

them from instituting or prosecuting any proceeding in any State or United States court affecting the property, instrument or obligation involved in the interpleader action until further order of the court. Such process and order shall be returnable at such time as the court or judge thereof directs, and shall be addressed to and served by the United States marshals for the respective districts where the claimants reside or may be found.

Such district court shall hear and determine the case, and may discharge the plaintiff from further liability, make the injunction permanent, and make all appropriate orders to enforce its judgment.

(June 25, 1948, ch. 646, 62 Stat. 970; May 24, 1949, ch. 139, §117, 63 Stat. 105.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on title 28, U.S.C., 1940 ed., §41(26) (Mar. 3, 1911, ch. 231, §24, par. 26, as added Jan. 20, 1936, ch. 13, §1, 49 Stat. 1096).

Jurisdiction and venue provisions of section 41(26) of title 28, U.S.C., 1940 ed., appear in sections 1335 and 1397 of this title.

Subsection (e) of section 41(26) of title 28, U.S.C., 1940 ed., relating to defense in nature of interpleader and joinder of additional parties, was omitted as unnecessary, such matters being governed by the Federal Rules of Civil Procedure.

Words, "Notwithstanding any provision of part I of this title to the contrary" were omitted as unnecessary, since the revised title contains no "contrary provisions."

Changes were made in phraseology.

1949 ACT

This section makes clear that section 2361 of title 28, U.S.C., applies only to statutory actions and not to general equity interpleader suits in which the jurisdictional amount and diversity of citizenship requirements are the same as in other diversity cases.

Editorial Notes

AMENDMENTS

1949—Act May 24, 1949, substituted "In any civil action of interpleader or in the nature of interpleader under section 1335 under this title" for "In any interpleader action," and inserted "or prosecuting" between "instituting" and "any proceeding".

CHAPTER 161—UNITED STATES AS PARTY GENERALLY

Sec.	
2401.	Time for commencing action against United States.
2402.	Jury trial in actions against United States.
2403.	Intervention by United States or a State; constitutional question.
2404.	Death of defendant in damage action.
2405.	Garnishment.
2406.	Credits in actions by United States; prior disallowance.
2407.	Delinquents for public money; judgment at return term; continuance.
2408.	Security not required of United States.
2409.	Partition actions involving United States.
2409a.	Real property quiet title actions.
2410.	Actions affecting property on which United States has lien.
2411.	Interest.
2412.	Costs and fees.
2413.	Executions in favor of United States.

Sec.	
2414.	Payment of judgments and compromise settlements.
2415.	Time for commencing actions brought by the United States.
2416.	Time for commencing actions brought by the United States—Exclusions.

HISTORICAL AND REVISION NOTES

1949 ACT

This section amends the analysis of chapter 161 of title 28, U.S.C., to conform item 2411 therein with the catch line of section 2411 of such title as amended by another section of this bill.

Editorial Notes

AMENDMENTS

1980—Pub. L. 96-481, title II, §204(b), Oct. 21, 1980, 94 Stat. 2329, substituted "Costs and fees" for "Costs" in item 2412.

1976—Pub. L. 94-381, §6, Aug. 12, 1976, 90 Stat. 1120, inserted "or a State" after "United States" in item 2403.

1972—Pub. L. 92-562, §3(b), Oct. 25, 1972, 86 Stat. 1177, added item 2409a.

1966—Pub. L. 89-505, §2, July 18, 1966, 80 Stat. 305, added items 2415 and 2416.

1961—Pub. L. 87-187, §2, Aug. 30, 1961, 75 Stat. 416, substituted "and compromise settlements" for "against the United States" in item 2414.

1954—Act July 30, 1954, ch. 648, §2(b), 68 Stat. 589, struck out "denied" in item 2402.

1949—Act May 24, 1949, ch. 139, §118, 63 Stat. 105, substituted "Interest" for "Interest on judgments against United States" in item 2411.

§ 2401. Time for commencing action against United States

(a) Except as provided by chapter 71 of title 41, every civil action commenced against the United States shall be barred unless the complaint is filed within six years after the right of action first accrues. The action of any person under legal disability or beyond the seas at the time the claim accrues may be commenced within three years after the disability ceases.

(b) A tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented.

(June 25, 1948, ch. 646, 62 Stat. 971; Apr. 25, 1949, ch. 92, §1, 63 Stat. 62; Pub. L. 86-238, §1(3), Sept. 8, 1959, 73 Stat. 472; Pub. L. 89-506, §7, July 18, 1966, 80 Stat. 307; Pub. L. 95-563, §14(b), Nov. 1, 1978, 92 Stat. 2389; Pub. L. 111-350, §5(g)(8), Jan. 4, 2011, 124 Stat. 3848.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§41(20), 942 (Mar. 3, 1911, ch. 231, §24, part 20, 36 Stat. 1093; Nov. 23, 1921, ch. 136, §1310(c), 42 Stat. 311; June 2, 1924, 4:01 p.m., ch. 234, §1025(c), 43 Stat. 348; Feb. 24, 1925, ch. 309, 43 Stat. 972; Feb. 26, 1926, ch. 27, §§1122(c), 1200, 44 Stat. 121, 125; Aug. 2, 1946, ch. 753, §420, 60 Stat. 845).

Section consolidates provision in section 41(20) of title 28, U.S.C., 1940 ed., as to time limitation for bringing actions against the United States under section 1346(a) of this title, with section 942 of said title 28.

Words "or within one year after the date of enactment of this Act whichever is later", in section 942 of title 28, U.S.C., 1940 ed., were omitted as executed.