

5315 of Title 5, Government Organization and Employees.

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-203, title V, §501, July 21, 2010, 124 Stat. 1580, provided that: "This subtitle [subtitle A (§§501, 502) of title V of Pub. L. 111-203, enacting sections 313 and 314 of this title, amending section 321 of this title, and renumbering former sections 312 and 313 of this title as sections 315 and 312, respectively] may be cited as the 'Federal Insurance Office Act of 2010'."

ORDER OF SUCCESSION

For order of succession during any period when both Secretary and Deputy Secretary of the Treasury are unable to perform functions and duties of office of Secretary, see Ex. Ord. No. 13246, Dec. 18, 2001, 66 F.R. 66270, listed in a table under section 3345 of Title 5, Government Organization and Employees.

OFFICE OF SECRETARY OF THE TREASURY; COMPENSATION

Pub. L. 105-61, title I, §116, Oct. 10, 1997, 111 Stat. 1284, provided that:

"(a)(1) Effective beginning on the date determined under paragraph (2), the compensation and other emoluments attached to the Office of Secretary of the Treasury shall be those that would then apply if Public Law 103-2 (107 Stat. 4; 31 U.S.C. 301 note) had never been enacted.

"(2) Paragraph (1) shall become effective on the later of—

"(A) the day after the date on which the individual holding the Office of Secretary of the Treasury on January 1, 1997, ceases to hold that office; or

"(B) the date of the enactment of this Act [Oct. 10, 1997].

"(3) Nothing in this subsection shall be considered to affect the compensation or emoluments due to any individual in connection with any period preceding the date determined under paragraph (2).

"(b) Subsection (b) of the first section of the public law referred to in subsection (a)(1) of this section shall not apply in the case of any appointment the consent of the Senate to which occurs on or after the date of the enactment of this Act.

"(c) This section shall not be limited (for purposes of determining whether a provision of this section applies or continues to apply) to fiscal year 1998."

OFFICE OF THE UNDERSECRETARY FOR ENFORCEMENT

Pub. L. 108-447, div. H, title II, §222(b)(2), Dec. 8, 2004, 118 Stat. 3245, provided that: "The Office of the Undersecretary for Enforcement of the Department of the Treasury, established in accordance with section 103 [105] of the Treasury Department Appropriations Act, 1994 (Public Law 103-123) [set out below] is abolished, and all rights, duties, and responsibilities of that office are transferred on the date of enactment of this Act [Dec. 8, 2004] to the Office of the Undersecretary for Terrorism and Financial Crimes of the Department of the Treasury in accordance with this section [enacting section 313 of this title and amending section 311 of this title], and the amendments made by this section, except as otherwise specifically provided in this section or the amendments made by this section, or other applicable law."

Pub. L. 103-123, title I, §105, Oct. 28, 1993, 107 Stat. 1234, provided that: "Notwithstanding any other provision of law, the Secretary of the Treasury shall establish an Office of the Undersecretary for Enforcement within the Department of the Treasury by no later than February 15, 1994."

COMPENSATION AND EMOLUMENTS OF SECRETARY OF THE TREASURY AT LEVEL IN EFFECT ON JANUARY 1, 1989; ACTIONS CHALLENGING APPOINTMENT ON CONSTITUTIONAL GROUNDS

Pub. L. 103-2, Jan. 19, 1993, 107 Stat. 4, provided: "That (a) the compensation and other emoluments at-

tached to the office of Secretary of the Treasury shall be those in effect January 1, 1989, notwithstanding any increase in such compensation or emoluments after that date under—

"(1) the Ethics Reform Act of 1989 (Public Law 101-194) [see Tables for classification] or any other provision of law amended by that Act; or

"(2) any other provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 1989, and ending at noon of January 3, 1995.

"(b)(1) Any person aggrieved by an action of the Secretary of the Treasury may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of the Treasury on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

"(2) Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of the Treasury on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

"(3)(A) An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of the Treasury under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

"(B) The Supreme Court shall, if it has not previously ruled on the question presented by an appeal taken pursuant to subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

"(c) This joint resolution shall become effective at 12:00 p.m., January 20, 1993."

DUTIES AND FUNCTIONS OF DEPARTMENT OF THE TREASURY

Nothing in Pub. L. 101-576 [see Short Title of 1990 Amendment note set out under section 501 of this title] to be construed to interfere with exercise of functions, duties, and responsibilities of Department of the Treasury, as in effect immediately before Nov. 15, 1990, see section 204 of Pub. L. 101-576, set out as a note under section 501 of this title.

§ 302. Treasury of the United States

The United States Government has a Treasury of the United States. The Treasury is in the Department of the Treasury.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 879.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
302	31:472.	R.S. §3591.

