

year 1986 and each fiscal year thereafter for the purposes of this subchapter.

(Pub. L. 93-262, title IV, §403, Apr. 12, 1974, 88 Stat. 83; Pub. L. 95-68, July 20, 1977, 91 Stat. 272; Pub. L. 98-449, §10, Oct. 4, 1984, 98 Stat. 1726.)

#### AMENDMENTS

1984—Pub. L. 98-449 amended section generally, substituting “\$10,000,000” for “\$14,000,000” and “1986 and each fiscal year thereafter” for “1978 and 1979”.

1977—Pub. L. 95-68 substituted “\$14,000,000 for each of the fiscal years 1978 and 1979” for “\$10,000,000 for each of the fiscal years 1975, 1976, and 1977”.

#### § 1524. Rules and regulations

The Secretary of the Interior is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this chapter.

(Pub. L. 93-262, title IV, §404, Apr. 12, 1974, 88 Stat. 83.)

#### SUBCHAPTER V—MISCELLANEOUS PROVISIONS

#### § 1541. Competent management and technical assistance for economic enterprises

Prior to and concurrent with the making or guaranteeing of any loan under subchapters I and II of this chapter and with the making of a grant under subchapter IV of this chapter, the purpose of which is to fund the development of an economic enterprise, the Secretary shall insure that the loan or grant applicant shall be provided competent management and technical assistance for preparation of the application and/or administration of funds granted consistent with the nature of the enterprise proposed to be or in fact funded.

(Pub. L. 93-262, title V, §501, Apr. 12, 1974, 88 Stat. 83; Pub. L. 98-449, §12, Oct. 4, 1984, 98 Stat. 1726.)

#### AMENDMENTS

1984—Pub. L. 98-449 amended section generally, inserting “Prior to and” and “for preparation of the application and/or administration of funds granted”.

#### § 1542. Agency cooperation; private contracts for management services and technical assistance

For the purpose of providing the assistance required under section 1541 of this title, the Secretary is authorized to cooperate with the Small Business Administration and the Corporation for National and Community Service and other Federal agencies in the use of existing programs of this character in those agencies. In addition, the Secretary is authorized to enter into contracts with private organizations for providing such services and assistance.

(Pub. L. 93-262, title V, §502, Apr. 12, 1974, 88 Stat. 83; Pub. L. 93-113, title VI, §601(d), Oct. 1, 1973, 87 Stat. 416; Pub. L. 103-82, title IV, §405(f), Sept. 21, 1993, 107 Stat. 921.)

#### AMENDMENTS

1993—Pub. L. 103-82 substituted “the Corporation for National and Community Service” for “ACTION Agency”.

1973—Pub. L. 93-113 substituted “ACTION Agency” for “ACTION”.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Apr. 4, 1994, see section 406(b) of Pub. L. 103-82, set out as a note under section 8332 of Title 5, Government Organization and Employees.

#### § 1543. Funds limitation for private contracts

For the purpose of entering into contracts pursuant to section 1542 of this title in fiscal year 1985, the Secretary is authorized to use not to exceed 6 percent of any funds appropriated for any fiscal year pursuant to section 1512 of this title. For fiscal year 1986 and for each fiscal year thereafter, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter.

(Pub. L. 93-262, title V, §503, Apr. 12, 1974, 88 Stat. 83; Pub. L. 98-449, §13, Oct. 4, 1984, 98 Stat. 1726.)

#### AMENDMENTS

1984—Pub. L. 98-449 amended section generally, substituting provisions limiting funds expended for private contracts to 6 percent of appropriated funds in 1985 and authorizing the appropriation of such sums as may be necessary to carry out this subchapter in fiscal years after 1985 for provisions putting a 5 percent limitation on use of appropriated funds.

#### § 1544. Additional compensation to contractors of Federal agency

Notwithstanding any other provision of law, a contractor of a Federal agency under any Act of Congress may be allowed an additional amount of compensation equal to 5 percent of the amount paid, or to be paid, to a subcontractor or supplier, in carrying out the contract if such subcontractor or supplier is an Indian organization or Indian-owned economic enterprise as defined in this chapter.

