

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4058**

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**AN ACT**

To amend title 49, United States Code, to extend the aviation insurance program, and for other purposes.

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## AN ACT

To amend title 49, United States Code, to extend the aviation insurance program, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AVIATION INSURANCE PROGRAM AMEND-**  
2 **MENTS.**

3 (a) REIMBURSEMENT OF INSURED PARTY'S  
4 SUBROGEE.—Section 44309(a) of title 49, United States  
5 Code, is amended to read as follows:

6 “(a) LOSSES.—

7 “(1) ACTIONS AGAINST UNITED STATES.—A  
8 person may bring a civil action in a district court of  
9 the United States or in the United States Court of  
10 Federal Claims against the United States Govern-  
11 ment when—

12 “(A) a loss insured under this chapter is in  
13 dispute; or

14 “(B)(i) the person is subrogated under a  
15 contract between the person and a party in-  
16 sured under this chapter (other than section  
17 44305(b)) to the rights of the insured party  
18 against the United States Government; and

19 “(ii) the person has paid to the insured  
20 party, with the approval of the Secretary of  
21 Transportation, an amount for a physical dam-  
22 age loss that the Secretary has determined is a  
23 loss covered by insurance issued under this  
24 chapter (other than section 44305(b)).

25 “(2) LIMITATION.—A civil action involving the  
26 same matter (except the action authorized by this

1 subsection) may not be brought against an agent, of-  
2 ficer, or employee of the Government carrying out  
3 this chapter.

4 “(3) PROCEDURE.—To the extent applicable,  
5 the procedure in an action brought under section  
6 1346(a)(2) of title 28 applies to an action under this  
7 subsection.”.

8 (b) EXTENSION OF AVIATION INSURANCE PRO-  
9 GRAM.—Section 44310 of such title is amended by strik-  
10 ing “1998” and inserting “2003”.

Passed the House of Representatives July 20, 1998.

Attest:

*Clerk.*