

lands, American Samoa, and the District of Columbia.

(7) The term “mortgage” means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed. The term “first mortgage” means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instruments, and, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty.

(8) The term “mortgagee” means the original lender under a mortgage, and his or its successors and assigns, and includes the holders of credit instruments issued under a trust mortgage or deed of trust pursuant to which such holders act by and through a trustee named therein.

(9) The term “mortgagor” means the original borrower under a mortgage and his or its successors and assigns.

(June 27, 1934, ch. 847, title XI, §1106, as added Pub. L. 89-754, title V, §502(a), Nov. 3, 1966, 80 Stat. 1276; amended Pub. L. 93-383, title III, §312(a)(6), (b), Aug. 22, 1974, 88 Stat. 683, 684.)

AMENDMENTS

1974—Par. (1). Pub. L. 93-383, §312(b)(1), inserted references to practice of osteopathy and authorized inclusion of podiatric care or treatment under the professional supervision of persons licensed to practice podiatry in the State.

Par. (2). Pub. L. 93-383, §312(a)(6), added par. (2). Former par. (2) redesignated (3).

Par. (3). Pub. L. 93-383, §312(a)(6), (b)(2), redesignated former par. (2) as par. (3) and inserted references to persons licensed to practice osteopathy and persons licensed to practice podiatry. Former par. (3) redesignated (4).

Par. (4). Pub. L. 93-383, §312(a)(6), (b)(3), (4), redesignated former par. (3) as par. (4) and in cls. (A) and (B) inserted references to osteopathic care and podiatric care wherever appearing. Former par. (4) redesignated (5).

Pars. (5) to (9). Pub. L. 93-383, §312(a)(6), redesignated former pars. (4) to (8) as pars. (5) to (9), respectively.

SUBCHAPTER IX—C—NATIONAL INSURANCE DEVELOPMENT PROGRAM

§§ 1749bbb to 1749bbb-2. Omitted

CODIFICATION

Sections 1749bbb to 1749bbb-2 were omitted in view of the termination of parts A to D of this subchapter by former section 1749bbb of this title.

Section 1749bbb, act June 27, 1934, ch. 847, title XII, §1201, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 556; amended Pub. L. 91-609, title VI, §602(a), Dec. 31, 1970, 84 Stat. 1788; Pub. L. 94-13, §2, Apr. 8, 1975, 89 Stat. 69; Pub. L. 95-24, title I, §104(a), Apr. 30,

1977, 91 Stat. 55; Pub. L. 95-406, §5, Sept. 30, 1978, 92 Stat. 880; Pub. L. 95-557, title III, §307(a), Oct. 31, 1978, 92 Stat. 2097; Pub. L. 96-153, title VI, §601, Dec. 21, 1979, 93 Stat. 1137; Pub. L. 97-35, title III, §342(a), Aug. 13, 1981, 95 Stat. 420; Pub. L. 97-289, §4(c), Oct. 6, 1982, 96 Stat. 1231; Pub. L. 98-35, §4(c), May 26, 1983, 97 Stat. 198; Pub. L. 98-109, §5(c), Oct. 1, 1983, 97 Stat. 746; Pub. L. 98-181, title I [title IV, §452(a), (b)(1)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 98-473, title I, §113, Oct. 12, 1984, 98 Stat. 1964; Pub. L. 99-120, §4(b), Oct. 8, 1985, 99 Stat. 503; Pub. L. 99-156, §4(b), Nov. 15, 1985, 99 Stat. 816; Pub. L. 99-219, §4(b), Dec. 26, 1985, 99 Stat. 1731; Pub. L. 99-267, §4(b), Mar. 27, 1986, 100 Stat. 74; Pub. L. 99-272, title III, §3010(b), Apr. 7, 1986, 100 Stat. 106; Pub. L. 99-289, §1(b), May 2, 1986, 100 Stat. 412; Pub. L. 99-345, §1, June 24, 1986, 100 Stat. 673; Pub. L. 99-430, Sept. 30, 1986, 100 Stat. 986; Pub. L. 100-122, §1, Sept. 30, 1987, 101 Stat. 793; Pub. L. 100-154, Nov. 5, 1987, 101 Stat. 890; Pub. L. 100-170, Nov. 17, 1987, 101 Stat. 914; Pub. L. 100-179, Dec. 3, 1987, 101 Stat. 1018; Pub. L. 100-200, Dec. 21, 1987, 101 Stat. 1327; Pub. L. 100-242, title V, §§542(a), (b), 545(a), Feb. 5, 1988, 101 Stat. 1940, 1942; Pub. L. 101-137, §6(a), (b), Nov. 3, 1989, 103 Stat. 825; Pub. L. 101-508, title II, §2301(a), (b), Nov. 5, 1990, 104 Stat. 1388-23, read as follows:

“(a) The Director is authorized to establish and carry out the programs provided for in parts A, B, C, and D of this subchapter.

