FEDERAL RESERVE BANK OF NEW YORK

Fiscal Agent of the United States

[Circular No. 3729] June 28, 1951]

DEPOSIT OF RAILROAD RETIREMENT TAXES WITH DEPOSITARY BANKS

Revision of Treasury Department Circular No. 848 and this Bank's Operating Circular No. 18

To all Banks and Trust Companies in the Second Federal Reserve District:

The Treasury Department has announced that, effective with respect to wages paid after June 30, 1951, employers withholding Railroad Retirement taxes from the wages of their employees will be required to deposit such taxes each month with a Federal Reserve Bank or a qualified Depositary for Federal Taxes, if the aggregate amount of the employer and employee taxes exceeds \$100 a month. Deposits may be made at the option of the employer, if the amount of such taxes is \$100 or less a month.

Enclosed is a copy of Treasury Department Circular No. 848 (Revised), dated June 25, 1951, which authorizes qualified Depositaries for Federal Taxes to accept deposits of Railroad Retirement taxes, and sets forth the procedure to be followed by Depositaries for Federal Taxes. Banking institutions which are already qualified as Depositaries for Federal Taxes, pursuant to Treasury Department Circular No. 848, will not be required to requalify under the revised circular.

Deposits of Railroad Retirement taxes will be accompanied by a distinctive receipt form, U. S. Treasury Department Form 515 — Railroad Retirement Depositary Receipt. This form appears as Exhibit C in the enclosed Treasury Department Circular No. 848 (Revised). In all other respects, the procedure to be followed by depositaries, relating to Railroad Retirement tax deposits, will be identical with the existing procedure with respect to deposits of withheld income tax and employment (Social Security) taxes. It will not be necessary for depositaries to segregate Railroad Retirement Depositary Receipt forms from Federal Depositary Receipt forms relating to deposits of withheld income tax and Social Security taxes, when transmitting them each day to the Federal Reserve Bank. Depositaries may transmit to us, under cover of a single transmittal letter (our Form W. Tax 2 or W. Tax 15), both the new Form 515, and the existing Forms 450 and 450-A which are used in making deposits of withheld income taxes and employment (Social Security) taxes. Our Form W. Tax 2, although designed for the transmittal of Forms 450 and 450-A only, may be used until our present supplies of that form are exhausted, at which time the form will be revised.

Our Operating Circular No. 18, has been revised to reflect the changes effected by Treasury Department Circular No. 848 (Revised). A copy of the revised operating circular is enclosed.

Inquiries concerning this circular and its enclosures may be addressed to the Accounting Department, Withheld Taxes Section, Federal Reserve Bank of New York, Federal Reserve P.O. Station, New York 45, N. Y. Additional copies of this circular and of the enclosures will be furnished upon request.

ALLAN SPROUL,

President.

REGULATIONS GOVERNING THE DEPOSIT WITH FEDERAL RESERVE BANKS AND DEPOSITARY BANKS OF EMPLOYER AND EMPLOYEE TAXES UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT; INCOME TAX WITHHELD ON WAGES UNDER SECTION 1622 OF THE INTERNAL REVENUE CODE; AND EMPLOYER AND EMPLOYEE TAXES UNDER THE RAILROAD RETIREMENT TAX ACT

1951 Department Circular No. 848 (Revised) TREASURY DEPARTMENT, OFFICE OF THE SECRETARY, Washington, June 25, 1951.

Fiscal Service
Bureau of Accounts

To Federal Reserve Banks, incorporated banks and trust companies, and others concerned:

1. Scope of Regulations

Pursuant to authority contained in Section 3310 (f) (2) of the Internal Revenue Code, as added by Section 7 of Public Law 271 (81st Congress), approved August 27, 1949; Section 15 of the Federal Reserve Act, as amended (U. S. C. title 12, sec. 391); Section 10 of the Act of June 11, 1942 (U. S. C. title 12, sec. 265); and Section 8 of the Second Liberty Bond Act, as amended (U. S. C. title 31, sec. 771), the following regulations are hereby prescribed, governing the handling and processing of deposits made by employers with Federal Reserve Banks and depositary banks, of (1) income taxes withheld under Section 1622 of the Internal Revenue Code (Subchapter D of Chapter 9 of the Internal Revenue Code); (2) employer taxes and employee taxes under the Federal Insurance Contributions Act, as amended (Subchapter A of Chapter 9 of the Internal Revenue Code); and (3) employer taxes and employee taxes under the Railroad Retirement Tax Act (Subchapter B of Chapter 9 of the Internal Revenue Code).

