

LETTER OF TRANSMITTAL

APRIL 1999

To: All Members of the Committee on Banking and Financial Services

Provided for your use is the revised edition of the Basic Laws on Housing and Community Development (the "Basic Laws"). The revision transmitted herewith reflects Federal housing and community development laws as they were in effect on December 31, 1998, and includes those changes in the housing laws which were enacted since the last revision of Basic Laws was issued on December 31, 1994. The revised Basic Laws will serve as a resource for you and your staff in understanding the Federal housing and community development programs, and will assist the Committee in its legislative efforts in these areas.

I wish to give special commendation to Mr. Paul Callen, Assistant Counsel in the Office of the Legislative Counsel of the House of Representatives, for his exceptional contribution and effort in the revisions to the Basic Laws.

Sincerely,

JAMES A. LEACH
Chairman

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PREFACE

Contents.—This committee print replaces the edition of the Basic Laws on Housing and Community Development dated December 31, 1994. It contains the texts of the primary housing and community development laws within the jurisdiction of the Committee on Banking and Financial Services of the House of Representatives, as well as additional laws and materials of particular interest to members of the committee in considering legislation relating to housing and community development. The compilation has been updated through December 31, 1998. It incorporates the laws passed by the 104th and 105th Congresses and includes the major additions and revisions made to the public housing and section 8 rental assistance programs by the Quality Housing and Work Responsibility Act of 1998, enacted October 21, 1998 (title V of Public Law 105-276).

Organization.—This committee print has been arranged in parts, each of which deals with a broad subject area dealt with by the Committee. The subject areas utilized in organizing the 1994 edition have been retained and an additional subject area, regarding housing for Native Americans and Native Hawaiians, has been added to further assist the user and reflect the enactment of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104-330). Part I contains the basic laws on community development, including the community development block grant program and the urban development action grant program. Part II contains the laws regarding public housing and the section 8 rental assistance program, including the United States Housing Act of 1937. Part III contains the laws relating to supportive housing, including supportive housing for elderly and disabled persons. Part IV contains laws relating to other Federal assistance for housing, including the HOME program, safety and security in federally assisted housing, and the low-income housing preservation program. Part V contains the laws on homeownership assistance, including the HOPE homeownership programs and the National Homeownership Trust. Part VI contains the Stewart B. McKinney Homeless Assistance Act and other related laws on housing for the homeless. Part VII contains the laws regarding housing for Native Americans and Native Hawaiians. Part VIII contains the basic laws on FHA mortgage insurance, mortgage relief, and mortgage foreclosure. Part IX contains laws relating to the secondary market for mortgage loans, including FNMA, FHLMC, GNMA, and FAMC. Part X contains the basic laws on rural housing, including the title V of the Housing Act of 1949. Part XI contains laws establishing various regulatory programs, such as those relating to interstate land sales, real estate settlement procedures, and termination of

private mortgage insurance. Part XII contains laws for the organization and operation of the Department of Housing and Urban Development. Part XIII contains additional laws relating to housing and community development programs. Part XIV contains permanent appropriation provisions and a list of appropriation Acts relating to housing and community development. Finally, part XV contains miscellaneous tables and lists designed to assist in the use of this compilation.

United States Code.—As its title indicates, this committee print contains only the basic laws relating to housing and community development that govern programs currently in effect. Additional laws relating to housing and community development, including laws governing formerly major programs that have since been superseded, may be found in the United States Code.

It is important to recognize that the United States Code, and the several commercial publications of the Code, contain additional information that may be extremely useful in understanding the laws contained in this committee print. For example, the relevant section in the Code will provide the reader with information on specific amendments made to the section since its enactment, effective dates and transitional provisions, delegations and transfers of functions, and cross references to other sections dealing with similar subject matters. Commercial publications of the Code also indicate relevant judicial decisions issued with respect to each section. For the benefit of the reader, the United States Code citations are shown in boldface brackets at the beginning of each Public Law section in the committee print. These citations are not a part of the text of the laws in which they appear.

In preparing this edition, the Committee decided to remove some materials previously included in the document to ensure publication as a single volume. The excluded materials include a number of repealed provisions, which were shown in previous editions because they remain effective after repeal with respect to housing assisted or assistance provided before the repeal. These provisions include section 312 of the Housing Act of 1964 (relating to rehabilitation loans), section 810 of the Housing and Community Development Act of 1974 (relating to urban homesteading), section 17 of the United States Housing Act of 1937 (relating to rental rehabilitation and development grants), section 23 of the United States Housing Act of 1937 (relating to rental assistance), title IV of the Housing and Community Development Amendments of 1978 (relating to congregate housing services), title VI of the Housing and Community Development Act of 1987 (relating to the Nehemiah housing program), and other provisions. These provisions may be found in U.S. Code and the notes contained therein or in previous editions of this compilation.

Quality Housing and Work Responsibility Act of 1998.—The Quality Housing and Work Responsibility Act of 1998 (title V of Public Law 105–276), enacted in October 1998, made significant changes to the laws governing public and assisted housing. Generally, that Act provided that the amendments made therein were *made* on the date of enactment. Thus, the provisions of law amended by that Act are shown in this document as so amended. However, that Act also provided that some of the amendments and

some of provisions of the Act were to *apply* beginning upon enactment and some were to *apply* beginning on October 1, 1999. The provisions which begin to apply after the publication of this document are identified by footnote. Provisions repealed by the 1998 Act are not included in this document (regardless of whether such repeal took effect upon enactment or applies beginning upon October 1, 1999). Once again, the various editions of the United States Code should be helpful to a reader interested in a provision of law as in effect before amendment by the 1998 Act.

Bracketed Matter.—Matter appearing in this Committee print in boldface black brackets is not a part of the text of the law in which it appears. As noted above, this matter includes United States Code citations, which appear at the beginning of each Public Law provision in this print. The headings and section or subsection designations of some repealed provisions also appear in brackets as an aid to the reader.

Comments and Suggestions.—Comments and suggestions for improvements in future editions of this compilation are encouraged, and may be addressed to the attention of the Editor, Compilation of Basic Laws on Housing and Community Development, Office of the Legislative Counsel, United States House of Representatives, 136 Cannon House Office Building, Washington, DC 20515.

