

“(ii) an officer or employee of the Department of the Treasury.

“(B) APPLICABLE PERIOD OF PROHIBITION.—The prohibition contained in subparagraph (A) on discussions and disclosures of any discussion, debate, or recommendation at a meeting of the advisory committee shall cease to apply—

“(i) with respect to any discussion, debate, or recommendation which relates to the securities to be auctioned in a midquarter refunding by the Secretary of the Treasury, at the time the Secretary makes a public announcement of the refunding; and

“(ii) with respect to any other discussion, debate, or recommendation at the meeting, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2).

“(C) REMOVAL FROM ADVISORY COMMITTEE FOR VIOLATIONS OF THIS PARAGRAPH.—In addition to any penalty or enforcement action to which a person who violates a provision of this paragraph may be subject under any other provision of law, the Secretary of the Treasury shall—

“(i) remove a member of the advisory committee who violates a provision of this paragraph from the advisory committee and permanently bar such person from serving as a member of the advisory committee; and

“(ii) prohibit any director, officer, or employee of the firm of which the member referred to in clause (i) is a director, officer, or employee (at the time the member is removed from the advisory committee) from serving as a member of the advisory committee at any time during the 5-year period beginning on the date of such removal.

“(d) REPORT TO CONGRESS.—

“(1) REPORT REQUIRED.—The Secretary of the Treasury shall submit an annual report to the Congress containing the following information with respect to material violations or suspected material violations of regulations of the Secretary relating to auctions and other offerings of securities upon the issuance of such securities by the Secretary:

“(A) The number of inquiries begun by the Secretary during the year covered by the report regarding such material violations or suspected material violations by any participant in the auction system or any director, officer, or employee of any such participant and the number of inquiries regarding any such violations or suspected violations which remained open at the end of such year.

“(B) A brief description of the nature of the violations.

“(C) A brief description of any action taken by the Secretary during such year with respect to any such violation, including any referrals made to the Attorney General, the Securities and Exchange Commission, any other law enforcement agency, and any Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act [12 U.S.C. 1813]).

“(2) DELAY IN DISCLOSURE OF INFORMATION IN CERTAIN CASES.—The Secretary of the Treasury shall not be required to include in a report under paragraph (1) any information the disclosure of which could jeopardize an investigation by an agency described in paragraph (1)(C) for so long as such disclosure could jeopardize the investigation.”

NOTICE ON TREASURY MODIFICATIONS TO AUCTION PROCESS

Pub. L. 103-202, title II, §203, Dec. 17, 1993, 107 Stat. 2359, which required the Secretary of the Treasury to notify Congress of any significant modifications to the auction process for issuing United States Treasury obligations at the time such modifications were implemented, was repealed by Pub. L. 113-188, title XVI, §1601(d)(1), Nov. 26, 2014, 128 Stat. 2025.

§ 3122. Banks and trust companies as depositaries

(a) The Secretary of the Treasury may designate incorporated banks and trust companies as depositaries for any part of proceeds of an obligation issued under this chapter. The Secretary may prescribe the conditions under which deposits may be made under this section, including the interest rate on amounts deposited and security requirements.

(b) The Secretary may designate a bank or trust company that is a depositary under subsection (a) of this section as a fiscal agent of the United States Government in selling and delivering bonds and certificates of indebtedness issued by the Government.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 945.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3122(a)	31:753(d)(last sentence related to 31:771).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(d)(last sentence related to §8); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1309.
	31:771.	Sept. 24, 1917, ch. 56, §8, 40 Stat. 291; restated Apr. 4, 1918, ch. 44, §5, 40 Stat. 504; Jan. 30, 1934, ch. 6, §14(a)(2), 48 Stat. 343; Aug. 27, 1949, ch. 517, §7(b), 63 Stat. 668; Sept. 21, 1966, Pub. L. 89-597, §2(d), 80 Stat. 824.
3122(b)	31:772.	July 9, 1918, ch. 142, §4, 40 Stat. 845.

In the section, the words “war-savings certificates” are omitted because the authority to issue them was denied by section 2(b)(3) of the Public Debt Act of 1941 (ch. 7, 55 Stat. 7).

In subsection (a), the words “in his discretion” are omitted as surplus. The word “obligation” is substituted for “bonds and certificates of indebtedness, Treasury bills” for consistency and to eliminate unnecessary words. The words “and arising from the payment of internal revenue taxes” are omitted as superseded by 26:6302(c). The word “conditions” is substituted for “terms and conditions” because it is inclusive. The words “upon and” are omitted as surplus.

In subsection (b), the words “The Secretary may designate a bank or trust company that is a depositary under subsection (a) of this section” are substituted for “Any incorporated bank or trust company designated as a depositary by the Secretary of the Treasury under the authority conferred by section 771 of this title, which gives security for such deposits as, and to amounts, by him prescribed, may, upon and subject to such terms and conditions as the Secretary of the Treasury may prescribe, act” to eliminate unnecessary words.

§ 3123. Payment of obligations and interest on the public debt

(a) The faith of the United States Government is pledged to pay, in legal tender, principal and interest on the obligations of the Government issued under this chapter.

(b) The Secretary of the Treasury shall pay interest due or accrued on the public debt. As the Secretary considers expedient, the Secretary may pay in advance interest on the public debt by a period of not more than one year, with or without a rebate of interest on the coupons.

(c)(1) The Secretary may issue a bond, note, or certificate of indebtedness authorized under this chapter whose principal and interest are payable

in a foreign currency stated in the bond, note, or certificate. The Secretary may dispose of the bonds, notes, and certificates at a price that is at least par value without complying with section 3102(b)–(d) of this title.

