

(3) Judgment in a civil action under this subsection discharges the Government from further liability to the parties to the action and to all other persons served by publication under paragraph (2) of this subsection.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1172; Pub. L. 105–277, div. C, title I, §110(c)(1), Oct. 21, 1998, 112 Stat. 2681–587; Pub. L. 113–291, div. A, title X, §1074(a), Dec. 19, 2014, 128 Stat. 3518.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44309(a) .....	49 App.:1540 (1st sentence less 19th–70th words, 3d sentence).	Aug. 23, 1958, Pub. L. 85–726, §1310, 72 Stat. 805.
44309(b)(1) ..	49 App.:1540 (1st sentence 19th–70th words, 2d sentence).	
44309(b)(2) ..	49 App.:1540 (4th sentence).	
44309(c) .....	49 App.:1540 (last sentence).	
44309(d) .....	49 App.:1540 (5th–8th sentences).	

In subsection (a), the words “A person may bring” are substituted for “may be maintained” for clarity. The words “a civil action” are substituted for “suit” because of rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “A civil action . . . (except the action authorized by this subsection) may not be brought” are substituted for “and this remedy shall be exclusive of any other action”, and the words “involving the” are substituted for “by reason of”, for clarity. The words “carrying out this chapter” are substituted for “employed or retained under this subchapter”, and the words “in an action” are substituted for “for suits in the district courts”, for consistency. The words “applies to” are substituted for “shall otherwise be the same as that provided for” to eliminate unnecessary words. The words “an action under this subsection” are substituted for “such suits” for consistency.

In subsection (b)(1), the words “A civil action under subsection (a) of this section may be brought” are added for clarity. The words “the plaintiff or the agent of the plaintiff resides” are substituted for “the claimant or his agent resides” for consistency in the revised title. The words “if the plaintiff resides in the United States” are added for clarity. The words “notwithstanding the amount of the claim” are omitted as obsolete because jurisdiction under 28:1331 no longer depends on the amount of the claim. The words “and any provision of existing law as to the jurisdiction of United States district courts” are omitted as obsolete.

In subsection (b)(2), the words “interested person” are substituted for “All persons having or claiming or who might have an interest in such insurance” to eliminate unnecessary words. The word “either” is omitted as surplus. The words “to a civil action brought under subsection (a) of this section” are added for clarity.

In subsection (c), the words “during which, under section 2401 of title 28, a civil action must be brought under subsection (a) of this section” are substituted for “within which suits may be commenced contained in section 2401 of title 28 providing for bringing of suits against the United States” for clarity. The words “from such time of filing” are omitted as surplus. The words “60 days after the Secretary of Transportation denies the claim” are substituted for “the claim shall have been administratively denied by the Secretary and for sixty days thereafter” for clarity.

In subsection (d)(1), the words “a civil action of interpleader” are substituted for “an action in the nature of a bill of interpleader” because of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “persons that may be entitled to payment” are substituted for “such parties” for clarity.

In subsection (d)(2), the words “in which the action is brought” are added for clarity. The words “The order shall be” are added because of the restatement. The words “the court may order service on that person” are substituted for “it may direct service upon such persons unknown” as being more precise.

In subsection (d)(3), the words “in a civil action under this subsection” are substituted for “in any such suit” for clarity.

Editorial Notes

AMENDMENTS

2014—Subsec. (a)(2). Pub. L. 113–291, §1074(a)(1), inserted at end “A civil action shall not be instituted against the United States under this chapter unless the claimant first presents the claim to the Secretary of Transportation and such claim is finally denied by the Secretary in writing and notice of the denial of such claim is sent by certified or registered mail.”

Subsec. (c). Pub. L. 113–291, §1074(a)(2), added subsec. (c) and struck out former subsec. (c). Prior to amendment, text read as follows: “When an insurance claim is made under this chapter, the period during which, under section 2401 of title 28, a civil action must be brought under subsection (a) of this section is suspended until 60 days after the Secretary of Transportation denies the claim. The claim is deemed to be administratively denied if the Secretary does not act on the claim not later than 6 months after filing, unless the Secretary makes a different agreement with the claimant when there is good cause for an agreement.”

