

Editorial Notes

REFERENCES IN TEXT

Section 3(a)(34)(G), (42)(B), (C), (43), (44) of the Securities Exchange Act of 1934, referred to in subsecs. (a) and (e)(2)–(4), is classified to section 78c(a)(34)(G), (42)(B), (C), (43), (44) of Title 15, Commerce and Trade.

Section 8(b) or 8(c) of the Federal Deposit Insurance Act, referred to in subsec. (b), is classified to section 1818(b), (c) of Title 12, Banks and Banking.

Section 5(d)(2) or 5(d)(3) of the Home Owners' Loan Act of 1933, referred to in subsec. (b), is classified to section 1464(d)(2), (3) of Title 12, but was amended generally by Pub. L. 101–73, title III, § 301, Aug. 9, 1989, 103 Stat. 282, and no longer relates to issuance of orders. See section 1464(d)(1) of Title 12.

Section 407 of the National Housing Act, referred to in subsec. (b), which was classified to section 1730 of Title 12, was repealed by Pub. L. 101–73, title IV, § 407, Aug. 9, 1989, 103 Stat. 363.

Section 206(e) or 206(f) of the Federal Credit Union Act, referred to in subsec. (b), is classified to section 1786(e), (f) of Title 12.

Clauses (i) through (vi) of subparagraph [section] 19(b)(1)(A) of the Federal Reserve Act, referred to in subsec. (e)(1), are classified to section 461(b)(1)(A)(i) to (vi) of Title 12.

The International Banking Act of 1978, referred to in subsec. (e)(1), is Pub. L. 95–369, Sept. 17, 1978, 92 Stat. 607, which enacted chapter 32 (§ 3101 et seq.) and sections 347d and 611a of Title 12, Banks and Banking, amended sections 72, 378, 614, 615, 618, 619, 1813, 1815, 1817, 1818, 1820, 1821, 1822, 1823, 1828, 1829b, 1831b, and 1841 of Title 12, and enacted provisions set out as notes under sections 36, 247, 601, 611a, and 3101 of Title 12. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 12 and Tables.

AMENDMENTS

1994—Subsec. (e)(1). Pub. L. 103–272 substituted “section” for “subparagraph”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE; PROMULGATION OF REGULATIONS

Section effective 270 days after Oct. 28, 1986, except that the Secretary of the Treasury and each appropriate regulatory agency shall publish for notice and public comment within 120 days after Oct. 28, 1986, initial implementing regulations to become effective as temporary regulations 210 days after Oct. 28, 1986, and as final regulations not later than 270 days after Oct. 28, 1986, see title IV of Pub. L. 99–571, set out as a note under section 78o–5 of Title 15, Commerce and Trade.

TRANSITIONAL AND SAVINGS PROVISIONS

For transitional and savings provisions of Pub. L. 99–571, see section 301 of Pub. L. 99–571, set out as a note under section 78o–5 of Title 15, Commerce and Trade.

CHAPTER 93—SURETIES AND SURETY BONDS

| Sec. | |
|-------|---|
| 9301. | Definitions. |
| 9302. | Prohibition against surety bonds for United States Government personnel. |
| 9303. | Use of Government obligations instead of surety bonds. ¹ |
| 9304. | Surety corporations. |
| 9305. | Authority and revocation of authority of surety corporations. |
| 9306. | Surety corporations acting outside area of incorporation and place of principal office. |

¹ Section catchline amended by Pub. L. 109–351 without corresponding amendment of chapter analysis.

| Sec. | |
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| 9307. | Civil actions and judgments against surety corporations. |
| 9308. | Civil penalty. |
| 9309. | Priority of sureties. |
| 9310. | Individual sureties. |

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2015—Pub. L. 114–92, div. A, title VIII, § 874(a)(2), Nov. 25, 2015, 129 Stat. 940, added item 9310.

§ 9301. Definitions

In this chapter—

(1) “person” means an individual, a trust, an estate, a partnership, and a corporation.

(2) “eligible obligation” means any security designated as acceptable in lieu of a surety bond by the Secretary of the Treasury.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 1046; Pub. L. 109–351, title IX, § 901(a), Oct. 13, 2006, 120 Stat. 2007.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-----------------------------|----------------------------|
| 9301 | 6:15(10th, last sentences). | |

In clause (1), the words after the semicolon are omitted as unnecessary because of the restatement.

Clause (2) is substituted for 6:15(last sentence) for consistency and to eliminate unnecessary words.

Editorial Notes

AMENDMENTS

2006—Par. (2). Pub. L. 109–351 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “‘Government obligation’ means a public debt obligation of the United States Government and an obligation whose principal and interest is unconditionally guaranteed by the Government.”

§ 9302. Prohibition against surety bonds for United States Government personnel

An agency (except a mixed-ownership Government corporation) may not require or obtain a surety bond for a member of the uniformed services or an officer or employee of the United States Government in carrying out official duties. This section does not affect the personal financial liability of the member, officer, or employee.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 1046.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 9302 | 31:1201. | June 6, 1972, Pub. L. 92–310, § 101, 86 Stat. 201. |

The words “agency (except a mixed-ownership Government corporation)” are substituted for 31:1201(c)(words before last comma) and “agency of the Federal Government” because of section 101 of the revised title and for consistency. The words “member of the uniformed services or an officer or employee of the United States Government” are substituted for “civilian employees or military personnel” for consistency with other titles of the United States Code. The words “in carrying out official duties” are substituted for “in