

110TH CONGRESS
1ST SESSION

H. R. 4497

To amend title 10, United States Code, to direct the Secretary of Defense to prohibit the use of gambling devices on Department of Defense property.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2007

Mr. LINCOLN DAVIS of Tennessee (for himself, Mr. SHADEGG, and Mr. SHULER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to direct the Secretary of Defense to prohibit the use of gambling devices on Department of Defense property.

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 “Warrant Officer Aaron
5 Walsh Stop DOD-Sponsored Gambling Act”.

1 **SEC. 2. DIRECTING SECRETARY OF DEFENSE TO PROHIBIT**
2 **THE USE OF GAMBLING DEVICES ON DEPART-**
3 **MENT OF DEFENSE PROPERTY.**

4 (a) PROHIBITION OF USE OF GAMBLING DEVICES.—
5 Chapter 159 of title 10, United States Code, is amended
6 by inserting after section 2683 the following new section:

7 **“§ 2683a. Prohibition of use of gambling devices**

8 “(a) PROHIBITION.—The Secretary of Defense shall
9 prohibit the use of gambling devices on property under
10 the jurisdiction of the Department of Defense, except as
11 provided in subsection (b).

12 “(b) EXCEPTION FOR CHARITABLE EVENTS AND
13 STATE LOTTERIES.—

14 “(1) CHARITABLE EVENTS.—The Secretary of
15 Defense shall prescribe regulations to allow for a
16 waiver of subsection (a) for a limited number of
17 temporary events involving gambling devices for
18 which the proceeds are donated to an organization
19 exempt from taxation under section 501(a) of the
20 Internal Revenue Code of 1986.

21 “(2) STATE LOTTERIES.—Subsection (a) does
22 not apply to the sale of State-sponsored lottery tick-
23 ets on property under the jurisdiction of the Depart-
24 ment of Defense if such property is located in a
25 State where such sale is legal.

26 “(c) DEFINITIONS.—In this section:

1 “(1) The term ‘gambling device’ includes—

2 “(A) any so-called ‘slot machine’ or any
3 other machine or mechanical device an essential
4 part of which is a drum or reel with insignia
5 thereon, and—

6 “(i) which when operated may deliver,
7 as the result of the application of an ele-
8 ment of chance, any money or property, or

9 “(ii) by the operation of which a per-
10 son may become entitled to receive, as the
11 result of the application of an element of
12 chance, any money or property;

13 “(B) any other machine or mechanical de-
14 vice (including electronic gambling devices,
15 video gambling devices, roulette wheels, and
16 similar devices) designed and manufactured pri-
17 marily for use in connection with gambling,
18 and—

19 “(i) which when operated may deliver,
20 as the result of the application of an ele-
21 ment of chance, any money or property, or

22 “(ii) by the operation of which a per-
23 son may become entitled to receive, as the
24 result of the application of an element of
25 chance, any money or property; or

1 “(C) any subassembly or essential part in-
2 tended to be used in connection with any such
3 machine or mechanical device, but which is not
4 attached to any such machine or mechanical de-
5 vice as a constituent part.

6 “(2) The term ‘property under the jurisdiction
7 of the Department of Defense’ includes com-
8 missaries, all facilities operated by the Army and Air
9 Force Exchange Service, the Navy Exchange Service
10 Command, the Navy Resale and Services Support
11 Office, Marine Corps exchanges, and ships’ stores.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 159 of such title is amended
14 by inserting after the item related to section 2683 the fol-
15 lowing new item:

 “2683a. Prohibition of the use of gambling devices.”.

16 (c) EFFECTIVE DATE.—The prohibition in section
17 2683a(a) of title 10, United States Code, as added by sub-
18 section (a), shall take effect not later than 6 months after
19 the date of the enactment of this Act.

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