

1    **COMMITTEES:**     **BUDGETS AND REVENUE**  
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3                    **COMMUNICATIONS, FINANCIAL SERVICES AND INTERSTATE**  
4                    **COMMERCE**  
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6    **POLICY:**         **STATE SOVERIGNTY IN ONLINE GAMING**  
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8    **TYPE:**            **RESOLUTION**  
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12            **WHEREAS**, the National Conference of State Legislatures (NCSL) believes the  
13 federal government must respect the sovereignty of states to allow or to prohibit  
14 Internet gambling by its residents; and  
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16            **WHEREAS**, the 2011 ruling by the United States Justice Department on the  
17 Federal Wire Act of 1961, 18 U.S.C. §1084, clarifies that intra-state online gambling is  
18 lawful. Any effort by Congress or the administration to reverse this ruling is preemptive  
19 and diminishes the flexibility of state legislatures to be innovative and responsive to the  
20 unique needs of the residents of each state; and  
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22            **NOW, THEREFORE BE IT RESOLVED, that** NCSL requests Congress consider  
23 the perspective of the states as it examines this issue and asks that it involve state  
24 legislators in any federal efforts that seek to reform the regulation of online gaming.  
25 NCSL strongly opposes any effort by the federal government to overturn the Justice  
26 Department’s ruling or consideration of legislation overruling state authority by legalizing  
27 or regulating gambling at the federal level. NCSL also requests that federal lawmakers  
28 be respectful of state legislatures that prohibit online gaming or other forms of gaming  
29 within their state.  
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