

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

§§ 2180, 2180a. Repealed. Pub. L. 95-424, title I, § 102(g)(1)(A), Oct. 6, 1978, 92 Stat. 942

Section 2180, Pub. L. 87-195, pt. I, § 220, as added Pub. L. 91-175, pt. I, § 104, Dec. 30, 1969, 83 Stat. 807, related to programs for peaceful communications using television, etc., for educational, health, etc., purposes.

Section 2180a, Pub. L. 87-195, pt. I, § 220A, as added Pub. L. 92-226, pt. I, § 102(c), Feb. 7, 1972, 86 Stat. 22, related to assistance in the reopening of the Suez Canal.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 605 of Pub. L. 95-424, set out as an Effective Date of 1978 Amendment note under section 2151 of this title.

SUBPART III—SHELTER AND OTHER CREDIT
GUARANTY PROGRAMS

§ 2181. Policy

The Congress recognizes that shelter, including essential urban development services, is among the most fundamental of human needs. Shelter for most people in the developing countries consists largely of domestic materials assembled by local labor. While recognizing that most financing for such shelter must come from domestic resources, the Congress finds that carefully designed programs involving United States capital and expertise can increase the availability of domestic financing for improved shelter and related services for low-income people by demonstrating to local entrepreneurs and institutions that providing low-cost shelter can be financially viable. The Congress reaffirms, therefore, that the United States should continue to assist developing countries in marshaling resources for low-cost shelter. Particular attention should be given to programs which will support pilot projects for low-cost shelter or which will have a maximum demonstration impact on local institutions and national policy. The Congress declares that the long run goal of all such programs should be to develop domestic construction capabilities and to stimulate local credit institutions to make available domestic capital and other management and technological resources required for effective low-cost shelter programs and policies.

(Pub. L. 87-195, pt. I, § 221, as added Pub. L. 91-175, pt. I, § 105, Dec. 30, 1969, 83 Stat. 807; amended Pub. L. 92-226, pt. I, § 103(a), Feb. 7, 1972, 86 Stat. 22; Pub. L. 93-189, § 5(1), Dec. 17, 1973, 87 Stat. 717; Pub. L. 93-559, § 7(1), Dec. 30, 1974, 88 Stat. 1796; Pub. L. 94-161, title III, § 311(3), Dec. 20, 1975, 89 Stat. 861; Pub. L. 95-88, title I, § 117(a)(1), Aug. 3, 1977, 91 Stat. 540; Pub. L. 95-424, title I, § 115(a), Oct. 6, 1978, 92 Stat. 950; Pub. L. 98-473, title I, § 101(1) [title V, § 541(a)], Oct. 12, 1984, 98 Stat. 1884, 1903.)

CODIFICATION

Amendment by Pub. L. 98-473 is based on section 311(a) of H.R. 5119, Ninety-eighth Congress, as passed by the House of Representatives May 10, 1984, which was enacted into permanent law by Pub. L. 98-473.

PRIOR PROVISIONS

A prior section 221 of Pub. L. 87-195, pt. I, Sept. 4, 1961, 75 Stat. 429, as amended by Pub. L. 87-565, pt. I, § 104(a), Aug. 1, 1962, 76 Stat. 256; Pub. L. 88-205, pt. I, § 104(a), Dec. 16, 1963, 77 Stat. 381; Pub. L. 88-633, pt. I, § 103(a), Oct. 7, 1964, 78 Stat. 1009; Pub. L. 89-171, pt. I, § 104(a), (b), Sept. 6, 1965, 79 Stat. 654; Pub. L. 89-583, pt. I, § 104(a), Sept. 19, 1966, 80 Stat. 798; Pub. L. 90-137, pt. I, § 104(a), Nov. 14, 1967, 81 Stat. 450; Pub. L. 90-554, pt. I, § 103, Oct. 8, 1968, 82 Stat. 960, related to general authority for foreign investment guaranties by the President, prior to the general reorganization of this subpart by Pub. L. 91-175, pt. I, § 105, Dec. 30, 1969, 83 Stat. 807.

AMENDMENTS

1984—Pub. L. 98-473 substituted “, including essential urban development services, is” for “requirements are” after “The Congress recognizes that shelter” and, in the remainder of the section substituted “shelter” for “housing” wherever appearing.

