

Public Law 92-310

AN ACT

To provide that the Federal Government shall assume the risks of its fidelity losses, and for other purposes.

June 6, 1972
[H. R. 13150]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal personnel surety bonds.
Elimination.

TITLE I—ELIMINATION OF SURETY BONDS FOR FEDERAL CIVILIAN AND MILITARY PERSONNEL

ELIMINATION OF FEDERAL PERSONNEL SURETY BONDS

SEC. 101. (a) No agency of the Federal Government may require or obtain surety bonds for its civilian employees or military personnel in connection with the performance of their official duties.

(b) The personal financial liability to the Federal Government of such employees and personnel shall not be affected by reason of subsection (a) of this section.

(c) For the purposes of this title, the term "agency of the Federal Government" means any agency, department, or other entity of the legislative, executive, or judicial branch of the Government of the United States, and includes each entity listed as a "wholly owned Government corporation" in section 101 of the Government Corporation Control Act (31 U.S.C. 846).

"Agency of the Federal Government."

59 Stat. 597;
83 Stat. 825.

RESTORATIONS AND ADJUSTMENTS OF ACCOUNTS OF ACCOUNTABLE OFFICERS AND AGENTS FOR LOSSES TO THE UNITED STATES

SEC. 102. (a) Whenever—

(1) it is necessary to restore or otherwise adjust the account of any accountable officer or his agent for any loss to the United States due to the fault or negligence of such officer or agent, and

(2) the head of the agency of the Federal Government concerned determines that the amount of the loss is uncollectable,

such amount shall be charged to the appropriation or fund available for the expenses of the accountable function at the time the restoration or adjustment is made. Such restoration or adjustment shall not affect the personal financial liability of such officer or agent on account of such loss.

(b) The restorations and adjustments provided for by subsection (a) of this section shall be made in accordance with regulations which the Comptroller General of the United States shall prescribe and issue.

REPORTS OF SECRETARY OF THE TREASURY

SEC. 103. (a) For each of the first five full fiscal years following the date of enactment of this Act, the Secretary of the Treasury shall transmit to the Congress, on or before the 31st day of December first following the close of such fiscal year, a report of the experience of agencies of the executive branch under this Act in such form as may be necessary to enable the Congress to determine the results of operations under this Act.

(b) Each agency of the executive branch shall furnish to the Secretary of the Treasury such information as the Secretary may require to carry out the purposes of subsection (a) of this section.

EXISTING SURETY BONDS AND LIABILITIES

SEC. 104. Each surety bond procured before the date of enactment of this Act for any of the civilian employees or military personnel of the Federal Government and in effect on such date shall remain in full force and effect for all periods provided in the bond subject to the cancellation and other provisions therein. Any change made by this Act in existing law shall not affect—

(1) any liability of a surety to the Federal Government arising under the provisions of any such bond;

(2) any responsibility of a surety upon any such bond of a consular officer under former section 1735 of the Revised Statutes (22 U.S.C. 1199); or

(3) the jurisdiction of the United States district courts, concurrently with the courts of the several States, over any action brought on any such bond of an internal revenue officer or employee.

TITLE II—CHANGES IN EXISTING LAW

PART 1—CHANGES IN TITLES OF THE UNITED STATES CODE ENACTED AS POSITIVE LAW

TITLE 3, UNITED STATES CODE

62 Stat. 679.

SEC. 201. The first sentence of section 109 of title 3, United States Code, relating to the bond required of the employee placed in charge of certain property in the Executive Mansion, is amended by striking out “, and shall, before entering upon the duties of the office, give bond for the faithful discharge thereof, said bond to be in the sum of \$10,000, and to be approved by the Director of the National Park Service”.

TITLE 5, UNITED STATES CODE

80 Stat. 477.

SEC. 202. Section 5512(b) of title 5, United States Code, is amended by striking out “and his sureties”.

TITLE 6, UNITED STATES CODE

Repeals.

61 Stat. 646.
69 Stat. 618.

SEC. 203. Title 6, United States Code, relating to official and penal bonds, is modified as follows:

(1) sections 1, 2, 3, 4, 5, and 14 are repealed;

(2) the last sentence of section 6 is amended by striking out “Except with respect to bonds obtained under section 14 of this title, no” and inserting in lieu thereof the word “No”;

(3) the table of sections of such title is amended by striking out the items relating to sections 1, 2, 3, 4, 5, and 14; and

(4) the title of such title 6 which reads “Title 6—Official and Penal Bonds” is amended to read “Title 6—Surety Bonds”.

TITLE 10, UNITED STATES CODE

Repeals.

70A Stat. 272,
377.

SEC. 204. (a) Section 4834, relating to fidelity bonds of commissioned officers of the Quartermaster Corps, United States Army, and section 6026, relating to bonds of officers in the Supply Corps, United States Navy, of title 10, United States Code, are repealed.

(b) The table of sections of chapter 453 of such title 10 is amended by striking out—

“4834. Fidelity bonds: accountable officers; Quartermaster Corps.”.