2. Definition of Terms

When used in this circular, the terms listed below shall have the following meaning, unless otherwise expressly stated:

- (a) "Federal Taxes" shall mean (1) income taxes withheld by employers pursuant to Section 1622 of the Internal Revenue Code; (2) employer taxes under Section 1410 of such Code and employee taxes withheld under Section 1401 of such Code (Social Security employment taxes); and (3) employer taxes under Section 1520 of such Code and employee taxes withheld under Section 1501 of such Code (Railroad Retirement taxes);
- (b) "Federal Reserve Bank" shall mean any of the several Federal Reserve Banks, as fiscal agent of the United States;
- (c) "Depositary for Federal Taxes" shall mean a designated bank or trust company that has qualified, in accordance with the provisions of Department Circular No. 848, dated November 10, 1949, or of this revision thereof, to receive from employers deposits of Federal Taxes, as defined above, and unless otherwise expressly stated the word "depositary" when used herein shall refer to a "Depositary for Federal Taxes;"
- (d) "Depositary receipt" shall mean (1) U. S. Treasury Department Forms 450 and 450-A (Rev. Jan. 1951)—"Federal Depositary Receipt", for use by employers in making deposits of withheld income taxes and Social Security employment taxes; and (2) U. S. Treasury Department Form 515—"Railroad Retirement Depositary Receipt", for use by employers in making deposits of Railroad Retirement taxes. Exhibits of a Federal Depositary Receipt and a Railroad Retirement Depositary Receipt are shown as Exhibits B and C, respectively, of this circular.

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3. Authorization of Federal Reserve Banks

Pursuant to the authority contained in Section 3310 (f) (2) of the Internal Revenue Code and the Federal Reserve Act, as amended, the several Federal Reserve Banks, in their capacity as fiscal agents of the United States, are hereby authorized and directed, subject to the provisions of this circular, to receive from employers or other persons, hereinafter referred to as employers, deposits of Federal Taxes and to perform such other functions as may be prescribed by the Secretary of the Treasury in connection with the handling and processing of such tax deposits. The functions to be performed by Federal Reserve Banks are outlined hereinafter, and will be described in detail, together with the detailed procedure to be followed in performing the required functions, in instructions to the Federal Reserve Banks.

4. Designation of Banks Which May Be Qualified to Act as Depositaries for Federal Taxes

Pursuant to the authority contained in Section 3310 (f) (2) of the Internal Revenue Code, all insured incorporated banks, within the meaning of Section 10 of the Act of June 11, 1942, and all uninsured incorporated banks and trust companies designated as "Special Depositaries of Public Moneys" under the provisions of the Act of Congress approved September 24, 1917, as amended, are hereby designated, subject to the provisions of this circular, as depositaries and financial agents of the Government for receiving from employers deposits of Federal Taxes; Provided, That no such bank or trust company shall perform any of the acts covered by this designation until it has qualified, in the manner herein prescribed, to so act. Banks and trust companies that qualify for the purpose of receiving deposits of Federal Taxes from employers will be known as "Depositaries for Federal Taxes."

Banking institutions which have heretofore been designated as depositaries for withheld income taxes, in accordance with the provisions of Department Circular No. 714, as amended, or as despositaries and financial agents of the Government for the performance of certain classes of fiscal duties, will be required to qualify under the terms of this circular in order to act as Depositaries for Federal Taxes. Banking institutions that have qualified as Depositaries for Federal Taxes, in accordance with the provisions of Department Circular No. 848, dated November 10, 1949, will not be required to requalify in accordance with the provisions of this revision of Department Circular No. 848.

Incorporated banks or trust companies located in the territories and insular possessions of the United States, which are not insured banks within the meaning of Section 10 of the Act of June 11, 1942, but which are otherwise eligible for designation as depositaries or financial agents of the United States, may be specifically designated by the Secretary of the Treasury under the Act of June 19, 1922 (U. S. C. title 31, sec. 473), governing depositaries outside of the continental United States, to act as Depositaries for Federal Taxes, upon qualification substantially in accordance with the provisions of Section 5 hereof. Banks and trust companies located in the Territories of Alaska and Hawaii should transmit applications for such designation to the Federal Reserve Bank of San Francisco, and banks and trust companies located in Puerto Rico, the Virgin Islands, and the Panama Canal Zone should transmit applications for such designation to the Federal Reserve Bank of New York.