1978—Pub. L. 95-424 generally revised the statement of policy to clarify that in developing countries, financing, materials and labor for most housing must be obtained from local sources, while United States capital and technical expertise can increase the availability of housing and related services for low-income people by demonstrating financial viability of credit systems for low-cost housing.

1977—Pub. L. 95-88 struck out provisions that the total face amount of guaranties issued under this section outstanding at any one time not exceed \$430,000,000 and added section 2182(c) of this title to the enumeration of sections setting out the conditions under which guaranties shall be issued.

1975—Pub. L. 94-161 substituted “\$430,000,000” for “\$355,000,000”.

1974—Pub. L. 93-559 substituted “\$355,000,000” for “\$305,000,000”.

1973—Pub. L. 93-189 substituted “\$305,000,000” for “\$205,000,000”.

1972—Pub. L. 92-226 substituted “\$205,000,000” for “\$130,000,000”.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-424 effective Oct. 1, 1978, see section 605 of Pub. L. 95-424, set out as a note under section 2151 of this title.

USE OF FUNDS FROM SALE OF NOTES FOR DISCHARGE
OF LIABILITIES UNDER GUARANTIES; TRANSFER OF
FUNDS AND CANCELLATION OF NOTES AND INTEREST

Pub. L. 90-249, title I, § 120, Jan. 2, 1968, 81 Stat. 941, provided that: “Hereafter, none of the funds obtained or authorized to be obtained from the sale of notes under authority of paragraph 111(c)(2) of the Economic Cooperation Act of 1948 [section 1509(c)(2) of this title] or paragraph 413(b)(4)(F) of the Mutual Security Act of 1954 [section 1933(b)(4)(F) of this title] may be used for the purposes of discharging liabilities under any guaranties (exclusive of informational media guaranties) issued under sections 221(b) and 224 of the Foreign Assistance Act of 1961 [subsec. (b) of this section and section 2184 of this title], sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954 [sections 1872(b) and 1933(b)(4) of this title] and section 111(b)(3) of the Economic Cooperation Act of 1948 [section 1509(b)(3) of this title]. Any portion of the funds in the reserve established pursuant to section 222(e) of the Foreign Assistance Act of 1961 [section 2182(e) of this title] which are attributable to the funds realized from the sale of notes specified in the preceding sentence shall be transferred to the general fund of the Treasury. The Secretary of the Treasury shall cancel all such notes and sums owing and unpaid thereon, including interest to date of cancellation.”

§ 2182. Authorization for worldwide shelter guarantees

(a) Authorization to issue guarantees to eligible investors

To carry out the policy of section 2181 of this title, the President is authorized to issue guaranties to eligible investors (as defined in section 2198(c) of this title) assuring against losses incurred in connection with loans made for projects meeting the criteria set forth in section 2181 of this title. The total principal amount of guaranties issued under this subpart or heretofore issued under prior housing guaranty authorities, which are outstanding at any one time, shall not exceed \$2,558,000,000. The authority of this section shall continue through September 30, 1992. The President may issue regulations from time to time with regard to the terms and conditions upon which such guaranties shall be issued and the eligibility of lenders.

(b) Emphasis on certain activities

Activities carried out under this section shall emphasize—

- (1) projects which provide improved home sites to poor families on which to build shelter, and related services;
- (2) projects comprised of expandable core shelter units on serviced sites;
- (3) slum upgrading projects designed to conserve and improve existing shelter;
- (4) shelter projects for low-income people designed for demonstration or institution building purposes; and
- (5) community facilities and services in support of projects authorized under this section to improve the shelter occupied by the poor.

(c) Use of solar energy technology

In issuing guaranties under this section with respect to projects in a country which require the use or conservation of energy, the President shall give consideration to the use of solar energy technologies, where such technologies are economically and technically feasible. Technologies which may be used include solar hot water systems, solar heating and cooling, passive solar heating, biomass conversion, photovoltaic and wind applications, and community-scale solar thermal applications.

(k)¹ Minimum annual program levels

The total principal amount of guaranties issued under this section for each of the fiscal years 1986 and 1987 shall be comparable to the total principal amount of such guaranties issued for fiscal year 1984, subject to the dollar limitations on the issuance of guaranties under this section which are contained in subsection (a) of this section and in appropriation Acts.

