

Public Law 92-562

AN ACT

To permit suits to adjudicate certain real property quiet title actions.

October 25, 1972
[S. 216]

Real property
quiet title
actions.

Adjudication.
62 Stat. 933;
80 Stat. 1148.
Jurisdiction.
Infra.

62 Stat. 970;
80 Stat. 304.
28 USC 2401.

68 Stat. 1241;
84 Stat. 449.
80 Stat. 1140.
66 Stat. 560.

Supra.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1346 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

“(f) The district courts shall have exclusive original jurisdiction of civil actions under section 2409a to quiet title to an estate or interest in real property in which an interest is claimed by the United States.”

SEC. 2. Section 1402 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

“(d) Any civil action under section 2409a to quiet title to an estate or interest in real property in which an interest is claimed by the United States shall be brought in the district court of the district where the property is located or, if located in different districts, in any of such districts.”

SEC. 3. (a) Chapter 161 of title 28, United States Code, is amended by adding after section 2409 of such title the following new section:

“§ 2409a. Real property quiet title actions

“(a) The United States may be named as a party defendant in a civil action under this section to adjudicate a disputed title to real property in which the United States claims an interest, other than a security interest or water rights. This section does not apply to trust or restricted Indian lands, nor does it apply to or affect actions which may be or could have been brought under sections 1346, 1347, 1491, or 2410 of this title, sections 7424, 7425, or 7426 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 7424, 7425, and 7426), or section 208 of the Act of July 10, 1952 (43 U.S.C. 666).

“(b) The United States shall not be disturbed in possession or control of any real property involved in any action under this section pending a final judgment or decree, the conclusion of any appeal therefrom, and sixty days; and if the final determination shall be adverse to the United States, the United States nevertheless may retain such possession or control of the real property or of any part thereof as it may elect, upon payment to the person determined to be entitled thereto of an amount which upon such election the district court in the same action shall determine to be just compensation for such possession or control.

“(c) The complaint shall set forth with particularity the nature of the right, title, or interest which the plaintiff claims in the real property, the circumstances under which it was acquired, and the right, title, or interest claimed by the United States.

“(d) If the United States disclaims all interest in the real property or interest therein adverse to the plaintiff at any time prior to the actual commencement of the trial, which disclaimer is confirmed by order of the court, the jurisdiction of the district court shall cease unless it has jurisdiction of the civil action or suit on ground other than and independent of the authority conferred by section 1346(f) of this title.

“(e) A civil action against the United States under this section shall be tried by the court without a jury.

“(f) Any civil action under this section shall be barred unless it is commenced within twelve years of the date upon which it accrued. Such action shall be deemed to have accrued on the date the plaintiff or his predecessor in interest knew or should have known of the claim of the United States.

Statute of
limitations.

“(g) Nothing in this section shall be construed to permit suits against the United States based upon adverse possession.”

(b) The chapter analysis at the beginning of chapter 161 of title 28, United States Code, is amended by inserting after the item relating to section 2409 the following new item:

“2409a. Real property quiet title actions.”

Approved October 25, 1972.

Public Law 92-563

AN ACT

To provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis.

October 25, 1972
[H. R. 15475]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Advisory
Commission
on Multiple
Sclerosis Act.

SHORT TITLE

SECTION 1. This Act may be cited as the “National Advisory Commission on Multiple Sclerosis Act”.

FINDINGS

SEC. 2. The Congress finds that—

(1) multiple sclerosis is a disease characterized by degeneration within the brain and spinal cord and by loss of motor and sensory functions;

(2) this disease, known as the “greatcrippler of young adults”, generally makes its first appearance in the very prime of life, between the ages of twenty and forty, already affects great numbers of Americans, and will begin to afflict an even greater number as our young adult population expands;

(3) the cause of multiple sclerosis is unknown and there is neither a preventive nor a cure for the disease; and

(4) the determination of the most effective program for discovering the cause of and cures and treatments for the disease deserves the highest priority.

NATIONAL ADVISORY COMMISSION

SEC. 3. (a) (1) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the “Secretary”), after consultation with the advisory council to the National Institute on Neurological Diseases and Stroke appointed under section 342 of the Public Health Service Act, shall appoint a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. Such study and investigation shall give particular emphasis to the need for additional financial support by the Federal Government and the means by which the Federal Government can best participate in the effort to find the cause of and cures and treatments for multiple sclerosis.

Appointment.

58 Stat. 699;
84 Stat. 1240.
42 USC 258.
Study.