

jectives and which assure that, if any rehabilitation proposed to be assisted under this section would affect property that is included or is eligible for inclusion on the National Register of Historic Places, such activity shall not be undertaken unless (1) it will reasonably meet the standards for rehabilitation issued by the Secretary of the Interior and the appropriate State historic preservation officer is afforded the opportunity to comment on the specific rehabilitation plan, or (2) the Advisory Council on Historic Preservation is afforded an opportunity to comment on cases for which the recipient of assistance, in consultation with the State historic preservation officer, determines that the proposed rehabilitation activity cannot reasonably meet such standards or would adversely affect historic property as defined therein.

(July 15, 1949, ch. 338, title V, § 533, as added Pub. L. 98-181, title I [title V, § 522], Nov. 30, 1983, 97 Stat. 1250; amended Pub. L. 100-242, title III, § 310, 316(g), Feb. 5, 1988, 101 Stat. 1896, 1898; Pub. L. 101-625, title VII, § 717, Nov. 28, 1990, 104 Stat. 4296; Pub. L. 102-550, title VII, §§ 706(1), 711, Oct. 28, 1992, 106 Stat. 3835, 3840; Pub. L. 105-276, title V, § 550(e), Oct. 21, 1998, 112 Stat. 2610; Pub. L. 105-362, title I, § 101(h), Nov. 10, 1998, 112 Stat. 3281.)

REFERENCES IN TEXT

Public Law 88-352, referred to in subsec. (e)(1)(C), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended, known as the Civil Rights Act of 1964, which is classified principally to subchapters II to IX (§2000a et seq.) of chapter 21 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

Public Law 90-284, referred to in subsec. (e)(1)(C), is Pub. L. 90-284, Apr. 11, 1968, 82 Stat. 73, as amended, known as the Civil Rights Act of 1968. For complete classification of this Act to the Code, see Short Title note set out under section 3601 of this title and Tables.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-276 substituted “tenant-based assistance as provided under section 1437f of this title” for “assistance payments as provided by section 1437f(o) of this title” in concluding provisions.

Subsec. (j). Pub. L. 105-362 struck out subsec. (j) which read as follows: “Not later than 180 days after the close of each fiscal year in which assistance under this section is furnished, the Secretary shall submit to the Congress a report which shall contain—

“(1) a description of the progress made in accomplishing the objectives of this section; and

“(2) a summary of the use of such funds during the preceding year.

The Secretary shall require grantees under this section to submit to him such reports, and other information as may be necessary in order for the Secretary to make the report required by this subsection.”

1992—Subsec. (a). Pub. L. 102-550, §§ 706(1), 711(1)(B), in concluding provisions, inserted reference to section 1490r of this title and “or replaced” after “rehabilitated”.

Subsec. (a)(1), (2). Pub. L. 102-550, § 711(1)(A), inserted “or replace” after “rehabilitate”.

Subsec. (b). Pub. L. 102-550, § 711(2)(A), substituted “Preservation programs” for “Rehabilitation programs” in introductory provisions.

Subsec. (b)(2). Pub. L. 102-550, § 711(2)(E), added par. (2). Former par. (2) redesignated (3).

Subsec. (b)(3). Pub. L. 102-550, § 711(2)(D), redesignated par. (2) as (3). Former par. (3) redesignated (4).

Pub. L. 102-550, § 711(2)(B), inserted “or replacement” after “rehabilitation” in two places.

Subsec. (b)(4). Pub. L. 102-550, § 711(2)(D), redesignated par. (3) as (4). Former par. (4) redesignated (5).

Pub. L. 102-550, § 711(2)(C), substituted “repair, rehabilitation, and replacement” for “repair and rehabilitation”.

Subsec. (b)(5) to (7). Pub. L. 102-550, § 711(2)(D), redesignated pars. (4) to (6) as (5) to (7), respectively.

Subsec. (c)(1). Pub. L. 102-550, § 711(3), substituted “grant funds under this section” for “rehabilitation grant funds” in introductory provisions.

Subsec. (d)(1). Pub. L. 102-550, § 711(4)(A), substituted “preservation program” for “rehabilitation program”.

