

§ 31.5

claimant is not satisfied with the agency's determination, he or she may appeal that determination to the Claims Group, General Accounting Office. Claims which cannot be resolved by the department or agency shall be transmitted to the Claims Group, General Accounting Office, for resolution. Claims referred by agencies or by claimants to the General Accounting Office, or any correspondence regarding a claim, should be addressed to: Claims Group, U.S. General Accounting Office, Washington, DC 20548.

[54 FR 51868, Dec. 19, 1989]

§ 31.5 Statutory limitations on claims.

(a) *Statutory limitations relating to claims generally.* All claims against the United States Government, except as otherwise provided by law, are subject to the 6-year statute of limitations contained in 31 U.S.C. 3702(b). To satisfy the statutory limitation, a claim must be received by the General Accounting Office, or by the department or agency out of whose activities the claim arose, within 6 years from the date the claim accrued. The burden of establishing compliance with the statute of limitations rests with the claimant.

(b) *Statutory limitation on check claims.* The statutory limitation on claims on account of checks appearing to have been paid are contained in 31 U.S.C. 3702(c). To protect their own interests, it is the responsibility of claimants to present their claims for the proceeds of checks to the Treasurer of the United States or the General Accounting Office if the statutory period of limitation is about to expire.

(c) *Other statutory limitations.* It is not intended to imply that statutes of limitation imposed by Congress are necessarily limited to those cited in paragraphs (a) and (b) of this section. It is incumbent on claimants to inform themselves regarding other possible statutory limitations.

[23 FR 7478, Sept. 26, 1958, as amended at 40 FR 60036, Dec. 31, 1975; 47 FR 56980, Dec. 22, 1982; 54 FR 51868, Dec. 19, 1989]

4 CFR Ch. I (1-1-00 Edition)

INFORMATION RELATING TO CLAIMS

§ 31.6 Information relating to claims presented to the Claims Group, General Government Division of the General Accounting Office.

Claimants or their authorized representatives may obtain information relating to claims which have been presented to the Claims Group, General Government Division of the General Accounting Office by addressing correspondence to

Claims Group, General Government Division,
U.S. General Accounting Office,
Washington, DC 20548.

or by calling in person at that Office at 441 G Street NW.

[23 FR 7478, Sept. 26, 1958, as amended at 40 FR 60036, Dec. 31, 1975; 54 FR 25437, June 15, 1989]

§ 31.7 Basis of claim settlements.

Claims are settled on the basis of the facts as established by the Government agency concerned and by evidence submitted by the claimant. Settlements are founded on a determination of the legal liability of the United States under the factual situation involved as established by the written record. The burden is on claimants to establish the liability of the United States, and the claimants' right to payment. The settlement of claims is based upon the written record only.

[22 FR 10890, Dec. 28, 1957]

§ 31.8 Form of claim settlements.

(a) *Allowed claims.* The Claims Group, General Government Division of the General Accounting Office will certify claims for payment either by use of a Certificate of Settlement, GAO Form 39, or by certificate of allowance placed on the voucher when voucher procedures are in effect.

(b) *Disallowed claims.* When part of a claim is allowed and part disallowed, a statement relating to the disallowed portion will be included on the certificate of settlement or the voucher. When the full amount of a claim is disallowed, the claimant will be advised