

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

# H. R. 4058

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IN THE SENATE OF THE UNITED STATES

JULY 21, 1998

Received; read twice and referred to the Committee on Commerce, Science,  
and Transportation

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## A 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,*

3 **SECTION 1. AVIATION INSURANCE PROGRAM AMEND-**  
4 **MENTS.**

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

8 “(a) LOSSES.—

9 “(1) ACTIONS AGAINST UNITED STATES.—A  
10 person may bring a civil action in a district court of  
11 the United States or in the United States Court of

1 Federal Claims against the United States Govern-  
2 ment when—

3 “(A) a loss insured under this chapter is in  
4 dispute; or

5 “(B)(i) the person is subrogated under a  
6 contract between the person and a party in-  
7 sured under this chapter (other than section  
8 44305(b)) to the rights of the insured party  
9 against the United States Government; and

10 “(ii) the person has paid to the insured  
11 party, with the approval of the Secretary of  
12 Transportation, an amount for a physical dam-  
13 age loss that the Secretary has determined is a  
14 loss covered by insurance issued under this  
15 chapter (other than section 44305(b)).

16 “(2) LIMITATION.—A civil action involving the  
17 same matter (except the action authorized by this  
18 subsection) may not be brought against an agent, of-  
19 ficer, or employee of the Government carrying out  
20 this chapter.

21 “(3) PROCEDURE.—To the extent applicable,  
22 the procedure in an action brought under section  
23 1346(a)(2) of title 28 applies to an action under this  
24 subsection.”.

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

4 Passed the House of Representatives July 20, 1998.

Attest:

ROBIN H. CARLE,

*Clerk.*