

(B) Failure to file

After the date described in subparagraph (A), a claimant tribe described in that subparagraph shall be barred from filing any claim described in that subparagraph.

(2) Special holding account**(A) Establishment**

There is established in the Treasury, in addition to the accounts established by section 1779d(a) of this title, an interest-bearing special holding account for the benefit of the Indian Nations.

(B) Deposits

Notwithstanding any other provision of this subchapter or any other law, of any funds that would otherwise be deposited in a tribal trust account established by section 1779d(a) of this title, 10 percent shall—

- (i) be deposited in the special holding account established by subparagraph (A); and
- (ii) be held in that account for distribution under paragraph (3).

(3) Distribution of funds**(A) In general**

Funds deposited in the special holding account established by paragraph (2)(A) shall be distributed in accordance with subparagraphs (B) through (D).

(B) Claim filed

If a claim under paragraph (1)(A) is filed by the deadline specified in that paragraph, on final adjudication of that claim—

- (i) if the final judgment awards to a claimant an amount that does not exceed the amount of funds in the special holding account under paragraph (2) attributable to the Indian Nation from the allocation of which under section 1779c(d) of this title the funds in the special holding account are derived—

(I) that amount shall be distributed from the special holding account to the claimant tribe that filed the claim; and

(II) any remaining amount in the special holding account attributable to the claim shall be transferred to the appropriate tribal trust account for the Indian Nation established by section 1779d(a) of this title; and

- (ii) if the final judgment awards to a claimant an amount that exceeds the amount of funds in the special holding account attributable to the Indian Nation from the allocation of which under section 1779c(d) of this title the funds in the special holding account are derived—

(I) the balance of funds in the special holding account attributable to the Indian Nation shall be distributed to the claimant tribe that filed the claim; and

(II) payment of the remainder of the judgment amount awarded to the claimant tribe shall be made from the permanent judgment appropriation established pursuant to section 1304 of title 31.

(C) No claims filed

If no claims under paragraph (1)(A) are filed by the deadline specified in that paragraph—

(i) any funds held in the special holding account under paragraph (2) and attributed to that Indian Nation shall be deposited in the appropriate tribal trust account established by section 1779d(a)¹ of this title; and

(ii) after the date that is 180 days after December 13, 2002, paragraph (2)(B) shall not apply to appropriations attributed to that Indian Nation.

(c) Declaration with respect to scope of rights, title, and interests

Congress declares that—

(1) subsection (b) of this section is intended only to establish a process by which alleged claims may be resolved; and

(2) nothing in this section acknowledges, enhances, or establishes any prior right, title, or interest of any claimant tribe in or to the Arkansas Riverbed.

(Pub. L. 107-331, title VI, § 608, Dec. 13, 2002, 116 Stat. 2852.)

REFERENCES IN TEXT

Section 1779d(a) of this title, referred to in subsec. (b)(3)(C)(i), was in the original “section 6(a)” and was translated as reading “section 606(a)”, meaning section 606(a) of Pub. L. 107-331, to reflect the probable intent of Congress, because Pub. L. 107-331 does not contain a section 6, and section 1779d(a) establishes three tribal trust fund accounts.

§ 1779g. Effect on claims

This subchapter shall not be construed to resolve any right, title, or interest of any Indian nation or of any claimant tribe, except their past, present, or future claims relating to right, title, or interest in or to the Riverbed and the obligations and liabilities of the United States thereto.

(Pub. L. 107-331, title VI, § 609, Dec. 13, 2002, 116 Stat. 2855.)

SUBCHAPTER XIV—PUEBLO DE SAN ILDEFONSO CLAIMS SETTLEMENT

§ 1780. Definitions and purposes**(a) Definitions**

In this subchapter:

(1) Administrative access

The term “administrative access” means the unrestricted use of land and interests in land for ingress and egress by an agency of the United States (including a permittee, contractor, agent, or assignee of the United States) in order to carry out an activity authorized by law or regulation, or otherwise in furtherance of the management of federally-owned land and resources.

(2) County

The term “County” means the incorporated county of Los Alamos, New Mexico.

(3) Los Alamos Agreement

The term “Los Alamos Agreement” means the agreement among the County, the Pueblo, the Department of Agriculture Forest Service,

¹ See References in Text note below.

and the Bureau of Indian Affairs dated January 22, 2004.

(4) Los Alamos Townsite Land

“Los Alamos Townsite Land” means the land identified as Attachment B (dated December 12, 2003) to the Los Alamos Agreement.