(c) The table of sections of chapter 555 of such title 10 is amended by striking out—

“6026. Supply Corps officers: bonds.”.

TITLE 17, UNITED STATES CODE

SEC. 205. (a) Section 204 of title 17, United States Code, relating to the bond required of the Register of Copyrights, Library of Congress, is repealed.

Repeal.
61 Stat. 666.

(b) The table of sections of chapter 3 of such title 17 is amended by striking out—

“204. Same; bond.”.

TITLE 28, UNITED STATES CODE

SEC. 206. (a) (1) Section 564 of title 28, United States Code, relating to the bonds of United States marshals, is repealed.

Repeal.
80 Stat. 619.

(2) The table of sections of chapter 37 of such title 28 is amended by striking out—

“564. Bond.”.

(b) Section 566 of title 28, United States Code, relating to the default or misfeasance of a deputy in connection with the bond of a deceased United States marshal, is amended—

(1) by striking out “(a)”;

(2) by striking out subsection (b) thereof.

(c) Section 671(b) of title 28, United States Code, relating to the bond of the Clerk of the Supreme Court, is repealed.

Repeals.
62 Stat. 918.

(d) The last sentence of section 674(d) of title 28, United States Code, relating to the bond of the librarian of the Supreme Court, is repealed.

(e) (1) Section 952 of title 28, United States Code, relating to the bonds of clerks and deputies of Federal courts other than the Supreme Court, is repealed.

(2) The table of sections of chapter 57 of such title 28 is amended by striking out—

“952. Bonds of clerks and deputies.”.

(f) (1) The second paragraph of section 954 of title 28, United States Code, relating to the default or misfeasance of a deputy in connection with the bond of a deceased clerk of a Federal court, is repealed.

(2) The section heading of such section 954, and the item relating to such section 954 in the table of sections of chapter 57 of such title 28, each is amended by striking out “and remedies against”.

TITLE 32, UNITED STATES CODE

SEC. 207. Section 708(b) (1) of title 32, United States Code, relating to the bond required of property and fiscal officers of the National Guard, is repealed.

Repeal.
70A Stat. 614.

TITLE 35, UNITED STATES CODE

SEC. 208. (a) Section 5 of title 35, United States Code, relating to the bond required of the Commissioner of Patents and other officers of the Department of Commerce, is repealed.

Repeal.
66 Stat. 793.

(b) The table of sections of chapter 1 of such title 35 is amended by striking out—

“5. Bond of Commissioner and other officers.”.

TITLE 38, UNITED STATES CODE

72 Stat. 1250.

SEC. 209. Section 4204(4) of title 38, United States Code, relating to fidelity bonds of employees of the Veterans' Canteen Service, is amended by striking out "and premiums on fidelity bonds of employees".

TITLE 44, UNITED STATES CODE

Repeal.

82 Stat. 1239.

SEC. 210. (a) (1) The last sentence of section 301 of title 44, United States Code, relating to the bond of the Public Printer, is repealed.

(2) The section heading of such section 301 is amended by striking out "; bond".

(3) The item relating to section 301 in the table of sections of chapter 3 of such title 44 is amended by striking out "; bond".

(b) Section 308(b) of title 44, United States Code, relating to the bond of a disbursing officer of the Government Printing Office, is amended—

(1) by striking out in the first sentence "his estate, or the surety on his official bond," and inserting in lieu thereof "or his estate"; and

(2) by striking out in the second sentence "and the sureties upon his bond are" and inserting in lieu thereof "is".

PART 2—CHANGES IN PROVISIONS OF LAW CONTAINED IN TITLES OF THE UNITED STATES CODE NOT ENACTED AS POSITIVE LAW

TITLE 2, UNITED STATES CODE

Repeals.

SEC. 220. (a) Section 57 of the Revised Statutes (2 U.S.C. 65), relating to the bond of the Secretary of the Senate, is repealed.

(b) Section 58 of the Revised Statutes (2 U.S.C. 75), relating to the bond of the Clerk of the House of Representatives, is repealed.

(c) Section 59 of the Revised Statutes (2 U.S.C. 65 and 75), relating to the depositing of the bonds of the Secretary of the Senate and the Clerk of the House of Representatives, is repealed.

(d) Sections 4 and 5 of the Act entitled "An Act defining certain duties of the Sergeant at Arms of the House of Representatives, and for other purposes", approved October 1, 1890 (26 Stat. 645, 646; 2 U.S.C. 82), relating to the bond of the Sergeant at Arms of the House of Representatives, is repealed.

(e) Section 5 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes", approved March 2, 1895 (28 Stat. 807; 2 U.S.C. 82), is amended by striking out the second, third, and fourth paragraphs.

6 USC 1-3.

(f) The last sentence in the fourth paragraph under the center heading "Library of Congress" and with the side heading "Custody, Care, and Maintenance of Library Building and Grounds" in the first section of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", approved February 19, 1897 (29 Stat. 546; 2 U.S.C. 136, second sentence), relating to the bond of the Librarian of Congress, is repealed.

