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.

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:

Reclamation repayment contracts.
43 USC 485h.

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.

16 USC 590y-590z-10.

43 USC 390.

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).

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SEC. 3. Section 2, subsection (h), of the Reclamation Project Act of 1939 is hereby repealed and the subsections following it are relettered accordingly. Section 4, as amended, of the same Act is hereby repealed. Paragraph (5) of section 9, subsection (d), of the same Act is hereby repealed. Section 17, as amended, of the same Act is hereby further amended by substituting the expression "Section 3" for the expression "Sections 3 and 4" where the latter occurs in said section. The Act of March 6, 1952 (66 Stat. 16) is hereby amended by deleting therefrom the figure "4" in the expression "sections 3, 4, and 7 of the Reclamation Project Act of 1939."

Repeals.

43 USC 485a, 485b note.

Approved August 8, 1958.

Public Law 85-612

AN ACT

To authorize the Secretary of the Interior to convey certain land with the improvements located thereon to the Lummi Indian Tribe for the use and benefit of the Lummi Tribe.

August 8, 1958
[H. R. 7681]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the Lummi Indian Tribe, Lummi Reservation, Whatcom County, Washington, for the use and benefit of the members of the Lummi Indian Tribe, all right, title and interest of the United States to the following described land, together with any buildings or other improvements located thereon: Commencing at a point on the south line of lot 9, section 7, township 38 north, range 2 east, Willamette meridian, 9 chains east of the southwest corner of said lot; thence east 4 chains to a point on said south line; thence north 5 chains; thence west 4 chains; thence south 5 chains to point of beginning containing approximately 2 acres. Notwithstanding any other provision of law such land may be leased, sold, or otherwise disposed of by the sole authority of the Lummi Business Council in any manner similar land in the State in which such land is situated may be leased, sold, or otherwise disposed of by private landowners. The land shall not be exempt from taxation because of Indian tribal ownership.

Lummi Indian Tribe.
Conveyance.

Approved August 8, 1958.

Public Law 85-613

AN ACT

To exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries.

August 8, 1958
[H. R. 7734]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended, and section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply to teachers in the public schools of the Canal Zone who are also employed in night schools or in vacation schools or programs.

Canal Zone.
Teachers.
28 Stat. 205.
5 USC 62.
39 Stat. 120.
5 USC 58, 59.

Approved August 8, 1958.

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