

Tolls.

SEC. 2. The San Benito International Bridge Company may fix and charge tolls for transit over the bridge referred to in the first section of this Act in accordance with the laws of the State of Texas, and the laws of the United States, applicable to such tolls, and the rates of toll so fixed shall be the legal rates until changed under the authority contained in section 4 of the Act of March 23, 1906 (33 U.S.C., sec. 494).

Right to sell, transfer, etc.

SEC. 3. The San Benito International Bridge Company may sell, assign, transfer, or mortgage the rights, powers, and privileges conferred on such Company by this Act to any public agency, or to an international bridge authority or commission, and any such agency, authority, or commission is authorized to exercise the rights, powers, and privileges acquired under this section (including acquisition by mortgage foreclosure) in the same manner as if such rights, powers, and privileges had been granted by this Act directly to such agency, authority, or commission.

Limitation.

SEC. 4. Notwithstanding the provisions of section 6 of the Act of March 23, 1906 (33 U.S.C., sec. 496), this Act shall be null and void unless the actual construction of the bridge referred to in the first section of this Act is commenced within three years and completed within five years from the date of enactment of this Act.

SEC. 5. The right to alter, amend, or repeal this Act is expressly reserved.

Approved September 21, 1959.

Public Law 86-339

September 21, 1959
[H. R. 8587]

AN ACT

To provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes.

Agua Caliente
Reservation,
Calif.
Allotments,
equalization.

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 (hereinafter called the "Secretary") is authorized and directed to do whatever is necessary and proper to equalize as nearly as possible the values of all allotments of land on the Agua Caliente (Palm Springs) Reservation in California in accordance with the provisions of this Act.

SEC. 2. Any member of the Agua Caliente Band (hereinafter called the "band") who is living on the date of the enactment of this Act and who has not received an allotment of land shall be given an allotment in accordance with the provisions of law existing prior to this Act. No further allotments of land shall thereafter be made to any other or future born members of the band, or to their heirs or devisees, except for the purpose of equalization. This prohibition against further allotments shall not be construed as a closing of the band's membership rolls.

Land values.

SEC. 3. (a) The Secretary shall determine on the basis of the contract appraisals that were made in 1957 and 1958 (1) the value of all unallotted tribal land, and (2) the value of the allotment of each allottee who is living on the date of this Act, excluding the value of any improvements thereon. Where lands of a living allottee have been sold under the supervision of the Secretary, their value for the purpose of equalization shall be the amount received from such sale, excluding the value assigned to any improvements thereon. Where lands of a living allottee have been fee patented to and sold by the allottee, their value for the purpose of equalization shall be the appraised value of the lands, excluding improvements, as of the time

of the sale, regardless of the amount received from the sale. The allotments of allottees who are not living on the date of this Act shall be excluded from the equalization program. All values so determined by the Secretary shall be final and conclusive for the purposes of this Act.

(b) In no event shall the following tribal lands be subject to allotment, and they shall henceforth be set apart and designated as tribal reserves for the benefit and use of the band:

Cemetery numbered 1, block 235, section 14, township 4 south, range 4 east.

Cemetery numbered 2, as now constituted pursuant to secretarial order, comprising approximately two acres.

Roman Catholic Church, as now constituted pursuant to secretarial order, comprising approximately two acres.

Mineral Springs, lots 3a, 4a, 13, and 14, section 14, township 4 south, range 4 east: *Provided*, That no distribution to member of the band of the net rents, profits, and other revenues derived from that portion of these lands which is designated as "parcel B" in the supplement dated September 8, 1958, to the lease by and between the Agua Caliente Band of Mission Indians and Palm Springs Spa dated January 21, 1958, or of the net income derived from the investment of such net rents, profits, and other revenues or from the sale of said lands or of assets purchased with the net rents, profits, and other revenues aforesaid or with the net income from the investment thereof shall be made except to those enrolled members who are entitled to an equalization allotment or to a cash payment in satisfaction thereof under this Act or, in the case of such a member who died after the enactment of this Act, to those entitled to participate in his estate, and any such distribution shall be per capita to living enrolled members and per stirpes to participants in the estate of a deceased member.

San Andreas Canyon, west half southeast quarter, southeast quarter southeast quarter section 3, township 5 south, range 4 east.

Palm Canyon, south half and south half north half section 14, township 5 south, range 4 east; all section 24, township 5 south, range 4 east.

Tahquitz Canyon, southwest quarter section 22, township 4 south, range 4 east; north half section 28, township 4 south, range 4 east.

Murray Canyon, east half section 10, township 5 south, range 4 east.

(c) On the basis of such values, the Secretary shall determine the highest level of equalization that is feasible for the members of the band who are living at the time of this Act by allotting all of the unallotted tribal land, except the reserved areas listed in subsection (b) of this section, without regard to acreage limitations heretofore imposed by law. Such unallotted tribal land shall then be allotted to those members who have received allotments with a value that is less than the equalization figure deemed feasible in accordance with procedures prescribed by the Secretary. No selection of an allotment pursuant to such procedures shall create a vested right in the land until all selections authorized by this Act have been made, included in one schedule, and approved by the Secretary. Allotments thereafter made shall be subject to the same laws and regulations that apply to other trust allotments on the Agua Caliente Reservation.

