


Effective Date of Repeal
Section 714, formerly § 614, of Pub. L. 93–203 provided that the repeal is effective with respect to fiscal years after June 30, 1974.

SUBCHAPTER III—MISCELLANEOUS PROVISIONS


Section 2617, Pub. L. 87–845, title III, § 307, Mar. 15, 1962, 76 Stat. 32, provided that selection of persons for training shall not be contingent upon their membership or non-membership in a labor organization.


Effective Date of Repeal
Section 714, formerly § 614, of Pub. L. 93–203 provided that the repeal is effective with respect to fiscal years after June 30, 1974.

SUBCHAPTER V—SUPPLEMENTARY STATE PROGRAMS


Effective Date of Repeal
Section 714, formerly § 614, of Pub. L. 93–203 provided that the repeal is effective with respect to fiscal years after June 30, 1974.

CHAPTER 31—PUBLIC WORKS ACCELERATION PROGRAM

Sec. 2641. Congressional declaration of purpose.

(a) The Congress finds that (1) certain communities and areas in the Nation are presently bur-
denied by substantial unemployment and under-
employment and have failed to share fully in the
economic gains of the recovery from the reces-
sion of 1960–1961 and (2) action by the Federal
Government is necessary, both to provide imme-
diate useful work for the unemployed and under-
employed in these communities and to help
these communities, through improvement of
their facilities, to become more conducive to in-
dustrial development and better places in which
to live and work. The Nation has a backlog of
needed public projects, and an acceleration of
these projects now will not only increase em-
ployment at a time when jobs are urgently re-
quired but will also meet longstanding public
needs, improve community services, and en-
hance the health and welfare of citizens of the
Nation.

(b) Authority to initiate and accelerate projects;
States and local governments for which Federal
allocations of law other than this chapter, by allocat-

§ 2642. Acceleration of public works

(a) Eligible areas

For the purposes of this section the term “el-
gible area” means—

(1) those areas which the Secretary of Labor
designates each month as having been areas of
substantial unemployment for at least nine of
the preceding twelve months; and

(2) those areas which are designated by the
Secretary of Commerce under subsections (a)
and (b) of section 1492 of this title as “redevel-
opment areas”.

(b) Authority to initiate and accelerate projects;
allocation of funds

The President is authorized to initiate and ac-
celerate in eligible areas those Federal public
works projects which have been authorized by
Congress, and those public works projects of
States and local governments for which Federal
financial assistance is authorized under pro-
visions of law other than this chapter, by allocat-
ing funds appropriated to carry out this section—

(1) to the heads of the departments, agen-
cies, and instrumentalities of the Federal Gov-
ernment responsible for the construction of
Federal public works projects, and

(2) to the heads of the departments, agen-
cies, and instrumentalities of the Federal Gov-
ernment responsible for the administration of
laws authorizing Federal financial assistance
to public works projects of State and local
governments.

(c) Grants-in-aid; law governing; amount of Fed-
eral contributions

All grants-in-aid made from allocations made
by the President under this section shall be
made by the head of the department, agency, or
instrumentality of the Federal Government ad-
ministering the law authorizing such grants, and,
except as otherwise provided in this sub-
section, shall be made in accordance with all of
the provisions of such law except (1) provisions
requiring allocation of funds among the States,
and (2) limitations upon the total amount of
such grants for any period. Notwithstanding any
provisions of such law requiring the Federal
contribution to the State or local government
involved to be less than a fixed portion of the
cost of a project, grants-in-aid may be made
under authority of this section which bring the
total of all Federal contributions to such project
up to 50 per centum of the cost of such project,
or up to 75 per centum of the cost of such project
if the State or local government does not have
economic and financial capacity to assume all of
the additional financial obligations required.

(d) Authorization of appropriations

There is authorized to be appropriated not to
exceed $900,000,000 to be allocated by the Presi-
dent in accordance with subsection (b) of this
section, except that not less than $300,000,000
shall be allocated for public works projects in
areas designated by the Secretary of Commerce
as redevelopment areas under subsection (b) of
section 1492 of this title.

(e) Rules and regulations; considerations

The President shall prescribe rules, regula-
tions, and procedures to carry out this section
which will assure that adequate consideration is
given to the relative needs of eligible areas. In
prescribing such rules, regulations, and proce-
dures the President shall consider among other
relevant factors (1) the severity of the rates of
unemployment in the eligible areas and the du-
ration of such unemployment and (2) the income
levels of families and the extent of under-
employment in eligible areas.

