

March 15, 1988, except pursuant to a commitment to insure before such date.”

1987—Subsec. (f). Pub. L. 100-200 substituted “March 15, 1988” for “December 16, 1987”.

Pub. L. 100-179 substituted “December 16, 1987” for “December 2, 1987”.

Pub. L. 100-170 substituted “December 2, 1987” for “November 15, 1987”.

Pub. L. 100-154 substituted “November 15, 1987” for “October 31, 1987”.

Pub. L. 100-122 substituted “October 31, 1987” for “September 30, 1987”.

1986—Subsec. (f). Pub. L. 99-430 substituted “September 30, 1987” for “September 30, 1986”.

Pub. L. 99-345 substituted “September 30, 1986” for “June 6, 1986”.

Pub. L. 99-289 substituted “June 6, 1986” for “April 30, 1986”.

Pub. L. 99-272 made amendment identical to Pub. L. 99-219. See 1985 Amendment note below.

Pub. L. 99-267 substituted “April 30, 1986” for “March 17, 1986”.

1985—Subsec. (f). Pub. L. 99-219 substituted “March 17, 1986” for “December 15, 1985”.

Pub. L. 99-156 substituted “December 15, 1985” for “November 14, 1985”.

Pub. L. 99-120 substituted “November 14, 1985” for “September 30, 1985”.

1983—Subsec. (f). Pub. L. 98-181 substituted “September 30, 1985” for “November 30, 1983”.

Pub. L. 98-109 substituted “November 30, 1983” for “September 30, 1983”.

Pub. L. 98-35 substituted “September 30, 1983” for “May 20, 1983”.

1982—Subsec. (f). Pub. L. 97-289 substituted “May 20, 1983” for “September 30, 1982”.

1981—Subsec. (f). Pub. L. 97-35 substituted “1982” for “1981”.

1980—Subsec. (f). Pub. L. 96-399 substituted “September 30, 1981” for “October 15, 1980”.

Pub. L. 96-372 substituted “October 15, 1980” for “September 30, 1980”.

1979—Subsec. (f). Pub. L. 96-153 substituted “September 30, 1980” for “November 30, 1979”.

Pub. L. 96-105 substituted “November 30, 1979” for “October 31, 1979”.

Pub. L. 96-71 substituted “October 31, 1979” for “September 30, 1979”.

1978—Subsec. (f). Pub. L. 95-557 substituted “September 30, 1979” for “October 31, 1978”.

Pub. L. 95-406 substituted “October 31, 1978” for “September 30, 1978”.

1977—Subsec. (f). Pub. L. 95-128 substituted “September 30, 1978” for “September 30, 1977”.

Pub. L. 95-80 substituted “September 30, 1977” for “July 31, 1977”.

Pub. L. 95-60 substituted “July 31, 1977” for “June 30, 1977”.

1974—Subsec. (f). Pub. L. 93-383 substituted “June 30, 1977” for “October 1, 1974”.

1973—Subsec. (f). Pub. L. 93-117 substituted “October 1, 1974” for “October 1, 1973”.

Pub. L. 93-85 substituted “October 1, 1973” for “June 30, 1973”.

1972—Subsec. (f). Pub. L. 92-503 substituted “June 30, 1973” for “October 1, 1972”.

1970—Subsec. (b). Pub. L. 91-609, §112, inserted the proviso.

Subsec. (f). Pub. L. 91-609, §101(f), substituted “October 1, 1972” for “January 1, 1971”.

Pub. L. 91-525 substituted “January 1, 1971” for “December 1, 1970”.

Pub. L. 91-473 substituted “December 1, 1970” for “November 1, 1970”.

Pub. L. 91-432 substituted “November 1, 1970” for “October 1, 1970”.

1969—Subsec. (f). Pub. L. 91-152 substituted “October 1, 1970” for “January 1, 1970”.

Pub. L. 91-78 substituted “January 1, 1970” for “October 1, 1969”.

1967—Pub. L. 90-19, §1(a)(3), substituted “Secretary” for “Commissioner” wherever appearing in subsecs. (a) to (c) and (g)(1).

Subsec. (a). Pub. L. 90-19, §1(r)(1), substituted “Secretary of Defense” for “Secretary”.

Subsec. (b). Pub. L. 90-19, §1(r)(1), (2), substituted “Secretary of Defense” for “Secretary” wherever appearing.

