STATE OF INDIANA
OFFICE OF THE GOVERNOR
State House, Second Floor
Indianapolis, Indiana 46204

Michael R. Pence
Governor

May 1, 2014

Dear Members of the Indiana Congressional Delegation:

I write regarding Internet gambling, which I have long opposed. When I served in Congress, I was pleased to support the Unlawful Internet Gambling Enforcement Act of 2006 ("UIGEA").

Indiana does not currently permit any forms of Internet gambling, and it is a felony under Indiana law to engage in Internet gambling. Until recently, Internet gambling was consistently deemed by the federal Wire Act (18 U.S.C. § 1084) to be prohibited across the nation. However, on December 23, 2011, the Department of Justice issued a reinterpretation of the Wire Act that changed the long-standing prohibition of Internet gambling by the Wire Act to state that only online sports betting is barred. While I do not intend to allow Internet gambling in Indiana, some states have since moved forward with Internet lottery sales and other forms of Internet gambling.

Generally, states have the ability to regulate gambling within their borders, subject to broad federal limitations and requirements, such as those found in the Wire Act and UIGEA. It is imperative that states retain this power so they can decide for themselves what is right for their state. Indiana, for example, has decided over the course of the past decades to maintain a state lottery and allow 10 riverboat casinos, one land-based casino, and limited land-based horse racing venues with casinos. Indiana has carefully scrutinized and routinely denied expansion of gambling beyond these statutorily authorized activities.

I believe it is necessary for Congress to restore the original interpretation of the Wire Act that prohibited Internet gambling nationwide, and I encourage you to support legislation that would accomplish this end. Internet gambling crosses state lines and impacts the ability of a state to regulate and control gambling within its borders. By its very nature, the Internet involves interstate commerce. Internet gambling relies on technology, such as GPS location monitoring and other controls, that may be compromised. Internet gambling also relies on verification procedures for participant ages and payment information that are subject to similar vulnerabilities. Taken together with the mobility of our society and the widespread access to the Internet, a federal prohibition of Internet gambling is necessary. Otherwise the ability of states like Indiana to prevent and control Internet gambling within its borders, despite our best efforts, will be greatly diminished.

I appreciate your consideration and look forward to working with you on this issue. Thank you for your service to our state and nation.

Sincerely,

Michael R. Pence
Governor of Indiana