

TITLE 12—BANKS AND BANKING

Chap.		Sec.	Chap.		Sec.
1.	The Comptroller of the Currency ...	1	34A.	Appraisal Subcommittee of Federal Financial Institutions Examination Council	3331
2.	National Banks	21	35.	Right to Financial Privacy	3401
3.	Federal Reserve System	221	36.	Depository Institutions Deregulation and Financial Regulation Simplification [Omitted or Repealed]	3501
4.	Taxation	531	37.	Solar Energy and Energy Conservation Bank [Repealed]	3601
5.	Crimes and Offenses	581	38.	Multifamily Mortgage Foreclosure	3701
6.	Foreign Banking	601	38A.	Single Family Mortgage Foreclosure	3751
6A.	Export-Import Bank of the United States	635	39.	Alternative Mortgage Transactions	3801
7.	Farm Credit Administration [Repealed or Omitted, See Chapter 23]	636	40.	International Lending Supervision	3901
7A.	Agricultural Marketing	1141	41.	Expedited Funds Availability	4001
7B.	Regional Agricultural Credit Corporations	1148	42.	Low-Income Housing Preservation and Resident Homeownership	4101
8.	Adjustment and Cancellation of Farm Loans	1150	43.	Actions Against Persons Committing Bank Fraud Crimes	4201
9.	National Agricultural Credit Corporations [Repealed or Omitted]	1151	44.	Truth in Savings	4301
10.	Local Agricultural-Credit Corporations, Livestock-Loan Companies and Like Organizations; Loans to Individuals To Aid in Formation or To Increase Capital Stock	1401	45.	Payment System Risk Reduction	4401
11.	Federal Home Loan Banks	1421	46.	Government Sponsored Enterprises	4501
11A.	Federal Home Loan Mortgage Corporation	1451	47.	Community Development Banking	4701
12.	Savings Associations	1461	48.	Financial Institutions Regulatory Improvement	4801
13.	National Housing	1701	49.	Homeowners Protection	4901
14.	Federal Credit Unions	1751			
15.	Federal Loan Agency [Omitted]	1801			
16.	Federal Deposit Insurance Corporation	1811			
17.	Bank Holding Companies	1841			
18.	Bank Service Companies	1861			
19.	Security Measures for Banks and Savings Associations	1881			
20.	Credit Control [Omitted]	1901			
21.	Financial Recordkeeping	1951			
22.	Tying Arrangements	1971			
23.	Farm Credit System	2001			
24.	Federal Financing Bank	2281			
25.	National Commission on Electronic Fund Transfers	2401			
26.	Disposition of Abandoned Money Orders and Traveler's Checks	2501			
27.	Real Estate Settlement Procedures	2601			
28.	Emergency Mortgage Relief	2701			
29.	Home Mortgage Disclosure	2801			
30.	Community Reinvestment	2901			
31.	National Consumer Cooperative Bank	3001			
32.	Foreign Bank Participation in Domestic Markets	3101			
33.	Depository Institution Management Interlocks	3201			
34.	Federal Financial Institutions Examination Council	3301			

CHAPTER 1—THE COMPTROLLER OF THE CURRENCY

Sec.	
1.	Office of Comptroller of the Currency.
2.	Comptroller of the Currency; appointment; term.
3.	Oath of Comptroller.
4.	Deputy Comptrollers.
4a.	Delegation of authority by Comptroller.
5, 6.	Repealed.
7.	Chief of examining division.
8.	Clerks.
9.	Additional examiners, clerks, and other employees.
9a.	Repealed.
10.	Salaries of Deputy Comptrollers, examiners, and other employees as part of bank examination expenses.
11.	Interest in national banks.
12.	Seal of Comptroller.
13.	Rooms for Currency Bureau.
14.	Report of Comptroller.
15.	Repealed.

§ 1. Office of Comptroller of the Currency

There shall be in the Department of the Treasury a bureau charged with the execution of all laws passed by Congress relating to the issue and regulation of a national currency secured by

United States bonds and, under the general supervision of the Board of Governors of the Federal Reserve System, of all Federal Reserve notes, except for the cancellation and destruction, and accounting with respect to such cancellation and destruction, of Federal Reserve notes unfit for circulation, the chief officer of which bureau shall be called the Comptroller of the Currency, and shall perform his duties under the general directions of the Secretary of the Treasury. The Comptroller of the Currency shall have the same authority over matters within the jurisdiction of the Comptroller as the Director of the Office of Thrift Supervision has over matters within the Director's jurisdiction under section 1462a(b)(3) of this title. The Secretary of the Treasury may not delay or prevent the issuance of any rule or the promulgation of any regulation by the Comptroller of the Currency.

