

### § 203.3

name of the United States Treasury at an FRB.

(kk) *Treasury Tax and Loan (TT&L) account* means the Treasury account maintained by a depository in which funds are credited by the depository after receiving and collateralizing FTDs.

(ll) *Treasury Tax and Loan depository (depository)* means a financial institution designated as a depository by the FRB of the district for the purpose of maintaining a TT&L account and/or note balance.

(mm) *Treasury Tax and Loan (TT&L) Program* means the program for collecting Federal taxes and investing the Government's excess operating funds.

(nn) *Treasury Tax and Loan (TT&L) rate of interest* means the interest charged on the main note balance. The TT&L rate of interest is the rate prescribed by the Secretary taking into consideration prevailing market interest rates. The rate and any rate changes will be announced through a *TT&L Special Notice to Depositories* and will be published in the FEDERAL REGISTER and on a web site maintained by Treasury's Financial Management Service at <http://www.fms.treas.gov>.

[63 FR 5650, Feb. 3, 1998, as amended at 67 FR 11575, Mar. 15, 2002]

### § 203.3 Financial institution eligibility for designation as a Treasury Tax and Loan depository.

(a) To be designated as a TT&L depository, a financial institution shall be insured as a national banking association, state bank, savings bank, savings and loan, building and loan, home-stead association, Federal home loan bank, credit union, trust company, or a U.S. branch of a foreign banking corporation, the establishment of which has been approved by the Comptroller of the Currency.

(b) A financial institution shall possess the authority to pledge collateral to secure TT&L account balances and/or a note balance.

(c) In order to be designated as a TT&L depository for the purposes of processing tax deposits in the FTD system, a financial institution shall possess under its charter either general or specific authority permitting the maintenance of the TT&L account, the

### 31 CFR Ch. II (7-1-07 Edition)

balance of which is payable on demand without previous notice of intended withdrawal. In addition, note option depositories shall possess either general or specific authority permitting the maintenance of a note balance. In the case of note option depositories maintaining main note balances, the authority shall permit the maintenance of a main note balance which is payable on demand without previous notice of intended withdrawal.

[63 FR 5650, Feb. 3, 1998, as amended at 67 FR 11576, Mar. 15, 2002]

### § 203.4 Designation of financial institutions as Treasury Tax and Loan depositories.

(a) *Parties to the agreement.* To be designated as a TT&L depository, a financial institution shall enter into a depository agreement with Treasury's fiscal agent, the FRB. By entering into this agreement, the financial institution agrees to be bound by this part, and procedural instructions issued pursuant to this part.

(b)(1) *Application procedures.* An eligible financial institution seeking designation as a depository and, thereby, the authority to maintain a TT&L account and/or a note balance shall file with the FRB, Financial Management Service Form 458, "Financial Institution Agreement and Application for Designation as a TT&L Depository," and Financial Management Service Form 459, "Resolution Authorizing the Financial Institution Agreement and Application for Designation as a TT&L Depository," certified by its board of directors. Financial Management Service Forms 458 and 459 are available upon request from the FRB of the district.

(2) Depositories processing tax payments in the FTD system are required to elect either the remittance or the note option.

(c) *Designation.* Each financial institution satisfying the eligibility requirements and the application procedures will receive from the FRB notification of its specific designation as a TT&L depository. A financial institution is not authorized to maintain a TT&L account or note balance until it has been designated as a TT&L depository by the FRB.