5. Qualification of Designated Banks as Depositaries for Federal Taxes

Any designated bank or trust company which desires to qualify, under the terms of this circular, for receiving from employers deposits of Federal Taxes without compensation for its services, should apply for qualification through the Federal Reserve Bank of the district in which it is located. Such application shall be made on Application-Agreement, Depositary for Federal Taxes (Form No. 469—Revised), shown as Exhibit A of this circular. Copies of this form and instructions regarding the application may be obtained from the Federal Reserve Bank. No designated bank, which has made application for qualification, shall act as a Depositary for Federal Taxes under the terms of this circular until it receives from the Federal Reserve Bank notice of approval of the application. Upon receipt of such notice, each designated bank is hereby authorized to receive deposits of Federal Taxes from employers.

6. Procedure to be Followed by Depositaries for Federal Taxes

There are outlined below the basic requirements of the procedure that will be observed by qualified Depositaries for Federal Taxes with respect to deposits of Federal Taxes. More detailed instructions will be furnished such depositaries, through the Federal Reserve Banks.

- (A) Depositaries shall accept from employers, who desire to make deposits of Federal Taxes with such depositaries, cash or remittances in the form of check, money order, etc., covering the amount of the Federal Taxes, accompanied by an appropriate depositary receipt form on which the employer has inscribed, in ink or by typewriter, his name, address, employer's identification number, and total amount of taxes; Provided, That depositaries will not be required to, but may at their own risk, accept from employers funds which are not immediately available to the depositary at the time of deposit. Depositaries shall not accept from employers any type of depositary receipt form, accompanying their remittances, other than the depositary receipt forms prescribed in this circular, and shall not accept Treasury Savings Notes or other public debt securities of the United States as deposits of Federal Taxes under this circular.
- (B) If requested to do so by employers, depositaries will issue a memorandum or counter receipt to employers evidencing receipt of funds by the depositary. It is important that memorandum receipts issued by depositaries clearly state that employers must not attach such memorandum receipts to their tax returns as evidence of deposit of taxes, since only official depositary receipts, which have been validated by a Federal Reserve Bank, will be accepted by collectors of internal revenue. A suggested form of memorandum receipt, which shall be provided by the depositaries at their own expense, is shown as Exhibit D of this circular.
- (C) Depositaries will endorse each depositary receipt in the space provided on the reverse thereof, indicating the name of the depositary and the date on which the tax deposit was received by the depositary.
- (D) Depositaries shall forward daily to the Federal Reserve Bank of their district the depositary receipts inscribed by employers, together with payment in funds immediately available at the Federal Reserve Bank point or advice that funds have been credited in the Treasury Tax and Loan Account of the depositary, covering the aggregate amount of all Federal Tax deposits received during that day. (Regulations governing deposits in Treasury Tax and Loan Accounts are contained in Treasury Department Circular No. 92, Revised.) Each transmittal will be accompanied by a transmittal letter in the form prescribed by the Federal Reserve Banks. It is important that the depositary receipts be forwarded daily in order that they may be validated by the Federal Reserve Bank and returned directly to the respective employers without delay, together with a blank depositary receipt for the employer's use in making his next deposit.
- (E) Depositaries will establish, prior to transmittal to the Federal Reserve Bank, an adequate record of all deposits received from employers, so that the depositary will be able to identify deposits in the event depositary receipts are lost in shipment between depositaries and Federal Reserve Banks. For this purpose, it will only be necessary to maintain a record of the date of payment, the employer's identification number and the total amount of tax deposit; therefore, copies of memorandum receipts and copies of the depositary's transmittal letter, if individual deposits and employers' identification numbers are listed separately, could be used to provide the necessary information.

7. Issuance of Replacement Receipts; Inquiries From Employers

In the event a depositary receipt, which has been validated by a Federal Reserve Bank, is lost, stolen, or destroyed before it is forwarded to a collector of internal revenue with the employer's quarterly Federal tax return, the employer will be issued a replacement receipt upon proper application and submission of required evidence to the Federal Reserve Bank which validated the receipt. Such issuance of replacement receipts will be governed by requirements and procedure prescribed by the Secretary of the Treasury. Depositaries should instruct employers to execute "Application for Issuance of Replacement Depositary Receipt," indicating thereon the type of taxes, the date and amount of deposit, employ-

er's name, address, and identification number, and the serial number of the validated depositary receipt, and should indicate whether deposit was made with the Depositary for Federal Taxes or directly with the Federal Reserve Bank.

