

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 614

To confer jurisdiction of the United States Court of Federal Claims with respect to land claims of Pueblo of Isleta Indian Tribe, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 24 (legislative day, MARCH 23), 1995

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To confer jurisdiction of the United States Court of Federal Claims with respect to land claims of Pueblo of Isleta Indian Tribe, and for other purposes.

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 (a) IN GENERAL.—Notwithstanding sections 2401  
5 and 2501 of title 28, United States Code, and section 12  
6 of the Act of August 13, 1946 (60 Stat. 1052, chapter  
7 959), or any other law that would interpose or support  
8 a defense of untimeliness, jurisdiction is hereby conferred  
9 upon the United States Court of Federal Claims to hear,

1 determine, and render judgment on any claim by the  
2 Pueblo of Isleta Indian Tribe of New Mexico against the  
3 United States with respect to any lands or interests there-  
4 in in the State of New Mexico or any adjoining State that  
5 were held by aboriginal title or otherwise and that were  
6 acquired from the tribe without payment of adequate com-  
7 pensation by the United States.

8 (b) INTEREST.—As a matter of adequate compensa-  
9 tion, the United States Court of Federal Claims may  
10 award interest at a rate of 5 percent per year to accrue  
11 from the date on which such lands or interests therein  
12 were acquired from the tribe by the United States.

13 (c) LIMITATIONS.—Such jurisdiction is conferred  
14 only with respect to claims accruing on or before August  
15 13, 1946. All such claims must be filed not later than 3  
16 years after the date of enactment of this Act.

17 (d) JURISDICTION IS NOT DEPENDENT ON EXHAUS-  
18 TION.—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.

