

Union Calendar No. 361

104TH CONGRESS
2D SESSION

H. R. 740

[Report No. 104-694]

To confer jurisdiction on the United States Court of Federal Claims with respect to land claims of Pueblo of Isleta Indian Tribe.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 1995

Mr. SKEEN (for himself and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on the Judiciary

JULY 22, 1996

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To confer jurisdiction on the United States Court of Federal Claims with respect to land claims of Pueblo of Isleta Indian Tribe.

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. JURISDICTION.**

4 Notwithstanding sections 2401 and 2501 of title 28,
5 United States Code, and section 12 of the Act of August

1 13, 1946 (60 Stat. 1052), or any other law which would
2 interpose or support a defense of untimeliness, jurisdiction
3 is hereby conferred upon the United States Court of Fed-
4 eral Claims to hear, determine, and render judgment on
5 any claim by Pueblo of Isleta Indian Tribe of New Mexico
6 against the United States with respect to any lands or in-
7 terests therein the State of New Mexico or any adjoining
8 State held by aboriginal title or otherwise which were ac-
9 quired from the tribe without payment of adequate com-
10 pensation by the United States. As a matter of adequate
11 compensation, the United States Claims Court may award
12 interest at a rate of five percent per year to accrue from
13 the date on which such lands or interests therein were ac-
14 quired from the tribe by the United States. Such jurisdic-
15 tion is conferred only with respect to claims accruing on
16 or before August 13, 1946, and all such claims must be
17 filed within three years after the date of enactment of this
18 Act. Such jurisdiction is conferred notwithstanding any
19 failure of the tribe to exhaust any available administrative
20 remedy.

21 **SEC. 2. CERTAIN DEFENSES NOT APPLICABLE.**

22 Any award made to any Indian tribe other than the
23 Pueblo of Isleta Indian Tribe of New Mexico before, on,
24 or after the date of the enactment of this Act under any
25 judgment of the Indian Claims Commission or any other

1 authority with respect to any lands that are the subject
2 of a claim submitted by the tribe under section 1 shall
3 not be considered a defense, estoppel, or set-off to such
4 claim, and shall not otherwise affect the entitlement to,
5 or amount of, any relief with respect to such claim.

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