Public Law 87-693

AN ACT

September 25, 1962
[H. R. 298]

To provide for the recovery from tortiously liable third persons of the cost of hospital and medical care and treatment furnished by the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in any case in which the United States is authorized or required by law to furnish hospital, medical, surgical, or dental care and treatment (including prostheses and medical appliances) to a person who is injured or suffers a disease, after the effective date of this Act, under circumstances creating a tort liability upon some third person (other than or in addition to the United States and except employers of seamen treated under the provisions of section 322 of the Act of July 1, 1944 (58 Stat. 696), as amended (42 U.S.C. 249)) to pay damages therefor, the United States shall have a right to recover from said third person the reasonable value of the care and treatment so furnished or to be furnished and shall, as to this right be subrogated to any right or claim that the injured or diseased person, his guardian, personal representative, estate, dependents, or survivors has against such third person to the extent of the reasonable value of the care and treatment so furnished or to be furnished. The head of the department or agency of the United States furnishing such care or treatment may also require the injured or diseased person, his guardian, personal representative, estate, dependents, or survivors, as appropriate, to assign his claim or cause of action against the third person to the extent of that right or claim.

Hospital and medical care, third party liability.

(b) The United States may, to enforce such right, (1) intervene or join in any action or proceeding brought by the injured or diseased person, his guardian, personal representative, estate, dependents, or survivors, against the third person who is liable for the injury or disease; or (2) if such action or proceeding is not commenced within six months after the first day in which care and treatment is furnished by the United States in connection with the injury or disease involved, institute and prosecute legal proceedings against the third person who is liable for the injury or disease, in a State or Federal court, either alone (in its own name or in the name of the injured person, his guardian, personal representative, estate, dependents, or survivors) or in conjunction with the injured or diseased person, his guardian, personal representative, estate, dependents, or survivors.

Legal proceedings.

(c) The provisions of this section shall not apply with respect to hospital, medical, surgical, or dental care and treatment (including prostheses and medical appliances) furnished by the Veterans' Administration to an eligible veteran for a service-connected disability under the provisions of chapter 17 of title 38, United States Code.

Veterans' treatment, exception.

72 Stat. 1140; *Ante*, p. 381.
38 USC 601-643.

SEC. 2. (a) The President may prescribe regulations to carry out this Act, including regulations with respect to the determination and establishment of the reasonable value of the hospital, medical, surgical, or dental care and treatment (including prostheses and medical appliances) furnished or to be furnished.

Regulations.

(b) To the extent prescribed by regulations under subsection (a), the head of the department or agency of the United States concerned may (1) compromise, or settle and execute a release of, any claim which the United States has by virtue of the right established by section 1; or (2) waive any such claim, in whole or in part, for the convenience of the Government, or if he determines that collection would result in undue hardship upon the person who suffered the injury or disease resulting in care or treatment described in section 1.

Settlement provisions.

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(c) No action taken by the United States in connection with the rights afforded under this legislation shall operate to deny to the injured person the recovery for that portion of his damage not covered hereunder.

SEC. 3. This Act does not limit or repeal any other provision of law providing for recovery by the United States of the cost of care and treatment described in section 1.

Effective date.

SEC. 4. This Act becomes effective on the first day of the fourth month following the month in which enacted.

Approved September 25, 1962.

Public Law 87-694

September 25, 1962
[H. R. 12689]

AN ACT

To repeal section 557 and to amend section 559 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901.

D. C. Commissioners of deeds, appointment provisions, deletion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 557 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1189, 1279; D.C. Code, sec. 1-401) is repealed.

SEC. 2. Section 559 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1189, 1279; D.C. Code, sec. 1-402, 1-502), is amended by striking out "commissioners of deeds and".

Approved September 25, 1962.

Public Law 87-695

September 25, 1962
[S. 1161]

AN ACT

To provide for the use of lands in the Garrison Dam project by the Three Affiliated Tribes of the Fort Berthold Reservation.

Indians. Grazing privileges, Garrison Dam project, N. Dak.

58 Stat. 887. 33 USC 701-1 *et seq.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Subject to the right of the United States to occupy, use, and control the lands acquired by the United States within the Fort Berthold Reservation for the construction, operation, and maintenance of the Garrison Dam and Reservoir project pursuant to the Flood Control Act of 1944, approved December 22, 1944, and amendatory laws, as determined necessary by the Secretary of the Army adequately to serve said purposes, the Three Affiliated Tribes of the Fort Berthold Reservation shall be permitted to graze stock without charge on such former Indian land as the Secretary of the Army determines is not devoted to other beneficial uses, and to lease such land for grazing purposes to members or nonmembers of the tribes on such terms and conditions as the Secretary of the Interior may prescribe. The foregoing grant of grazing privileges shall be subject to rights under existing grazing leases and permits.

Approved September 25, 1962.