Subsec. (g)(2). Pub. L. 90-19, §1(r)(3), (4), substituted “Secretary of Defense” for “Secretary” in cl. (i) and “the National Aeronautics and Space Administration” for “such Administration”, wherever appearing, respectively.

1965—Subsecs. (b), (e). Pub. L. 89-117, §1108(v), substituted “General Insurance Fund” for “Armed Services Housing Mortgage Insurance Fund” wherever appearing.

Subsec. (f). Pub. L. 89-117, §202(c), substituted “October 1, 1969” for “October 1, 1965”.

Subsec. (g). Pub. L. 89-117, §1108(v), substituted “General Insurance Fund” for “Armed Services Housing Mortgage Insurance Fund” wherever appearing.

1963—Subsec. (f). Pub. L. 88-127, §1(1), substituted “October 1, 1965” for “October 1, 1963”.

Subsec. (g)(1). Pub. L. 88-127, §1(2), substituted “or in connection with any” for “a”, struck out requirement that such installation belong to a military department of the United States on or after June 13, 1956, before its transfer to the Administration, in cl. (i), and extended cl. (ii) to include persons at any installation of the Atomic Energy Commission instead of only the one in Los Alamos County, N. Mex.

Subsec. (g)(2)(iii). Pub. L. 88-127, §1(3), extended cl. (B) to include persons at any installation of the Atomic Energy Commission instead of only the one in Los Alamos, N. Mex.

1962—Subsec. (f). Pub. L. 87-623 provided that no mortgages shall be insured under this section after October 1, 1963, except pursuant to a commitment before such date, and struck out “and the expiration date of the Commissioner’s authority to insure” after “amount of all mortgages insured”.

1960—Subsec. (g). Pub. L. 86-774 designated part of existing provisions as par. (1), inserting cl. (ii) and “in the case of any mortgage secured by property intended to provide housing for any person employed or assigned to duty at any such installation of the National Aeronautics and Space Administration, or the Chairman of the Atomic Energy Commission (or his designee), in the case of any mortgage secured by property intended to provide housing for any person employed at such installation of the Atomic Energy Commission” and striking out “in the case of mortgages referred to in this subsection” after “subsection (b) of this section”, and designated cl. (1) as par. (2)(i) and (ii), cl. (2) as par. (2)(iii), adding subpar. (B), and cl. (3) as par. (2)(iv).

Subsec. (g). Pub. L. 86-578 added subsec. (g).

1959—Subsec. (e). Pub. L. 86-372 inserted reference to subsec. (k) to section 1710 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 371 of Pub. L. 97-35, set out as an Effective Date note under section 3701 of this title.

#### TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See also Transfer of Functions notes set out under those sections.

### § 1748h-2. Insurance of mortgages for defense housing for impacted areas

#### (a) Authorization

Notwithstanding any other provision of this subchapter, the Secretary may insure and make commitments to insure any mortgage under this section which meets the eligibility requirements hereinafter set forth.

**(b) Eligibility requirements**

No mortgage shall be insured under this section unless (1) the housing which is covered by the insured mortgage is necessary in the interest of national security in order to provide adequate housing for (A) military personnel and essential civilian personnel serving or employed in connection with any installation of one of the armed services of the United States, or (B) essential personnel employed or assigned to duty at or in connection with any research or development installation of the National Aeronautics and Space Administration or of the Atomic Energy Commission, (2) there is no present intention to curtail substantially the number of such personnel assigned or to be assigned to the installation, (3) adequate housing is not available for such personnel at reasonable rentals within reasonable commuting distances of such installation, and (4) the mortgaged property will not so far as can be reasonably foreseen substantially curtail occupancy in any existing housing in the vicinity of the installation which is covered by mortgages insured under this chapter.

**(c) Economical soundness of property or project**

The Secretary may accept any mortgage for insurance under this section without regard to any requirement in any other section of this chapter that the property or project be economically sound.

**(d) Rental conditions; preferences and priorities in the sale or rental of dwellings**

The Secretary shall require each project covered by a mortgage insured under this section to be held for rental for a period of not less than five years after the project or dwelling is made available for initial occupancy or until he finds that the housing may be released from such rental condition. The Secretary shall prescribe such procedures as in his judgment are necessary to secure reasonable preference or priority in the sale or rental of dwellings covered by a mortgage insured under this section for military personnel and essential civilian employees of the armed services, employees of contractors for the armed services, and persons described in clause (1)(B) of subsection (b) of this section.