(5) Northern Tier Land

“Northern Tier Land” means the land comprising approximately 739.71 acres and identified as “Northern Tier Lands” in Appendix B (dated August 3, 2004) to the Settlement Agreement.

(6) Pending Litigation

The term “Pending Litigation” means the case styled Pueblo of San Ildefonso v. United States, Docket Number 354, originally filed with the Indian Claims Commission and pending in the United States Court of Federal Claims on September 27, 2006.

(7) Pueblo

The term “Pueblo” means the Pueblo de San Ildefonso, a federally recognized Indian tribe (also known as the “Pueblo of San Ildefonso”).

(8) Settlement Agreement

The term “Settlement Agreement” means the agreement entitled “Settlement Agreement between the United States and the Pueblo de San Ildefonso to Resolve All of the Pueblo’s Land Title and Trespass Claims” and dated June 7, 2005.

(9) Settlement Area Land

The term “Settlement Area Land” means the National Forest System land located within the Santa Fe National Forest, as described in Appendix B to the Settlement Agreement, that is available for purchase by the Pueblo under section 9(a) of the Settlement Agreement.

(10) Settlement Fund

The term “Settlement Fund” means the Pueblo de San Ildefonso Land Claims Settlement Fund established by section 1780d of this title.

(11) Sisk Act

The term “Sisk Act” means Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a).

(12) Water System Land

The term “Water System Land” means the federally-owned land located within the Santa Fe National Forest to be conveyed to the County under the Los Alamos Agreement.

(b) Purposes

The purposes of this subchapter are—

(1) to finally dispose, as set forth in sections 1780b and 1780c of this title, of all rights, claims, or demands that the Pueblo has asserted or could have asserted against the United States with respect to any and all claims in the Pending Litigation;

(2) to extinguish claims based on aboriginal title, Indian title, or recognized title, or any other title claims under section 1780c of this title;

(3) to authorize the Pueblo to acquire the Settlement Area Land, and to authorize the Secretary of Agriculture to convey the Water System Land, the Northern Tier Land, and the Los Alamos Townsite Land for market value consideration, and for such consideration to be paid to the Secretary of Agriculture for the acquisition of replacement National Forest land elsewhere in New Mexico;

(4) to provide that the Settlement Area Land acquired by the Pueblo shall be held by the Secretary of the Interior in trust for the benefit of the Pueblo;

(5) to facilitate government-to-government relations between the United States and the Pueblo regarding cooperation in the management of certain land administered by the National Park Service and the Bureau of Land Management as described in sections 7 and 8 of the Settlement Agreement;

(6) to ratify the Settlement Agreement; and,

(7) to ratify the Los Alamos Agreement.

(Pub. L. 109-286, §2, Sept. 27, 2006, 120 Stat. 1218.)

REFERENCES IN TEXT

The Sisk Act, referred to in subsec. (a)(11), is Pub. L. 90-171, Dec. 4, 1967, 81 Stat. 531, which is classified to section 484a of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 484a of Title 16 and Tables.

SHORT TITLE

Pub. L. 109-286, §1, Sept. 27, 2006, 120 Stat. 1218, provided that: “This Act [enacting this subchapter] may be cited as the ‘Pueblo de San Ildefonso Claims Settlement Act of 2005’.”

§ 1780a. Ratification of agreements

(a) Ratification

The Settlement Agreement and Los Alamos Agreement are ratified under Federal law, and the parties to those agreements are authorized to carry out the provisions of the agreements.

(b) Corrections and modifications

The respective parties to the Settlement Agreement and the Los Alamos Agreement are authorized, by mutual agreement, to correct errors in any legal description or maps, and to make minor modifications to those agreements.

(Pub. L. 109-286, §3, Sept. 27, 2006, 120 Stat. 1219.)

§ 1780b. Judgment and dismissal of litigation

(a) Dismissal

Not later than 90 days after September 27, 2006, the United States and the Pueblo shall execute and file with the United States Court of Federal Claims in the Pending Litigation a motion for entry of final judgment in accordance with section 5 of the Settlement Agreement.

(b) Compensation

Upon entry of the final judgment under subsection (a), \$6,900,000 shall be paid into the Settlement Fund as compensation to the Pueblo in accordance with section 1304 of title 31.

(Pub. L. 109-286, §4, Sept. 27, 2006, 120 Stat. 1219.)

§ 1780c. Resolution of claims

(a) Extinguishments

Except as provided in subsection (b), in consideration of the benefits of the Settlement Agree-