(g) The last paragraph under the heading "Senate" in the First Deficiency Act, fiscal year 1926 (84 Stat. 810; 2 U.S.C. 64a), relating to the bond of the Financial Clerk of the Senate in case of the death, resignation, or disability of the Secretary of the Senate, is amended by striking out "under his bond as Financial Clerk".

(h) That part of the Act entitled "An Act to abolish the office of administrative assistant and disbursing officer in the Library of Congress and to reassign the duties thereof", approved May 11, 1928 (45 Stat. 497; 2 U.S.C. 142a), which reads "Provided, That the person who shall disburse the appropriations for the Library of Congress and the Botanic Garden shall give bond payable to the United States in the sum of \$30,000, with sureties approved by the Secretary of the Treasury for the faithful discharge of his duties", is repealed. Repeals.

(i) Section 7 of the Legislative Branch Appropriation Act, 1943 (56 Stat. 350; 2 U.S.C. 75a), relating to the bond of the Clerk of the House of Representatives and the disbursing clerk of the House, is amended—

(1) by striking out in the third sentence "his estate, or the sureties on his official bond," and inserting in lieu thereof "or his estate";

(2) by striking out in such third sentence "but such disbursing clerk and his sureties shall be responsible therefor under their bond" and inserting in lieu thereof "but such disbursing clerk shall be responsible therefor"; and

(3) by striking out the last two sentences which read as follows: "The bond for the disbursing clerk of the House of Representatives shall be in the same amount as the bond required of the Clerk of the House of Representatives. The Secretary of the Treasury may, from time to time, require such disbursing clerk to renew his bond to the United States."

(j) Section 105(n) of the Legislative Branch Appropriation Act, 1957 (70 Stat. 372; 2 U.S.C. 123b(n)), relating to the bonds of the Director of the House Recording Studio and the Director of the Senate Recording Studio, is repealed.

(k) Clause (2) of that part of the first section, preceding the first proviso in that section, of the Act entitled "An Act to fix the responsibilities of certifying officers and disbursing officer of the Library of Congress", approved June 13, 1957 (71 Stat. 81; 2 U.S.C. 142b), which reads "(2) be required to give bond to the United States, with good and sufficient surety approved by the Secretary of the Treasury, in such amount as may be determined by the Librarian of Congress, pursuant to standards prescribed by the Secretary of the Treasury, and under such conditions as may be prescribed by the Secretary of the Treasury"; is repealed.

TITLE 7, UNITED STATES CODE

SEC. 221. (a) Section 524 of the Revised Statutes (7 U.S.C. 2216), relating to the bond of the chief clerk of the Department of Agriculture, is repealed.

(b) Section 507(a) of the Federal Crop Insurance Act (52 Stat. 73; 7 U.S.C. 1507(a)), relating to the personnel of the Federal Crop Insurance Corporation, is amended—

(1) by inserting "and" immediately before "delegate"; and

(2) by striking out "require bond of such of them as he may designate, and fix the penalties and pay the premiums of such bonds". 63 Stat. 665.

TITLE 11, UNITED STATES CODE

SEC. 222. (a) Section 50 of the Bankruptcy Act (30 Stat. 558; 11 U.S.C. 78), relating to the bonds of referees, receivers, and trustees, is amended—

(1) by striking out subsection (a), relating to the bonds of referees; 52 Stat. 863.

(2) by striking out "referees," in subsection (g);

(3) by striking out "referees," in subsection (h) ;

(4) by striking out "referee," in subsection (k) ; and

(5) by striking out subsection (l), relating to the period during which proceedings may be brought upon referees' bonds.

(b) Notwithstanding the amendment made by subsection (a) (5) of this section, proceedings upon referees' bonds procured before the date of enactment of this Act and in effect on such date may be brought at any time during the period ending two years after the alleged breach of the bond, but not thereafter.

TITLE 12, UNITED STATES CODE

SEC. 223. (a) Section 326 of the Revised Statutes (12 U.S.C. 3), relating to the oath and bond of the Comptroller of the Currency, is amended by striking out " ; and he shall give to the United States a bond in the penalty of \$250,000, with not less than two responsible sureties, to be approved by the Secretary of the Treasury, conditioned for the faithful discharge of the duties of his office".

(b) Section 327 of the Revised Statutes (12 U.S.C. 4), relating to the Deputy Comptroller of the Currency, is amended by striking out " , and give the United States a surety bond in the penalty of \$100,000, to be approved by the Secretary of the Treasury, conditioned for the faithful discharge of the duties of his office,".

(c) Section 309(d) of the National Housing Act (68 Stat. 621; 12 U.S.C. 1723a(d)), relating to the personnel of the Government National Mortgage Association, is amended by striking out "Bonds may be required for the faithful performance of their duties, and the Association may pay the premiums therefor.".

TITLE 15, UNITED STATES CODE

SEC. 224. (a) Section 5(a) of the Small Business Act (72 Stat. 385; 15 U.S.C. 634(a)), relating to the general powers of the Small Business Administration, is amended by striking out "to provide bonds for them in such amounts as the Administrator shall determine;".