(Pub. L. 93-262, title V, §504, added Pub. L. 100-442, §7, Sept. 22, 1988, 102 Stat. 1765.)

### CHAPTER 18—INDIAN HEALTH CARE

#### GENERAL PROVISIONS

Sec.	
1601.	Congressional findings.
1602.	Declaration of health objectives.
1603.	Definitions.

#### SUBCHAPTER I—INDIAN HEALTH PROFESSIONAL PERSONNEL

1611.	Congressional statement of purpose.
1612.	Health professions recruitment program for Indians.
1613.	Health professions preparatory scholarship program for Indians.
1613a.	Indian health professions scholarships.
1614.	Indian health service extern programs.
1615.	Continuing education allowances.
1616.	Community Health Representative Program.
1616a.	Indian Health Service Loan Repayment Program.
1616a-1.	Scholarship and Loan Repayment Recovery Fund.
1616b.	Recruitment activities.
1616c.	Tribal recruitment and retention program.
1616d.	Advanced training and research.
1616e.	Nursing program.
1616e-1.	Nursing school clinics.

Sec.		Sec.	
1616f.	Tribal culture and history.	1644.	Grants to and contracts with tribal organizations.
1616g.	INMED program.	1645.	Direct billing of medicare, medicaid, and other third party payors.
1616h.	Health training programs of community colleges.	1646.	Authorization for emergency contract health services.
1616i.	Additional incentives for health professionals.	1647.	Authorization of appropriations.
1616j.	Retention bonus.	SUBCHAPTER IV—HEALTH SERVICES FOR URBAN INDIANS	
1616k.	Nursing residency program.	1651.	Purpose.
1616l.	Community Health Aide Program for Alaska.	1652.	Contracts with, and grants to, urban Indian organizations.
1616m.	Matching grants to tribes for scholarship programs.	1653.	Contracts and grants for provision of health care and referral services.
1616n.	Tribal health program administration.	1654.	Contracts and grants for determination of unmet health care needs.
1616o.	University of South Dakota pilot program.	1655.	Evaluations; renewals.
1616p.	Authorization of appropriations.	1656.	Other contract and grant requirements.
SUBCHAPTER II—HEALTH SERVICES		1657.	Reports and records.
1621.	Indian Health Care Improvement Fund.	1658.	Limitation on contract authority.
1621a.	Catastrophic Health Emergency Fund.	1659.	Facilities renovation.
1621b.	Health promotion and disease prevention services.	1660.	Urban Health Programs Branch.
1621c.	Diabetes prevention, treatment, and control.	1660a.	Grants for alcohol and substance abuse related services.
1621d.	Hospice care feasibility study.	1660b.	Treatment of certain demonstration projects.
1621e.	Reimbursement from certain third parties of costs of health services.	1660c.	Urban NIAAA transferred programs.
1621f.	Crediting of reimbursements.	1660d.	Authorization of appropriations.
1621g.	Health services research.	SUBCHAPTER V—ORGANIZATIONAL IMPROVEMENTS	
1621h.	Mental health prevention and treatment services.	1661.	Establishment of Indian Health Service as an agency of Public Health Service.
1621i.	Managed care feasibility study.	1662.	Automated management information system.
1621j.	California contract health services demonstration program.	1663.	Authorization of appropriations.
1621k.	Coverage of screening mammography.	SUBCHAPTER V—A—SUBSTANCE ABUSE PROGRAMS	
1621l.	Patient travel costs.	1665.	Indian Health Service responsibilities.
1621m.	Epidemiology centers.	1665a.	Indian Health Service program.
1621n.	Comprehensive school health education programs.	1665b.	Indian women treatment programs.
1621o.	Indian youth grant program.	1665c.	Indian Health Service youth program.
1621p.	American Indians Into Psychology Program.	1665d.	Training and community education.
1621q.	Prevention, control, and elimination of tuberculosis.	1665e.	Gallup alcohol and substance abuse treatment center.
1621r.	Contract health services payment study.	1665f.	Reports.
1621s.	Prompt action on payment of claims.	1665g.	Fetal alcohol syndrome and fetal alcohol effect grants.
1621t.	Demonstration of electronic claims processing.	1665h.	Pueblo substance abuse treatment project for San Juan Pueblo, New Mexico.
1621u.	Liability for payment.	1665i.	Thunder Child Treatment Center.
1621v.	Office of Indian Women's Health Care.	1665j.	Substance abuse counselor education demonstration project.
1621w.	Authorization of appropriations.	1665k.	Gila River alcohol and substance abuse treatment facility.
1621x.	Limitation on use of funds.	1665l.	Alaska Native drug and alcohol abuse demonstration project.
1622.	Transferred.	1665m.	Authorization of appropriations.
SUBCHAPTER III—HEALTH FACILITIES		SUBCHAPTER VI—MISCELLANEOUS	
1631.	Consultation; closure of facilities; reports.	1671.	Reports.
1632.	Safe water and sanitary waste disposal facilities.	1672.	Regulations.
1633.	Preferences to Indians and Indian firms.	1673.	Repealed.
1634.	Expenditure of non-Service funds for renovation.	1674.	Leases with Indian tribes.
1635.	Repealed.	1675.	Availability of funds.
1636.	Grant program for construction, expansion, and modernization of small ambulatory care facilities.	1676.	Limitation on use of funds appropriated to Indian Health Service.
1637.	Indian health care delivery demonstration project.	1677.	Nuclear resource development health hazards.
1638.	Land transfer.	1678.	Arizona as a contract health service delivery area.
1638a.	Authorization of appropriations.	1679.	Eligibility of California Indians.
1638b.	Applicability of Buy American requirement.	1680.	California as a contract health service delivery area.
1638c.	Contracts for personal services in Indian Health Service facilities.	1680a.	Contract health facilities.
1638d.	Credit to appropriations of money collected for meals at Indian Health Service facilities.	1680b.	National Health Service Corps.
SUBCHAPTER III—A—ACCESS TO HEALTH SERVICES		1680c.	Health services for ineligible persons.
1641.	Treatment of payments under medicare program.	1680d.	Infant and maternal mortality; fetal alcohol syndrome.
1642.	Treatment of payments under medicaid program.	1680e.	Contract health services for the Trenton Service Area.
1643.	Amount and use of funds reimbursed through medicare and medicaid available to Indian Health Service.		

