Public Law 85-610

AN ACT

August 8, 1958
[H. R. 12617]

To amend sections 2 and 3 of the Act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, relating to the trust funds of the Shoshone and Arapahoe Tribes, and for other purposes.

Shoshone and Arapahoe Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation", approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

25 USC 612.

Trust fund.

"SEC. 2. The Secretary of the Treasury, upon request of the Secretary of the Interior, is authorized and directed to establish a trust fund account for each tribe and shall make such transfer of funds on the books of his department as may be necessary to effect the purpose of section 1 of this Act: *Provided*, That interest shall accrue on the principal fund only, at the rate of 4 per centum per annum, and shall be credited to the interest trust fund accounts established by this section: *Provided further*, That all future revenues and receipts derived from the Wind River Reservation under any and all laws, and the proceeds from any judgment for money against the United States hereafter paid jointly to the Shoshone and Arapahoe Tribes of the Wind River Reservation, shall be divided in accordance with section 1 of this Act and credited to the principal trust fund accounts established herein; and the proceeds from any judgment for money against the United States hereafter paid to either of the tribes singly shall be credited to the appropriate principal trust fund account."

SEC. 2. Section 3 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation", approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

25 USC 613.

Business councils, authority.

"SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapahoe Tribe, respectively, under the provisions of this Act shall be available for expenditure or for advance to the tribes for such purposes as may be requested by the business council of the tribe concerned and approved by the Secretary of the Interior, or such official as may be designated by him: *Provided*, That the Secretary of the Interior is hereby directed to make available out of the trust funds of the Shoshone Tribe the sum of $7,500 for the purpose of making emergency and educational loans on the authority and responsibility of the Shoshone Tribe, through its business council, without liability to the United States and free from regulation or approval by the Secretary of the Interior: *Provided further*, That, commencing as soon after the date this proviso becomes effective as the Secretary of the Interior determines may be practicable in order to change from the existing quarterly payment system, but not later than January 1, 1959, 85 per centum of said trust funds shall be paid per capita to the members of the respective tribes in equal monthly installments on the first day of each month, or as near thereto as practicable, or, with the approval of the Secretary of the Interior, at such more frequent intervals as the tribes may request. The amount of the monthly payments during any one calendar year shall be determined by the Secretary of the Interior on the basis of estimated anticipated income for that calendar year: *Provided further*, That the Secretary may increase or decrease the amount of the monthly payments in the light

Emergency and educational loans.

Per capita payments.

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of actual receipts during the calendar year, and in order to avoid the omission of a payment or a reduction in the amount that would cause unnecessary hardship the Secretary may permit the total monthly payments for a year to exceed 85 per centum of the actual receipts for that year and deduct the excess from the receipts of the following or succeeding years before determining the amount of the monthly payments for such succeeding years: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the business council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received by said individual Indians, and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of the survey undertaken by the Secretary after the amendment of this Act on July 25, 1956 (70 Stat. 642): *Provided further*, That quarterly per capita payments under this Act shall continue without interruption until the monthly per capita payments are put into effect on or before January 1, 1959."

25 USC 613 and note.

Approved August 8, 1958.

Public Law 85-611

August 8, 1958
[H. R. 8645]

AN ACT

To amend section 9, subsection (d), of the Reclamation Project Act of 1939, and for other related purposes.

Reclamation repayment contracts.
43 USC 485h.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (3) of section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1195) is hereby amended to read as follows:

Variable plan.

"That the general repayment obligation of the organization shall be spread in annual installments, of the number and amounts fixed by the Secretary, over a period of not more than 40 years, exclusive of any development period fixed under paragraph (1) of this subsection, for any project contract unit or, if the project contract unit be divided into two or more irrigation blocks, for any such block, or as near to said period of not more than forty years as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within such period under average conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay."

Water storage contracts.
43 USC 485h.

SEC. 2. The benefits of a variable payment plan as provided in the amendment to paragraph (3) of section 9, subsection (d), of the Reclamation Project Act of 1939 contained in section 1 of this Act may be extended by the Secretary to any organization with which he contracts or has contracted for the repayment of construction costs allocated to irrigation on any project undertaken by the United States, including contracts under the Act of August 11, 1939 (53 Stat. 1418), as amended, and contracts for the storage of water or for the use of stored water under section 8 of the Act of December 22, 1944 (58 Stat. 887, 891). In the case of any project for which a maximum repayment period longer than that prescribed in said paragraph (3) has been or is allowed by Act of Congress, the period so allowed may be used by the Secretary in lieu of the forty-year period provided in said amendment to paragraph (3).

16 USC 590y-590z-10.
43 USC 390.