In the event an employer makes inquiry of a depositary with respect to a deposit made with such depositary, for which he has not received a validated depositary receipt from the Federal Reserve Bank, the depositary should furnish the required information, stated in the preceding paragraph, to the Federal Reserve Bank to enable it to investigate the matter.

If a depositary receipt without the employer's identification number inscribed thereon is presented to a depositary by an employer when he makes his deposit of Federal Taxes, the depositary should request him to inscribe the identification number in the space provided. In the event the employer has not been assigned an employer's identification number, the depositary should nevertheless accept the deposit. If the employer has not made application for an identification number to the collector for his district, the depositary should request him to do so.

8. Termination of the Qualification of a Depositary for Federal Taxes

The Secretary of the Treasury may terminate at any time the qualification of any Depositary for Federal Taxes. Failure upon the part of a depositary to comply with the provisions of this circular, and any amendments or supplements thereof, or with instructions issued pursuant thereto, may, in the discretion of the Secretary of the Treasury, constitute grounds for termination of qualification. Likewise, any depositary may terminate its qualification upon formal notice to the Secretary of the Treasury, through the Federal Reserve Bank of its district.

9. Treatment by Collector of Internal Revenue of Validated Depositary Receipts

Deposits of Federal Taxes made by employers with Depositaries for Federal Taxes and Federal Reserve Banks shall be treated as payment of such taxes to collectors of internal revenue upon the filing of the employer's quarterly tax return and the presentation therewith to such collectors of properly executed and validated depositary receipts. Collectors of internal revenue will deposit all such depositary receipts, as Internal Revenue collections, with the Federal Reserve Bank of the district in which the collector's head office is located. Each such deposit shall be accompanied by an appropriate certificate of deposit which shall not include any class of deposit other than depositary receipts.

In any case in which a depositary receipt is deposited by a collector of internal revenue with a Federal Reserve Bank, and it is determined that the employer failed to pay to a depositary or a Federal Reserve Bank the amount stated thereon, the Federal Reserve Bank may return such item to the collector of internal revenue, under procedure prescribed by the Secretary of the Treasury.

10. Functions To Be Performed by Federal Reserve Banks

The functions to be performed by Federal Reserve Banks, as fiscal agents of the United States, with respect to Federal Taxes, will be prescribed in detailed instructions to such banks. The Federal Reserve Banks will perform such additional functions relating to the deposit of Federal Taxes as may be required from time to time by the Secretary of the Treasury. In general, Federal Reserve Banks will:

- (A) Receive directly from employers deposits of Federal Taxes, accompanied by inscribed depositary receipts, and establish appropriate accounting control for such deposits. The requirements upon employers with respect to inscribing depositary receipts and use of the prescribed receipt forms described in Section 6 (A) of this circular, shall be applicable to tax deposits made directly with Federal Reserve Banks.
- (B) Be responsible for the qualification of designated banks as Depositaries for Federal Taxes and for the general supervision of depositaries' operations under such qualification.
- (C) Receive from depositaries remittances and inscribed depositary receipts, relating to tax deposits made with depositaries by employers, and establish appropriate accounting control for such tax deposits.

- (D) Validate depositary receipts, relating to tax deposits made with depositaries, as well as directly with the Federal Reserve Bank, and return such validated receipts to employers, together with blank depositary receipt forms for use by the employers in making their next deposit of Federal Taxes.
- (E) Perform the necessary functions to provide for crediting deposits of Federal taxes in Treasury Tax and Loan Accounts of depositary banks, with respect to deposits of such taxes made by employers with banks acting in their capacity as Depositaries for Federal Taxes.
- (F) Receive deposits of validated depositary receipts from collectors of internal revenue for appropriate credit and clearance in the central accounts of the Treasury Department.
- (G) Perform appropriate matching and auditing functions to verify that the tax deposits, represented by the depositary receipts deposited by collectors of internal revenue, were previously received by the Federal Reserve Bank from depositaries or directly from employers.
- (H) Issue replacement receipts, referred to in Section 7 hereof, for validated depositary receipts which are lost, stolen, or destroyed.
- 11. Amendment or Revocation of Regulations

The Secretary of the Treasury may revoke or amend any or all provisions of this circular at any time or from time to time.

