

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 338

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## AN ACT

To amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust and to provide for the conduct of certain activities on the land.

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

1 **SECTION 1. LYTTON RANCHERIA OF CALIFORNIA.**

2 Section 819 of the Omnibus Indian Advancement Act  
3 (Public Law 106–568; 114 Stat. 2919) is amended—

4 (1) in the first sentence, by striking “Notwith-  
5 standing” and inserting the following:

6 “(a) ACCEPTANCE OF LAND.—Notwithstanding”;

7 (2) in the second sentence, by striking “The  
8 Secretary” and inserting the following:

9 “(b) DECLARATION.—The Secretary”; and

10 (3) by striking the third sentence and inserting  
11 the following:

12 “(c) TREATMENT OF LAND FOR PURPOSES OF CLASS  
13 II GAMING.—

14 “(1) IN GENERAL.—Subject to paragraph (2),  
15 notwithstanding any other provision of law, the  
16 Lytton Rancheria of California may conduct activi-  
17 ties for class II gaming (as defined in section 4 of  
18 the Indian Gaming Regulatory Act (25 U.S.C.  
19 2703)) on the land taken into trust under this sec-  
20 tion.

21 “(2) REQUIREMENT.—The Lytton Rancheria of  
22 California shall not expand the exterior physical  
23 measurements of any facility on the Lytton  
24 Rancheria in use for class II gaming activities on  
25 the date of enactment of this paragraph.

1       “(d) TREATMENT OF LAND FOR PURPOSES OF  
2 CLASS III GAMING.—Notwithstanding subsection (a), for  
3 purposes of class III gaming (as defined in section 4 of  
4 the Indian Gaming Regulatory Act (25 U.S.C. 2703)), the  
5 land taken into trust under this section shall be treated,  
6 for purposes of section 20 of the Indian Gaming Regu-  
7 latory Act (25 U.S.C. 2719), as if the land was acquired  
8 on October 9, 2003, the date on which the Secretary took  
9 the land into trust.”.

Passed the Senate March 12, 2009.

Attest:

*Secretary.*

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