

SEC. 3. The State of Iowa shall furnish all necessary sewerage facilities for the aforesaid buildings without cost to the United States, and shall furnish electricity and water for the aforesaid buildings at the prevailing rate in the locality, or at cost, whichever is lower, so long as said buildings shall be used by the United States for military purposes.

Sewerage facilities,
etc.

Approved September 30, 1950.

[CHAPTER 1119]

AN ACT

To continue until the close of June 30, 1951, the suspension of duties and import taxes on metal scrap, and for other purposes.

September 30, 1950
[H. R. 5327]
[Public Law 869]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 13, 1942 (ch. 180, 56 Stat. 171), as amended, is hereby amended to read as follows:

Duties on metal
scrap, etc.
19 U. S. C. § 1001,
par. 301 note; Sup. III,
§ 1001, par. 301 note.

“SEC. 1. (a) No duties or import taxes shall be levied, collected, or payable under the Tariff Act of 1930, as amended, or under section 3425 of the Internal Revenue Code with respect to metal scrap, or relaying and rerolling rails.

46 Stat. 590; 53 Stat.
415.
19 U. S. C. §§ 1001-
1654; Sup. III, § 1001;
26 U. S. C. § 3425;
Sup. III, § 3425.
Note, pp. 4, 247, 406,
785, 798, 1075.

“(b) The word ‘scrap’, as used in this Act, shall mean all ferrous and nonferrous materials and articles, of which ferrous or nonferrous metal is the component material of chief value, which are second-hand or waste or refuse, or are obsolete, defective or damaged, and which are fit only to be remanufactured.”

“SEC. 2. Articles of which metal is the component material of chief value, other than ores or concentrates or crude metal, imported to be used in remanufacture by melting, shall be accorded entry free of duty and import tax, upon submission of proof, under such regulations and within such time as the Secretary of the Treasury may prescribe, that they have been used in remanufacture by melting: *Provided, however,* That nothing contained in the provisions of this section shall be construed to limit or restrict the exemption granted by section 1 of this Act.”

SEC. 2. The amendment made by this Act shall be effective as to merchandise entered, or withdrawn from warehouse, for consumption on or after the day following the date of the enactment of this Act and before the close of June 30, 1951. It shall also be effective as to merchandise entered, or withdrawn from warehouse, for consumption before the period specified where the liquidation of the entry or withdrawal covering the merchandise, or the exaction or decision relating to the rate of duty applicable to the merchandise, has not become final by reason of section 514, Tariff Act of 1930.

Effective date.

Approved September 30, 1950.

46 Stat. 734.
19 U. S. C. § 1514.

[CHAPTER 1120]

AN ACT

To authorize the negotiation and ratification of separate settlement contracts with the Sioux Indians of Cheyenne River Reservation in South Dakota and of Standing Rock Reservation in South Dakota and North Dakota for Indian lands and rights acquired by the United States for the Oahe Dam and Reservoir, Missouri River development, and for other related purposes.

September 30, 1950
[H. R. 5372]
[Public Law 870]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Engineers, Department of the Army, jointly with the Secretary of the Interior, representing the United States of America, are hereby authorized and directed to negotiate contracts containing the provi-

Sioux Indians.
Settlement con-
tracts.

sions outlined herein separately with the Sioux Indians of the Cheyenne River Reservation in South Dakota and with the Sioux Indians of the Standing Rock Reservation in South Dakota and North Dakota, through representatives of the two tribes appointed for this purpose by their tribal councils.

