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Editorial Notes

AMENDMENTS

2020—Pub. L. 116–117, §2(b), Mar. 2, 2020, 134 Stat. 133, added subchapter IV heading and items 3351 to 3358.

1994—Pub. L. 103–356, title IV, §402(b), Oct. 13, 1994, 108 Stat. 3413, substituted “Required direct deposit” for “Checks payable to financial organizations designated by Government officers and employees” in item 3332.

Pub. L. 103–272, §4(f)(1)(G), July 5, 1994, 108 Stat. 1362, added item 3334.

1991—Pub. L. 102–54, §13(l)(4)(B), June 13, 1991, 105 Stat. 277, substituted “Department of Veterans Affairs” for “Veterans’ Administration” in item 3330.

1990—Pub. L. 101–453, §4(b), Oct. 24, 1990, 104 Stat. 1059, added item 3335.

SUBCHAPTER I—DEPOSITS AND DEPOSITARIES

§ 3301. General duties of the Secretary of the Treasury

- (a) The Secretary of the Treasury shall—
 - (1) receive and keep public money;
 - (2) take receipts for money paid out by the Secretary;
 - (3) give receipts for money deposited in the Treasury;
 - (4) endorse warrants for receipts for money deposited in the Treasury;
 - (5) submit the accounts of the Secretary to the Comptroller General every 3 months, or more often if required by the Comptroller General; and
 - (6) submit to inspection at any time by the Comptroller General of money in the possession of the Secretary.
 - (b) Except as provided in section 3326 of this title, an acknowledgment for money deposited in the Treasury is not valid if the Secretary does not endorse a warrant as required by subsection (a)(4) of this section.
- (Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 948.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3301	31:44(1st sentence).	June 10, 1921, ch. 18, §304(1st par. 1st sentence), 42 Stat. 24.

¹Editorially supplied. Section 3336 added by Pub. L. 104–208 without corresponding amendment of chapter analysis.

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
	31:147(less disbursement).	R.S. §305(less disbursement).

In subsection (a), the words “public money” are substituted for “the moneys of the United States” to eliminate unnecessary words and for consistency. The words “Secretary of the Treasury” are substituted for “Treasurer” because of the source provisions restated in section 321(c) of the revised title. In clauses (3) and (4), the words “deposited in the Treasury” are substituted for “received by him” for clarity and consistency in the revised title. In clause (4), the words “signed by the Secretary of the Treasury” are omitted as surplus. In clauses (5) and (6), the words “Comptroller General” are substituted for “General Accounting Office” for consistency. In clause (5), the word “submit” is substituted for “render” for consistency. The words “and shall transmit a copy thereof, when settled, to the Secretary of the Treasury” are omitted because of the restatement. In clause (6), the words “Secretary of the Treasury . . . or either of them” are omitted because of the restatement. The word “public” is added for consistency.

In subsection (b), the words “Except as provided in section 3326 of this title” are added for clarity. The words “endorse . . . as required by subsection (a)(4) of this section” are substituted for “so signed” for clarity and consistency.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116–117, §1, Mar. 2, 2020, 134 Stat. 113, provided that: “This Act [enacting subchapter IV of this chapter, amending section 3562 of this title, section 612 of Title 6, Domestic Security, and section 1397ee of Title 42, The Public Health and Welfare, amending provisions set out as a note under 5701 of Title 5, Government Organization and Employees, and repealing provisions set out as notes under this section and section 3321 of this title] may be cited as the ‘Payment Integrity Information Act of 2019.’”

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114–109, §1, Dec. 18, 2015, 129 Stat. 2225, provided that: “This Act [amending provisions set out as a note under section 3321 of this title] may be cited as the ‘Federal Improper Payments Coordination Act of 2015.’”

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111–204, §1, July 22, 2010, 124 Stat. 2224, which provided that Pub. L. 111–204 (amending sections 3501 and 3562 of this title and section 612 of Title 6, Domestic Security, repealing sections 3561 and 3563 to 3567 of this title, enacting provisions set out as notes under section 3321 of this title, and amending provisions set out as a note under section 3321 of this title) could be cited as the “Improper Payments Elimination and Recovery Act of 2010”, was repealed by Pub. L. 116–117, §3(a)(2), Mar. 2, 2020, 134 Stat. 133.

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106–433, §1, Nov. 6, 2000, 114 Stat. 1910, provided that: “This Act [amending section 3327 of this title and enacting provisions set out as a note under section 3327 of this title] may be cited as the ‘Social Security Number Confidentiality Act of 2000.’”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103–356, §1(a), Oct. 13, 1994, 108 Stat. 3410, provided that: “This Act [see Tables for classification] may be cited as the ‘Government Management Reform Act of 1994.’”

Pub. L. 103–356, title IV, §401, Oct. 13, 1994, 108 Stat. 3412, provided that: “This title [amending sections 331,

3332, 3515, and 3521 of this title and enacting provisions set out as notes under section 501 of this title] may be cited as the 'Federal Financial Management Act of 1994'."

