

Title VIII of the National Housing Act is classified generally to subchapter VIII (§1748 et seq.) of chapter 13 of Title 12, Banks and Banking. For complete classification of this Act to the Code, see section 1701 of Title 12 and Tables.

#### CODIFICATION

In subsec. (c)(1), “section 3113 of title 40” substituted for “the Act of August 1, 1888 (25 Stat. 357; 40 U.S.C. 257), as amended”, in subsec. (c)(2), “section 3114(a) to (d) of title 40” substituted for “the first section of the Act of February 26, 1931 (46 Stat. 1421)”, “sections 3114 to 3116 and 3118 of title 40” substituted for “the Act of February 26, 1931 (46 Stat. 1421)” and for “such Act of February 26, 1931”, and, in subsec. (d), “sections 3111 and 3112 of title 40” substituted for “section 355 of the Revised Statutes, as amended”, on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

#### AMENDMENTS

1967—Subsec. (a). Pub. L. 90-19, §12(e)(1)-(3), (h)(4), substituted “Secretary of Housing and Urban Development” for “Federal Housing Commissioner” wherever appearing in first sentence, “Secretary of Housing and Urban Development’s” for “Federal Housing Commissioner’s”, “Secretary of Housing and Urban Development” for “Commissioner” wherever appearing in second sentence, and “Secretary of Defense” for “Secretary” in proviso, respectively.

Subsec. (c)(2). Pub. L. 90-19, §12(e)(1), (h)(5), substituted “Secretary of Housing and Urban Development” for “Federal Housing Commissioner” wherever appearing and “Secretary of Defense” for “Secretary” in penultimate sentence, respectively.

Subsec. (e). Pub. L. 90-19, §12(h)(6), substituted “Secretary of Defense” for “Secretary”.

1964—Subsec. (a). Pub. L. 88-560 authorized acquisition of housing on or adjacent to a military installation completed prior to July 1, 1952, considered necessary to meet existing military family need, considered military housing by the Federal Housing Commissioner, and financed with mortgages insured under section 608 of the National Housing Act, including adjacent property constructed primarily to provide commercial facilities for the occupants of such housing.

1962—Subsec. (f). Pub. L. 87-554 struck out provision for deposit in the revolving fund of amounts equal to the quarters allowances or appropriate allotments of military personnel to whom housing is assigned as public quarters and rental charges for leasing of housing to military and civilian personnel.

Subsec. (g). Pub. L. 87-554 repealed subsec. (g) creating the revolving fund, enumerating uses of the fund and requiring the deposit in the fund of specified quarters allowances or allotments, rental charges and savings realized in operation of housing.

Subsec. (h). Pub. L. 87-554 repealed subsec. (h) requiring the establishment of the revolving fund on the books of the Treasury Department, limiting appropriation authorization for revolving fund capital to \$50,000,000 and permitting the transfer of certain funds to provide adequate capital for the fund.

1959—Subsec. (a). Pub. L. 86-372, §702(a), authorized acquisition of any housing situated adjacent to a military installation which was completed prior to July 1, 1952, certified by the Department of Defense, prior to construction, as being necessary to meet an existing military family housing need and considered as military housing by the Federal Housing Commissioner, and financed with mortgages insured under section 207 of the National Housing Act.

Subsec. (b). Pub. L. 86-372, §702(b), substituted “any housing described in clause (1) or (2) of subsection (a) of this section” for “any housing constructed under the mortgage insurance provisions of sections 1748 to 1748h of title 12 (as in effect prior to Aug. 11, 1955)”.

Subsec. (c)(2). Pub. L. 86-372, §703, required the amount of the deposit in any case where the sponsor or

owner has not certified the cost of the project to be determined with a view toward accurately estimating the equity of the sponsor or owner.

Pub. L. 86-149 required the amount of the deposit to be not less than an amount equal to the actual cost of the housing as certified reduced by the amount of the principal obligation of the mortgage outstanding at the time possession is surrendered, provided for determination of amount of deposit in cases where cost has not been certified, and required payment of 4 percent interest where money has been withdrawn in excess of final award of just compensation.

1958—Subsec. (c). Pub. L. 85-685 inserted provisions authorizing issue of just compensation to be determined by a commission of three qualified, disinterested persons to be appointed by the court, prescribing its powers, relating to its action and report, and requiring trial of all issues, other than just compensation, to be by the court.

1957—Subsec. (a). Pub. L. 85-104 substituted “representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition” for “for physical depreciation”.

1956—Act Aug. 7, 1956, designated existing provisions as subssecs. (a), (c), and (d), and added subssecs. (b) and (e) to (h).

Act Aug. 3, 1956, limited purchase price of housing to Commissioner’s estimate of replacement cost of such housing and related property as of date of final endorsement for mortgage insurance reduced by an appropriate allowance for depreciation, and limited price of any project held by Commissioner to face value of debentures, plus accrued interest, which the Commissioner issued in acquiring the project.

#### REPEALS

Pub. L. 87-554, title V, §501(d), July 27, 1962, 76 Stat. 237, cited as a credit to this section, was repealed by Pub. L. 97-214, §7(5), July 12, 1982, 96 Stat. 173.

#### §§ 1594a-1, 1594a-2. Repealed. Pub. L. 97-214, §7(5), July 12, 1982, 96 Stat. 173

Section 1594a-1, Pub. L. 87-554, title V, §501(a)-(c), July 27, 1962, 76 Stat. 236; Pub. L. 90-110, title VI, §606, Oct. 21, 1967, 81 Stat. 304; Pub. L. 91-142, title V, §511, Dec. 5, 1969, 83 Stat. 312; Pub. L. 96-418, title V, §511, Oct. 10, 1980, 94 Stat. 1767, related to Department of Defense family housing management account. See section 2831 of Title 10, Armed Forces.

Section 1594a-2, Pub. L. 87-554, title V, §507, July 27, 1962, 76 Stat. 240, related to prior legislative approval for appropriations for family housing. See section 2821(a) of Title 10.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing before, on, or after such date, see section 12(a) of Pub. L. 97-214, set out as an Effective Date note under section 2801 of Title 10, Armed Forces.

#### § 1594b. Maintenance and operation of housing; use of quarters; payment of principal, interest, and other obligations

The Secretary of Defense or his designee is authorized to maintain and operate any housing acquired under this title and assign quarters therein to military and civilian personnel and their dependents. Appropriations for quarters allowances or appropriate allotments, and rental charges to civilian personnel, may be utilized by the military department concerned for the payment of principal, interest, and other obligations, except those of maintenance and operation, of the mortgagor corporation with respect