1998—Subsec. (a). Pub. L. 105–277 amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “A person may bring a civil action in a district court of the United States against the United States Government when a loss insured under this chapter is in dispute. A civil action involving the same matter (except the action authorized by this subsection) may not be brought against an agent, officer, or employee of the Government carrying out this chapter. To the extent applicable, the procedure in an action brought under section 1346(a)(2) of title 28 applies to an action under this subsection.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113–291, div. A, title X, §1074(b), Dec. 19, 2014, 128 Stat. 3519, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to a claim arising after the date of the enactment of this Act [Dec. 19, 2014].”

§ 44310. Ending effective date

(a) IN GENERAL.—The authority of the Secretary of Transportation to provide insurance and reinsurance under any provision of this chapter other than sections 44302a and 44305 is not effective after December 11, 2014.

(b) INSURANCE OF UNITED STATES GOVERNMENT PROPERTY.—The authority of the Secretary of Transportation to provide insurance and reinsurance for a department, agency, or instrumentality of the United States Government under section 44305 is not effective after March 8, 2024.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1173; Pub. L. 105–85, div. A, title X, §1088(a), Nov. 18, 1997, 111 Stat. 1921; Pub. L. 105–137, §5(a), Dec. 2, 1997, 111 Stat. 2641; Pub. L. 105–277, div. C, title I, §110(c)(2), Oct. 21, 1998, 112 Stat. 2681–588; Pub. L. 106–6, §6, Mar. 31, 1999, 113 Stat. 10; Pub. L. 106–31, title VI, §6002(f), May 21, 1999, 113 Stat. 113; Pub. L. 106–181, title VII, §711, Apr. 5, 2000, 114 Stat. 160; Pub. L. 108–11, title IV, §4001(c),

Apr. 16, 2003, 117 Stat. 606; Pub. L. 108-176, title I, §106(d), Dec. 12, 2003, 117 Stat. 2499; Pub. L. 110-181, div. A, title III, §378, Jan. 28, 2008, 122 Stat. 85; Pub. L. 113-46, div. A, §154, Oct. 17, 2013, 127 Stat. 565; Pub. L. 113-66, div. A, title X, §1093, Dec. 26, 2013, 127 Stat. 878; Pub. L. 113-76, div. L, title I, §119E(c), Jan. 17, 2014, 128 Stat. 582; Pub. L. 113-164, §148(c), Sept. 19, 2014, 128 Stat. 1874; Pub. L. 113-235, div. L, §102(c), Dec. 16, 2014, 128 Stat. 2767; Pub. L. 114-328, div. A, title X, §1046, Dec. 23, 2016, 130 Stat. 2395; Pub. L. 116-92, div. A, title III, §374, Dec. 20, 2019, 133 Stat. 1332; Pub. L. 117-328, div. Q, §103(b)(2), Dec. 29, 2022, 136 Stat. 5252; Pub. L. 118-15, div. B, title II, §2202(a), Sept. 30, 2023, 137 Stat. 82; Pub. L. 118-34, title I, §102(a), Dec. 26, 2023, 137 Stat. 1113.)

1998—Pub. L. 105-277 substituted “March 31, 1999” for “December 31, 1998”.

1997—Pub. L. 105-137 substituted “December 31, 1998” for “September 30, 2002”.

Pub. L. 105-85 substituted “September 30, 2002” for “September 30, 1997”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2003 AMENDMENT**

Amendment by Pub. L. 108-176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

**EFFECTIVE DATE OF 2000 AMENDMENT**

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of this title.

**EFFECTIVE DATE OF 1997 AMENDMENTS**

Pub. L. 105-137, §5(b), Dec. 2, 1997, 111 Stat. 2641, provided that: “The amendment made by subsection (a) [amending this section] takes effect on October 1, 1997.”

Pub. L. 105-85, div. A, title X, §1088(b), Nov. 18, 1997, 111 Stat. 1921, provided that: “This section [amending this section] shall take effect as of September 30, 1997.”

**CONTINUATION OF AVIATION INSURANCE LAWS**

Pub. L. 102-581, title IV, §404, Oct. 31, 1992, 106 Stat. 4898, provided that: “Notwithstanding any other provision of law, the provisions of title XIII of the Federal Aviation Act of 1958 [now this chapter] and all insurance policies issued by the Secretary of Transportation under such title, as in effect on September 30, 1992, shall be treated as having continued in effect until the date of the enactment of this Act [Oct. 31, 1992].”