HISTORICAL AND REVISION NOTES
1982 ACT

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3302(a)	31:521.	R.S. §3639; June 6, 1972, Pub. L. 92-310, §231(r), 86 Stat. 210.
3302(b)	31:484.	R.S. §3617.
3302(c)	31:495.	R.S. §3621; restated May 28, 1896, ch. 252, §5, 29 Stat. 179.
3302(d)	31:490.	R.S. §3619.
3302(e)	31:525.	R.S. §3643.
3302(f)	31:545.	R.S. §3653; Aug. 7, 1882, ch. 433, §1(2d complete par. on p. 312), 22 Stat. 312; Jan. 22, 1925, ch. 87(2d par. under heading "Division of Book-keeping and Warrants"), 43 Stat. 767.
	31:1023(b).	June 1, 1955, ch. 119, §1(b), 69 Stat. 82.

§ 3302. Custodians of money

(a) Except as provided by another law, an official or agent of the United States Government having custody or possession of public money shall keep the money safe without—

- (1) lending the money;
- (2) using the money;
- (3) depositing the money in a bank; and
- (4) exchanging the money for other amounts.

(b) Except as provided in section 3718(b)¹ of this title, an official or agent of the Government receiving money for the Government from any source shall deposit the money in the Treasury as soon as practicable without deduction for any charge or claim.

(c)(1) A person having custody or possession of public money, including a disbursing official having public money not for current expenditure, shall deposit the money without delay in the Treasury or with a depository designated by the Secretary of the Treasury under law. Except as provided in paragraph (2), money required to be deposited pursuant to this subsection shall be deposited not later than the third day after the custodian receives the money. The Secretary or a depository receiving a deposit shall issue duplicate receipts for the money deposited. The original receipt is for the Secretary and the duplicate is for the custodian.

(2) The Secretary of the Treasury may by regulation prescribe that a person having custody or possession of money required by this subsection to be deposited shall deposit such money during a period of time that is greater or lesser than the period of time specified by the second sentence of paragraph (1).

(d) An official or agent not complying with subsection (b) of this section may be removed from office. The official or agent may be required to forfeit to the Government any part of the money held by the official or agent and to which the official or agent may be entitled.

(e) An official or agent of the Government having custody or possession of public money shall keep an accurate entry of each amount of public money received, transferred, and paid.

(f) When authorized by the Secretary, an official or agent of the Government having custody or possession of public money, or performing other fiscal agent services, may be allowed necessary expenses to collect, keep, transfer, and pay out public money and to perform those services. However, money appropriated for those expenses may not be used to employ or pay officers and employees of the Government.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 948; Pub. L. 97-452, §1(10), Jan. 12, 1983, 96 Stat. 2468; Pub. L. 98-369, div. B, title VI, §2652(b)(1), July 18, 1984, 98 Stat. 1152; Pub. L. 103-272, §4(f)(1)(H), July 5, 1994, 108 Stat. 1362; Pub. L. 103-429, §7(a)(3)(A), Oct. 31, 1994, 108 Stat. 4388.)

In subsection (a), before clause (1), the words "Except as provided by another law" are substituted for "than as specially allowed by law" in 31:521 for clarity and consistency. The words "an official or agent of the United States Government having custody or possession of public money" are substituted for "The Treasurer of the United States, all assistant treasurers [subsequently changed to 'all depositaries designated in accordance with section 476 of this title' because of 31:476], and those performing the duties of assistant treasurer, all collectors of the customs, all surveyors of the customs, acting also as collectors, all receivers of public moneys at the several land offices, all postmasters, and all public officers of whatsoever character . . . all the public money collected by them, or otherwise at any time placed in their possession and custody" to eliminate unnecessary words and for consistency in the revised title. The words "till the same is ordered, by the proper department or officer of the Government, to be transferred or paid out" are omitted as superseded by source provisions restated in the chapter. The text of 31:521(words after semicolon) is omitted as unnecessary because of the restatement.

In subsection (b), the words "any abatement or" are omitted as surplus. The words "for any charge or claim" are substituted for "on account of salary, fees, costs, charges, expenses, or claim of any description whatever", and the words "shall deposit the money in the Treasury" are substituted for "The gross amount of all moneys received from whatever source for the use of the United States, . . . shall be paid . . . into the Treasury", to eliminate unnecessary words. The words "except as otherwise provided in section 487 of this title" are omitted because 31:487 is obsolete. The text of 31:484(last sentence) is omitted as superseded by title 39.

In subsection (c), the word "Secretary" is substituted for "Treasurer" because of the source provisions restated in section 321(c) of the revised title. The balance of subsection (c) is substituted for 31:495(words before proviso) for clarity and consistency. The text of 31:495(proviso) is omitted as superseded by title 39.

Subsection (d) is substituted for 31:490 for clarity and consistency.

In subsection (e), the words "official or agent having custody or possession of public money" are substituted for "persons charged by law with the safekeeping, transfer, and disbursements of the public moneys" for consistency and to eliminate unnecessary words. The words "other than those connected with the United States Postal Service" are omitted as superseded by title 39.

In subsection (f), the word "expressly" is omitted as surplus. The words "official or agent having custody or possession" are substituted for 31:545(words before 21st comma) for consistency and to eliminate unnecessary words. The words "additional . . . fireproof of chests or vaults or other necessary expenses of" are omitted as surplus. The words "employ or pay officers and employees of the Government" are substituted for "clerical services or payment of employees of any nature or

¹ See References in Text note below.