(b) Section 10 of the Commodity Credit Corporation Charter Act (62 Stat. 1073; 15 U.S.C. 714h), relating to the executive staff of the Commodity Credit Corporation, is amended by striking out—

(1) " , require that such of them as he may designate be bonded and fix the penalties therefor"; and

(2) "The Corporation may pay the premium of any bond or bonds."

TITLE 16, UNITED STATES CODE

SEC. 225. (a) Section 3 of the Tennessee Valley Authority Act of 1933 (48 Stat. 59; 16 U.S.C. 831b), relating to personnel of the Tennessee Valley Authority, is amended by striking out "require bonds of such of them as the board may designate,".

(b) Section 4(f) of such Act (48 Stat. 60; 16 U.S.C. 831c(f)), relating to the bonds of the treasurer and assistant treasurers of the Tennessee Valley Authority, is amended by striking out " , which treasurer and assistant treasurers shall give such bonds for the safekeeping of the securities and moneys of the said Corporation as the Board may require".

TITLE 19, UNITED STATES CODE

SEC. 226. Sections 2619 and 2620 of the Revised Statutes (19 U.S.C. 31, 32), relating to the bonds of customs officers and authorizing regulations therefor, are repealed.

63 Stat. 156.

Repeals.

TITLE 22, UNITED STATES CODE

SEC. 227. (a) Section 1735 of the Revised Statutes (22 U.S.C. 1199), relating to the liability of consular officers for neglect or malfeasance generally, is amended—

(1) by striking out “and his sureties upon his official bond” and “of the penalty” in the first sentence thereof; and

(2) by striking out “, under such bond,” in the last sentence thereof.

(b) Section 35 of the Act entitled “An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor”, approved February 23, 1931 (46 Stat. 1216; 22 U.S.C. 813), is amended—

(1) by striking out “bonded” immediately before “officers” in the fourth sentence thereof; and

(2) by striking out the sixth sentence thereof which reads as follows:

“Said district accounting and disbursing officers and their agents shall be bonded respectively to the United States for the faithful performance of their duties in such penal amounts as the President may require.”.

(c) Section 1011 of the Foreign Service Act of 1946 (22 U.S.C. 808), relating to bonds of officers and employees of the Foreign Service, is repealed.

Repeal.
60 Stat. 1030.

(d) Section 239(d) of the Foreign Assistance Act of 1961, as added by the Foreign Assistance Act of 1969 (83 Stat. 816; 22 U.S.C. 2199

(d)), relating to the general powers of the Overseas Private Investment Corporation, is amended by striking out “to require bonds of officers, employees, and agents and pay the premiums therefor;”.

TITLE 24, UNITED STATES CODE

SEC. 228. (a) Section 7 of the Act entitled “An Act prescribing regulations for the Soldiers’ Home located at Washington, in the District of Columbia, and for other purposes”, approved March 3, 1883 (22 Stat. 565; 24 U.S.C. 43), relating to the bond of the treasurer of the Soldiers’ Home, is amended by striking out “, and the treasurer of the home shall be required to give a bond in the penal sum of \$20,000 for the faithful performance of his duty”.

(b) Section 4839 of the Revised Statutes (35 Stat. 592; 24 U.S.C. 165), relating to the bonds of the superintendent and disbursing clerk of Saint Elizabeths Hospital, is amended—

(1) by striking out “, and shall give bond for the faithful performance of his duties in such sum and with such securities as may be required by the Secretary of Health, Education, and Welfare” in the first sentence thereof; and

(2) by striking out “who shall give a bond satisfactory to the Secretary of Health, Education, and Welfare,” in the second sentence thereof.

(c) The second paragraph under the subheading “Saint Elizabeths Hospital” under the general heading “Department of the Interior” in the Act entitled “An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes”, approved June 5, 1920 (41 Stat. 920; 24 U.S.C. 166), is amended by striking out “who shall give a bond satisfactory to the Secretary of Health, Education, and Welfare, and”.

TITLE 25, UNITED STATES CODE

Repeal.

SEC. 229. (a) Section 2075 of the Revised Statutes (25 U.S.C. 51), which reads "Sec. 2075. The President may, from time to time, require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects of any kind, on account of Indian affairs.", is repealed.

(b) Section 4 of the Act entitled "An Act to legalize the deed and other records of the Office of Indian Affairs, and to provide and authorize the use of a seal by said office", approved July 26, 1892 (27 Stat. 273; 25 U.S.C. 7), is amended by striking out "who shall give bond in the sum of one thousand dollars.",

(c) The Act entitled "An Act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, nineteen hundred and five, and for other purposes", approved April 21, 1904 (33 Stat. 191; 25 U.S.C. 66, 52a), is amended—

(1) by striking out, in the twenty-fifth paragraph under the center heading "Current and Contingent Expenses", the sentence relating to the bond of superintendents of Indian training schools which reads "And the superintendent upon whom such duties devolve shall give bond as other Indian agents."; and

(2) by striking out, in the thirty-second paragraph under the center heading "Current and Contingent Expenses", the proviso which reads "*Provided*, That hereafter when it becomes necessary to make large per capita payments to Indians, the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, is hereby authorized to require any disbursing officer of the Indian Department to file a special bond in such amount as may be necessary to make such payment in one installment, the expenses incurred in procuring such special bond to be paid by the United States from this appropriation".