**HISTORICAL AND REVISION NOTES**

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
44310 .....	49 App.:1542.	Aug. 23, 1958, Pub. L. 85-726, §1312, 72 Stat. 806; July 20, 1961, Pub. L. 87-89, 75 Stat. 210; June 13, 1966, Pub. L. 89-447, 80 Stat. 199; Sept. 8, 1970, Pub. L. 91-399, 84 Stat. 837; Aug. 9, 1975, Pub. L. 94-90, §2, 89 Stat. 439; July 31, 1976, Pub. L. 94-374, 90 Stat. 1065; Nov. 9, 1977, Pub. L. 95-163, §6, 91 Stat. 1280; Oct. 14, 1982, Pub. L. 97-309, §3, 96 Stat. 1453; Oct. 30, 1987, Pub. L. 100-148, 101 Stat. 878; Oct. 31, 1992, Pub. L. 102-581, §402, 106 Stat. 4897.

The words “is not effective after” are substituted for “shall expire at the termination of” for clarity and consistency in the revised title.

**Editorial Notes**

**AMENDMENTS**

2023—Subsec. (b). Pub. L. 118-34 substituted “March 8, 2024” for “December 31, 2023”.

Pub. L. 118-15 substituted “December 31, 2023” for “September 30, 2023”.

2022—Subsec. (a). Pub. L. 117-328 substituted “sections 44302a and 44305” for “section 44305”.

2019—Subsec. (b). Pub. L. 116-92 substituted “September 30, 2023” for “December 31, 2019”.

2016—Subsec. (b). Pub. L. 114-328 substituted “December 31, 2019” for “December 31, 2018”.

2014—Subsec. (a). Pub. L. 113-235 substituted “December 11, 2014” for “the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015”.

Pub. L. 113-164 substituted “the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015” for “September 30, 2014”.

Pub. L. 113-76 substituted “September 30, 2014” for “the date specified in section 106(3) of the Continuing Appropriations Act, 2014”.

2013—Pub. L. 113-66 designated existing provisions as subsec. (a) and inserted heading, substituted “any provision of this chapter other than section 4430” for “this chapter”, and added subsec. (b).

Pub. L. 113-46 substituted “the date specified in section 106(3) of the Continuing Appropriations Act, 2014” for “December 31, 2013”.

2008—Pub. L. 110-181 substituted “December 31, 2013” for “March 30, 2008”.

2003—Pub. L. 108-176 substituted “March 30, 2008” for “December 31, 2004”.

Pub. L. 108-11, substituted “2004” for “2003”.

2000—Pub. L. 106-181 substituted “after December 31, 2003.” for “after August 6, 1999.”

1999—Pub. L. 106-31 substituted “August 6, 1999” for “May 31, 1999”.

Pub. L. 106-6 substituted “May” for “March”.

**CHAPTER 445—FACILITIES, PERSONNEL, AND RESEARCH**

- Sec.
- 44501. Plans and policy.
- 44502. General facilities and personnel authority.
- 44503. Reducing nonessential expenditures.
- 44504. Improved aircraft, aircraft engines, propellers, and appliances.
- 44505. Systems, procedures, facilities, and devices.
- 44506. Air traffic controllers.
- 44507. Regions and centers.
- 44508. Research advisory committee.
- 44509. Demonstration projects.
- 44510. Airway science curriculum grants.
- 44511. Aviation research grants.
- 44512. Catastrophic failure prevention research grants.
- 44513. Regional centers of air transportation excellence.
- 44514. Flight service stations.
- 44515. Advanced training facilities for maintenance technicians for air carrier aircraft.
- 44516. Human factors program.
- 44517. Program to permit cost sharing of air traffic modernization projects.
- 44518. Advanced Materials Center of Excellence.
- 44519. Certification personnel continuing education and training.

**Editorial Notes**

**AMENDMENTS**

2020—Pub. L. 116-260, div. V, title I, §112(b), Dec. 27, 2020, 134 Stat. 2332, added item 44519.

2018—Pub. L. 115-254, div. B, title V, §524(b), title VII, §762(b), Oct. 5, 2018, 132 Stat. 3364, 3428, substituted “Regions and centers” for “Civil aeromedical research” in item 44507 and added item 44518.