



September 24, 2015

Dear Chairman Goodlatte:

We appreciate your steadfast support of the Tenth Amendment to the Constitution and your leadership in the face of constant threats from both political parties. We wish more Members of Congress devoted as much energy and attention to the Constitution as you do.

You will no doubt be placed under enormous pressure by vested interests pushing H.R. 707, the Restoration of America's Wire Act (RAWA). We also understand and respect your long-standing opposition to gambling. That said, politics and one's personal views should not trump the ability of states to regulate their own affairs.

RAWA is an outright assault on federalism. The legislation tramples on the Tenth Amendment by banning state regulation of online gambling – further chipping away at the balance between state and federal governance. The bill would overturn state laws already on the books in three states and would prohibit states from selling lottery tickets online for their own constituents – rolling back at least another six state laws.

The Tenth Amendment was designed to protect states from the unmitigated power of the federal government, because a government powerful enough to tell states they cannot have Internet gaming for their residents is also powerful enough to one-day force gaming on the states. Weakening the Tenth Amendment today will do permanent damage to it.

Earlier this year at a Judiciary Committee hearing on RAWA, you rightly acknowledged there is a states' right dynamic to this issue and suggested that the Congressional effort to update the Wire Act "will need to address how to handle both the states that have already enacted laws allowing online gambling and any states that would want to do so in the future."





Let's be honest – this is not possible. Proponents of the legislation are seeking to rollback state laws and prohibit other states from exercising their constitutional authority. Period. Anything less will be considered a failure. It has also come to our attention that some in Congress are proposing a “gaming moratorium” which would grandfather existing states that have passed laws while prohibiting other states from exercising their rights under the Tenth Amendment. Make no mistake about it, a moratorium is as much an assault on the Tenth Amendment as an outright ban.



We encourage you to continue to stand up for the Constitution, the Tenth Amendment, and the ability of the states to regulate their own affairs. We assume there will be a last ditch effort prior to the 2016 elections to see this provision enacted into law, perhaps as part of a larger spending package. We urge your continued principled opposition to the Las Vegas rent-seekers pushing for this measure. This bill is an assault on the constitutional values we all hold dear.

Sincerely,

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