“(b) The powers of the Director under part B shall terminate on November 30, 1983, and part A shall terminate on September 30, 1985, and parts C and D shall terminate on September 30, 1995, except to the extent necessary—

“(1) to continue reinsurance and direct insurance in accordance with the provisions of sections 1749bbb-9(b) and 1749bbb-10a(c) of this title until September 30, 1985, and September 30, 1996, respectively;

“(2) to process, verify, and pay claims for reinsured losses and directly insured losses and perform other necessary functions in connection therewith; and

“(3) to complete the liquidation and termination of the reinsurance and direct insurance programs.”

Section 1749bbb-1, act June 27, 1934, ch. 847, title XII, §1202, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 556; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, established an Advisory Board.

Section 1749bbb-2, act June 27, 1934, ch. 847, title XII, §1203, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 557; amended Pub. L. 91-609, title VI, §602(b), Dec. 31, 1970, 84 Stat. 1788; Pub. L. 98-181, title I [title IV, §452(b)(1), (2)], Nov. 30, 1983, 97 Stat. 1230, defined terms for this subchapter.

PART A—STATEWIDE PLANS TO ASSURE FAIR ACCESS TO INSURANCE REQUIREMENTS

§§ 1749bbb-3 to 1749bbb-6a. Omitted

CODIFICATION

Sections 1749bbb-3 to 1749bbb-6a, comprising part A of this subchapter, terminated on Sept. 30, 1985, pursuant to former section 1749bbb(b) of this title.

Section 1749bbb-3, act June 27, 1934, ch. 847, title XII, §1211, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 558; amended Pub. L. 95-557, title III, §307(b), (c), Oct. 31, 1978, 92 Stat. 2097, 2098; Pub. L. 97-35, title III, §342(b), Aug. 13, 1981, 95 Stat. 420; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to fair access to insurance requirements (FAIR plans).

Section 1749bbb-4, act June 27, 1934, ch. 847, title XII, §1212, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 560, related to all-industry placement facility.

Section 1749bbb-5, act June 27, 1934, ch. 847, title XII, §1213, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 560; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to cooperation within insurance industry.

Section 1749bbb-6, act June 27, 1934, ch. 847, title XII, §1214, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 560; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to plan evaluation and modification or waiver of plan criteria.

Section 1749bbb-6a, act June 27, 1934, ch. 847, title XII, §1215, as added Pub. L. 91-609, title VI, §603, Dec. 31, 1970, 84 Stat. 1791; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to periodic review of plans through an Office of Review and Compliance.

PART B—REINSURANCE COVERAGE

§§ 1749bbb-7 to 1749bbb-10. Omitted

CODIFICATION

Sections 1749bbb-7 to 1749bbb-10, comprising part B of this subchapter, were omitted in view of termination of powers of Director under this part on Nov. 30, 1983, pursuant to former section 1749bbb(b) of this title.

Section 1749bbb-7, act June 27, 1934, ch. 847, title XII, §1221, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 560; amended Pub. L. 91-609, title VI, §602(c), Dec. 31, 1970, 84 Stat. 1789; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to reinsurance of losses from riots or civil disorders.

Section 1749bbb-8, act June 27, 1934, ch. 847, title XII, §1222, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 561; amended Pub. L. 91-152, title IV, §405, Dec. 24, 1969, 83 Stat. 396; Pub. L. 91-609, title VI, §602(e), Dec. 31, 1970, 84 Stat. 1790; Pub. L. 95-24, title I, §104(b), Apr. 30, 1977, 91 Stat. 56; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 98-479, title II, §203(i)(1), Oct. 17, 1984, 98 Stat. 2230; Pub. L. 100-242, title V, §545(b), Feb. 5, 1988, 101 Stat. 1942, related to reinsurance agreements and premiums.

Section 1749bbb-9, act June 27, 1934, ch. 847, title XII, §1223, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 562; amended Pub. L. 91-152, title IV, §406, Dec. 24, 1969, 83 Stat. 396; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to conditions of reinsurance.

Section 1749bbb-10, act June 27, 1934, ch. 847, title XII, §1224, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 563; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to recovery of premiums, jurisdiction, and statute of limitations.