**(e) Property held by mortgagor approved by Secretary; acquisition of stock or interest; redemption**

For the purpose of providing multifamily rental housing projects or housing projects consisting of individual single-family dwellings for sale, the Secretary is authorized to insure mortgages (including advances on such mortgages during construction) which cover property held by a mortgagor approved by the Secretary. Any such mortgagor shall possess powers necessary therefor and incidental thereto and shall until the termination of all obligations of the Secretary under such insurance be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation to such extent and in such manner as to provide reasonable rentals to tenants and a reasonable return on the investment. The Secretary may make such contracts with, and acquire for not to exceed \$100 such stock or interest in, any such mortgagor as he may deem nec-

essary to render effective such restriction or regulation. Such stock or interest shall be paid for out of the General Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

**(f) Mortgage limitations for multifamily rental property or project**

To be eligible for insurance under this section, a mortgage on any multifamily rental property or project shall involve a principal obligation in an amount not to exceed, for such part of such property or project as may be attributable to dwelling use, \$9,000 per family unit without a bedroom, \$12,500 per family unit with one bedroom, \$15,000 per family unit with two bedrooms, and \$18,500 per family unit with three or more bedrooms, and not to exceed 90 per centum of the estimated value of the property or project when the proposed physical improvements are completed. The Secretary may, by regulation, increase any of the foregoing dollar amount limitations contained in this paragraph by not to exceed 45 per centum in any geographical area where he finds that cost levels so require.

**(g) Mortgage limitation for property or project constructed for eventual sale of single-family dwellings**

To be eligible for insurance under this section a mortgage on any property or project constructed for eventual sale of single-family dwellings shall involve a principal obligation in an amount not to exceed a sum computed on the basis of a separate mortgage for each single-family dwelling (irrespective of whether such dwelling has a party wall or is otherwise physically connected with another dwelling or dwellings) comprising the property or project equal to the total of each of the maximum principal obligations of such mortgages which would meet the requirements of section 1709(b)(2) of this title if the mortgagor were the owner and occupant who had made the required payment on account of the property prescribed in such paragraph.

**(h) Amortization; interest; release of part of mortgaged property from lien; replacement of certain mortgages by individual mortgages; commercial and community facilities**

Any mortgage insured under this section shall provide for complete amortization by periodic payments within such terms as the Secretary may prescribe but not to exceed the maximum term applicable to mortgages under section 1713 of this title and shall bear interest at such rate as may be agreed upon by the mortgagor and the mortgagee, except that individual mortgages of the character described in subsection (g) covering the individual dwellings in the project may have a term not in excess of the maximum term applicable to mortgages insured under section 1709 of this title or the unexpired term of the project mortgage at the time of the release of the mortgaged property from such project mortgage, whichever is the greater, and shall bear interest at such rate as may be agreed upon by the mortgagor and the mortgagee. The Secretary may consent to the release of a part or parts of the mortgaged property from the lien of the

mortgage upon such terms and conditions as he may prescribe and the mortgage may provide for such release, and a mortgage of the character described in subsection (g) of this section may provide that, at any time after the release of the project from the rental period prescribed by subsection (d), such mortgage may be replaced, in whole or in part, by individual mortgages covering each individual dwelling in the project in amounts not to exceed the unpaid balance of the blanket mortgage allocable to the individual property. Each such individual mortgage may be insured under this section. Property covered by a mortgage insured under this section may include eight or more family units and may include such commercial and community facilities as the Secretary deems adequate to serve the occupants.

**(i) Limitation on aggregate number of dwelling units**

The aggregate number of dwelling units (including all units in multifamily projects or individual dwellings) covered by outstanding commitments to insure and mortgages insured under this section shall at no time exceed five thousand dwelling units.

**(j) Applicability of other laws**

The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 1713 of this title shall be applicable to mortgages insured under this section except individual mortgages of the character described in subsection (g) of this section covering the individual dwellings in the project, and as to such individual mortgages the provisions of subsections (a), (c), (d), (e), (f), (g), (h),<sup>1</sup> (j), and (k)<sup>1</sup> of section 1710 of this title shall be applicable: *Provided*, That wherever the words “Fund” or “Mutual Mortgage Insurance Fund” appear in section 1710 of this title, such reference shall refer to the General Insurance Fund with respect to mortgages insured under this section.

