

Enactment of the Tax Reform Act of 1984, referred to in text, means the date of enactment of division A of Pub. L. 98-369, which was approved July 18, 1984.

AMENDMENTS

1984—Pub. L. 98-369 inserted “, as in effect before the enactment of the Tax Reform Act of 1984” after “(26 U.S.C. 405(b), 409(a))”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 applicable to obligations issued after Dec. 31, 1983, see section 491(f)(1) of Pub. L. 98-369, set out as a note under section 62 of Title 26, Internal Revenue Code.

§ 3108. Prohibition against circulation privilege

An obligation issued under sections 3102-3104(a)(1) and 3105-3107 of this title may not bear the circulation privilege.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|------------------------------|---|
| 3108 | 31:753(d)(1st sentence). | Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(d)(1st sentence); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1310. |
| | 31:757c(d)(last sentence). | Sept. 24, 1917, ch. 56, 40 Stat. 288, §22(d)(last sentence); added Feb. 4, 1935, ch. 5, §6, 49 Stat. 21; restated Feb. 19, 1941, ch. 7, §3, 55 Stat. 8. |
| | 31:757c-2(c)(last sentence). | Sept. 24, 1917, ch. 56, 40 Stat. 288, §22A(c)(last sentence); added Nov. 8, 1966, Pub. L. 89-800, §5, 80 Stat. 1515. |
| | 31:758. | Sept. 24, 1917, ch. 56, §7(1st sentence), 40 Stat. 291. |

The reference in 31:758 to certificates authorized under 31:757 is omitted because the authority under 31:757 was ended by section 2(b)(3) of the Public Debt Act of 1941 (ch. 7, 55 Stat. 7).

§ 3109. Tax and loss bonds

(a) The Secretary of the Treasury may issue tax and loss bonds of the United States Government and may buy, redeem, and make refunds under section 3111 of this title. The proceeds of the tax and loss bonds shall be used for expenditures authorized by law. Tax and loss bonds are nontransferrable except as provided by the Secretary, bear no interest, and shall be issued in amounts needed to allow persons to comply with section 832(e) of the Internal Revenue Code of 1986 (26 U.S.C. 832(e)). The Secretary may prescribe the amount of tax and loss bonds and the conditions under which the bonds will be issued as required by section 832(e).

(b) For a taxable year in which amounts are deducted from the mortgage guaranty account referred to in section 832(e)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 832(e)(3)), an amount of tax and loss bonds bought under section 832(e)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 832(e)(2)) shall be redeemed for the amount deducted from the account. The amount redeemed shall be applied as necessary to pay taxes due because of the inclusion under section 832(b)(1)(E) of the Internal Revenue Code of 1986 (26 U.S.C. 832(b)(1)(E)) of amounts in gross income. The Secretary also may prescribe additional ways to redeem the bonds.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|---------------------------------|---|
| 3109(a) | 31:757c-3(1st-3d sentences). | Sept. 24, 1917, ch. 56, 40 Stat. 288, §26; added Jan. 2, 1968, Pub. L. 90-240, §5(f), 81 Stat. 778. |
| 3109(b) | 31:757c-3(4th, last sentences). | |

In subsection (a), the words “and may buy, redeem, and make refunds under section 3111 of this title” are substituted for “and to retire any outstanding obligations of the United States issued under this Act” for consistency. The words “subject to the limitations imposed by section 757b of this title” are omitted as surplus. The word “conditions” is substituted for “terms and conditions” because it is inclusive.

Editorial Notes

AMENDMENTS

1986—Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954” wherever appearing.

§ 3110. Sale of obligations of governments of foreign countries

(a) With the approval of the President, the Secretary of the Treasury may sell obligations of the government of a foreign country when the obligations were acquired under—

- (1) the First Liberty Bond Act and matured before June 16, 1947;
- (2) the Second Liberty Bond Act and matured before October 16, 1938; or
- (3) section 7(a) of the Victory Liberty Loan Act.

(b) The Secretary may prescribe the conditions and frequency for receiving payment under obligations of a government of a foreign country acquired under the laws referred to in subsection (a) of this section. A sale of an obligation acquired under those Acts shall at least equal the purchase price and accrued interest. The proceeds of obligations sold under this section and payments received from governments on the principal of their obligations shall be used to redeem or buy (for not more than par value and accrued interest) bonds of the United States Government issued under this chapter. If those bonds cannot be redeemed or bought, the Secretary shall redeem or buy other outstanding interest-bearing obligations of the Government that are subject to redemption or which can be bought at not more than par value and accrued interest.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 3110 | 31:801. | Sept. 24, 1917, ch. 56, §3, 40 Stat. 289. |
| | 31:802, 803. | Mar. 3, 1919, ch. 100, §§7(b), 8, 40 Stat. 1312, 1313. |
| | 31:804. | Apr. 24, 1917, ch. 4, §3, 40 Stat. 35. |

In the section, the words “government of a foreign country” are substituted for “foreign governments” for

consistency in the revised title and with other titles of the United States Code.

In subsection (a), the text of 31:801 and 802 (related to converting certain obligations of foreign governments into obligations bearing a higher rate of interest or with a longer term to maturity) is omitted as executed.

In subsection (b), the text of 31:804 is omitted as unnecessary. The word “conditions” is substituted for “terms and conditions” because it is inclusive. The words “unless otherwise hereafter provided by law” are omitted as surplus.

