

to larceny etc., of moneys and properties of the Authority.

**RETROACTIVE APPLICATION OF POLICIES OR PROCEDURES ESTABLISHED BY SECRETARY OF HOUSING AND URBAN DEVELOPMENT TO RIGHTS OF OWNERS OF LEASED HOUSING, INCLUDING RIGHT OF RENEWAL**

Pub. L. 93-383, title II, §208, Aug. 22, 1974, 88 Stat. 669, as amended by Pub. L. 95-128, title II, §201(h), Oct. 12, 1977, 91 Stat. 1129, provided that: "Nothing in this title [see Tables for classification] or any other provision of law authorizes the Secretary of Housing and Urban Development to apply any policy or procedure established by him with respect to the rights of an owner under a lease entered into under section 23 of the United States Housing Act of 1937 [section 1421b of this title], including the right to renewal of such lease to the maximum term permitted by law, if such lease was entered into prior to the effective date of such policy or procedure."

**§§ 1423 to 1426. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862**

Section 1423, act Sept. 1, 1937, ch. 896, §24, formerly §24, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, related to penalties for false entries and reports.

Section 1424, act Sept. 1, 1937, ch. 896, §25, formerly §24, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, related to penalties for defrauding or hindering the Authority.

Section 1425, act Sept. 1, 1937, ch. 896, §26, formerly §25, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, related to penalties for concealment of interest in property.

Section 1426, act Sept. 1, 1937, ch. 896, §27, formerly §26, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, related to penalties for unlawful use of the name "United States Housing Authority".

Sections 1423 to 1426 of this title are covered by section 1012 of Title 18, Crimes and Criminal Procedure.

**EFFECTIVE DATE OF REPEAL**

Repeal effective Sept. 1, 1948, see section 20 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 18, Crimes and Criminal Procedure.

**§§ 1427 to 1431. Omitted**

**CODIFICATION**

Sections 1427 to 1431 were omitted in the general revision of the United States Housing Act of 1937 by Pub. L. 93-383, title II, §201(a), Aug. 22, 1974, 88 Stat. 653.

Section 1427, act Sept. 1, 1937, ch. 896, §28, formerly §27, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, provided for application of provisions when conflicting with other laws relating to housing or slum clearance.

Section 1428, act Sept. 1, 1937, ch. 896, §29, formerly §28, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, made available funds for the District of Columbia.

Section 1429, act Sept. 1, 1937, ch. 896, §30, formerly §29, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, provided for separability of provisions.

Section 1430, act Sept. 1, 1937, ch. 896, §31, formerly §30, 50 Stat. 899, renumbered July 15, 1949, ch. 338, title III, §307(h), 63 Stat. 431, set forth short title of provisions as "United States Housing Act of 1937". See section 1 of act Sept. 1, 1937, as added by section 201(a) of Pub. L. 93-383, set out as a Short Title note under section 1437 of this title.

Section 1431, Pub. L. 91-556, title IV, Dec. 17, 1970, 84 Stat. 1463, which provided that the necessary expenses of providing representatives at sites of non-Federal projects in connection with construction of these

projects by public housing agencies with aid under this chapter, be compensated by these agencies by payments of fixed fees, was from the Independent Offices and Department of Housing and Urban Development Appropriations Act, 1971, and was not repeated in subsequent appropriation acts. Similar provisions were contained in the following prior appropriation acts:

