

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-

ment, and in recognition of the agreement of the Pueblo to the Settlement Agreement, all claims of the Pueblo against the United States (including any claim against an agency, officer, or instrumentality of the United States) are relinquished and extinguished, including—

- (1) any claim to land based on aboriginal title, Indian title, or recognized title;
- (2) any claim for damages or other judicial relief or for administrative remedies that were brought, or that were knowable and could have been brought, on or before the date of the Settlement Agreement;
- (3) any claim relating to—
  - (A) any federally-administered land, including National Park System land, National Forest System land, Public land administered by the Bureau of Land Management, the Settlement Area Land, the Water System Land, the Northern Tier Land, and the Los Alamos Townsite Land; and
  - (B) any land owned by, or held for the benefit of, any Indian tribe other than the Pueblo; and
- (4) any claim that was, or that could have been, asserted in the Pending Litigation.

**(b) Exceptions**

Nothing in this subchapter or the Settlement Agreement shall in any way extinguish or otherwise impair—

- (1) the title of record of the Pueblo to land held by or for the benefit of the Pueblo, as identified in Appendix D to the Settlement Agreement, on or before September 27, 2006; and,
- (2) the title of the Pueblo to the Pueblo de San Ildefonso Grant, including, as identified in Appendix D to the Settlement Agreement—
  - (A) the title found by the United States District Court for the District of New Mexico in the case styled *United States v. Apodoca* (Number 2031, equity: December 5, 1930) not to have been extinguished; and
  - (B) title to any land that has been reacquired by the Pueblo pursuant to the Act entitled “An Act to quiet the title to lands within Pueblo Indian land grants, and for other purposes”, approved June 7, 1924 (43 Stat. 636, chapter 331);
- (3) the water rights of the Pueblo appurtenant to the land described in paragraphs (1) and (2); and
- (4) any rights of the Pueblo or a member of the Pueblo under Federal law relating to religious or cultural access to, and use of, Federal land.

**(c) Previous extinguishments unimpaired**

Nothing in this subchapter affects any prior extinguishments of rights or claims of the Pueblo which may have occurred by operation of law.

**(d) Boundaries and title unaffected**

**(1) Boundaries**

Nothing in this subchapter affects the location of the boundaries of the Pueblo de San Ildefonso Grant.

**(2) Rights, title, and interest**

Nothing in this subchapter affects, ratifies, or confirms the right, title, or interest of the

Pueblo in the land held by, or for the benefit of, the Pueblo, including the land described in Appendix D of the Settlement Agreement.

(Pub. L. 109–286, § 5, Sept. 27, 2006, 120 Stat. 1220.)

REFERENCES IN TEXT

An Act to quiet the title to lands within Pueblo Indian land grants, and for other purposes, referred to in subsec. (b)(2)(B), is act June 7, 1924, ch. 331, 43 Stat. 636, known as the Pueblo Lands Act of 1924, which is set out as a note under section 331 of this title.

**§ 1780d. Settlement Fund**

**(a) Establishment**

There is established in the Treasury a fund to be known as the “Pueblo de San Ildefonso Land Claims Settlement Fund”.

**(b) Conditions**

Monies deposited in the Settlement Fund shall be subject to the following conditions:

**(1) Maintenance and investment**

The Settlement Fund shall be maintained and invested by the Secretary of the Interior pursuant to the Act of June 24, 1938 (25 U.S.C. 162a).

**(2) Use of funds**

Subject to paragraph (3), monies deposited into the Settlement Fund shall be expended by the Pueblo—

- (A) to acquire the federally administered Settlement Area Land;
- (B) to pay for the acquisition of the Water System Land, as provided in the Los Alamos Agreement; and
- (C) at the option of the Pueblo, to acquire other land.

**(3) Effect of withdrawal**

If the Pueblo withdraws monies from the Settlement Fund, neither the Secretary of the Interior nor the Secretary of the Treasury shall retain any oversight over, or liability for, the accounting, disbursement, or investment of the withdrawn funds.

**(4) Per capita distribution**

No portion of the funds in the Settlement Fund may be paid to Pueblo members on a per capita basis.

**(5) Acquisition of land**

The acquisition of land with funds from the Settlement Fund shall be on a willing-seller, willing-buyer basis, and no eminent domain authority may be exercised for purposes of acquiring land for the benefit of the Pueblo under this subchapter.

**(6) Effect of other laws**

The Act of October 19, 1973 (Public Law 93–134; 87 Stat. 466) and section 4023 of this title shall not apply to the Settlement Fund. (Pub. L. 109–286, § 6, Sept. 27, 2006, 120 Stat. 1221.)

REFERENCES IN TEXT

Act of June 24, 1938, referred to in subsec (b)(1), is act June 24, 1938, ch. 648, 52 Stat. 1037, which enacted section 162a of this title, repealed section 162 of this title, and enacted provisions set out as a note under section 162a of this title. For complete classification of this Act to the Code, see Tables.