(d) Title II of the Act entitled "An Act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and eight", approved March 1, 1907 (34 Stat. 1020; 25 U.S.C. 66), is amended by striking out in the first paragraph under the heading "Indian Agents—Proviso" the following: "And the superintendent upon whom such duties devolve shall give bond as other Indian agents."

Repeal.

(e) The second paragraph under the subheading "Secretary" under the general heading "I. General Provisions" in the Act entitled "An Act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and nine", approved April 30, 1908 (35 Stat. 71; 25 U.S.C. 52), which reads—

"Hereafter when the Secretary of the Interior deems a new bond necessary he may, in his discretion, require any disbursing officer under the jurisdiction of the Commissioner of Indian Affairs to execute a new bond, with approved sureties, in such amount as he may deem necessary, and when accepted and approved by the Secretary of the Interior the new bond shall be valid and the surety or sureties of the prior bond shall be released from liability for all acts or defaults of the principal which may be done or committed from and after the day on which the new bond was approved." is repealed.

(f) The proviso in the second paragraph under the center heading "Advertisement for Sale of Indian Lands (Reimbursable)" in the Act entitled "An Act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921", approved February 14, 1920 (41 Stat. 414; 25 U.S.C. 53), is amended—

(1) by striking out "the official bond given by the disbursing agent to the United States shall be held to cover and apply to the acts of the employee authorized to act in his place, who shall give bond to the disbursing agent in such sums as the latter may require, and with respect to any and all acts performed by him while acting for his principal, shall be subject to all the liabilities and penalties prescribed by law for official misconduct of disbursing agents."; and

(2) by inserting in lieu thereof "such clerk, while acting for his principal, shall be subject to all the liabilities and penalties prescribed by law for official misconduct of disbursing agents."

TITLE 26, UNITED STATES CODE

SEC. 230. (a) Section 6803(a) of the Internal Revenue Code of 1954, relating, in part, to bonds for postmasters who are furnished certain stamps and other devices, is repealed.

Repeal.
60A Stat. 830.
26 USC 6803.

(b) Section 7101 of such Code, relating to the form of certain bonds, is amended by striking out "sections 7485 and 6803(a)(1)" and by inserting in lieu thereof "section 7485".

68A Stat. 847.

(c) Section 7103(e) of such Code, relating to cross references to provisions for personnel bonds, is repealed.

Repeals.

(d) Section 7402(d) of such Code, relating to actions brought on the official bond of certain internal revenue officers or employees, is repealed.

68A Stat. 873.

(e) Section 7803(c) of such Code, relating to the bonds of internal revenue officers and employees, is repealed.

68A Stat. 915.

TITLE 31, UNITED STATES CODE

SEC. 231. (a) The first sentence of section 176 of the Revised Statutes (31 U.S.C. 492-1), relating to the bonds of disbursing clerks of executive departments, is amended by striking out "; and shall each give a bond to the United States for the faithful discharge of the duties of his office according to law in such amount as shall be directed by the Secretary of the Treasury, and with sureties to the satisfaction of the General Counsel for the Department of the Treasury; and shall from time to time renew, strengthen, and increase his official bond, as the Secretary of the Treasury may direct".

(b) Section 302 of the Revised Statutes (31 U.S.C. 142), relating to the bond of the Treasurer of the United States, is repealed.

Repeal.

(c) Section 304 of the Revised Statutes (49 Stat. 1238, 68 Stat. 496; 31 U.S.C. 144), is amended by striking out ": *Provided, however,* That no appointments shall be made under the provisions of this section until the official bond given by the Treasurer shall be made in terms to cover and apply to the acts and defaults of every person appointed hereunder".

(d) Section 375 of the Revised Statutes (31 U.S.C. 1012), relating to false reports of collectors with respect to bonds delivered for suit, is repealed.

(e) Section 378 of the Revised Statutes (31 U.S.C. 1013), relating to the report of the General Counsel for the Department of the Treasury to the officer from whom a bond was received, is repealed.

Repeals.

(f) Section 3501 of the Revised Statutes (31 U.S.C. 270), relating to the bonds of certain officers, assistants, and clerks in the Bureau of the Mint, Department of the Treasury, is repealed.

(g) Section 3555 of the Revised Statutes (31 U.S.C. 281), relating to officers of the New York assay office, Bureau of the Mint, is amended by striking out "the oaths to be taken, and the bonds and sureties to be given by them," and inserting in lieu thereof "and the oaths to be taken,".

(h) Section 3600 of the Revised Statutes (31 U.S.C. 475), relating to the bonds of officers in mints or assay offices authorized by law to act as depositaries, is repealed.