The provisions of this circular shall become effective on July 1, 1951.

John W. Snyder Secretary of the Treasury. Form No. 469 (Revised)
TREASURY DEPARTMENT
FISCAL SERVICE
BUREAU OF ACCOUNTS

APPLICATION-AGREEMENT, DEPOSITARY FOR FEDERAL TAXES*

The undersigned, a Designated Depositary and Financial Agent of the Government for receiving from employers deposits of Federal Taxes, as defined in United States Treasury Department Circular No. 848 (Revised), hereby makes application to qualify pursuant to the provisions of Section 6 of that circular, to receive such deposits and agrees as follows:

- 1. The undersigned in the performance of its duties as a "Depositary for Federal Taxes," as that term is defined in Section 2 of United States Treasury Department Circular No. 848 (Revised), will without compensation for its services comply with all the requirements of that circular and any amendments or supplements thereof and instructions issued pursuant thereto.
- 2. The provisions of this agreement may be supplemented, amended, or modified at any time subsequent hereto by agreement in writing between the undersigned and the Secretary of the Treasury, as provided in the attached resolution of its board of directors.

corporate seal duly attest	or, the undersigned has caused the signature of its officer below-named and its sed to be affixed hereto this day of, intending to be legally bound hereby.
	(Name of bank)
[SEAL]	By(Signature and title of officer executing agreement)
	Attest(Signature and title)

^{*}The execution of this Application-Agreement must be authorized by resolution of the Board of Directors of the designated Depositary, a certified copy of which on Form 460 (Revised) must accompany this Application-Agreement.

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Form No. 460 (Revised)
TREASURY DEPARTMENT
FISCAL SERVICE
BUREAU OF ACCOUNTS

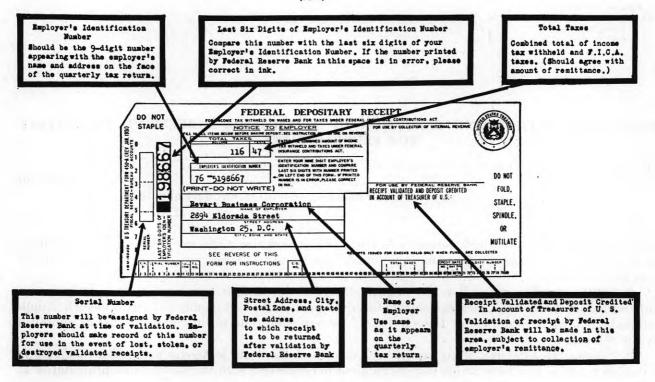
RESOLUTION A	UTHORIZING	FOR FEDERAL TAX		DEPOSITARY
This Is To Cert	IFY, That at a	neeting of the Board of Dir	ectors of	
				, held on
		9, the following reso		
for Federal Taxes with the attestation 2. "Resolve form on behalf of cation-Agreement by the Secretary of 3. "Resolve action on behalf of the secretary of the	or Treasury Depon of an officer of Turther, The this bank such the Treasury. The Turther, The Turther, The this bank which the Treasury. The this bank which the Taxes' a	execute on behalf of this bar artment Form No. 469 (Rev f this bank, other than an o at any of such officers of thi agreements to supplement, a Federal Taxes,' as may fro at any of such officers of the h may be required in connect that term is defined in Section	ised), such execution to be fficer executing the Agreed is bank is authorized to execution or modify the term of time to time be requested bank is hereby authorized to with the performance.	e under seal and ment. Execute in similar s of such 'Applited or approved zed to take any e of its duties as
	*			
[SEAL]			(Name and title of certifying office	er**)

^{*}Insert title(s) of authorized officer(s).

^{**}The officer certifying this resolution must have such authority.

