

(7) On August 20, 1992, the Federal District Court for the Southern District of California entered a judgment in the U.S. Suit requiring the Coachella Valley Water District to pay \$212,908.41 in past and future damages and the Imperial Irrigation District to pay \$2,795,694.33 in past and future damages in lieu of the United States request for a permanent injunction against continued flooding of the submerged lands.

(8) The United States, the Coachella Valley Water District, and the Imperial Irrigation District have filed notices of appeal with the United States Court of Appeals for the Ninth Circuit from the district court's judgment in the U.S. Suit (Nos. 93-55389, 93-55398, and 93-55402), and the Tribe has filed a notice of appeal from the district court's denial of its motion to intervene as a matter of right (No. 92-55129).

(9) The Court of Appeals for the Ninth Circuit has stayed further action on the appeals pending the outcome of settlement negotiations.

(10) In 1991, the Tribe brought its own lawsuit, *Torres-Martinez Desert Cahuilla Indians, et al., v. Imperial Irrigation District, et al.*, Case No. 91-1670 J (LSP) (hereafter in this section referred to as the "Indian Suit") in the United States District Court, Southern District of California, against the two water districts, and amended the complaint to include as a plaintiff, Mary Resvaloso, in her own right, and as class representative of all other affected Indian allotment owners.

(11) The Indian Suit has been stayed by the district court to facilitate settlement negotiations.

#### (b) Purpose

The purpose of this subchapter is to facilitate and implement the settlement agreement negotiated and executed by the parties to the U.S. Suit and Indian Suit for the purpose of resolving their conflicting claims to their mutual satisfaction and in the public interest.

(Pub. L. 106-568, title VI, §602, Dec. 27, 2000, 114 Stat. 2906.)

#### REFERENCES IN TEXT

The Mission Indian Relief Act of 1891 and the Mission Indian Relief Act, referred to in subsec. (a)(1) and (3), means act Jan. 12, 1891, ch. 65, 26 Stat. 712, as amended, which is not classified to the Code.

#### EFFECTIVE DATE

Pub. L. 106-568, title VI, §611, Dec. 27, 2000, 114 Stat. 2912, provided that:

“(a) IN GENERAL.—Except as provided by subsection (b), this title [see Short Title note below] shall take effect on the date of the enactment of this Act [Dec. 27, 2000].

“(b) EXCEPTION.—Sections 4, 5, 6, 7, and 8 [probably means sections 604 to 608 of title VI of Pub. L. 106-568, which are classified to sections 1778b to 1778f of this title] shall take effect on the date on which the Secretary determines the following conditions have been met:

“(1) The Tribe agrees to the Settlement Agreement and the provisions of this title and executes the releases and waivers required by the Settlement Agreement and this title.

“(2) The Coachella Valley Water District agrees to the Settlement Agreement and to the provisions of this title.

“(3) The Imperial Irrigation District agrees to the Settlement Agreement and to the provisions of this title.”

#### SHORT TITLE

Pub. L. 106-568, title VI, §601, Dec. 27, 2000, 114 Stat. 2906, provided that: “This title [enacting this subchapter and provisions set out as a note above] may be cited as the ‘Torres-Martinez Desert Cahuilla Indians Claims Settlement Act’.”

#### § 1778a. Definitions

For the purposes of this subchapter:

##### (1) Tribe

The term “Tribe” means the Torres-Martinez Desert Cahuilla Indians, a federally recognized Indian tribe with a reservation located in Riverside and Imperial Counties, California.

##### (2) Allottees

The term “allottees” means those individual Tribe members, their successors, heirs, and assigns, who have individual ownership of allotted Indian trust lands within the Torres-Martinez Indian Reservation.

##### (3) Salton Sea

The term “Salton Sea” means the inland body of water located in Riverside and Imperial Counties which serves as a drainage reservoir for water from precipitation, natural runoff, irrigation return flows, wastewater, floods, and other inflow from within its watershed area.

##### (4) Settlement agreement

The term “Settlement Agreement” means the Agreement of Compromise and Settlement Concerning Claims to the Lands of the United States Within and on the Perimeter of the Salton Sea Drainage Reservoir Held in Trust for the Torres-Martinez Indians executed on June 18, 1996, as modified by the first, second, third, and fourth modifications thereto.

##### (5) Secretary

The term “Secretary” means the Secretary of the Interior.

##### (6) Permanent flowage easement

The term “permanent flowage easement” means the perpetual right by the water districts to use the described lands in the Salton Sink within and below the minus 220-foot contour as a drainage reservoir to receive and store water from their respective water and drainage systems, including flood water, return flows from irrigation, tail water, leach water, operational spills, and any other water which overflows and floods such lands, originating from lands within such water districts.

(Pub. L. 106-568, title VI, §603, Dec. 27, 2000, 114 Stat. 2908.)

#### § 1778b. Ratification of Settlement Agreement

The United States hereby approves, ratifies, and confirms the Settlement Agreement.

(Pub. L. 106-568, title VI, §604, Dec. 27, 2000, 114 Stat. 2908.)

#### EFFECTIVE DATE

Section effective on date on which the Secretary determines that certain conditions with respect to the