

Public Law 94-324
94th Congress

An Act

June 30, 1976

[S. 2529]

Veterans Housing
 Amendments Act
 of 1976.
 38 USC 1801
 note.
 38 USC 1801.
 38 USC 1807.

To amend chapter 37 of title 38, United States Code, to increase the maximum Veterans' Administration's guaranty for mobile home loans from 30 to 50 percent, to make permanent the direct loan revolving fund, to extend entitlement under chapter 37 to those veterans who served exclusively between World War II and the Korean conflict, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Veterans Housing Amendments Act of 1976".

Sec. 2. (a) Subchapter I of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1807. Service after July 25, 1947, and prior to June 27, 1950

"Each veteran whose only active duty service occurred after July 25, 1947, and prior to June 27, 1950, and who—

"(1) served for a period of more than 180 days and was discharged or released therefrom under conditions other than dishonorable; or

"(2) served for a period of 180 days or less and was discharged or released for a service-connected disability;

shall be eligible for benefits of this chapter."

(b) The table of sections for subchapter I of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new item:

"1807. Service after July 25, 1947, and prior to June 27, 1950."

Sec. 3. Section 1811(d) of title 38, United States Code, is amended—

(1) by striking out in paragraph (2) (A) "\$21,000" the first time it appears and inserting in lieu thereof "\$33,000", by striking out in paragraph (2) (A) "\$21,000", the second time it appears and all that follows thereafter and inserting in lieu thereof "\$33,000."; and

(2) by striking out in paragraph (3) "\$21,000;" and all that follows thereafter and inserting in lieu thereof "\$33,000."

Sec. 4. Section 1818(a) of title 38, United States Code, is amended to read as follows:

"(a) Each veteran who served on active duty, any part of which occurred after January 31, 1955, and who—

"(1) served for a period of more than 180 days and was discharged or released therefrom under conditions other than dishonorable;

"(2) has served more than 180 days in active duty status and continues on active duty without a break therein; or

"(3) was discharged or released from active duty after such date for a service-connected disability;

shall be eligible for the benefits of this chapter, subject to the provisions of this section."

Sec. 5. Section 1819(c) (3) of title 38, United States Code, is amended by striking out "30 per centum" and inserting in lieu thereof "50 percent" in the first sentence.

SEC. 6. Section 1823 of title 38, United States Code, is amended—

(1) by striking out in subsection (a) all of the last sentence thereof; and

(2) by striking out in subsection (c) before the period at the end of the last sentence “, and not later than June 30, 1976, he shall cause to be so deposited all sums in such account and all amounts received thereafter in repayment of outstanding obligations, or otherwise, except so much thereof as he may determine to be necessary for purposes of liquidation of loans made from the revolving fund and for the purposes of meeting commitments under section 1820(e) of this title”.

SEC. 7. Chapter 37 of title 38, United States Code, is amended—

38 USC 1801
et seq.

(1) by striking out in section 1801(a) (2) “widow”, “her own”, and “her husband” wherever they appear and inserting in lieu thereof “surviving spouse”, “the spouse’s own”, and “the spouse”, respectively;

(2) by striking out in section 1801(a) (3) “wife” and “her husband” wherever they appear and inserting in lieu thereof “spouse” and “the spouse”, respectively;

(3) by striking out in section 1802(b), including clause (3), “he” and “his” and inserting in lieu thereof “the Administrator” and “the veteran-transferee’s”, respectively;

(4) by striking out in subsections (c) and (d) of section 1802 “He”, “him”, and “he” whenever they appear and inserting in lieu thereof “The Administrator”, “the Administrator”, and “the Administrator”, respectively;

(5) by striking out in subsections (e) and (g) of section 1802 “him” and “his wife” wherever they appear and inserting in lieu thereof “the Administrator” and “the veteran’s spouse”, respectively;

(6) by striking out in section 1803(d) (3) “he” and inserting in lieu thereof “the Administrator”;

(7) by striking out in section 1804(c) “he” and “his” wherever they appear and inserting in lieu thereof “the veteran” and “the veteran’s”, respectively;

(8) by striking out in section 1804(d) “he” and inserting in lieu thereof “the Administrator”;

(9) by striking out in section 1805(a) “his” wherever it appears and inserting in lieu thereof “the Administrator’s”;

(10) by striking out in section 1806(a) “his” and inserting in lieu thereof “the seller’s”;

(11) by striking out in section 1810(a) “him”, “his”, and “he” wherever they appear and inserting in lieu thereof “the veteran”, “the veteran’s”, and “the Administrator”, respectively;

(12) by striking out in section 1811(b) “he” and “He” and inserting in lieu thereof “the Administrator” and “The Administrator”, respectively;