Editorial Notes

REFERENCES IN TEXT

The First Liberty Bond Act, referred to in subsec. (a)(1), is act Apr. 24, 1917, ch. 4, 40 Stat. 35, which enacted sections 746, 755, 755a, 759, 764, 774, and 804 of former Title 31 and section 462a of Title 12, Banks and Banking, and amended sections 745 and 768 of former Title 31, and was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1072.

The Second Liberty Bond Act, referred to in subsec. (a)(2), is act Sept. 24, 1917, ch. 56, 40 Stat. 288, which enacted sections 747, 752 to 754b, 757, 757b, 757c to 757e, 758, 760, 765, 766, 771, 773, and 801 and amended sections 745, 764, 769, and 774 of former Title 31, and was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1072.

Section 7(a) of the Victory Liberty Loan Act, referred to in subsec. (a)(3), is section 7(a) of act Mar. 3, 1919, ch. 100, 40 Stat. 1309, and was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1072.

§ 3111. New issue used to buy, redeem, or refund outstanding obligations

An obligation may be issued under this chapter to buy, redeem, or refund, at or before maturity, outstanding bonds, notes, certificates of indebtedness, Treasury bills, or savings certificates of the United States Government. Under regulations of the Secretary of the Treasury, money received from the sale of an obligation and other money in the general fund of the Treasury may be used in making the purchases, redemptions, or refunds.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 3111 | 31:754a. | Sept. 24, 1917, ch. 56, 40 Stat. 288, §19; added Jan. 30, 1934, ch. 6, §14(a)(4), 48 Stat. 343; restated Mar. 28, 1942, ch. 205, §4, 56 Stat. 189. |

The words “regulations of” are substituted for “rules, regulations, terms, and conditions . . . may prescribe” to eliminate unnecessary words.

§ 3112. Sinking fund for retiring and cancelling bonds and notes

(a) The Department of the Treasury has a sinking fund for retiring bonds and notes issued under this chapter. Amounts in the fund are appropriated for payment of bonds and notes at maturity or for their redemption or purchase before maturity by the Secretary of the Treasury. The fund is available until all the bonds and notes are retired.

(b) For each fiscal year, an amount is appropriated equal to—

- (1) the interest that would have been payable during the fiscal year for which the appropriation is made on the bonds and notes bought,

redeemed, or paid out of the fund during that or prior years;

(2) 2.5 percent of the total amount of bonds and notes issued under the First Liberty Bond Act, the Second Liberty Bond Act, the Third Liberty Bond Act, the Fourth Liberty Bond Act, and the Victory Liberty Loan Act and outstanding on July 1, 1920, less an amount equal to the par amount of obligations of governments of foreign countries that the United States Government held on July 1, 1920; and

(3) 2.5 percent of the total amount expended after June 29, 1933, from appropriations made or authorized in sections 301 and 302 of the Emergency Relief and Construction Act of 1932.

(c) The Secretary may prescribe the price and conditions for paying, redeeming, and buying bonds and notes under this section. The average cost of bonds and notes bought under this section may not be more than par value and accrued interest. Bonds and notes bought, redeemed, or paid out of the sinking fund must be canceled and retired and may not be reissued.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 943.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|--|--|
| 3112(a) | 31:767(less 2d sentence related to price, terms, and conditions, 3d, 4th sentences). | Mar. 3, 1919, ch. 100, §6, 40 Stat. 1311; Mar. 2, 1923, ch. 179, 42 Stat. 1427; May 29, 1928, ch. 901, §1(21), 45 Stat. 987; Jan. 30, 1934, ch. 6, §14(b), 48 Stat. 344. |
| 3112(b) | 31:767(last sentence). 31:767b. | Mar. 3, 1933, ch. 212, §1(last par. on p. 1492), 47 Stat. 1492; Mar. 15, 1934, ch. 70, §1(2d complete par. on p. 428), 48 Stat. 428. |
| 3112(c) | 31:767(2d sentence related to price, terms, and conditions, 3d, 4th sentences). | |

In subsection (a), the word “cumulative” is omitted as surplus. The words “under this chapter” are substituted for “under the First Liberty Bond Act, the Second Liberty Bond Act, the Third Liberty Bond Act, the Fourth Liberty Bond Act, or under this Act, and outstanding on July 1, 1920, and of bonds and notes thereafter issued, under any of such Acts or under any of such Acts as amended” to eliminate unnecessary words, reference to laws that have been executed, and to reflect consolidation of the public debt authority in the revised chapter. The words “and all additions thereto” are omitted as surplus.

Subsection (b)(1) and (2) is substituted for 31:767(last sentence) to eliminate unnecessary words.

In subsection (b)(3), the text of 31:767b(related to 31:767a) is omitted as obsolete.

In subsection (c), the word “conditions” is substituted for “terms and conditions” because it is inclusive.

Editorial Notes

REFERENCES IN TEXT

The First Liberty Bond Act, referred to in subsec. (b)(2), is act Apr. 24, 1917, ch. 4, 40 Stat. 35, which enacted sections 746, 755, 755a, 759, 764, 774, and 804 of former Title 31 and section 462a of Title 12, Banks and Banking, and amended sections 745 and 768 of former Title 31, and was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1072.

The Second Liberty Bond Act, referred to in subsec. (b)(2), is act Sept. 24, 1917, ch. 56, 40 Stat. 288, which en-