulations.

We understand and appreciate your intent in seeking to address the Department of Justice's December 2011 reinterpretation of the Wire Act; however, we do not believe S. 2159 deals with the issue in a manner consistent with the views many of us hold on the limitations of federal authority. Believing, as we do, that this measure usurps the proper authority of states over gambling within their boundaries, we are unable to support it as introduced.

We disagree strongly with the Administration's abrupt change in policy related to the Wire Act, an action taken without consultation with Congress. However, we believe that a bill that encroaches on the long-standing authority of states to decide issues related to gaming is not the answer.

Sincerely,

Roger F. Wicker
United States Senate