SEC. 2. The contracts made pursuant to section 1 of this Act shall—

(a) convey to the United States the title to all tribal, allotted, assigned, and inherited lands or interests therein belonging to the Indians of each tribe required by the United States for the reservoir to be created by the construction of the dam across the Missouri River in South Dakota, to be known as Oahe Dam, including such lands along the margin of said reservoir as may be required by the Chief of Engineers, United States Army, for the protection, development, and use of said reservoir: *Provided*, That the date on which the contract is signed by Chief of Engineers, United States Army, and the Secretary of the Interior shall be the date of taking by the United States for purposes of determining the ownership of the Indian tribal, allotted, and assigned lands conveyed thereby to the United States, subject to the determinations and the payments to be made as hereinafter provided for;

(b) provide for the payment of—

(1) just compensation for lands and improvements and interests therein, conveyed pursuant to subsection (a);

(2) costs of relocating and reestablishing the tribe and the members of each tribe who reside upon such lands so that their economic, social, religious, and community life can be reestablished and protected: *Provided*, That such costs of relocating and reestablishing the tribe and the members of each tribe who reside upon such lands shall not result in double compensation for lands and properties to the tribe and members of each tribe; and

(3) costs of relocating and reestablishing Indian cemeteries, tribal monuments, and shrines located upon such lands;

(c) provide that just compensation for the lands of individual members of such tribes, who reject the appraisal covering their individual property, shall be judicially determined in proceedings instituted for such purpose by the Department of the Army in the United States district court for the district in which the lands are situated;

(d) provide a schedule of dates for the orderly removal of the Indians and their personal property situated within the taking area of the Oahe Reservoir within the respective reservations: *Provided*, That the Chief of Engineers shall have primary and final responsibility in negotiating concerning the matters set out in the foregoing paragraphs (a) and (b) hereof;

(e) provide for the final and complete settlement of all claims by the Indians and tribes described in section 1 of this Act against the United States arising because of construction of the Oahe project.

Appraisal schedule.

SEC. 3. To assist the negotiators in arriving at the amount of just compensation as provided herein in section 2 (b) (1), the Secretary of the Interior or his duly authorized representative and the Chief of Engineers, Department of the Army, or his duly authorized representative shall cause to be prepared an appraisal schedule on an individual tract basis of the tribal, allotted, and assigned lands, including heirship interests therein, located within the taking areas of the respective reservations. In the preparation thereof, they shall determine the fair market value of the lands, giving full and proper weight to the follow-

ing elements of appraisal: Improvements, severance damage, standing timber, mineral rights, and the uses to which the lands are reasonably adapted. They shall transmit the schedules to the representatives of the tribes appointed to negotiate a contract, which schedules shall be used as a basis for determining the amount of just compensation to be included in the contracts for the elements of damages set out in section 2 hereof.

SEC. 4. The specification in sections 2 and 3 hereof of certain provisions to be included in each contract shall not operate to preclude the inclusion in such contracts of other provisions beneficial to the Indians who are parties to such contracts.

SEC. 5. (a) The contracts negotiated and approved pursuant to this Act shall be submitted to the Congress within eighteen months from and after the date of enactment of this Act.

Submittal of contracts to Congress.

(b) No such contract shall take effect until it shall have been ratified by Act of Congress and ratified in writing by three-quarters of the adult members of the two respective tribes designated in section 1 hereof, separately, within nine months from the date of the Act ratifying each said contract: *Provided*, That in the event the negotiating parties designated by section 1 of this Act are unable to agree on any item or provision in the proposed contracts, said items or provisions shall be reported separately to the Congress as an appendix to each contract, and shall set out the provisions in dispute as proposed by the advocates thereof for consideration and determination by the Congress.

Ratification.

SEC. 6. Nothing in this Act shall be construed to restrict the orderly prosecution of the construction or delay the completion of the Oahe Dam to provide protection from floods on the Missouri River.

Oahe Dam.

Approved September 30, 1950.

[CHAPTER 1121]

AN ACT

To authorize a \$75 per capita payment 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.

September 30, 1950
[H. R. 6319]
[Public Law 871]

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 \$75, in two equal installments to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this Act. The first installment of \$37.50 per capita to be made upon the passage and approval of this Act and the second installment of \$37.50 per capita to be made January 15, 1951. Such installment payments shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

Red Lake Band of Chippewa Indians, Minn.
Per capita payments.

SEC. 2. No money paid to Indians under this Act shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under this Act, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of this Act.

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)).

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

Approved September 30, 1950.