

Proposed Revision of 28 U.S.C. §§ 2401 and 2501: Legislatively overturning *John R. Sand & Gravel Co. v. United States*, 552 U.S. 130 (2008) (Tucker Act statute of limitations), to be consistent with allowance of equitable tolling for similar Federal Tort Claims Act statute of limitations, per *United States v. Wong*, Nos. 13-1074, 13-1075 (U.S. Apr. 22, 2015):

28 United States Code § 2401

(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.

(c) The periods of limitation stated in this section are affirmative defenses subject to tolling.

28 United States Code § 2501

Every claim of which the United States Court of Federal Claims has jurisdiction shall be barred unless the petition thereon is filed within six years after such claim first accrues.

Every claim under section 1497 of this title shall be barred unless the petition thereon is filed within two years after the termination of the river and harbor improvements operations on which the claim is based.

A petition on the claim of a person under legal disability or beyond the seas at the time the claim accrues may be filed within three years after the disability ceases.

A suit for the fees of an officer of the United States shall not be filed until his account for such fees has been finally acted upon, unless the Government Accountability Office fails to act within six months after receiving the account.

The periods of limitation stated in this section are affirmative defenses subject to tolling.