(i) Section 3613 of the Revised Statutes (31 U.S.C. 480), relating to certain deputies in the Department of the Treasury, is amended by striking out the second sentence thereof which reads as follows: "The official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases.".

(j) Section 3614 of the Revised Statutes (31 U.S.C. 481), relating to the bonds of special agents employed by departments, is repealed.

(k) Section 3625 of the Revised Statutes (31 U.S.C. 506), relating to distress warrants against sureties of certain officials who receive public moneys and fail to render proper account and payment, is amended—

(1) by striking out "and his sureties" wherever such words occur in the first sentence thereof;

(2) by striking out, in such first sentence, the word "reside" and inserting in lieu thereof the word "resides";

(3) by amending the second sentence thereof to read as follows: "Where the officer resides in a district other than that in which his estate may be, which it is intended to take and sell, then such warrant shall be directed to the marshals of such districts, respectively.".

(l) Section 3628 of the Revised Statutes (31 U.S.C. 509), relating to the execution of a distress warrant against the sureties of a delinquent finance officer, is repealed.

(m) Section 3629 of the Revised Statutes (31 U.S.C. 510), relating to liens on lands of delinquent officers and their sureties, is amended by striking out "and his sureties" and "or them".

(n) Section 3630 of the Revised Statutes (31 U.S.C. 511), relating to the sale of lands of delinquent officers and their sureties, is amended by striking out "or his sureties," and "and his sureties".

(o) Section 3631 of the Revised Statutes (31 U.S.C. 512), relating to the validity of the conveyance by a United States marshal of lands of a delinquent officer and his sureties, is amended by striking out "or his sureties".

(p) Section 3632 of the Revised Statutes (31 U.S.C. 513), relating to the return to a delinquent officer or his surety of moneys in excess of amounts needed to satisfy distress warrants, is amended by striking out "or surety, as the case may be".

(q) Section 3634 of the Revised Statutes (31 U.S.C. 516), applying the distress warrant provisions of the Revised Statutes to all Government officers charged with disbursement of public money and to their sureties, is amended—

(1) by striking out "and to their sureties,"; and

(2) by striking out "they" and inserting in lieu thereof "he".

(r) Section 3639 of the Revised Statutes (31 U.S.C. 521), relating to the duties of officers who are custodians of the public money, is amended by striking out the last sentence thereof which reads as follows: "The President is authorized, if in his opinion the interest of the United States requires the same, to regulate and increase the sums for which bonds are, or may be, required by law, of all United States

attorneys, collectors of customs, comptrollers of customs, and surveyors of customs, Navy agents, Quartermaster General, registers of public lands, paymasters in the Army, and by all other officers employed in the disbursement of the public moneys, under the direction of the Department of the Army or the Navy Department.”.

(s) (1) Section 3646(a) of the Revised Statutes (31 U.S.C. 528 (a)), relating to issuance by the Secretary of the Treasury of duplicate checks for lost, stolen, destroyed, mutilated, or defaced original checks, is amended by striking out “or his sureties” wherever such words occur in the proviso contained therein.

(2) The last sentence of section 3646(c) of the Revised Statutes (31 U.S.C. 528(c)) is amended by striking out “or his sureties” wherever such words occur in such sentence.

(t) The second proviso under the heading “United States Courts” contained in the Act entitled “An Act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for prior years, and for other purposes”, approved February 26, 1896 (29 Stat. 25; 31 U.S.C. 110), which reads “: *Provided further*, That hereafter all fees for United States attorneys, marshals, clerks of courts and special counsel necessarily employed in prosecuting civil suits instituted by the Auditor for the Post Office Department through the Solicitor of the Treasury against the sureties on the official bonds of late postmasters, as provided for by section two hundred and ninety-two, Revised Statutes of the United States, shall be paid from the appropriations for expenses of the United States Courts”, is repealed.

Repeals.

(u) The second proviso under the heading “Miscellaneous” and with the side heading “Silk Investigations” contained in the Act entitled “An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and three”, approved June 3, 1902 (32 Stat. 303; 31 U.S.C. 533), which reads “*And provided further*, That advances of public money from the appropriations for the Department of Agriculture shall be made by the Secretary of Agriculture only to such chiefs of field parties, agricultural explorers, special agents, and others as shall have given bonds in such sums as the Secretary of Agriculture shall direct”, is repealed.

(v) That part of the Act entitled “An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine”, approved May 23, 1908 (35 Stat. 259; 31 U.S.C. 534), relating to bonds required of chiefs of field parties who are advanced public moneys for fighting forest fires, which is under the heading “Forest Service” and with the side caption “General Expenses, Forest Service”, and which reads “and hereafter advances of money under any appropriation for the Forest Service may be made to the Forest Service and by authority of the Secretary of Agriculture to chiefs of field parties for fighting forest fires in emergency cases, who shall give bond under such rules and regulations and in such sum as the Secretary of Agriculture may direct, and detailed accounts arising under such advances shall be rendered through and by the Department of Agriculture to the General Accounting Office;” is amended by striking out “, who shall give bond under such rules and regulations and in such sum as the Secretary of Agriculture may direct;”.