(d) The unallotted portions of section 18, township 4 south, range 5 east, and section 12, township 4 south, range 4 east, that are in the municipal airport for the city of Palm Springs shall be subject to allotment as a part of the equalization program, subject to the following qualifications: If within thirty days after the date of this Act a majority of the adult members of the band who are eligible to vote agree, the Secretary may offer to sell such land to the city for its

Sale of land.

appraised value on the date of this Act, and the Secretary shall cause an independent appraisal thereof to be made by an appraiser he shall select who shall be approved jointly by the band and the city before proceeding with such appraisal, the costs for the appraisal to be shared by the band and the city; thereafter the Secretary shall review the completed appraisal and shall, if approved, then submit copies to both the band and the city for their approval which shall be either accepted or rejected in writing within thirty days; and if within three hundred and sixty-five days after joint acceptance of such appraisal by the band and the city, the city accepts the offer and tenders payment in full, the Secretary shall complete the sale, and any allottees who may have made or who may thereafter make an equalization selection from the lands sold to the city shall receive in lieu of the allotment selected his proportionate share of the proceeds of the sale.

Appointment of
guardians.

SEC. 4. The Secretary shall request the appointment of a guardian of the estate of all minor allottees and for those adult allottees who in his judgment are in need of assistance in handling their affairs in accordance with applicable State laws before making any equalization allotment or payment to such persons.

Tax exemption.

SEC. 5. (a) The right to an equalization allotment or to a cash payment in lieu thereof pursuant to section 3, subsection (d), of this Act, shall be transferable by will or descent in the same manner as are trust payments under existing law and shall not be subject to State or Federal inheritance, estate, legacy, or succession taxes.

(b) A cash payment made in lieu of an equalization allotment pursuant to section 3, subsection (d), of this Act shall not be regarded as income or capital gain for purposes of Federal or State income taxation and shall not, as long as it remains in the form of cash or a bank deposit in the ownership of the allottee, be subject to taxation as personal property.

Attachments or
levies.

SEC. 6. (a) Equalization allotments made pursuant to this Act shall not be subject to assignment, sale, or hypothecation or to any attachment or levy for claims or debts created before or after the effective date of this Act, without the written approval of the Secretary, and any such assignment, sale, hypothecation, attachment, or levy that has not been so approved by the Secretary shall be absolutely null and void.

Legal services,
etc.

(b) No equalization allotment made pursuant to this Act, and no basic allotment made prior to this Act, shall be subject to an equitable charging lien or other charge or lien or enforced sale for any advantage or benefit which the allottee has received or will receive under or as a consequence of enactment of this Act, nor shall any lis pendens heretofore or hereafter filed upon such lands while in a restricted status be of any effect or constitute notice of any action. Whoever directly or indirectly accepts or receives any money or other form of compensation for legal services in connection with such restricted lands from any person who has not expressly employed him as his attorney shall be liable, in a civil action brought by the payor or his heirs or devisees or by the United States on his behalf, for twice the amount so accepted or received unless, prior to the time of acceptance or receipt of said compensation, the right to such compensation has been determined and the amount thereof fixed by a formal order of the Federal court having jurisdiction to make such order. Nothing herein provided shall be construed to prevent any attorney from petitioning the Federal court having jurisdiction to fix and determine the fees to which he is entitled and to pursue and enforce payment thereof in any lawful manner after the court has made such order.

SEC. 7. Allotments in accordance with the provisions of this Act shall be deemed complete and full equalization of allotments on the Agua Caliente Reservation.

SEC. 8. The band may, at any time it wishes to do so, organize a legal entity under the laws of the State of California and request the Secretary to transfer to such legal entity title to the lands in the reserves established by subsection 3(b) of this Act. The Secretary shall transfer an unrestricted title to such property if the organization of the legal entity and request for the transfer have been approved by a majority of the adult members of the band who are eligible to vote, and if in the judgment of the Secretary the legal entity is organized in a form and manner that is fair to all members of the band: *Provided, however*, That if the lands to which the proviso to the fourth item in subsection 3(b) of this Act is applicable are transferred to such an entity, they shall be held by it subject to the terms provided in said proviso, and the rights and duties therein set forth shall be preserved and reflected in any distribution of securities of, or other evidences of participation in, said entity.

Approved September 21, 1959.

Legal entity,
organization.

Public Law 86-340

AN ACT

To amend the Act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis.

September 21, 1959
[H. R. 8593]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (1) of the first section of the Act entitled "An Act relating to telephone and telegraph service and clerk hire for the House of Representatives", approved June 23, 1949, as amended (2 U.S.C., sec. 46f), is amended to read as follows:

House of Representatives.
Telephone and telegraph allowance.
65 Stat. 47.

"(1) toll charges on strictly official long-distance telephone calls made by or on behalf of the Member within the United States, its Territories and possessions and the Commonwealth of Puerto Rico; and".

SEC. 2. Section 2 of the Act entitled "An Act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives", approved June 23, 1949, as amended (2 U.S.C., sec. 46g) is amended to read as follows:

63 Stat. 265.

"SEC. 2. (a) In the case of any Member of the House of Representatives other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, there shall be paid under the first section of this Act (1) toll charges on strictly official long-distance telephone calls, and (2) charges on strictly official telegrams, cablegrams, and radiograms, made or sent by or on behalf of the Member, aggregating not more than eighty thousand units during a term, except that if a Member is elected for a portion of a term, the aggregate number of units with respect to which such toll charges and charges may be paid under the first section of this Act for such portion of a term shall be reduced to a number which is the same percentage of eighty thousand as the number of days of his service in such portion of a term is of the total number of days in a term.

"(b) For the purposes of subsection (a) of this section—

"(1) one minute of a long-distance telephone call shall be five units, and

"(2) one word of a telegram, cablegram, or radiogram shall be one unit.