U. S. C. 546), is amended further by inserting immediately following the words "boards of a public character that may be created by law" the words ", except for the board of trustees of the employees' retirement system".

SEC. 2. Section 80 of the Hawaiian Organic Act, as amended (48 U. S. C. 546), is further amended by adding the following new paragraph immediately following the first paragraph thereof:

"The manner of appointment of members of the board of trustees of the employees' retirement system shall be as provided for by section 6–61, Revised Laws of Hawaii, 1955."

Ratifications.

SEC. 3. All Acts of the Legislature of Hawaii prior to the effective date of this Act pertaining to the composition and membership of the board of trustees of the employees' retirement system, and all appointments to such board pursuant to such Acts, are hereby ratified and confirmed.

Approved August 28, 1958.

## Public Law 85-794

August 28, 1958
[S. 2922]

AN ACT

To authorize per capita payments to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes.

Red Lake Bank of Chippewa Indians.
Per capita payments.

*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 to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. Such payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. No money paid to Indians under this Act shall be subject to any lien or claim of attorneys, or other persons.

49 Stat. 620.
53 Stat. 1379, 1397.

SEC. 3. Payments made under this Act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a) (7), 602 (a) (7), and 1202 (a) (8)).

SEC. 4. The nineteenth paragraph of section 9 of the Act of May 18, 1916 (39 Stat. 123, 138), is amended to read as follows:

Net proceeds.

"After the payment of all expenses connected with the administration of these lands as herein provided, the net proceeds therefrom shall be covered into the Treasury of the United States to the credit of the Red Lake Indians and draw interest at the rate of 4 per centum per annum. Any part of such fund or the interest thereon that is in excess of reserve and operating requirements, as determined by the Secretary of the Interior, may be distributed per capita to the members of the Red Lake Band upon request of the tribal council and approval by the Secretary."

SEC. 5. Paragraph seventeen of section 9 of the Act of May 18, 1916 (39 Stat. 123, 137), as amended by the Act of August 3, 1956 (70 Stat. 982), is amended by deleting from clause (a) thereof ", with the consent of the tribal council,".

Approved August 28, 1958.

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