

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1953

To prohibit any type of class III gaming on Indian lands within a State except for the type of class III gaming specifically allowed by that State.

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IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1993

Mr. MACHTLEY introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To prohibit any type of class III gaming on Indian lands within a State except for the type of class III gaming specifically allowed by that State.

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. PROHIBITION ON CLASS III GAMING.**

4        (a) PROHIBITION.—

5                (1) IN GENERAL.—Paragraph (1) of section  
6        11(d) of the Indian Gaming Regulatory Act (25  
7        U.S.C. 2710(d)) is amended in the matter preceding  
8        subparagraph (A) by striking out “Class III gaming  
9        activities shall be lawful on Indian lands only if such  
10       activities are—” and inserting in lieu thereof “All

1 types of class III gaming activity on Indian lands  
2 are prohibited unless a particular type of class III  
3 gaming activity is—”.

4 (2) REFERENDA AND CHARITABLE ENTITIES.—  
5 Section 11(d)(1)(B) of the Indian Gaming Regu-  
6 latory Act (25 U.S.C. 2710(d)(1)(B)) is amended to  
7 read as follows:

8 “(B) located in a State that permits (other  
9 than by State or local referendum) such type of  
10 gaming activity for a purpose other than a chari-  
11 table purpose by any person, organization, or entity,  
12 other than a charitable organization or entity, and”.

13 (b) EFFECTIVE DATE.—

14 (1) RETROACTIVITY.—The amendment made by  
15 subsection (a) shall apply at the end of the 180-day  
16 period beginning on the date of enactment of this  
17 Act to any class III gaming activity occurring on In-  
18 dian lands on or before the date of enactment of this  
19 Act.

20 (2) TRIBAL-STATE COMPACT NEGOTIATIONS.—  
21 A Tribal-State compact under section 11(d)(3) of  
22 the Indian Gaming Regulatory Act not in effect on  
23 or before the date of enactment of this Act shall be  
24 subject to the amendment made by subsection (a).

1           (3) DEFINITION.—For the purposes of this Act,  
2           the term “class III gaming” has the same meaning  
3           given such term by section 4 of the Indian Gaming  
4           Regulatory Act (25 U.S.C. 2703).

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