(Pub. L. 87-195, pt. I, §222, as added Pub. L. 91-175, pt. I, §105, Dec. 30, 1969, 83 Stat. 807; amended Pub. L. 94-161, title III, §311(4), Dec. 20, 1975, 89 Stat. 861; Pub. L. 95-88, title I, §117(a)(2), Aug. 3, 1977, 91 Stat. 540; Pub. L. 95-424, title I, §115(a), Oct. 6, 1978, 92 Stat. 950; Pub. L. 96-53, title I, §112(a), Aug. 14, 1979, 93 Stat. 363; Pub. L. 97-113, title III, §310(a), Dec. 29, 1981, 95 Stat. 1535; Pub. L. 98-473, title I, §101(1)[title V,

§541(a)], Oct. 12, 1984, 98 Stat. 1884, 1903; Pub. L. 99-83, title III, §313(a)-(c), Aug. 8, 1985, 99 Stat. 216, 217; Pub. L. 100-202, §101(e) [title II, §201], Dec. 22, 1987, 101 Stat. 1329-131, 1329-142; Pub. L. 101-167, title II, Nov. 21, 1989, 103 Stat. 1205; Pub. L. 101-302, title II, May 25, 1990, 104 Stat. 224; Pub. L. 101-513, title II, Nov. 5, 1990, 104 Stat. 1989.)

CODIFICATION

Amendment by Pub. L. 98-473 is based on section 311(b) of H.R. 5119, Ninety-eighth Congress, as passed by the House of Representatives May 10, 1984, which was enacted into permanent law by Pub. L. 98-473.

PRIOR PROVISIONS

A prior section 222 of Pub. L. 87-195, pt. I, Sept. 4, 1961, 75 Stat. 430, as amended by Pub. L. 87-565, pt. I, §104(b), Aug. 1, 1962, 76 Stat. 257; Pub. L. 88-205, pt. I, §104(b)-(f), Dec. 16, 1963, 77 Stat. 381, 382; Pub. L. 89-171, pt. I, §104(c), Sept. 6, 1965, 79 Stat. 654; Pub. L. 89-583, pt. I, §104(b), Sept. 19, 1966, 80 Stat. 798; Pub. L. 90-137, pt. I, §104(b), Nov. 14, 1967, 81 Stat. 451, contained general provisions concerning foreign investment guaranties, prior to the general reorganization of this subpart by Pub. L. 91-175, pt. I, §105, Dec. 30, 1969, 83 Stat. 807.

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-513 substituted “1992” for “1991”.

Pub. L. 101-302 substituted “\$2,558,000,000” for “\$2,158,000,000”.

1989—Subsec. (a). Pub. L. 101-167 substituted “1991” for “1990”.

1987—Subsec. (a). Pub. L. 100-202 substituted “1990” for “1988”.

1985—Subsec. (a). Pub. L. 99-83, §313(a), (b), substituted “\$2,158,000,000” for “\$1,958,000,000” and “1988” for “1986”.

Subsec. (k). Pub. L. 99-83, §313(c), added subsec. (k). 1984—Subsec. (a). Pub. L. 98-473 substituted “\$1,958,000,000” for “\$1,718,000,000” and “1986” for “1984”.

1981—Subsec. (a). Pub. L. 97-113 increased limitation on total principal amount of outstanding guaranties to \$1,718,000,000 from \$1,555,000,000 and extended termination date for exercise of guarantee authority to Sept. 30, 1984, from Sept. 30, 1982.

1979—Subsec. (a). Pub. L. 96-53 substituted “\$1,555,000,000” for “\$1,180,000,000”, and “through September 30, 1982” for “until September 30, 1980”.

1978—Pub. L. 95-424 amended section generally to provide a new consolidated section which provides a single authorization for the worldwide housing guarantee program, a new list of the types of programs to be emphasized, increased the worldwide authorization to \$1,180,000,000, and encourages officials and governments in developing countries to consider the use of solar energy in housing projects.

1977—Subsec. (c). Pub. L. 95-88 inserted “or under section 2181 of this title” after “Latin American housing guaranty authority repealed by the Foreign Assistance Act of 1969” and substituted “\$1,030,000,000” for “\$600,000,000”.

1975—Subsec. (c). Pub. L. 94-161 substituted “\$600,000,000” for “\$550,000,000”.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-83 effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as a note under section 2151-1 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-424 effective Oct. 1, 1978, see section 605 of Pub. L. 95-424, set out as a note under section 2151 of this title.

¹ So in original. No subssecs. (d) to (j) have been enacted.