(f) Restrictions on allocated funds

Funds allocated by the President under this
section shall be available only for projects—

(1) which can be initiated or accelerated
within a reasonably short period of time;

(2) which will meet an essential public need;

(3) a substantial portion of which can be
completed within twelve months after initi-
ation or acceleration;

(4) which will contribute significantly to the
reduction of local unemployment;

(5) which are not inconsistent with locally
approved comprehensive plans for the jurisdic-
tion affected, wherever such plans exist.

(g) Limit on allocations available for projects in
any one State

Not more than 10 per centum of all amounts
allocated by the President under this section
shall be made available for public works projects
within any one State.

(h) Criteria determining substantial unemp-
loyment

The criteria to be used by the Secretary of
Labor in determining areas of substantial unem-
ployment at a time when jobs are urgently re-
quired but will also meet longstanding public
needs, improve community services, and en-
hance the health and welfare of citizens of the
Nation.

(b) The Congress further finds that Federal as-
stance to stimulate public works investment
in order to increase employment opportunities is
most urgently needed in those areas, both
urban and rural, which qualify as redevelopment
areas because they suffer from persistent and
chronic unemployment and economic under-
development, as well as in other areas which
have suffered from substantial unemployment for
a period of at least twelve months.


SHORT TITLE

Section 1 of Pub. L. 87–658 provided: “That this Act
[enacting this chapter and amending section 462 of
former Title 40, Public Buildings, Property, and Works,
and section 1492 of this title] may be cited as the ‘Pub-
lic Works Acceleration Act’.”
ployment for the purposes of paragraph (1) of subsection (a) of this section shall be the criteria established in section 6.3 of title 29 of the Code of Federal Regulations as in effect May 1, 1962.


REFERENCES IN TEXT
Section 2504 of this title, referred to in subsecs. (a) and (d), was omitted from the Code.

EXECUTIVE ORDER NO. 11049

§ 2643. Increase of State or local expenditures

(a) No part of any allocation made by the President under this chapter shall be made available during any fiscal year to any State or local government for any public works project, unless the proposed or planned total expenditure (exclusive of Federal funds) of such State or local government during such fiscal year for all its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to be made available for such public works project.

(b) No part of any allocation made by the President under this chapter shall be made available for any planning or construction, directly or indirectly, of any school or other educational facility.


CHAPTER 32—THIRD PARTY LIABILITY FOR HOSPITAL AND MEDICAL CARE

Sec.
2651. Recovery by United States.
2652. Regulations.
2653. Limitation or repeal of other provisions for recovery of hospital and medical care costs.

§ 2651. Recovery by United States

(a) Conditions; exceptions; persons liable; amount of recovery; subrogation; assignment

In any case in which the United States is authorized or required by law to furnish or pay for 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) to recover from the third person or an insurer of the third person, or both, the amount equal to the total amount of the pay that accrues and is to accrue to the member during such fiscal year for all its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to be made available for such public works project.

(b) Recovery of cost of pay for member of uniformed services unable to perform duties

If a member of the uniformed services is injured, or contracts a disease, under circumstances creating a tort liability upon a third person (other than or in addition to the United States) to recover from the third person or an insurer of the third person, or both, the amount equal to the total amount of the pay that accrues and is to accrue to the member for the period for which the member is unable to perform such duties as a result of the injury or disease and is not assigned to perform other military duties.

(c) United States deemed third party beneficiary under alternative system of compensation

(1) If, pursuant to the laws of a State that are applicable in a case of a member of the uniformed services who is injured or contracts a disease as a result of tortious conduct of a third person, there is in effect for such a case (as a substitute or alternative for compensation for damages through tort liability) a system of compensation or reimbursement for expenses of hospital, medical, surgical, or dental care and treatment or for lost pay pursuant to a policy of insurance, contract, medical or hospital service agreement, or similar arrangement, the United States shall be deemed to be a third-party beneficiary of such a policy, contract, agreement, or arrangement.

(2) For the purposes of paragraph (1)—

(A) the expenses incurred or to be incurred by the United States for care and treatment for an injured or diseased member as described in subsection (a) of this section shall be deemed to have been incurred by the member; (B) the cost to the United States of the pay of the member as described in subsection (b) of this section shall be deemed to have been pay lost by the member as a result of the injury or disease; and

(C) the United States shall be subrogated to any right or claim that the injured or diseased member or the member’s guardian, personal representative, estate, dependents, or survivors have under any policy, contract, agreement, or arrangement referred to in paragraph (1) to the extent of the reasonable value of the care and treatment so furnished, to be furnished, paid for, or to be paid for 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 have against such third person to the extent of the reasonable value of the care and treatment so furnished, to be furnished, paid for, or to be paid for. 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.

(d) Enforcement procedure; intervention; joinder of parties; State or Federal court proceedings

The United States may, to enforce a right under subsections (a), (b), and (c) of this section