

111TH CONGRESS  
1ST SESSION

# S. 338

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.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2009

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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## A BILL

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,*

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

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

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

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

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

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

5 (3) by striking the third sentence and inserting  
6 the following:

7 “(c) TREATMENT OF LAND FOR PURPOSES OF CLASS  
8 II GAMING.—

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

16 “(2) REQUIREMENT.—The Lytton Rancheria of  
17 California shall not expand the exterior physical  
18 measurements of any facility on the Lytton  
19 Rancheria in use for class II gaming activities on  
20 the date of enactment of this paragraph.

21 “(d) TREATMENT OF LAND FOR PURPOSES OF  
22 CLASS III GAMING.—Notwithstanding subsection (a), for  
23 purposes of class III gaming (as defined in section 4 of  
24 the Indian Gaming Regulatory Act (25 U.S.C. 2703)), the  
25 land taken into trust under this section shall be treated,

1 for purposes of section 20 of the Indian Gaming Regu-  
2 latory Act (25 U.S.C. 2719), as if the land was acquired  
3 on October 9, 2003, the date on which the Secretary took  
4 the land into trust.”.

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