Nov. 26, 1969, Pub. L. 91-126, title III, 83 Stat. 242.  
 Oct. 4, 1968, Pub. L. 90-550, title III, 82 Stat. 956.  
 Nov. 3, 1967, Pub. L. 90-121, title II, 81 Stat. 360.  
 Sept. 6, 1966, Pub. L. 89-555, title II, 80 Stat. 688.  
 Aug. 16, 1965, Pub. L. 89-128, title II, 79 Stat. 542.  
 Aug. 30, 1964, Pub. L. 88-507, title II, 78 Stat. 665.  
 Dec. 19, 1963, Pub. L. 88-215, title II, 77 Stat. 447.  
 Oct. 3, 1962, Pub. L. 87-741, title II, 76 Stat. 739.  
 Aug. 17, 1961, Pub. L. 87-141, title II, 75 Stat. 363.  
 July 12, 1960, Pub. L. 86-626, title II, 74 Stat. 444.  
 Sept. 14, 1959, Pub. L. 86-255, title II, 73 Stat. 517.  
 Aug. 28, 1958, Pub. L. 85-844, title II, 72 Stat. 1081.  
 June 29, 1957, Pub. L. 85-69, title II, 71 Stat. 241.  
 June 27, 1956, ch. 452, title II, 70 Stat. 355.  
 June 30, 1955, ch. 244, title II, 69 Stat. 215.  
 June 24, 1954, ch. 359, title II, 68 Stat. 297.  
 July 31, 1953, ch. 302, title II, 67 Stat. 315.  
 July 5, 1952, ch. 578, title III, 66 Stat. 417.  
 Aug. 31, 1951, ch. 376, title IV, 65 Stat. 299.  
 Sept. 6, 1950, ch. 896, Ch. VIII, title II, 64 Stat. 723.  
 Aug. 24, 1949, ch. 506, title II, 63 Stat. 659.  
 June 30, 1948, ch. 773, title II, 62 Stat. 1190.  
 July 30, 1947, ch. 358, title II, 61 Stat. 579.  
 July 20, 1946, ch. 589, title II, 60 Stat. 592.  
 May 3, 1945, ch. 106, title I, 59 Stat. 124.

**§ 1432. Repealed. July 15, 1949, ch. 338, title VI, § 606, 63 Stat. 441**

Section, act Aug. 10, 1948, ch. 832, title V, §503, 62 Stat. 1285, related to State low-rent or veterans' housing projects.

**§ 1433. Omitted**

**CODIFICATION**

Section, act July 15, 1949, ch. 338, title VI, §606, 63 Stat. 440, provided for conversion of State and local low-rent or veterans' housing projects to Federal projects if the contract for State financial assistance for such project was entered into on or after Jan. 1, 1948, and prior to Jan. 1, 1950.

**§ 1434. Records; contents; examination and audit**

Every contract between the Department of Housing and Urban Development and any person or local body (including any corporation or public or private agency or body) for a loan, advance, grant, or contribution under the United States Housing Act of 1937, as amended [42 U.S.C. 1437 et seq.], the Housing Act of 1949, as amended [42 U.S.C. 1441 et seq.], or any other Act shall provide that such person or local body shall keep such records as the Department of Housing and Urban Development shall from time to time prescribe, including records which permit a speedy and effective audit and will fully disclose the amount and the disposition by such person or local body of the proceeds of the loan, advance, grant, or contribution, or any supplement thereto, the capital cost of any construction project for which any such loan, advance, grant, or contribution is made, and the amount of any private or other non-Federal funds used or grants-in-aid made for or in connection with any such project. No mortgage covering new or rehabilitated multifamily housing (as defined in section 1715r of title 12) shall be insured unless the mortgagor certifies that he

will keep such records as are prescribed by the Secretary of Housing and Urban Development at the time of the certification and that they will be kept in such form as to permit a speedy and effective audit. The Department of Housing and Urban Development and the Comptroller General of the United States shall have access to and the right to examine and audit such records. This section shall become effective on the first day after the first full calendar month following the date of approval of the Housing Act of 1961.

(Aug. 2, 1954, ch. 649, title VIII, § 814, 68 Stat. 647; Pub. L. 87-70, title IX, § 908, June 30, 1961, 75 Stat. 191; Pub. L. 90-19, § 10(h), May 25, 1967, 81 Stat. 23.)

#### REFERENCES IN TEXT

The United States Housing Act of 1937, as amended, referred to in text, is act Sept. 1, 1937, ch. 896, as revised generally by Pub. L. 93-383, title II, § 201(a), Aug. 22, 1974, 88 Stat. 653, which is classified generally to this chapter (§1437 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1437 of this title and Tables.

The Housing Act of 1949, as amended, referred to in text, is act July 15, 1949, ch. 338, 63 Stat. 413, as amended, which is classified principally to chapter 8A (§1441 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1441 of this title and Tables.

The first day after the first full calendar month following the date of approval of the Housing Act of 1961, referred to in text, probably means Aug. 1, 1961, which is the first day after the first full calendar month following approval of Pub. L. 87-70, which was approved on June 30, 1961.

#### CODIFICATION

Section was not enacted as part of the United States Housing Act of 1937 which comprises this chapter.

Section was formerly classified to sections 1446 of this title and 1715s of Title 12, Banks and Banking.