PART C—FEDERAL INSURANCE AGAINST BURGLARY AND THEFT

§§ 1749bbb-10a to 1749bbb-10d. Omitted

CODIFICATION

Sections 1749bbb-10a to 1749bbb-10d, comprising part C of this subchapter, terminated on Sept. 30, 1995, with certain exceptions, pursuant to former section 1749bbb(b) of this title.

Section 1749bbb-10a, act June 27, 1934, ch. 847, title XII, §1231, as added Pub. L. 91-609, title VI, §602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to review of market availability, Government crime insurance, and termination of insurance.

Section 1749bbb-10b, act June 27, 1934, ch. 847, title XII, §1232, as added Pub. L. 91-609, title VI, §602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, §452(b)(1), (3)], Nov. 30, 1983, 97 Stat. 1230, related to use of existing facilities and services.

Section 1749bbb-10c, act June 27, 1934, ch. 847, title XII, §1233, as added Pub. L. 91-609, title VI, §602(d), Dec. 31, 1970, 84 Stat. 1790; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to establishment of affordable rates, factors considered, uniform national rates, and periodic modification.

Section 1749bbb-10d, act June 27, 1934, ch. 847, title XII, §1234, as added Pub. L. 91-609, title VI, §602(d), Dec.

31, 1970, 84 Stat. 1790; amended Pub. L. 96-470, title II, §205(a), Oct. 19, 1980, 94 Stat. 2244; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 101-137, §6(d), Nov. 3, 1989, 103 Stat. 825, related to reports to Congress on operations.

PART D—GENERAL PROVISIONS

§§ 1749bbb-11 to 1749bbb-21. Omitted

CODIFICATION

Sections 1749bbb-11 to 1749bbb-21, comprising part D of this subchapter, terminated on Sept. 30, 1995, with certain exceptions, pursuant to former section 1749bbb(b) of this title.

Section 1749bbb-11, act June 27, 1934, ch. 847, title XII, §1241, formerly §1231, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 563; renumbered §1241 and amended Pub. L. 91-609, title VI, §602(d), (g), (h), Dec. 31, 1970, 84 Stat. 1789, 1790; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to submission of claims, judicial review, jurisdiction, and statute of limitations.

Section 1749bbb-12, act June 27, 1934, ch. 847, title XII, §1242, formerly §1232, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 563; renumbered §1242 and amended Pub. L. 91-609, title VI, §602(d), (i), Dec. 31, 1970, 84 Stat. 1789, 1790; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to fiscal intermediaries and servicing agents.

Section 1749bbb-13, act June 27, 1934, ch. 847, title XII, §1243, formerly §1233, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 564; renumbered §1243 and amended Pub. L. 91-609, title VI, §602(d), (j), Dec. 31, 1970, 84 Stat. 1789, 1790; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 98-479, title II, §203(i)(2), Oct. 17, 1984, 98 Stat. 2231; Pub. L. 100-242, title V, §545(c), Feb. 5, 1988, 101 Stat. 1942, related to National Insurance Development Fund.

Section 1749bbb-14, act June 27, 1934, ch. 847, title XII, §1244, formerly §1234, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 565; renumbered §1244 and amended Pub. L. 91-609, title VI, §602(d), (f), (k), (l), Dec. 31, 1970, 84 Stat. 1789-1791; Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to records, annual statement, and audits.

Section 1749bbb-15, act June 27, 1934, ch. 847, title XII, §1245, formerly §1235, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 565; amended Pub. L. 91-152, title IV, §407, Dec. 24, 1969, 83 Stat. 396; renumbered §1245, Pub. L. 91-609, title VI, §602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to study of reinsurance and other programs, and report to the President and Congress.

Section 1749bbb-16, act June 27, 1934, ch. 847, title XII, §1246, formerly §1236, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 565; renumbered §1246, Pub. L. 91-609, title VI, §602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to other studies and cooperation with State insurance authorities and private insurance industry.

Section 1749bbb-17, act June 27, 1934, ch. 847, title XII, §1247, formerly §1237, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 566; renumbered §1247, Pub. L. 91-609, title VI, §602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, §452(b)(1), (4)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 98-479, title II, §202(a)(2), Oct. 17, 1984, 98 Stat. 2228, related to general powers of Director.

Section 1749bbb-18, act June 27, 1934, ch. 847, title XII, §1248, formerly §1238, as added Pub. L. 90-448, title XI, §1103, Aug. 1, 1968, 82 Stat. 566; renumbered §1248, Pub. L. 91-609, title VI, §602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, §452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to utilization of services and facilities of other agencies.

Section 1749bbb-19, act June 27, 1934, ch. 847, title XII, §1249, formerly §1239, as added Pub. L. 90-448, title XI,