Subsec. (d)(3)(A), (B), (D). Pub. L. 102-550, § 711(4)(B), substituted “repair, rehabilitation, and replacement” for “repair and rehabilitation”.

Subsec. (d)(4). Pub. L. 102-550, § 711(4)(C), inserted “, or replacement,” after “rehabilitation”.

Subsec. (d)(5). Pub. L. 102-550, § 711(4)(D), added par. (5).

1990—Subsec. (c)(1). Pub. L. 101-625, § 717(a), inserted at end “Funds obligated, but subsequently unspent and deobligated, may remain available, to the extent provided in appropriations Acts, for use as housing preservation grants in ensuing fiscal years.”

Subsec. (g). Pub. L. 101-625, § 717(b), substituted last sentence for “Any amounts which became available as a result of actions under this subsection shall be reallocated in the year in which they become available to such grantee or grantees as the Secretary may determine.”

1988—Subsec. (e)(1)(B)(iii). Pub. L. 100-242, § 316(g)(1), inserted “to” before “refuse”.

Subsec. (g). Pub. L. 100-242, § 316(g)(2), substituted “low income families or persons and very low-income families or persons” for “persons of low income and very low-income”.

Subsec. (h). Pub. L. 100-242, § 310, designated existing provisions as par. (1) and added par. (2).

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by title V of Pub. L. 105-276 effective and applicable beginning upon Oct. 1, 1999, except as otherwise provided, with provision that Secretary may implement amendment before such date, except to extent that such amendment provides otherwise, and with savings provision, see section 503 of Pub. L. 105-276, set out as a note under section 1437 of this title.

RURAL RENTAL REHABILITATION DEMONSTRATION

Pub. L. 100-242, title III, § 311, Feb. 5, 1988, 101 Stat. 1896, as amended by Pub. L. 100-628, title X, § 1044, Nov. 7, 1988, 102 Stat. 3273; Pub. L. 101-137, § 7(d), Nov. 3, 1989, 103 Stat. 826; Pub. L. 101-144, title II, Nov. 9, 1989, 103 Stat. 846; Pub. L. 105-362, title VII, § 701(f), Nov. 10, 1998, 112 Stat. 3287, directed Secretary of Housing and Urban Development to carry out a rural rental rehabilitation demonstration program, provided funding for program, and terminated authority for such program after Sept. 30, 1991.

§ 1490n. Review of rules and regulations

(a) Publication for public comment in Federal Register

Notwithstanding any other provision of law, no rule or regulation pursuant to this subchapter may become effective unless it has first been published for public comment in the Federal Register for at least 60 days, and published in final form for at least 30 days.

(b) Transmittal to Congressional committee members prior to publication in Federal Register

The Secretary shall transmit to the chairman and ranking Member of the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and

Urban Affairs of the House, all rules and regulations at least 15 days before they are sent to the Federal Register for purposes of subsection (a).

(c) Rules and regulations issued on emergency basis

The provisions of this section shall not apply to a rule or regulation which the Secretary certifies is issued on an emergency basis.

(d) Regulatory authority

The Secretary shall include with each rule or regulation required to be transmitted to the Committees under this section a detailed summary of all changes required by the Office of Management and Budget that prohibit, modify, postpone, or disapprove such rule or regulation in whole or part.

(July 15, 1949, ch. 338, title V, § 534, as added Pub. L. 98-181, title I [title V, § 523], Nov. 30, 1983, 97 Stat. 1254; amended Pub. L. 100-242, title V, § 563(b), Feb. 5, 1988, 101 Stat. 1944.)

AMENDMENTS

1988—Subsec. (d). Pub. L. 100-242 added subsec. (d).

CHANGE OF NAME

Committee on Banking, Finance and Urban Affairs of House of Representatives treated as referring to Committee on Banking and Financial Services of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

§ 1490o. Reciprocity in approval of housing subdivisions among Federal agencies

(a) Administrative approval of housing subdivisions

The Secretary of Agriculture, the Secretary of Housing and Urban Development, and the Secretary of Veterans Affairs shall each accept an administrative approval of any housing subdivision made by any of the others so that not later than January 1, 1984, there is total reciprocity for housing subdivision approvals among the agencies which they head.

