

§ 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of the Treasury shall retain any oversight over, or liability for, the accounting, disbursement, or investment of the withdrawn funds.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referred to in subsec (b)(1), is act June 24, 1938, ch. 648, 52 Stat. 1037, which enacted section 162a of this title, repealed section 162 of this title, and enacted provisions set out as a note under section 162a of this title.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.

Act of October 19, 1973, referred to in subsec. (b)(6), is Pub. L. 93-134, Oct. 19, 1973, 87 Stat. 466, known as the Indian Tribal Judgment Funds Use or Distribution Act, which is classified generally to chapter 16 (§1401 et seq.) of this title. For complete classification of this Act to the Code, see section 1401(c) of this title and Tables.

§ 1780e. Land ownership adjustments**(a) Authorization****(1) In general**

The Secretary of Agriculture may sell the Settlement Area Land, Water System Land,

and Los Alamos Townsite Land, on such terms and conditions as are agreed upon and described in the Settlement Agreement and the Los Alamos Agreement, including reservations for administrative access and other access as shown on Appendix B of the Settlement Agreement.

(2) Effect of claims and cause of action

Consideration for any land authorized for sale by the Secretary of Agriculture shall not be offset or reduced by any claim or cause of action by any party to whom the land is conveyed.

(b) Consideration

The consideration to be paid for the Federal land authorized for sale in subsection (a) shall be—

(1) for the Settlement Area Land and Water System Land, the consideration agreed upon in the Settlement Agreement; and

(2) for the Los Alamos Townsite Land, the current market value based on an appraisal approved by the Forest Service as being in conformity with the latest edition of the Uniform Appraisal Standards for Federal Land Acquisitions.

(c) Disposition of receipts**(1) In general**

All monies received by the Secretary of Agriculture from the sale of National Forest System land as authorized by this subchapter, including receipts from the Northern Tier Land, shall be deposited into the fund established in the Treasury of the United States pursuant to the Sisk Act and shall be available, without further appropriation, authorization, or administrative apportionment for the purchase of land by the Secretary of Agriculture for National Forest System purposes in the State of New Mexico, and for associated administrative costs.

(2) Use of funds

Funds deposited in a Sisk Act fund pursuant to this subchapter shall not be subject to transfer or reprogramming for wildlands fire management or any other emergency purposes, or used to reimburse any other account.

(3) Acquisitions of land

In expending funds to exercise its rights under the Settlement Agreement and the Los Alamos Agreement with respect to the acquisition of the Settlement Area Land, the County's acquisitions of the Water System Land, and the Northern Tier Land (if the Pueblo exercises an option to purchase the Northern Tier Land as provided in section 1780j(b)(2)(A) of this title,¹ the Pueblo shall use only funds in the Settlement Fund and shall not augment those funds from any other source.

(d) Valid existing rights and reservations**(1) In general**

The Settlement Area Land acquired by the Pueblo shall be subject to all valid existing rights on September 27, 2006, including rights of administrative access.

¹ So in original. Probably should be “title”).