PEDERAL DEPOSITARY RECEIPT

(Face)



(Reverse)

DO NOT STAPLE

INSTRUCTIONS TO EMPLOYERS

DO NOT MUTILATE

- 1. Filling out receipt form: Print on face of receipt form using pen or typewriter (a) total taxes (combined amount of income tax withheld and employment taxes under Federal Insurance Contributions Act); (b) employer's identification number (nine-digit number appearing with the employer's name and address on his quarterly tax return); and (c) name of employer and address to which this receipt should be returned after validation by Federal Reserve Bank. The number printed on left end of receipt form should agree with last six digits of employer's identification number. If printed number is in error, please correct in ink.
- 2. How to make deposit: Mail filled-out receipt form, together with single remittance covering total taxes, to the Withheld Tax Department of any parent Federal Reserve Bank or mail or deliver to any commercial bank that is qualified as a Depositary for Federal Taxes. Remittances should be in the form of check or money order, payable to the Federal Reserve Bank, for deposits with a Reserve Bank, or payable to the commercial bank for deposits will forward receipt forms to Federal Reserve Banks for validation.
- 3. When to make deposits: Deposit taxes for the first 2 months of a calendar quarter within 15 days after the close of each month. Deposit taxes for the last month of a quarter on or before the last day of the month following the close of the quarter, or remit directly to the collector with tax return; in the latter case, retain blank depositary receipt form for use in making next deposit with a Federal

- Reserve Bank or depositary. Timeliness of a deposit will be determined by the date of receipt by a Federal Reserve Bank or depositary, indicated by the endorsement on the reverse of the receipt form.
- 4. Validation of receipts by Federal Reserve Banks: Federal Reserve Banks will validate receipts and return them direct to employers. Employer should retain validated receipts until filing quarterly tax return, and enclose with return (do not staple). Employer should keep a record of validated receipts to enable him to identify them in the event of loss.
- 5. Inquiries and requests for replacement of lost validated receipts: Such inquiries and requests should be directed to the depositary or Federal Reserve Bank with which the deposit was made. Employer should state date of validation of receipt, amount of deposit, name, address, employer's identification number, and serial number of receipt. Inquiries and requests of this nature should not be made of collectors of internal revenue. Replacement receipts will be issued by Federal Reserve Bank with which deposit was made.
- 6. Obtaining blank receipt forms for next deposit: Federal Reserve Banks will forward a blank receipt form to employer at the time the validated receipt is returned. Do not exchange blank receipts with other employers, since each such receipt is punched with your employer's number. Employer may secure additional blank receipt forms from Federal Reserve Banks, if required.

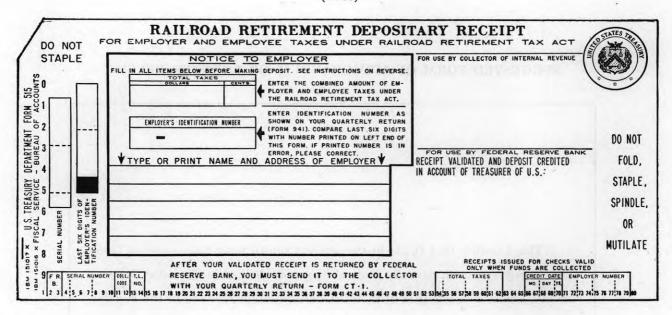
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DEPOSITARY FOR FEDERAL, RESERVE BANK

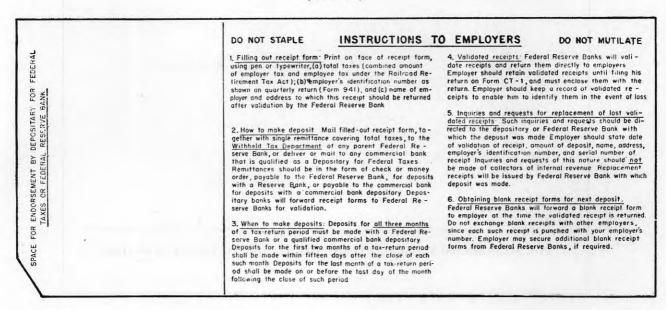
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IBM 150821

(Face)



(Reverse)



(See Exhibit B for detailed instructions to employers for filling out depositary receipt forms.)

SUGGESTED FORM OF MEMORANDUM OR COUNTER RECEIPT

	(Date)
This Certifies that	funds in the amount shown have been received from
the employer named, co	overing Federal Taxes, as defined in Treasury Depart-
	(Revised), to be transmitted or credited to the Federa
	as Fiscal Agent of the
United States, pursuan	t to the provisions of Treasury Department Circular
No. 848 (Revised).	
\$(Amount)	(Employer's name and identification number)
************	•
	(Name of bank)
	(Employee of bank