**(k) Aggregate amount of mortgages insured; termination date**

The provisions of sections 1748, 1748a,<sup>1</sup> 1748b(c), 1748b(i), 1748b(j), 1748c(a), 1748c(b),<sup>1</sup> and 1748f of this title and the provisions of section 1748b(a) of this title relating to the aggregate amount of all mortgages insured under this subchapter shall be applicable to mortgages insured under this section.

(June 27, 1934, ch. 847, title VIII, § 810, as added Pub. L. 86-372, title VII, § 704(a), Sept. 23, 1959, 73 Stat. 683; amended Pub. L. 87-70, title VI, § 611(a), June 30, 1961, 75 Stat. 180; Pub. L. 87-623, § 3, Aug. 31, 1962, 76 Stat. 418; Pub. L. 88-127, § 2, Sept. 23, 1963, 77 Stat. 163; Pub. L. 88-560, title I, § 107(f), Sept. 2, 1964, 78 Stat. 776; Pub. L. 89-117, title II, § 202(c), title XI, § 1108(w), Aug. 10, 1965, 79 Stat. 466, 506; Pub. L. 90-19, § 1(a)(3), May 25, 1967, 81 Stat. 17; Pub. L. 90-448, title XVII, § 1722(f), Aug. 1, 1968, 82 Stat. 611; Pub. L. 91-78, § 2(e), Sept. 30, 1969, 83 Stat. 125; Pub. L. 91-152, title I, § 101(g), Dec. 24, 1969, 83 Stat. 379; Pub. L. 91-432, § 1(e), Oct. 2, 1970, 84 Stat. 887; Pub. L. 91-473, § 1(e), Oct. 21, 1970, 84 Stat. 1065; Pub. L.

91-525, § 1(e), Dec. 1, 1970, 84 Stat. 1384; Pub. L. 91-609, title I, § 101(g), Dec. 31, 1970, 84 Stat. 1770; Pub. L. 92-503, § 1(g), Oct. 18, 1972, 86 Stat. 906; Pub. L. 93-85, § 1(g), Aug. 10, 1973, 87 Stat. 220; Pub. L. 93-117, § 1(g), Oct. 2, 1973, 87 Stat. 421; Pub. L. 93-383, title III, §§ 304(j), 316(e), Aug. 22, 1974, 88 Stat. 678, 685; Pub. L. 95-60, § 1(f), June 30, 1977, 91 Stat. 257; Pub. L. 95-80, § 1(f), July 31, 1977, 91 Stat. 339; Pub. L. 95-128, title III, § 301(i), Oct. 12, 1977, 91 Stat. 1131; Pub. L. 95-406, § 1(i), Sept. 30, 1978, 92 Stat. 879; Pub. L. 95-557, title III, § 301(i), Oct. 31, 1978, 92 Stat. 2096; Pub. L. 96-71, § 1(i), Sept. 28, 1979, 93 Stat. 501; Pub. L. 96-105, § 1(i), Nov. 8, 1979, 93 Stat. 794; Pub. L. 96-153, title III, § 301(i), Dec. 21, 1979, 93 Stat. 1112; Pub. L. 96-372, § 1(i), Oct. 3, 1980, 94 Stat. 1363; Pub. L. 96-399, title III, § 301(i), Oct. 8, 1980, 94 Stat. 1639; Pub. L. 97-35, title III, § 331(h)(2), Aug. 13, 1981, 95 Stat. 413; Pub. L. 97-289, § 1(i), Oct. 6, 1982, 96 Stat. 1230; Pub. L. 98-35, § 1(i), May 26, 1983, 97 Stat. 197; Pub. L. 98-109, § 1(i), Oct. 1, 1983, 97 Stat. 745; Pub. L. 98-181, title I [title IV, § 401(h)], Nov. 30, 1983, 97 Stat. 1208; Pub. L. 99-120, § 1(h)(2), Oct. 8, 1985, 99 Stat. 503; Pub. L. 99-156, § 1(h)(2), Nov. 15, 1985, 99 Stat. 816; Pub. L. 99-219, § 1(h)(2), Dec. 26, 1985, 99 Stat. 1731; Pub. L. 99-267, § 1(i)(2), Mar. 27, 1986, 100 Stat. 74; Pub. L. 99-272, title III, § 3007(h)(2), Apr. 7, 1986, 100 Stat. 105; 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 IV, §§ 401(a)(6), 429(k), Feb. 5, 1988, 101 Stat. 1898, 1919.)

