

Congress of the United States

Washington, DC 20515

June 13, 2024

The Honorable Janet Yellen
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Secretary Yellen:

We write in regard to your proposed rulemaking implementing Division T (SECURE 2.0 Act of 2022) of P.L. 117-328 - the Consolidated Appropriations Act, 2023, which directed the Treasury Department (Treasury) to give states access to bondholder information to help them locate potential rightful owners of these bonds.¹ We are concerned that the proposed rule is overly restrictive and would undermine efforts to publicize the information through the state's unclaimed property systems. We urge Treasury to modify its proposed rule and better assist states in returning unclaimed assets to bondholders.

Since 1935, the U.S. Treasury's Bureau of Fiscal Service has issued billions of dollars in savings bonds to encourage saving and broad participation by Americans in government financing. More than \$30 billion of those savings bonds have reached final maturity, ceased to pay interest, and are currently unclaimed.²

We are aware of the challenges that Treasury faces in returning unclaimed savings bonds. These challenges include bondholders failing to keep their contact information updated, which makes it difficult to locate them. Additionally, the original bondholders may have passed away, and the complexity of proving ownership of the bonds, especially if the original bond certificates have been lost or destroyed, further complicates the process.

We are proud to have passed the SECURE 2.0 Act of 2022 as part of the Consolidated Appropriations Act of 2023. This act, which required Treasury to share information on certain matured, unredeemed savings bonds with states, was a significant step towards locating savings bond owners.³ We were pleased that in October of 2023, Treasury issued a proposed rule after meeting with organizations, including the National Association of Unclaimed Property Administrators, to understand how state agencies could assist in the process.⁴ Many states have well-established programs that are effective at reuniting citizens with their unclaimed funds.

However, we are concerned that the proposed rule includes burdensome restrictions on how state unclaimed property programs can use the federal government's bondholder information.

The proposed rule includes restrictions that would require states to rely solely on Treasury's redemption processes, which would make it difficult for them to support claims. The proposal also prohibits states from releasing information to the public without written approval, a condition that seems unlikely to be granted.

¹ "Disclosure of Records," Federal Register, 31 Oct. 2023,
<https://www.federalregister.gov/documents/2023/10/31/2023-23314/disclosure-of-records>.

² "Unclaimed Property," National Association of State Treasurers, <https://nast.org/unclaimed-bonds/>.

³ 31 U.S.C. 3105.


⁴ "2023 Report to Congress Under the SECURE 2.0 Act of 2022," Treasury Department, 12 Feb. 2024,
<https://www.treasurydirect.gov/files/savings-bonds/secure-2.0-act-2023-report-to-congress.pdf>.

These restrictions would place an increased administrative burden on state agencies if they wanted to use the information to try to locate savings bond owners and potentially prevent them from including unredeemed savings bonds in their searchable online unclaimed property webpages, which are proven and trusted reunification tools. While we are sensitive to Treasury's concerns about fraud, we are confident that state programs prove that fraud prevention measures can be implemented to ensure information is shared responsibly and efficiently.

Treasury has a responsibility to ensure that the more than \$30 billion in uncashed savings bonds are returned to their rightful owners. We audit banks, credit unions, corporations, and other financial institutions to ensure they return lost or abandoned funds. The federal government should be held to the same standard.

We urge Treasury to amend the proposed rule to allow states to share information online and collaborate to align the bond program and states unclaimed property laws to maximize bond recoveries and redemptions.

Sincerely,




Sean Casten
Member of Congress



Ann Wagner
Member of Congress



Bill Foster
Member of Congress



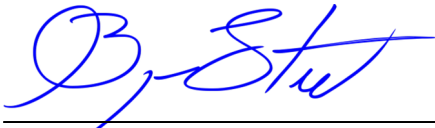
Erin Houchin
Member of Congress



Josh Gottheimer
Member of Congress



Michael V. Lawler
Member of Congress



Bryan Steil
Member of Congress



Dan Meuser
Member of Congress



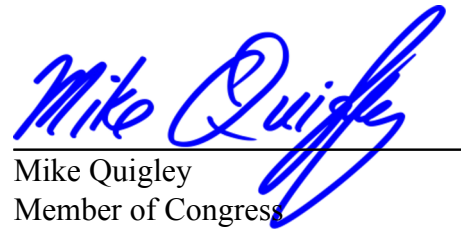
Andrew R. Garbarino
Member of Congress



Susie Lee
Member of Congress



Vicente Gonzalez
Member of Congress



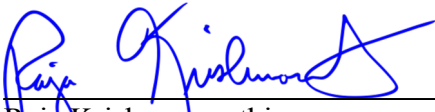
Mike Quigley
Member of Congress



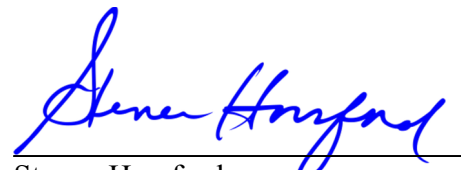
Anna G. Eshoo
Member of Congress



Brian Fitzpatrick
Member of Congress



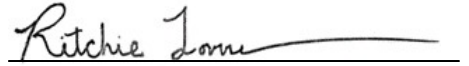
Raja Krishnamoorthi
Member of Congress



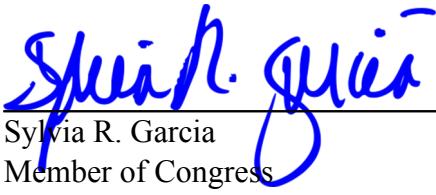
Steven Horsford
Member of Congress



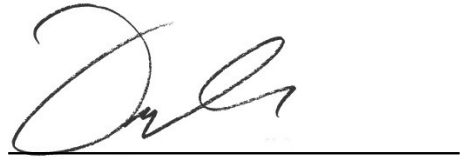
Andrew Ogles
Member of Congress



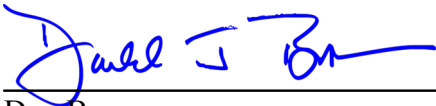
Ritchie Torres
Member of Congress



Sylvia R. Garcia
Member of Congress



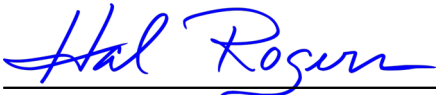
Troy Carter
Member of Congress



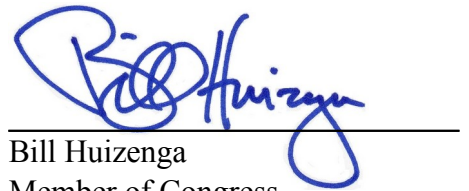
Don Bacon
Member of Congress



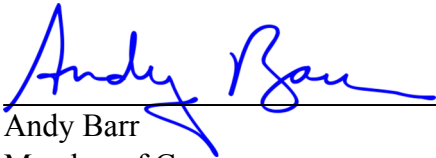
French Hill
Member of Congress



Harold Rogers
Member of Congress



Bill Huizenga
Member of Congress



Andy Barr
Member of Congress