(2) In determining the dollar amount of bonds, notes, and certificates of indebtedness that may be issued under this chapter, the dollar equivalent of the amount of bonds, notes, and certificates payable in a foreign currency is determined by the par of the exchange value on the date of issue of the bonds, notes, or certificates as published by the Secretary under section 5151 of this title.

(3) The Secretary may designate depositories in foreign countries in which any part of the proceeds of bonds, notes, or certificates of indebtedness payable in the foreign currency may be deposited.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 945.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3123(a)	31:731. 31:753(d)(2d sentence). 31:768(words before semicolon).	R.S. §3693. Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(d)(2d sentence); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1310. Feb. 4, 1910, ch. 25, §1(words before semicolon), 36 Stat. 192.
3123(b)	31:732. 31:733(words before semicolon).	R.S. §3698. R.S. §3699(words before semicolon); restated Jan. 30, 1934, ch. 6, §9, 48 Stat. 341.
3123(c)	31:766.	Sept. 24, 1917, ch. 56, 40 Stat. 288, §16; added Apr. 4, 1918, ch. 44, §6, 40 Stat. 505; Nov. 13, 1966, Pub. L. 89–809, §401, 80 Stat. 1590.

In subsection (a), the words “legal tender” are substituted for “in coin or its equivalent” in 31:731 and “gold coin of the present standard of value” in section 1 of the Act of Feb. 1, 1910, and section 18(d)(2d sentence) of the Second Liberty Bond Act because of section 1 of the Act of June 5, 1933 (ch. 48, 48 Stat. 113). The words “obligations of the Government” are substituted for 31:731(1st sentence 18th–last words), “thereof” in 31:753(d), and 31:768(1st 17 words) for clarity and consistency and to eliminate unnecessary words. The text of 31:731(last sentence) is omitted as executed.

In subsection (b), the words “cause to be”, “out of any money in the Treasury not otherwise appropriated”, “falling”, “any portion of”, and “authorized by law” in 31:732 are omitted as surplus. The text of 31:733(words between semicolon and colon) is omitted as unnecessary because of chapter 53 of the revised title. The text of 31:733(words after colon) is omitted as superseded by the Bretton Woods Agreement Act (22 U.S.C. 286 et seq.) and sections 6 and 9 of the Act of Oct. 19, 1976 (Pub. L. 94–564, 90 Stat. 2661), repealing 31:449 that provided for parity of the dollar on terms of gold and special drawing rights.

In subsection (c), the word “currency” is substituted for “money or . . . moneys” for clarity and because of 1:1.

In subsection (c)(1), the words “but not also in United States gold coin” and “in such manner” are omitted as surplus.

In subsection (c)(2), the words “dollar” before “amount”, and “value”, are added for clarity. The words “estimated by the Director of the Mint, and” are omitted because of the source provisions restated in section 321(c) of the revised title. The word “published” is substituted for “proclaimed” for clarity.

In subsection (c)(3), the words “as he may determine” are omitted as surplus.

§ 3124. Exemption from taxation

(a) Stocks and obligations of the United States Government are exempt from taxation by a State or political subdivision of a State. The exemption applies to each form of taxation that would require the obligation, the interest on the obligation, or both, to be considered in computing a tax, except—

(1) a nondiscriminatory franchise tax or another nonproperty tax instead of a franchise tax, imposed on a corporation; and

(2) an estate or inheritance tax.

(b) The tax status of interest on obligations and dividends, earnings, or other income from evidences of ownership issued by the Government or an agency and the tax treatment of gain and loss from the disposition of those obligations and evidences of ownership is decided under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.). An obligation that the Federal Housing Administration had agreed, under a contract made before March 1, 1941, to issue at a future date, has the tax exemption privileges provided by the authorizing law at the time of the contract. This subsection does not apply to obligations and evidences of ownership issued by the District of Columbia, a territory or possession of the United States, or a department, agency, instrumentality, or political subdivision of the District, territory, or possession.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 945; Pub. L. 99–514, §2, Oct. 22, 1986, 100 Stat. 2095.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3124(a)	31:742.	R.S. §3701; Sept. 22, 1959, Pub. L. 86–346, §105(a), 73 Stat. 622.
3124(b)	31:742a.	Feb. 19, 1941, ch. 7, §4, 55 Stat. 9; Mar. 28, 1942, ch. 205, §6, 56 Stat. 190; restated June 25, 1947, ch. 147, 61 Stat. 180; Sept. 22, 1959, Pub. L. 86–346, §202, 73 Stat. 624.

In subsection (a), before clause (1), the words “Except as otherwise provided by law, all . . . bonds, Treasury notes, and other” are omitted as surplus. The words “political subdivision of a State” are substituted for “municipal or local authority” for clarity and consistency. The word “applies” is substituted for “extends” for clarity. The words “directly or indirectly” are omitted as surplus. In clause (1), the word “instead” is substituted for “in lieu” for clarity.

In subsection (b), the words “shares, certificates, stock, or other” and “sale or other” are omitted as surplus. The words “The tax status of . . . and the tax treatment of . . . is decided under the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.)” are substituted for “shall not have any exemption, as such . . . shall not have any special treatment, as such, except as provided under the Internal Revenue Code of 1954” for clarity. The words “on or after March 28, 1942” and 31:742a(a)(1st sentence words after semicolon related to the United States Maritime Commission) are omitted as executed. The last sentence is substituted for 31:742a(a)(last sentence) for clarity. The words “any political subdivision thereof” are omitted as included in “agency or instrumentality”. The text of 31:742a(b) and (c) is omitted as unnecessary.