REFERENCES IN TEXT

The General Insurance Fund, referred to in text, was established by section 1735c of this title.

Subsection (h) of section 1710 of this title, referred to in subsec. (j), was redesignated subsec. (i) by Pub. L. 105-276, title VI, § 602(1), Oct. 21, 1998, 112 Stat. 2674.

Subsection (k) of section 1710 of this title, referred to in subsec. (j), was repealed by Pub. L. 105-276, title VI, § 601(c), Oct. 21, 1998, 112 Stat. 2673.

Sections 1748a and 1748c of this title, referred to in subsec. (k), were repealed by Pub. L. 89-117, title XI, § 1108 (aa), Aug. 10, 1965, 79 Stat. 507.

PRIOR PROVISIONS

A prior section 810 of title VIII of act June 27, 1934, ch. 847, as added Sept. 1, 1951, ch. 378, title VI, § 601(d), 65 Stat. 313, which related to mortgage on housing constructed for personnel of the Atomic Energy Commission, was classified to section 1748g-1 of this title.

AMENDMENTS

1988—Subsec. (h). Pub. L. 100-242, § 429(k), substituted “at such rate as may be agreed upon by the mortgagor and the mortgagee” for “(exclusive of premium charges for insurance) at not to exceed the rate applicable to mortgages insured under section 1713 of this title” and “such rate as may be agreed upon by the mortgagor and the mortgagee” for “not to exceed the rate applicable to mortgages insured under section 1709 of this title”.

Subsec. (k). Pub. L. 100-242, § 401(a)(6), struck out “No more mortgages shall be insured under this section after March 15, 1988, except pursuant to a commitment to insure before such date.”

1987—Subsec. (k). Pub. L. 100-200 substituted “March 15, 1988” for “December 16, 1987”.

<sup>1</sup> See References in Text note below.

Pub. L. 100-179 substituted "December 16, 1987" for "December 2, 1987".

Pub. L. 100-170 substituted "December 2, 1987" for "November 15, 1987".

Pub. L. 100-154 substituted "November 15, 1987" for "October 31, 1987".

Pub. L. 100-122 substituted "October 31, 1987" for "September 30, 1987".

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Pub. L. 99-345 substituted "September 30, 1986" for "June 6, 1986".

Pub. L. 99-289 substituted "June 6, 1986" for "April 30, 1986".

Pub. L. 99-272 made amendment identical to Pub. L. 99-219. See 1985 Amendment note below.

Pub. L. 99-267 substituted "April 30, 1986" for "March 17, 1986".

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Pub. L. 99-156 substituted "December 15, 1985" for "November 14, 1985".

Pub. L. 99-120 substituted "November 14, 1985" for "September 30, 1985".

1983—Subsec. (k). Pub. L. 98-181 substituted "September 30, 1985" for "November 30, 1983".

Pub. L. 98-109 substituted "November 30, 1983" for "September 30, 1983".

Pub. L. 98-35 substituted "September 30, 1983" for "May 20, 1983".

1982—Subsec. (k). Pub. L. 97-289 substituted "May 20, 1983" for "September 30, 1982".

1981—Subsec. (k). Pub. L. 97-35 substituted "1982" for "1981".

1980—Subsec. (k). Pub. L. 96-399 substituted "September 30, 1981" for "October 15, 1980".

Pub. L. 96-372 substituted "October 15, 1980" for "September 30, 1980".

1979—Subsec. (k). Pub. L. 96-153 substituted "September 30, 1980" for "November 30, 1979".

Pub. L. 96-105 substituted "November 30, 1979" for "October 31, 1979".

Pub. L. 96-71 substituted "October 31, 1979" for "September 30, 1979".

1978—Subsec. (k). Pub. L. 95-557 substituted "September 30, 1979" for "October 31, 1978".

Pub. L. 95-406 substituted "October 31, 1978" for "September 30, 1978".

1977—Subsec. (k). Pub. L. 95-128 substituted "September 30, 1978" for "September 30, 1977".

Pub. L. 95-80 substituted "September 30, 1977" for "July 31, 1977".

Pub. L. 95-60 substituted "July 31, 1977" for "June 30, 1977".

