

fect the underlying obligation of the United States, or any agency thereof, for which a Treasury check was issued.

(Added Pub. L. 100-86, title X, §1003, Aug. 10, 1987, 101 Stat. 658.)

#### REFERENCES IN TEXT

Such effective date, and the effective date of this section, referred to in subsecs. (a)(1) and (b)(1), is 6 months after Aug. 10, 1987, or on such later date as the Secretary of the Treasury may prescribe in regulations. See Effective Date note below.

#### EFFECTIVE DATE

Section effective 6 months after Aug. 10, 1987, or on such later date as the Secretary of the Treasury may prescribe in regulations, see section 1006 of Pub. L. 100-86, set out as an Effective Date of 1987 Amendment note under section 3328 of this title.

#### REGULATIONS

For provision permitting Secretary of the Treasury to prescribe rules, regulations, and procedures as necessary to implement this section, including recertification of Treasury checks which have been canceled or for which a claim has been asserted or barred, see section 1005 of Pub. L. 100-86, set out as a note under section 3328 of this title.

### § 3335. Timely disbursement of Federal funds

(a) Each head of an executive agency (other than the Tennessee Valley Authority) shall, under such regulations as the Secretary of the Treasury shall prescribe, provide for the timely disbursement of Federal funds through cash, checks, electronic funds transfer, or any other means identified by the Secretary.

(b) The Secretary may collect from any executive agency which does not comply with subsection (a) a charge in an amount the Secretary determines to be the cost to the general fund of the Treasury caused by such noncompliance.

(c) The amounts of charges collected from an executive agency under this section shall be deposited in the Treasury and credited as miscellaneous receipts.

(d) Any charge assessed by the Secretary under this section, to the maximum extent practicable—

(1) shall be paid out of appropriations available for executive agency operations; and

(2) shall not be paid from amounts available for funding programs of an executive agency.

(Added Pub. L. 101-453, §4(a), Oct. 24, 1990, 104 Stat. 1058.)

#### REGULATIONS

Pub. L. 101-453, §4(c), Oct. 24, 1990, 104 Stat. 1059, as amended by Pub. L. 102-589, §2(1), Nov. 10, 1992, 106 Stat. 5133, provided that: "The Secretary of the Treasury shall prescribe regulations under section 3335 of title 31, United States Code, as added by subsection (a), to ensure the full implementation of that section."

### § 3336. Electronic benefit transfer pilot

(a) The Congress finds that:

(1) Electronic benefit transfer (EBT) is a safe, reliable, and economical way to provide benefit payments to individuals who do not have an account at a financial institution.

(2) The designation of financial institutions as financial agents of the Federal Government

for EBT is an appropriate and reasonable use of the Secretary's authority to designate financial agents.

(3) A joint federal-state<sup>1</sup> EBT system offers convenience and economies of scale for those states<sup>1</sup> (and their citizens) that wish to deliver<sup>1</sup> state-administered benefits on a single card by entering into a partnership with the federal<sup>1</sup> government.<sup>1</sup>

(4) The Secretary's designation of a financial agent to deliver EBT is a specialized service not available through ordinary business channels and may be offered to the states<sup>1</sup> pursuant to section 6501 *et seq.* of this title.

(b) The Secretary shall continue to carry out the existing EBT pilot to disburse benefit payments electronically to recipients who do not have an account at a financial institution, which shall include the designation of one or more financial institution<sup>2</sup> as a financial agent of the Government, and the offering to the participating states<sup>1</sup> of the opportunity to contract with the financial agent selected by the Secretary, as described in the Invitation for Expressions of Interest to Acquire EBT Services for the Southern Alliance of States dated March 9, 1995, as amended as of June 30, 1995, July 7, 1995, and August 1, 1995.

(c) The selection and designation of financial agents, the design of the pilot program, and any other matter associated with or related to the EBT pilot described in subsection (b) shall not be subject to judicial review.

(Added Pub. L. 104-208, div. A, title I, §101(f) [title VI, §664], Sept. 30, 1996, 110 Stat. 3009-314, 3009-385.)

#### SUBCHAPTER III—MISCELLANEOUS

### § 3341. Sale of Government warrants, checks, drafts, and obligations

(a) A disbursing official of the United States Government may sell a Government warrant, check, draft, or obligation not the property of the official at a premium, or dispose of the proceeds of the warrant, check, draft, or obligation, only if the official deposits the premium and the proceeds in the Treasury or with a depository for the credit of the Government.

(b) A disbursing official violating subsection (a) of this section shall be dismissed immediately.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 956.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3341(a) .....	31:544(words before last semicolon).	R.S. § 3652.
3341(b) .....	31:544(words after last semicolon).	

In subsection (a), the words "disbursing official" are substituted for "officer" for clarity and consistency in the revised title. The words "either directly or indirectly" and "or dispose of to any person" are omitted as surplus. The words "Government warrant, check, draft, or obligation" are substituted for "Treasury

<sup>1</sup> So in original. Probably should be capitalized.

<sup>2</sup> So in original. Probably should be "institutions".