(b) Certificates of reasonable value for one or more properties as constituting administrative approval of subdivision

For purposes of complying with subsection (a), the Secretary of Housing and Urban Development shall consider the issuance by the Secretary of Veterans Affairs of a certificate of reasonable value for 1 or more properties in a subdivision to be an administrative approval for the entire subdivision. This subsection shall not apply after September 30, 1994.

(c) Report to Congress

Before the expiration of the period referred to in subsection (b), the Secretary of Housing and Urban Development shall report to the Congress on housing subdivision approval policies and practices, if any, of the Departments of Housing and Urban Development and Agriculture and the

Department of Veterans Affairs. The report shall focus on the administration of environmental laws in connection with any such policies and practices, and shall recommend any statutory, regulatory, and administrative changes needed to achieve total reciprocity for such housing subdivision approvals. The Secretary of Housing and Urban Development shall consult with the foregoing agencies, and such other agencies as the Secretary selects, in preparing the report.

(d) Approval by local, county, or State agencies

For loans made under this subchapter, the Secretary may accept subdivisions that have been approved by local, county, or State agencies.

(July 15, 1949, ch. 338, title V, § 535, as added Pub. L. 98-181, title I [title V, § 523], Nov. 30, 1983, 97 Stat. 1254; amended Pub. L. 100-628, title X, § 1067, Nov. 7, 1988, 102 Stat. 3276; Pub. L. 101-235, title III, § 303, Dec. 15, 1989, 103 Stat. 2044; Pub. L. 101-625, title VII, § 718(a), Nov. 28, 1990, 104 Stat. 4297; Pub. L. 102-54, § 13(q)(5), June 13, 1991, 105 Stat. 280; Pub. L. 102-550, title VII, § 716(a), (c), Oct. 28, 1992, 106 Stat. 3842; Pub. L. 103-120, § 8(a), Oct. 27, 1993, 107 Stat. 1151.)

AMENDMENTS

1993—Subsec. (b). Pub. L. 103-120 substituted “September 30, 1994” for “June 15, 1993”.

1992—Subsec. (b). Pub. L. 102-550, § 716(a), inserted last sentence and struck out former last sentence which read as follows: “This subsection shall not apply after the expiration of the 18-month period beginning on December 15, 1989.”

Subsec. (d). Pub. L. 102-550, § 716(c), added subsec. (d).

1991—Subsecs. (a), (b). Pub. L. 102-54, § 13(q)(5)(A), substituted “Secretary of Veterans Affairs” for “Administrator of Veterans’ Affairs”.

Subsec. (c). Pub. L. 102-54, § 13(q)(5)(B), substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

1990—Subsec. (b). Pub. L. 101-625 substituted “18-month period” for “6-month period”.

1989—Subsec. (b). Pub. L. 101-235 substituted “6-month period beginning on December 15, 1989” for “1-year period beginning on November 7, 1988”.

1988—Pub. L. 100-628 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

RETROACTIVITY OF APPROVAL OF HOUSING SUBDIVISIONS AMONG FEDERAL AGENCIES

Pub. L. 103-120, § 8(b), Oct. 27, 1993, 107 Stat. 1151, provided that: “An administrative approval of a housing subdivision made after June 15, 1993, and before the date of the enactment of this Act [Oct. 27, 1993] is approved and shall be considered to have been lawfully made, but only if otherwise made in accordance with the provisions of section 535(b) of the Housing Act of 1949 [42 U.S.C. 1490o(b)].”

Pub. L. 102-550, title VII, § 716(b), Oct. 28, 1992, 106 Stat. 3842, provided that: “Any administrative approval of any housing subdivision made after the expiration of the 18-month period beginning on the date of the enactment of the Department of Housing and Urban Development Reform Act of 1989 [Dec. 15, 1989] and before the date of the enactment of this Act [Oct. 28, 1992] is approved and shall be considered to have been lawfully made, but only if otherwise made in accordance with the provisions of section 535(b) of the Housing Act of 1949 [42 U.S.C. 1490o(b)].”

Pub. L. 101-625, title VII, § 718(b), Nov. 28, 1990, 104 Stat. 4297, provided that: “Any administrative approval of any housing subdivision made after the expiration of the 6-month period beginning on the date of the enact-