(R.S. § 324; Dec. 23, 1913, ch. 6, § 10, 38 Stat. 261; June 3, 1922, ch. 205, 42 Stat. 621; Aug. 23, 1935, ch. 614, title II, § 203(a), 49 Stat. 704; Pub. L. 89-427, § 1, May 20, 1966, 80 Stat. 161; Pub. L. 103-325, title III, § 331(b)(2), Sept. 23, 1994, 108 Stat. 2232.)

REFERENCES IN TEXT

The bureau, referred to in text, is known as the Office of the Comptroller of the Currency.

CODIFICATION

R.S. § 324 derived from act June 3, 1864, ch. 106, § 1, 13 Stat. 99, which was the National Bank Act. See section 38 of this title.

Section is comprised of R.S. § 324, as amended by the eighth paragraph of act Dec. 23, 1913, § 10.

AMENDMENTS

1994—Pub. L. 103-325 inserted at end “The Comptroller of the Currency shall have the same authority over matters within the jurisdiction of the Comptroller as the Director of the Office of Thrift Supervision has over matters within the Director's jurisdiction under section 1462a(b)(3) of this title. The Secretary of the Treasury may not delay or prevent the issuance of any rule or the promulgation of any regulation by the Comptroller of the Currency.”

1966—Pub. L. 89-427 inserted exception relating to cancellation and destruction, and accounting with respect to the cancellation and destruction, of Federal Reserve notes unfit for circulation.

CHANGE OF NAME

Section 203(a) of act Aug. 23, 1935, changed name of Federal Reserve Board to Board of Governors of the Federal Reserve System.

EXCEPTION AS TO TRANSFER OF FUNCTIONS

Functions vested by any provision of law in Comptroller of the Currency, referred to in this section, were not included in transfer of functions of officers, agencies, and employees of Department of the Treasury to Secretary of the Treasury, made by Reorg. Plan No. 26 of 1950, § 1, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280. See section 321(c)(2) of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 31 section 307.

§ 2. Comptroller of the Currency; appointment; term

The Comptroller of the Currency shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold his of-

fice for a term of five years unless sooner removed by the President, upon reasons to be communicated by him to the Senate.

(R.S. § 325; Aug. 23, 1935, ch. 614, title II, § 209, 49 Stat. 707.)

CODIFICATION

R.S. § 325 derived from act June 3, 1864, ch. 106, § 1, 13 Stat. 99, which was the National Bank Act. See section 38 of this title.

Provisions of this section which prescribed the annual basic compensation of the Comptroller of the Currency were omitted to conform to the provisions of the Executive Schedule. See section 5314 of Title 5, Government Organization and Employees.

AMENDMENTS

1935—Act Aug. 23, 1935, struck out “on the recommendation of the Secretary of the Treasury” after “President”, where first appearing, and changed the salary from “\$5,000 a year” to “\$15,000 a year”.

REPEALS

Act Oct. 15, 1949, ch. 695, § 4, 63 Stat. 880, formerly cited as a credit to this section, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 655.

EXCEPTION AS TO TRANSFER OF FUNCTIONS

Functions vested by any provision of law in Comptroller of the Currency, referred to in this section, were not included in transfer of functions to Secretary of the Treasury, see note set out under section 1 of this title.

§ 3. Oath of Comptroller

The Comptroller of the Currency shall, within fifteen days from the time of notice of his appointment, take and subscribe the oath of office.

(R.S. § 326; Pub. L. 86-251, § 1(d), Sept. 9, 1959, 73 Stat. 488; Pub. L. 92-310, title II, § 223(a), June 6, 1972, 86 Stat. 206.)

CODIFICATION

R.S. § 326 derived from act June 3, 1864, ch. 106, § 1, 13 Stat. 99, which was the National Bank Act. See section 38 of this title.

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required the Comptroller to give a bond in the sum of \$250,000.

1959—Pub. L. 86-251 increased the surety bond requirement from \$100,000 to \$250,000.

§ 4. Deputy Comptrollers

The Secretary of the Treasury shall appoint no more than four Deputy Comptrollers of the Currency, one of whom shall be designated First Deputy Comptroller of the Currency, and shall fix their salaries. Each Deputy Comptroller shall take the oath of office and shall perform such duties as the Comptroller shall direct. During a vacancy in the office or during the absence or disability of the Comptroller, each Deputy Comptroller shall possess the power and perform the duties attached by law to the office of the Comptroller under such order of succession following the First Deputy Comptroller as the Comptroller shall direct.

(R.S. § 327; Mar. 4, 1923, ch. 252, § 209(b), 42 Stat. 1467; Pub. L. 86-251, § 1(a), Sept. 9, 1959, 73 Stat. 487; Pub. L. 92-310, title II, § 223(b), June 6, 1972, 86 Stat. 206.)