

Assistance Act (Public Law 93-638) [25 U.S.C. 450 et seq.]. There shall be deposited into the Fund all amounts recovered under the authority of the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), which shall become available for obligation upon receipt and which shall remain available for obligation until expended. The Fund shall not be used to pay for health services provided to eligible Indians to the extent that alternate Federal, State, local, or private insurance resources for payment: (1) are available and accessible to the beneficiary; or (2) would be available and accessible if the beneficiary were to apply for them; or (3) would be available and accessible to other citizens similarly situated under Federal, State, or local law or regulation or private insurance program notwithstanding Indian Health Service eligibility or residency on or off a Federal Indian reservation.

(Pub. L. 99-500, § 101(h) [title II], Oct. 18, 1986, 100 Stat. 1783-242, 1783-276, and Pub. L. 99-591, § 101(h) [title II], Oct. 30, 1986, 100 Stat. 3341-242, 3341-276.)

#### REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act (Public Law 93-638), referred to in text, is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, as amended, which is classified principally to subchapter II (§ 450 et seq.) of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 450 of this title and Tables.

The Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), referred to in text, probably means Pub. L. 87-693, Sept. 25, 1962, 76 Stat. 593, which is classified generally to chapter 32 (§ 2651 et seq.) of Title 42. The Public Health and Welfare. For complete classification of this Act to the Code, see Tables.

#### CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500. Section was enacted as part of the Department of the Interior and Related Agencies Appropriations Act, 1987, as enacted by Pub. L. 99-500 and Pub. L. 99-591, and not as part of the Indian Health Care Improvement Act which comprises this chapter.

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SUBCHAPTER I—RHODE ISLAND INDIAN  
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PART A—GENERAL PROVISIONS

**§ 1701. Congressional findings and declaration of policy**

Congress finds and declares that—

(a) there are pending before the United States District Court for the District of Rhode Island two consolidated actions that involve Indian claims to certain public and private lands within the town of Charlestown, Rhode Island;

(b) the pendency of these lawsuits has resulted in severe economic hardships for the