The section is substituted for the source provisions to eliminate unnecessary words and because of subsequent laws and the restatement in the revised title about the authority of the Secretary of the Treasury and coins, currency, accounts, depositaries, and public debt of the United States Government.

§ 303. Bureau of Engraving and Printing

(a) The Bureau of Engraving and Printing is a bureau in the Department of the Treasury.

(b) The head of the Bureau is the Director of the Bureau of Engraving and Printing appointed by the Secretary of the Treasury. The Director—

- (1) shall carry out duties and powers prescribed by the Secretary; and
- (2) reports directly to the Secretary.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 879.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
303	31:171.	June 4, 1897, ch. 2, §1(4th proviso on p. 18), 30 Stat. 18.

In subsection (a), the words “a bureau in the Department of the Treasury” are added for clarity and consistency in chapter 3 of the revised title.

In subsection (b), the first sentence is substituted for the words before the first comma because of the source provisions restated in section 321(c) of the revised title. Clause (1) is substituted for “subject to the direction of the Secretary of the Treasury” for consistency in the revised title and with other titles of the United States Code. The words “and be responsible” are omitted as being included in “reports directly to” and because of section 301 of the revised title.

§ 304. United States Mint

(a) The United States Mint is a bureau in the Department of the Treasury.

(b)(1) The head of the Mint is the Director of the Mint. The Director is appointed by the President, by and with the advice and consent of the Senate. The term of the Director is 5 years. The President may remove the Director from office. On removal, the President shall send a message to the Senate giving the reasons for removal.

(2) The Director shall carry out duties and powers prescribed by the Secretary of the Treasury.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 879; Pub. L. 102-390, title II, § 225(a), (b)(1), (2), Oct. 6, 1992, 106 Stat. 1629.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
304(a)	31:251(1st sentence less words after 1st comma).	R.S. §343(1st sentence less words after 1st comma).
304(b)(1) ..	31:251(2d sentence words before comma, last sentence).	
304(b)(2) ..	31:251(2d sentence words after comma).	

In subsection (b)(1), the word “head” is substituted for “chief officer” in 31:251 for clarity and consistency in the revised title and with other titles of the United States Code. The word “is” is substituted for “shall be denominated” to eliminate unnecessary words.

In subsection (b)(2), the words “The Director shall carry out duties and powers prescribed by the Secretary of the Treasury” are substituted for “and shall be under the general direction of the Secretary of the Treasury” for clarity and consistency in the revised title.

AMENDMENTS

1992—Pub. L. 102-390, § 225(b)(2), substituted “United States Mint” for “Bureau of the Mint” in section catchline.

Subsec. (a). Pub. L. 102-390, § 225(a), substituted “United States Mint” for “Bureau of the Mint”.

Subsec. (b)(1). Pub. L. 102-390, § 225(b)(1), substituted “head of the Mint” for “head of the Bureau”.

§ 305. Federal Financing Bank

The Federal Financing Bank, established under section 4 of the Federal Financing Bank Act of 1973 (12 U.S.C. 2283), is subject to the direction and supervision of the Secretary of the Treasury.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 879.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
305	(no source).	

The section is included to provide in subchapter I of chapter 3 of the revised title a complete list of the organizational units established by law that are in the Department of the Treasury or are subject to the direction and supervision of the Secretary of the Treasury.

§ 306. Fiscal Service

(a) The Fiscal Service is a service in the Department of the Treasury.

(b) The head of the Fiscal Service is the Fiscal Assistant Secretary appointed under section 301(d) of this title.

(c) The Fiscal Service has a—

(1) Bureau of Government Financial Operations, having as its head a Commissioner of Government Financial Operations; and

(2) Bureau of the Public Debt, having as its head a Commissioner of the Public Debt.

(d) The Secretary of the Treasury may designate another officer or employee of the Department to act as the Fiscal Assistant Secretary when the Fiscal Assistant Secretary is absent or unable to serve or when the office of Fiscal Assistant Secretary is vacant.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 879; Pub. L. 108-458, title VII, § 7801, Dec. 17, 2004, 118 Stat. 3860.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
306	5 App.	Reorg. Plan No. 3 of 1940, eff. June 30, 1940, §1(less (a)(7)(1st sentence), (d)), 54 Stat. 1231.

In subsection (a), the word “service” is substituted for “agency” in section 1(a)(1)(words before last comma) of Reorganization Plan No. 3 of 1940 (eff. June 30, 1940, 54 Stat. 1232) for consistency in the revised title. The words related to the organizational units being consolidated into the Fiscal Service are omitted as executed.

In subsection (b), the text of section 1(a)(7)(2d sentence) of Reorganization Plan No. 3 of 1940 is omitted because of the source provisions restated in section 301(d) of the revised title.

In subsection (c), the words “Office of the Fiscal Assistant Secretary” in section 1(a)(2) of Reorganization Plan No. 3 of 1940 are omitted as unnecessary and for