Sec.	
1680f.	Indian Health Service and Department of Veterans Affairs health facilities and services sharing.
1680g.	Reallocation of base resources.
1680h.	Demonstration projects for tribal management of health care services.
1680i.	Child sexual abuse treatment programs.
1680j.	Tribal leasing.
1680k.	Home- and community-based care demonstration project.
1680l.	Shared services demonstration project.
1680m.	Results of demonstration projects.
1680n.	Priority for Indian reservations.
1680o.	Authorization of appropriations.
1681.	Omitted.
1682.	Subrogation of claims by Indian Health Service.
1683.	Indian Catastrophic Health Emergency Fund.

#### GENERAL PROVISIONS

#### § 1601. Congressional findings

The Congress finds the following:

(a) Federal health services to maintain and improve the health of the Indians are consonant with and required by the Federal Government's historical and unique legal relationship with, and resulting responsibility to, the American Indian people.

(b) A major national goal of the United States is to provide the quantity and quality of health services which will permit the health status of Indians to be raised to the highest possible level and to encourage the maximum participation of Indians in the planning and management of those services.

(c) Federal health services to Indians have resulted in a reduction in the prevalence and incidence of preventable illnesses among, and unnecessary and premature deaths of, Indians.

(d) Despite such services, the unmet health needs of the American Indian people are severe and the health status of the Indians is far below that of the general population of the United States.

(Pub. L. 94-437, §2, Sept. 30, 1976, 90 Stat. 1400; Pub. L. 102-573, §3(a), Oct. 29, 1992, 106 Stat. 4526.)

#### AMENDMENTS

1992—Pub. L. 102-573 substituted “finds the following:” for “finds that—” in introductory provisions and struck out last sentence of subsec. (d) which compared death rates of Indians to those of all Americans for tuberculosis, influenza and pneumonia, and compared death rates for infants, subsec. (e) which related to threat to fulfillment of Federal responsibility to Indians posed by low health status of American Indian people, subsec. (f) which enumerated causes imperiling improvements in Indian health, and subsec. (g) which related to confidence of Indian people in Federal Indian health services.

#### SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-417, §1, Nov. 1, 2000, 114 Stat. 1812, provided that: “This Act [enacting and amending section 1645 of this title, amending sections 1395qq and 1396j of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under section 1645 of this title] may be cited as the ‘Alaska Native and American Indian Direct Reimbursement Act of 2000’.”

#### SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-313, §1(a), Oct. 19, 1996, 110 Stat. 3820, provided that: “This Act [amending sections 1603, 1613a,

1621j, 1645, 1665e, 1665j, and 1680k of this title] may be cited as the ‘Indian Health Care Improvement Technical Corrections Act of 1996’.”

#### SHORT TITLE OF 1992 AMENDMENT

Section 1 of Pub. L. 102-573 provided that: “This Act [see Tables for classification] may be cited as the ‘Indian Health Amendments of 1992’.”

#### SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-630, title V, §501, Nov. 28, 1990, 104 Stat. 4556, provided that: “This title [enacting sections 1621h, 1637, 1659, and 1660 of this title, amending sections 1653, 1657, and 2474 of this title, and enacting provisions set out as notes under sections 1621h, 1653, and 2415 of this title] may be cited as the ‘Indian Health Care Amendments of 1990’.”

#### SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-713, §1, Nov. 23, 1988, 102 Stat. 4784, provided that: “This Act [enacting sections 1616 to 1616j, 1621a to 1621g, 1636, 1651 to 1658, 1661, 1662, and 1680a to 1680j of this title and sections 254s and 295j of Title 42, The Public Health and Welfare, amending sections 1603, 1612 to 1613a, 1614, 1615, 1621, 1631, 1632, 1634, 1674, 1676, and 1678 to 1680 of this title and section 5316 of Title 5, Government Organization and Employees, repealing section 1635 of this title and section 254r of Title 42, enacting provisions set out as notes under this section and sections 1611, 1621b, 1661, and 1677 of this title and sections 254r, 1395qq, and 1396j of Title 42, amending provisions set out as a note under section 1396j of Title 42, and repealing provisions set out as a note under section 1396j of Title 42] may be cited as the ‘Indian Health Care Amendments of 1988’.”

#### SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-537, §1(a), Dec. 17, 1980, 94 Stat. 3173, provided that: “this Act [enacting sections 1622, 1634, and 1676 to 1680 of this title, amending sections 1603, 1612 to 1614, 1621, 1651 to 1657, and 1674 of this title and section 294y-1 of Title 42, The Public Health and Welfare, and repealing section 1658 of this title] may be cited as the ‘Indian Health Care Amendments of 1980’.”

#### SHORT TITLE

Section 1 of Pub. L. 94-437 provided: “That this Act [enacting this chapter and sections 1395qq and 1396j of Title 42, The Public Health and Welfare, amending sections 234, 1395f, 1395n, and 1396d of Title 42, and enacting provisions set out as notes under section 1671 of this title and sections 1395qq and 1396j of Title 42] may be cited as the ‘Indian Health Care Improvement Act’.”

#### SEPARABILITY

Pub. L. 100-713, title VIII, §801, Nov. 23, 1988, 102 Stat. 4839, provided that: “If any provision of this Act, any amendment made by this Act [see Short Title of 1988 Amendment note above], or the application of such provision or amendment to any person or circumstances is held to be invalid, the remainder of this Act, the remaining amendments made by this Act, and the application of such provision or amendment to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.”

#### AVAILABILITY OF APPROPRIATIONS

Pub. L. 100-713, §4, Nov. 23, 1988, 102 Stat. 4785, provided that: “Any new spending authority (described in subsection (c)(2)(A) or (B) of section 401 of the Congressional Budget Act of 1974 [2 U.S.C. 651(c)(2)(A), (B)]) which is provided under this Act [see Short Title of 1988 Amendment note above] shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.”

#### § 1602. Declaration of health objectives

(a) The Congress hereby declares that it is the policy of this Nation, in fulfillment of its special