



(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend title 46, United States Code, to provide for a cause of action by the family of a person who dies from an accident on the high seas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. ESCOBAR introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 46, United States Code, to provide for a cause of action by the family of a person who dies from an accident on the high seas, 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. SHORT TITLE.**

4 This Act may be cited as the “Fairness for Fallen
5 Sailors Act”.

1 **SEC. 2. AMENDMENTS TO DEATH ON THE HIGH SEAS ACT.**

2 (a) CAUSE OF ACTION.—Section 30302 of title 46,
3 United States Code, is amended to read as follows:

4 **“§ 30302. Cause of action**

5 “When the death of an individual is caused by wrong-
6 ful act, neglect, or default occurring on the high seas be-
7 yond 3 nautical miles from the shore of the United States,
8 the personal representative of the decedent or the dece-
9 dent’s estate may bring a civil action in admiralty or in
10 law against the person or vessel responsible. The action
11 shall be for the exclusive benefit of the decedent’s spouse,
12 parent, child, estate, or dependent relative.”.

13 (b) AMOUNT AND APPORTIONMENT OF RECOVERY.—
14 Section 30303 of title 46, United States Code, is amended
15 by inserting “, the pre-death pain and suffering of the de-
16 cedent, and non-pecuniary damages for the loss of care,
17 comfort, and companionship of a family member of a dece-
18 dent” after “action is brought”.

19 (c) AVIATION ACCIDENTS.—Section 30307 of title
20 46, United States Code, is amended—

21 (1) in the section heading by striking “**Com-**
22 **mercial aviation**” and inserting “**Aviation**”;
23 and

24 (2) by striking “commercial” each place it ap-
25 pears.

1 (d) CONFORMING AMENDMENT.—The analysis for
2 chapter 303 of title 46, United States Code, is amended
3 by striking the item relating to section 30307 and insert-
4 ing the following:

“30307. Aviation accidents.”.