(w) Section 8 of the Act entitled “An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes”, approved March 4, 1909 (35 Stat. 1027; 31 U.S.C. 494), relating to the

bond of an acting disbursing officer in case of sickness or absence of disbursing clerk or disbursing agent, is amended—

(1) by striking out the second sentence thereof which reads as follows:

“The official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases.”;

and

(2) by striking out in the third sentence thereof the following: “, and such acting officer shall be required by the head of the department, independent bureau, or office, to give bond to and in such sum as the disbursing clerk or disbursing agent may require”.

(x) The paragraph under the heading “Treasury Department” and the sideheading “Offices of disbursing clerks” in the Act entitled “An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes”, approved June 17, 1910 (36 Stat. 487; 31 U.S.C. 1015), relating to the bond of the deputy disbursing clerk of the Treasury Department, is amended—

(1) by striking out “he shall give bond to the disbursing clerk in such sum as the said disbursing clerk may require,”; and

(2) by striking out “, and the official bond of the disbursing clerk executed hereunder shall be made to cover and apply to the acts of the deputy disbursing clerk”.

(y) The first paragraph immediately above the center heading “Life Saving Service” and with the sideheading “Compensation for disbursements restricted to bonded appointees” contained in the Act entitled “An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes”, approved March 4, 1911 (36 Stat. 1387; 31 U.S.C. 546), is amended by striking out “and who have qualified by giving bonds”.

(z) The first proviso under the heading “Department of Commerce” and under the subheading “Coast and Geodetic Survey” in the Act entitled “An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes”, approved July 1, 1918 (40 Stat. 688; 31 U.S.C. 550), relating to the bond required of chiefs of parties under the Coast and Geodetic Survey who are advanced public moneys, is amended by striking out “, who shall give bond under such rules and regulations and in such sum as the Secretary of Commerce may direct,”.

(aa) The Act entitled “An Act making appropriations for the Diplomatic and Consular Service for fiscal year ending June thirtieth, nineteen hundred and nineteen”, approved April 15, 1918 (40 Stat. 523; 31 U.S.C. 535), and the Act entitled “An Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922”, approved March 2, 1921 (41 Stat. 1210; 31 U.S.C. 535), relating to the bond required of the commissioner on the part of the United States who is advanced public moneys in connection with activities regarding the United States-Canada boundary, which is under the heading “Boundary Line, Alaska and Canada, and The United States and Canada”, are each amended by striking out in the first proviso thereto the following: “, who shall give bond under such rules and regulations and in such sum as the Secretary of State may direct,”.

(bb) The Act entitled “An Act to authorize disbursing officers of the Army, Navy, and Marine Corps to designate deputies”, approved July 3, 1926 (44 Stat. 888; 31 U.S.C. 103a), is amended—

(1) by striking out “and the consent of their surety or sureties, if any”; and

(2) by striking out “: *Provided*, That every deputy so designated for a disbursing officer who is bonded shall, if not already under bond, give bond as required by the head of the department concerned”.

(cc) Section 2 of the Act entitled “An Act to fix the responsibilities of disbursing and certifying officers, and for other purposes”, approved December 29, 1941 (55 Stat. 875; 31 U.S.C. 82c), is amended by striking out “(2) be required to give bond to the United States, with good and sufficient surety approved by the Secretary of the Treasury, in such amount as may be determined by the head of the department, agency, or establishment concerned, pursuant to standards prescribed by the Secretary of the Treasury, and under such conditions as may be prescribed by the Secretary of the Treasury; and (3)” and inserting in lieu thereof “and (2)”.

(dd) The Act entitled “An Act to provide for the orderly transaction of the public business in the event of the death or of the resignation or separation from office of the Chief Disbursing Officer”, approved December 24, 1942 (61 Stat. 717; 31 U.S.C. 1014), is amended—

(1) by striking out in the third sentence “his estate, or the surety on his official bond” and inserting in lieu thereof “or his estate”;

(2) by striking out in such third sentence “, and his surety,” and “under his bond”; and

(3) by striking out the last two sentences which read as follows: “The bond of the Acting Chief Disbursing Officer or acting regional disbursing officer shall be an amount at least equal to the minimum amount of the bond required of the Chief Disbursing Officer or the regional disbursing officer, respectively. The Secretary of the Treasury may, from time to time, require the Assistant Chief Disbursing Officer, or the assistant regional disbursing officer, to renew and increase his bond to the United States.”.

(ee) The first proviso in the Act entitled “An Act to limit the time within which the General Accounting Office shall make final settlement of the monthly or quarterly accounts of fiscal officers, and for other purposes”, approved May 19, 1947 (61 Stat. 101; 31 U.S.C. 82i), is amended by striking out “or his surety”.

