

114TH CONGRESS
1ST SESSION

S. 1668

To restore long-standing United States policy that the Wire Act prohibits all forms of Internet gambling, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2015

Mr. GRAHAM (for himself, Mrs. FEINSTEIN, Mr. LEE, Ms. AYOTTE, Mr. RUBIO, Mr. COATS, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To restore long-standing United States policy that the Wire Act prohibits all forms of Internet gambling, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restoration of Amer-
5 ica’s Wire Act”.

6 **SEC. 2. WIRE ACT CLARIFICATION.**

7 Section 1084 of title 18, United States Code, is
8 amended—

9 (1) in subsection (a)—

1 (A) by striking “bets or wagers or infor-
 2 mation assisting in the placing of bets or wa-
 3 gers on any sporting event or contest,” and in-
 4 serting “any bet or wager, or information as-
 5 sisting in the placing of any bet or wager,”;

6 (B) by striking “result of bets or wagers”
 7 and inserting “result of any bet or wager”; and

8 (C) by striking “or for information assist-
 9 ing in the placing of bets or wagers,”; and

10 (2) by striking subsection (e) and inserting the
 11 following:

12 “(e) As used in this section—

13 “(1) the term ‘bet or wager’ does not include
 14 any activities set forth in section 5362(1)(E) of title
 15 31;

16 “(2) the term ‘State’ means a State of the
 17 United States, the District of Columbia, the Com-
 18 monwealth of Puerto Rico, or a commonwealth, ter-
 19 ritory, or possession of the United States;

20 “(3) the term ‘uses a wire communication facil-
 21 ity for the transmission in interstate or foreign com-
 22 merce of any bet or wager’ includes any trans-
 23 mission over the Internet carried interstate or in for-
 24 eign commerce, incidentally or otherwise; and

1 “(4) the term ‘wire communication’ has the
 2 meaning given the term in section 3 of the Commu-
 3 nications Act of 1934 (47 U.S.C. 153).”.

4 **SEC. 3. RULE OF CONSTRUCTION.**

5 Nothing in this Act, or the amendments made by this
 6 Act, shall be construed—

7 (1) to preempt any State law prohibiting gam-
 8 bling; or

9 (2) to alter, limit, or extend—

10 (A) the relationship between the Interstate
 11 Horseracing Act of 1978 (15 U.S.C. 3001 et
 12 seq.) and other Federal laws in effect on the
 13 date of enactment of this Act;

14 (B) the ability of a State licensed lottery
 15 (including in conjunction with its supplier) or
 16 State licensed retailer to make on-premises re-
 17 tail lottery sales, including through a self-serv-
 18 ice retail lottery terminal, or to transmit infor-
 19 mation ancillary to such sales (including infor-
 20 mation relating to subscriptions or fulfillment
 21 of game play), in accordance with applicable
 22 Federal and State laws;

23 (C) the ability of a State licensed gaming
 24 establishment or a tribal gaming establishment
 25 to transmit information assisting in the placing

1 of a bet or wager on the physical premises of
2 the establishment, in accordance with applicable
3 Federal and State laws; or

4 (D) the relationship between Federal laws
5 and State charitable gaming laws.

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