1974—Subsec. (f). Pub. L. 93-383, §304(j)(1), struck out "(1) not to exceed \$5,000,000 or (2)" after "in an amount".

Subsec. (g). Pub. L. 93-383, §304(j)(2), struck out "not to exceed \$5,000,000 and" after "in an amount".

Subsec. (k). Pub. L. 93-383, §316(e), substituted "June 30, 1977" for "October 1, 1974".

1973—Subsec. (k). Pub. L. 93-117 substituted "October 1, 1974" for "October 1, 1973".

Pub. L. 93-85 substituted "October 1, 1973" for "June 30, 1973".

1972—Subsec. (k). Pub. L. 92-503 substituted "June 30, 1973" for "October 1, 1972".

1970—Subsec. (k). Pub. L. 91-609 substituted "October 1, 1972" for "January 1, 1971".

Pub. L. 91-525 substituted "January 1, 1971" for "December 1, 1970".

Pub. L. 91-473 substituted "December 1, 1970" for "November 1, 1970".

Pub. L. 91-432 substituted "November 1, 1970" for "October 1, 1970".

1969—Subsec. (k). Pub. L. 91-152 substituted "October 1, 1970" for "January 1, 1970".

Pub. L. 91-78 substituted "January 1, 1970" for "October 1, 1969".

1968—Subsec. (e). Pub. L. 90-448 substituted "mortgagor approved by the Secretary" for "private corpora-

tion, association, cooperative society, or trust" in first sentence, and "mortgagor" for "corporation, association, cooperative society, or trust" in third and fourth sentences.

1967—Pub. L. 90-19 substituted "Secretary" for "Commissioner" wherever appearing in subsecs. (a), (c) to (f), and (h).

1965—Subsec. (e). Pub. L. 89-117, §1108(w)(1), substituted "General Insurance Fund" for "Armed Services Housing Mortgage Insurance Fund".

Subsec. (j). Pub. L. 89-117, §1108(w)(2), (3), struck out reference to subsecs. (m) and (p) of section 1713 of this title and, in proviso, substituted "General Insurance Fund" for "Armed Services Housing Mortgage Insurance Fund" and struck out reference to the appearance of "Housing Insurance Fund" in sections 1710 and 1713 of this title and the appearance of "Fund" or "Mutual Mortgage Insurance Fund" in section 1713 of this title.

Subsec. (k). Pub. L. 89-117, §202(c), substituted "October 1, 1969" for "October 1, 1965".

1964—Subsec. (f). Pub. L. 88-560 changed limits on mortgages for multifamily rental property or project, in cl. (2) of the first sentence from "\$2,500 per room (or \$9,000 per family unit if the number of rooms in such property or project is less than four per family unit)" to "\$9,000 per family unit without a bedroom, \$12,500 per family unit with one bedroom, \$15,000 per family unit with two bedrooms, and \$18,500 per family unit with three or more bedrooms"; and, in the second sentence, inserted ", by regulation," and substituted provisions authorizing an increase "by not to exceed 45 per centum" of any of such limits because of cost levels for former provision authorizing such an increase "by not to exceed \$1,000 per room", respectively.

1963—Subsec. (b)(1). Pub. L. 88-127, §2(1), included essential personnel employed or assigned to duty at or in connection with any research or development installation of the National Aeronautics and Space Administration or of the Atomic Energy Commission.

Subsec. (d). Pub. L. 88-127, §2(2), included persons described in cl. (1)(B) of subsec. (b) of this section.

Subsec. (k). Pub. L. 88-127, §2(3), substituted "October 1, 1965" for "October 1, 1963".

1962—Subsec. (k). Pub. L. 87-623 provided that no mortgages shall be insured under this section after October 1, 1963, except pursuant to a commitment before such date, and struck out "and the expiration date of the Commissioner's authority to insure" after "amount of all mortgages insured".

1961—Subsec. (b). Pub. L. 87-70, §611(a)(1), struck out provisions which required certification by Secretary of Defense or his designee.

Subsec. (d). Pub. L. 87-70, §611(a)(2), struck out provisions which related to certification and advice of Secretary of Defense or his designee.

Subsec. (l). Pub. L. 87-70, §611(a)(3), repealed subsec. (l) which required Secretary of Defense to guarantee Armed Services Housing Mortgage Insurance Fund from loss.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 371 of Pub. L. 97-35, set out as an Effective Date note under section 3701 of this title.

#### TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See, also, Transfer of Functions notes set out under those sections.

#### AMENDMENTS TO PROVISIONS FOR FAMILY UNIT LIMITS ON RENTAL HOUSING; EQUITABLE APPLICATION OF SUCH AMENDMENTS OR PRE-AMENDMENT PROVISIONS TO PROJECTS SUBMITTED FOR CONSIDERATION PRIOR TO SEPTEMBER 2, 1964

Equitable application of amendment to subsec. (f) of this section by section 107(f) of Pub. L. 88-560 or pre-amendment provisions to projects submitted for con-

sideration prior to Sept. 2, 1964, see section 107(g) of Pub. L. 88-560, set out as a note under section 1713 of this title.

**§ 1748h-3. Payments in lieu of taxes; limitations; exemption from taxation**

(a) The Secretary is authorized to make payments in lieu of taxes on any real property to which title has been or is hereafter acquired by him in fee under section 1748b of this title as effective prior to August 11, 1955, and on which taxes or payments in lieu of such taxes were payable or paid prior to acquisition by the Secretary. Such payments may be made in connection with tax years occurring prior to or subsequent to October 5, 1962. The amount of any such payments shall not exceed taxes on similar property and shall not include interest or penalties. If the Secretary has acquired or hereafter acquires title in fee to real property by foreclosure or by transfer from some other department or agency of the Government or otherwise during a tax year, he may make a payment in lieu of taxes prorated for that portion of the year remaining after his acquisition of title. This subsection shall not authorize any lien against property held by the Secretary, nor the payment of any tax, nor any payment in lieu of any tax, on any interest of the Secretary as lessee or mortgagee.

(b) Nothing in this subchapter shall be construed to exempt any real property which has been or is hereafter acquired and held by the Secretary under section 1748h-1 or 1748h-2 of this title from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

(June 27, 1934, ch. 847, title VIII, §811, as added Pub. L. 87-756, Oct. 5, 1962, 76 Stat. 751; amended Pub. L. 90-19, §1(a)(3), May 25, 1967, 81 Stat. 17.)

AMENDMENTS

1967—Subsecs. (a), (b). Pub. L. 90-19 substituted “Secretary” for “Commissioner” wherever appearing.

**§ 1748i. Omitted**

CODIFICATION

Section, act Sept. 28, 1951, ch. 434, title V, §505, 65 Stat. 365, related to appropriation and expenditure of funds for acquisition of land, installation of outside utilities, and site preparation for housing projects constructed under this subchapter.

SUBCHAPTER IX—HOUSING FOR  
EDUCATIONAL INSTITUTIONS

**§§ 1749 to 1749c. Repealed. Pub. L. 99-498, title VII, § 702, Oct. 17, 1986, 100 Stat. 1545**

Section 1749, acts Apr. 20, 1950, ch. 94, title IV, §401, 64 Stat. 77; June 30, 1953, ch. 170, §24(b), 67 Stat. 128; Aug. 2, 1954, ch. 649, title VIII, §808(b), 68 Stat. 646; Aug. 11, 1955, ch. 783, title III, §301, 69 Stat. 644; Aug. 7, 1956, ch. 1029, title VI, §601, 70 Stat. 1113; July 12, 1957, Pub. L. 85-104, title VI, §601(a), 71 Stat. 303; Sept. 23, 1959, Pub. L. 86-372, title VI, §§601, 603(b), 73 Stat. 681, 682; Sept. 14, 1960, Pub. L. 86-788, §2(b), 74 Stat. 1028; June 30, 1961, Pub. L. 87-70, title IV, §401, 75 Stat. 172; Aug. 10, 1965, Pub. L. 89-117, title VI, §§601, 602, 604(b), 79 Stat. 489; May 24, 1966, Pub. L. 89-429, §3(b), 80 Stat. 166; Nov. 3, 1966, Pub. L. 89-754, title X, §1014(b), 80 Stat. 1292; May 25, 1967, Pub. L. 90-19, §8(a), 81 Stat. 22; Aug. 1, 1968, Pub. L. 90-448, title XVII, §1705(b)-(e), (g)(1), 82

Stat. 604, 605; Dec. 24, 1969, Pub. L. 91-152, title II, §219, 83 Stat. 390; July 24, 1970, Pub. L. 91-351, title VII, §710, 84 Stat. 463; Dec. 31, 1970, Pub. L. 91-609, title II, §205, 84 Stat. 1777; Oct. 17, 1984, Pub. L. 98-479, title II, §203(e)(1), 98 Stat. 2230, authorized Federal loans and grants to assist educational institutions in providing housing and other educational facilities for students and faculties.