(ff) The Act entitled “An Act to provide for the orderly transaction of the public business in the event of the death, incapacity, or separation from office of a disbursing officer of the military department”, approved July 31, 1953 (67 Stat. 296; 31 U.S.C. 103b), is amended—

(1) by striking out in the third sentence “, his estate, or the surety on his official bond,” and inserting in lieu thereof “or his estate”;

(2) by striking out in such third sentence “and his surety,” and “under his bond”; and

(3) by striking out the last two sentences thereof which read as follows:

“The bond of the deputy disbursing officer shall be an amount at least equal to the minimum amount of the bond required of the disbursing officer. The Secretary of the military department concerned may, from time to time, require the deputy disbursing officer to renew and increase his bond to the United States.”.

(gg) The proviso contained in the first section of the Act entitled “An Act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and

State Department, and for other purposes", approved June 4, 1954 (68 Stat. 176; 31 U.S.C. 95b), is amended by striking out "disbursing officer, agent, or surety of the United States" and inserting in lieu thereof "disbursing officer or agent of the United States".

TITLE 33, UNITED STATES CODE

SEC. 232. Section 4(a) (7) of the Act entitled "An Act for creation of the Saint Lawrence Seaway Development Corporation to construct part of the Saint Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the Saint Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the Saint Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes", approved May 13, 1954 (68 Stat. 94; 33 U.S.C. 984(a) (7)), relating to the power of Corporation to require fidelity bonds of its employees, is amended—

(1) by inserting "and" immediately before "delegate"; and

(2) by striking out "require bonds of such of them as the Administrator may designate, and fix the penalties and pay the premiums on such bonds".

TITLE 47, UNITED STATES CODE

SEC. 233. The Act entitled "An Act to authorize payment of expenses of the Washington-Alaska Military Cable and Telegraph System out of receipts of such system as an operating expense", approved May 20, 1926 (44 Stat. 576; 47 U.S.C. 16), is amended by striking out "; and the expenses of procuring necessary official bonds, as determined by the Secretary of the Army, of enlisted men employed in connection with such money transfers, shall be paid out of the receipts of such system as an operating expense".

TITLE 48, UNITED STATES CODE

72 Stat. 1759.

SEC. 234. Section 4(i) of the Virgin Islands Corporation Act (63 Stat. 352; 48 U.S.C. 1407c(i)), relating to personnel of the Virgin Islands Corporation, is amended—

(1) by inserting "and" immediately before "without regard to the provisions of any other law," and

(2) by striking out "; and to require bonds from such of them as the Corporation may designate, the premiums therefor to be paid by the Corporation".

TITLE 50 APPENDIX, UNITED STATES CODE

SEC. 235. Section 6 of the Act entitled "An Act to define, regulate, and punish trading with the enemy, and for other purposes", approved October 6, 1917 (40 Stat. 415; 50 App. U.S.C. 6), relating to the bond of the alien property custodian, is amended by striking out "The alien property custodian shall give such bond or bonds, and in such form and amount, and with such security as the President shall prescribe."

**PART 3—CHANGES IN PROVISIONS OF LAW CONTAINED IN THE
CANAL ZONE CODE**

TITLE 2, CANAL ZONE CODE

SEC. 240. Section 121(a) of title 2 of the Canal Zone Code (76A Stat. 15; 2 C.Z.C. 121(a)), relating to the bonds of certain personnel of the Panama Canal Company, is amended—

- (1) by inserting “and” after the semicolon in paragraph (1);
- (2) by striking out paragraph (2); and
- (3) by redesignating paragraph (3) as paragraph (2).

PART 4—GENERAL REPEAL PROVISION

GENERAL REPEALER

SEC. 250. All laws or parts of laws not amended or repealed by part 1, 2, or 3 of this title and providing for surety or fidelity bonds for civilian employees and military personnel of the Federal Government for the faithful performance of their duties are repealed.

**PART 5—REENACTMENT OF FORMER PROVISION OF TITLE 6,
UNITED STATES CODE**

Ante, p. 202.

NOTIFICATION OF DEFICIENCIES INCURRED BY FEDERAL OFFICIALS

SEC. 260. Whenever any deficiency is discovered in the accounts of any official of the United States or in the accounts of any officer disbursing or chargeable with public money, the accounting officers making such discovery shall notify immediately the head of the department having control over the affairs of such official or officer of the nature and amount of such deficiency.

Approved June 6, 1972.

Public Law 92-311

AN ACT

To amend section 316(c) of the Agricultural Adjustment Act of 1938, as amended.

June 6, 1972
[H. R. 13361]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the second sentence of subsection (c) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows: “Any lease of Flue-cured tobacco acreage-poundage marketing quotas from any farm with an acreage-poundage marketing quota in excess of 2,000 pounds filed on or after June 15 in any year shall not be effective unless the acreage planted on both the lessor and the lessee farms during the current marketing year was as much as 50 per centum of the farm acreage allotment in effect for such year.”

Tobacco.
Quota transfers.
75 Stat. 469;
80 Stat. 220.
7 USC 1314b.

Approved June 6, 1972.