#### AMENDMENTS

1967—Pub. L. 90-19 substituted “Secretary of Housing and Urban Development” for “Federal Housing Commissioner” in second sentence and “Department of Housing and Urban Development” for “Housing and Home Finance Agency (or any official or constituent thereof)” and “Housing and Home Finance Agency (or such official or constituent thereof)” in first sentence and for “Housing and Home Finance Agency or any official or constituent agency thereof” in third sentence, respectively.

1961—Pub. L. 87-70 required record keeping provisions in contracts under the Housing Act of 1949 and in contracts under any other act, prohibited insurance of mortgages covering new or rehabilitated multifamily housing unless the mortgagor certifies that he will keep records, and empowered the Comptroller General to examine and audit records, and substituted “Housing Act of 1961” for “Housing Act of 1954”.

#### EFFECTIVE DATE

The fourth sentence of section 814 of act Aug. 2, 1954, ch. 649, 68 Stat. 647 (prior to the amendment by section 908 of Pub. L. 87-70), provided that this section is effective on first day after first calendar month following the date of approval of the act (Aug. 2, 1954).

#### § 1435. Access to books, documents, etc., for purpose of audit

Every contract for loans or annual contributions under the United States Housing Act of 1937, as amended [42 U.S.C. 1437 et seq.], shall

provide that the Secretary of Housing and Urban Development and the Comptroller General of the United States, or any of their duly authorized representatives, shall, for the purpose of audit and examination, have access to any books, documents, papers, and records of the public housing agency entering into such contract that are pertinent to its operations with respect to financial assistance under the United States Housing Act of 1937, as amended.

(Aug. 2, 1954, ch. 649, title VIII, § 816, 68 Stat. 647; Pub. L. 90-19, § 10(i), May 25, 1967, 81 Stat. 23.)

#### REFERENCES IN TEXT

The United States Housing Act of 1937, as amended, referred to in text, is act Sept. 1, 1937, ch. 896, as revised generally by Pub. L. 93-383, title II, § 201(a), Aug. 22, 1974, 88 Stat. 653, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1437 of this title and Tables.

#### CODIFICATION

Section was not enacted as part of the United States Housing Act of 1937 which comprises this chapter.

#### AMENDMENTS

1967—Pub. L. 90-19 substituted “Secretary of Housing and Urban Development” for “Public Housing Commissioner”.

#### § 1436. Repealed. Pub. L. 91-609, title V, § 503(4), Dec. 31, 1970, 84 Stat. 1786

Section, Pub. L. 87-70, title II, § 207, June 30, 1961, 75 Stat. 165; Pub. L. 88-560, title II, § 203(e), title IV, § 407, Sept. 2, 1964, 78 Stat. 784, 796; Pub. L. 89-117, title XI, § 1105, Aug. 10, 1965, 79 Stat. 503; Pub. L. 90-19, § 18(a), May 25, 1967, 81 Stat. 25; Pub. L. 90-448, title XVII, § 1714(a), Aug. 1, 1968, 82 Stat. 607, provided for low-rent housing demonstration programs and development grants. See section 1701z-1 et seq. of Title 12, Banks and Banking.

#### EFFECTIVE DATE OF REPEAL: SAVINGS PROVISION

Pub. L. 91-609, title V, § 503, Dec. 31, 1970, 84 Stat. 1785, provided in part for repeal of sections 1701d-3, 1701e, 1701e note, and 1701f of Title 12, Banks and Banking, this section, note below, section 1452a, section 1456 note, and sections 3372, 3373 of this title, effective July 1, 1971, except that the repeal shall not affect contracts, commitments, reservations, or other obligations entered pursuant to such provisions prior to July 1, 1971.

#### REPORT OF SELF-HELP STUDIES AND DEMONSTRATIONS

Pub. L. 90-448, title XVII, § 1714(b), Aug. 1, 1968, 82 Stat. 607, providing for report to Congress within one year after Aug. 1, 1968, respecting self-help studies and demonstrations, was repealed by Pub. L. 91-609, title V, § 503(7), Dec. 31, 1970, 84 Stat. 1786.

#### § 1436a. Restriction on use of assisted housing by non-resident aliens

##### (a) Conditions for assistance

Notwithstanding any other provision of law, the applicable Secretary may not make financial assistance available for the benefit of any alien unless that alien is a resident of the United States and is—

(1) an alien lawfully admitted for permanent residence as an immigrant as defined by section 1101(a)(15) and (20) of title 8, excluding, among others, alien visitors, tourists, diplomats, and students who enter the United