Section 1749a, acts Apr. 20, 1950, ch. 94, title IV, §402, 64 Stat. 78; Sept. 23, 1959, Pub. L. 86-372, title VI, §602, 73 Stat. 681; May 25, 1967, Pub. L. 90-19, §8(a), (b), 81 Stat. 22; Jan. 2, 1975, Pub. L. 93-604, title VII, §705(b), 88 Stat. 1964; Oct. 31, 1983, Pub. L. 98-139, title III, §308, 97 Stat. 895; Oct. 17, 1984, Pub. L. 98-479, title II, §§201(d)(1), 203(e)(2)-(4), 204(d), 98 Stat. 2228, 2230, 2233; Nov. 8, 1984, Pub. L. 98-619, title III, §308, 98 Stat. 3329; Dec. 12, 1985, Pub. L. 99-178, title III, §307, 99 Stat. 1128; Oct. 18, 1986, Pub. L. 99-500, §101(i) [H.R. 5233, title III, §307], 100 Stat. 1783-287, and Oct. 30, 1986, Pub. L. 99-591, §101(i) [H.R. 5233, title III, §307], 100 Stat. 3341-287; Dec. 22, 1987, Pub. L. 100-202, §106, 101 Stat. 1329-433, related to powers and duties of Secretary in carrying out subchapter.

Section 1749b, acts Apr. 20, 1950, ch. 94, title IV, §403, 64 Stat. 80; June 30, 1961, Pub. L. 87-70, title IV, §402, 75 Stat. 173; Aug. 1, 1968, Pub. L. 90-448, title XVII, §1705(f), 82 Stat. 604, related to apportionment of funds.

Section 1749c, acts Apr. 20, 1950, ch. 94, title IV, §404, 64 Stat. 80; Aug. 11, 1955, ch. 783, title III, §§302, 303, 69 Stat. 645; July 12, 1957, Pub. L. 85-104, title VI, §601(b), 71 Stat. 304; Sept. 23, 1959, Pub. L. 86-372, title VI, §603(a), 73 Stat. 682; June 30, 1961, Pub. L. 87-70, title IV, §403, 75 Stat. 173; Sept. 2, 1964, Pub. L. 88-560, title X, §1002, 78 Stat. 806; Aug. 10, 1965, Pub. L. 89-117, title VI, §§603, 604(a), 79 Stat. 489; Nov. 3, 1966, Pub. L. 89-754, title X, §1014(a), 80 Stat. 1292; May 25, 1967, Pub. L. 90-19, §8(a), (c), 81 Stat. 22; Aug. 1, 1968, Pub. L. 90-448, title XVII, §1705(g)(2)-(7), 82 Stat. 605; Oct. 17, 1984, Pub. L. 98-479, title II, §201(d)(2), 98 Stat. 2228, defined terms used in subchapter.

**§ 1749d. Cost of inspections and of providing representatives**

On and after December 19, 1963, necessary expenses of inspections and of providing representatives at the site of projects being planned or undertaken by local public agencies pursuant to title I of the Housing Act of 1949, as amended [42 U.S.C. 1450 et seq.], projects financed through loans to educational institutions authorized by this subchapter, projects and facilities financed by loans to public agencies pursuant to title II of the Housing Amendments of 1955, as amended [42 U.S.C. 1491 et seq.], urban planning financed through grants to State and local government agencies pursuant to chapter 35 of title 40, and reserves of planned public works financed through advances to municipalities and other public agencies pursuant to chapter 35 of title 40, as amended, shall be compensated by such agencies or institutions by the payment of fixed fees which in the aggregate will cover the costs of rendering such services, and expenses for such purpose shall be considered nonadministrative; and for the purpose of providing such inspections, the Secretary of Housing and Urban Development may utilize any agency and such agency may accept reimbursement or payment for such services from such institutions, or the Secretary, and shall credit such amounts to the appropriations or funds against which such charges have been made.

(Pub. L. 88-215, title I, Dec. 19, 1963, 77 Stat. 437; Pub. L. 89-174, §5, Sept. 9, 1965, 79 Stat. 669.)