(13) by striking out in section 1811(c) “he” wherever it appears and inserting in lieu thereof “the veteran”;

(14) by striking out in section 1811(g) “him” and “he” and inserting in lieu thereof “the Administrator”;

(15) by striking out in section 1811(k) “his” and “he” wherever they appear and inserting in lieu thereof “the Administrator’s” and “the Administrator”, respectively;

(16) by striking out in section 1815(a) “he” and inserting in lieu thereof “the Administrator”;

38 USC 1816.

(17) by striking out in subsections (a) and (b) of section 1816 "his" and "he" wherever they appear and inserting in lieu thereof "the Administrator's" and "the Administrator", respectively;

(18) by striking out in section 1817(a) "him" wherever it appears and inserting in lieu thereof "the veteran", by striking out "he" the first time it appears and inserting in lieu thereof "the Administrator", by striking out "has obligated himself" and inserting in lieu thereof "is obligated", and by striking out "he" the second and third time it appears and inserting in lieu thereof "the transferee";

(19) by striking out in section 1817(b) "him" and "he" and inserting in lieu thereof "the veteran" and "the Administrator", respectively;

(20) by striking out in paragraphs (1) and (3) of section 1819(c) "he" wherever it appears and inserting in lieu thereof "the Administrator";

(21) by striking out in paragraphs (1) and (3) of section 1819(d) "his" and "he" wherever they appear and inserting in lieu thereof "the Administrator's" and "the Administrator", respectively;

(22) by striking out in paragraphs (4) and (5) of section 1819(c) "subparagraph", "he", and "his" and inserting in lieu thereof "subsection", "the veteran", and "the veteran's", respectively;

(23) by striking out in subsections (f), (h), (k), and (l) of section 1819 "he" and "his" wherever they appear and inserting in lieu thereof "the Administrator" and "the manufacturer's", respectively;

(24) by striking out in clauses (1) and (5) of section 1820(a) "his" and "he" wherever they appear and inserting in lieu thereof "the Administrator's" and "the Administrator", respectively;

(25) by striking out in section 1820(a) (6) "him" and inserting in lieu thereof "the Administrator";

(26) by striking out in paragraphs (1) and (2) of section 1820(e) "he", "him", and "his" wherever they appear and inserting in lieu thereof "the Administrator", "the Administrator", and "the Administrator's", respectively;

(27) by striking out in subsections (a) and (c) of section 1823 "he" and "his" wherever they appear and inserting in lieu thereof "the Administrator" and "the Administrator's", respectively;

(28) by striking out in section 1824(d) "his" and inserting in lieu thereof "the Administrator's";

(29) by striking out in section 1825 "he" and inserting in lieu thereof "said person";

(30) by striking out in section 1826 "he" and "widow" wherever they appear and inserting in lieu thereof "the Administrator" and "surviving spouse", respectively; and

(31) by striking out in subsections (a) and (b) of section 1827 "he" and "his" wherever they appear and inserting in lieu thereof "the Administrator" and "the Administrator's", respectively.

SEC. 8. (a) The provisions of the constitution of any State expressly limiting the amount of interest which may be charged, taken, received, or reserved by certain classes of lenders and the provisions of any law

12 USC
1709-1a.

of that State expressly limiting the amount of interest which may be charged, taken, received, or reserved shall not apply to—

(1) any loan or mortgage which is secured by a one- to four-family dwelling and which is (A) insured under title I or II of the National Housing Act, or (B) insured, guaranteed, or made under chapter 37 of title 38, United States Code; or

(2) any temporary construction loan or other interim financing if at the time such loan is made or financing is arranged, the intention to obtain permanent financing substantially by means of loans or mortgages so insured, guaranteed, or made is declared.

(b) The provisions of this section shall apply to such loans, mortgages, or other interim financing made or executed in any State until the effective date (after the date of enactment of this section) of a provision of law of that State limiting the amount of interest which may be charged, taken, received, or reserved on such loans, mortgages, or financing.

SEC. 9. (a) Except as provided in subsection (b), the provisions of this Act shall become effective on the date of enactment.

(b) Sections 2 and 3 shall become effective on October 1, 1976. Section 5 shall become effective on July 1, 1976.

Approved June 30, 1976.

12 USC 1702,
1707.

38 USC 1801
et seq

Effective dates.
38 USC 1801
note.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1129 accompanying H.R. 13724 (Comm. on Veterans' Affairs).

SENATE REPORT No. 94-806 (Comm. on Veterans' Affairs).

CONGRESSIONAL RECORD, Vol. 122 (1976):

May 13, considered and passed Senate.

May 18, considered and passed House, amended, in lieu of H.R. 13724.

June 11, Senate concurred in House amendments with amendments.

June 16, House concurred in Senate amendments.