

31 USC 1322: Payments of unclaimed trust fund amounts and refund of amounts erroneously deposited

Text contains those laws in effect on September 13, 2021

From Title 31-MONEY AND FINANCE

SUBTITLE II-THE BUDGET PROCESS

CHAPTER 13-APPROPRIATIONS

SUBCHAPTER II-TRUST FUNDS AND REFUNDS

Jump To:[Source Credit](#)[Miscellaneous](#)[References In Text](#)[Amendments](#)**§1322. Payments of unclaimed trust fund amounts and refund of amounts erroneously deposited**

(a) On September 30 of each year, the Secretary of the Treasury shall transfer to the Treasury trust fund receipt account "Unclaimed Moneys of Individuals Whose Whereabouts are Unknown" that part of the balance of a trust fund account named in section 1321(a)(1)–(82) of this title or an analogous trust fund established under section 1321(b) of this title that has been in the fund for more than one year and represents money belonging to individuals whose whereabouts are unknown. Subsequent claims to the transferred funds shall be paid from the account "Unclaimed Moneys of Individuals Whose Whereabouts are Unknown".

(b) Except as provided in subsection (c) of this section, necessary amounts are appropriated to the Secretary of the Treasury to make payments from-

(1) the Treasury trust fund receipt account "Unclaimed Moneys of Individuals Whose Whereabouts are Unknown"; and

(2) the United States Government account "Refund of Moneys Erroneously Received and Covered" and other collections erroneously deposited that are not properly chargeable to another appropriation.

(c)(1) The Secretary of the Treasury shall hold in the Treasury trust fund receipt account "Unclaimed Moneys of Individuals Whose Whereabouts Are Unknown" the balance remaining after the final distribution of unclaimed Postal Savings System deposits under subsection (a) of the first section of the Act of August 13, 1971 (Public Law 92–117; 85 Stat. 337). The Secretary shall use the balance to pay claims for Postal Savings System deposits without regard to the State law or the law of other jurisdictions of deposit concerning the disposition of unclaimed or abandoned property.

(2) Necessary amounts may be appropriated without fiscal year limitation to the trust fund receipt account to pay claims for deposits when the balance in the account is not sufficient to pay the claims made within the time limitation set forth in paragraph (3) of this subsection.

(3) No claim for any Postal Savings System deposit may be brought more than one year from the date of the enactment of the Postal Savings System Statute of Limitations Act.

(4) The United States Postal Service shall assist the Secretary of the Treasury in providing public notice of the time limitation set forth in paragraph (3) of this subsection by posting notices thereof in all post offices as soon as practicable after the date of the enactment of the Postal Savings System Statute of Limitations Act.

(Pub. L. 97–258, [Sept. 13, 1982](#), 96 Stat. 922 ; Pub. L. 98–359, [§2, July 13, 1984](#), 98 Stat. 402 .)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1322(a)	31:725s(a)(last sentence last proviso).	June 26, 1934, ch. 756, §20(a)(last sentence last proviso), 48 Stat. 1233 ; Apr. 21, 1976, Pub. L. 94–273, §2(16), 90 Stat. 375 .
1322(b)	31:725p–1.	June 30, 1949, ch. 286, §101(par. under heading "Payments of Unclaimed Moneys"), 63 Stat. 359 .
	31:725q–1.	June 30, 1949, ch. 286, §101(par. under heading "Refund of Moneys Erroneously Received and Covered"), 63 Stat. 358 .
1322(c)	31:725p(note).	Aug. 13, 1971, Pub. L. 92–117, 85 Stat. 337 .

In subsection (a), the words "directed to be established in section 725p of this title" are omitted as surplus.

In subsection (b), before clause (1), the words "Secretary of the Treasury" are substituted for "Treasury Department" for consistency. The words "out of any money in the Treasury not otherwise appropriated" in 31:725q–1 are omitted as surplus. In clause (1), the words "of the character formerly chargeable to the appropriation accounts abolished under section 725p of this title" in 31:725p–1 are omitted as unnecessary because of the restatement. In clause (2), the words "United States Government account 'Refund of Moneys Erroneously Received and Covered' " are substituted for "of the character formerly chargeable to the appropriation accounts abolished under section 725q of this title" in 31:725q–1 for clarity and to eliminate unnecessary words.

In subsection (c)(1), the words "claims for . . . deposits" are substituted for "claims by or on behalf of depositors" to eliminate unnecessary words. The text of section 1(a) of the Act of August 13, 1971 (Pub. L. 92–117, 85 Stat. 337), is omitted as executed.

EDITORIAL NOTES

REFERENCES IN TEXT

Subsection (a) of the first section of the Act of August 13, 1971 (Public Law 92–117; 85 Stat. 337), referred to in subsec. (c)(1), was repealed by Pub. L. 97–258, [§5\(b\)](#), [Sept. 13, 1982](#), 96 Stat. 1081 .

The date of the enactment of the Postal Savings System Statute of Limitations Act, referred to in subsec. (c)(3) and (4), is the date of enactment of Pub. L. 98–359, which was approved July 13, 1984.

AMENDMENTS

1984—Subsec. (c)(1). Pub. L. 98–359 substituted provision authorizing the balance to be held by the Secretary for provision authorizing the balance to be held by the Secretary in perpetuity.

Subsec. (c)(2). Pub. L. 98–359 substituted reference to par. (3) of this subsection for reference to par. (1) of this subsection.

Subsec. (c)(3), (4). Pub. L. 98–359 added pars. (3) and (4).