

than \$10,000 or imprisoned not more than five years, or both.

(Pub. L. 91-508, title I, §127, Oct. 26, 1970, 84 Stat. 1118; Pub. L. 102-550, title XV, §1535(c)(2), Oct. 28, 1992, 106 Stat. 4067.)

#### REFERENCES IN TEXT

Section 1730d of this title, referred to in text, was repealed by Pub. L. 101-73, title IV, §407, Aug. 9, 1989, 103 Stat. 363.

#### AMENDMENTS

1992—Pub. L. 102-550 inserted “, or willfully causes a violation of” after “Whoever willfully violates”.

### § 1958. Compliance

The Secretary shall have the responsibility to assure compliance with the requirements of this chapter and sections 1730d<sup>1</sup> and 1829b of this title and may delegate such responsibility to the appropriate bank supervisory agency, or other supervisory agency.

(Pub. L. 91-508, title I, §128, Oct. 26, 1970, 84 Stat. 1118.)

#### REFERENCES IN TEXT

Section 1730d of this title, referred to in text, was repealed by Pub. L. 101-73, title IV, §407, Aug. 9, 1989, 103 Stat. 363.

### § 1959. Administrative procedure

The administrative procedure and judicial review provisions of subchapter II of chapter 5 and chapter 7 of title 5 shall apply to all proceedings under this chapter, section 1829b of this title, and section 1730d<sup>1</sup> of this title.

(Pub. L. 91-508, title I, §129, Oct. 26, 1970, 84 Stat. 1118.)

#### REFERENCES IN TEXT

Section 1730d of this title, referred to in text, was repealed by Pub. L. 101-73, title IV, §407, Aug. 9, 1989, 103 Stat. 363.

## CHAPTER 22—TYING ARRANGEMENTS

Sec.	
1971.	Definitions.
1972.	Certain tying arrangements prohibited; correspondent accounts.
1973.	Jurisdiction of courts; duty of United States attorneys; equitable proceedings; petition; expedition of cases; temporary restraining orders; bringing in additional parties; subpoenas.
1974.	Actions by United States; subpoenas for witnesses.
1975.	Civil actions by persons injured; jurisdiction and venue; amount of recovery.
1976.	Injunctive relief for persons against threatened loss or damages; equitable proceedings; preliminary injunctions.
1977.	Limitation of actions; suspension of limitations.
1978.	Actions under other Federal or State laws unaffected; regulations or orders barred as a defense.

### § 1971. Definitions

As used in this chapter, the terms “bank”, “bank holding company”, “subsidiary”, and

<sup>1</sup> See References in Text note below.

<sup>1</sup> See References in Text note below.

“Board” have the meaning ascribed to such terms in section 1841 of this title. For purposes of this chapter only, the term “company”, as used in section 1841 of this title, means any person, estate, trust, partnership, corporation, association, or similar organization, but does not include any corporation the majority of the shares of which are owned by the United States or by any State. The term “trust service” means any service customarily performed by a bank trust department. For purposes of this chapter, a financial subsidiary of a national bank engaging in activities pursuant to section 24a(a) of this title shall be deemed to be a subsidiary of a bank holding company, and not a subsidiary of a bank.

(Pub. L. 91-607, title I, §106(a), Dec. 31, 1970, 84 Stat. 1766; Pub. L. 106-102, title I, §121(c), Nov. 12, 1999, 113 Stat. 1380.)

#### AMENDMENTS

1999—Pub. L. 106-102 inserted at end “For purposes of this chapter, a financial subsidiary of a national bank engaging in activities pursuant to section 24a(a) of this title shall be deemed to be a subsidiary of a bank holding company, and not a subsidiary of a bank.”

#### EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-102 effective 120 days after Nov. 12, 1999, see section 161 of Pub. L. 106-102, set out as a note under section 24 of this title.

### § 1972. Certain tying arrangements prohibited; correspondent accounts

(1) A bank shall not in any manner extend credit, lease or sell property of any kind, or furnish any service, or fix or vary the consideration for any of the foregoing, on the condition or requirement—

(A) that the customer shall obtain some additional credit, property, or service from such bank other than a loan, discount, deposit, or trust service;

(B) that the customer shall obtain some additional credit, property, or service from a bank holding company of such bank, or from any other subsidiary of such bank holding company;

(C) that the customer provide some additional credit, property, or service to such bank, other than those related to and usually provided in connection with a loan, discount, deposit, or trust service;

(D) that the customer provide some additional credit, property, or service to a bank holding company of such bank, or to any other subsidiary of such bank holding company; or

(E) that the customer shall not obtain some other credit, property, or service from a competitor of such bank, a bank holding company of such bank, or any subsidiary of such bank holding company, other than a condition or requirement that such bank shall reasonably impose in a credit transaction to assure the soundness of the credit.

The Board may issue such regulations as are necessary to carry out this section, and, in consultation with the Comptroller of the Currency and the Federal Deposit Insurance Company, may by regulation or order permit such exceptions to the foregoing prohibition and the prohi-