AMENDMENT TO RULES COMMITTEE PRINT 118–10

OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle D of title XXXV, insert the following:

SEC. 35. DEATH OF A MEMBER OF THE ARMED FORCES FROM AN ACCIDENT ON THE HIGH SEAS.

(a) In general.—Chapter 303 of title 46, United States Code, is amended—
(1) by redesignating section 30308 as section 30309; and
(2) by inserting after section 30307 the following:

“§ 30308. Death of a member of the armed forces from an accident on the high seas

“(a) Civil action.—In an action under this chapter, if the death of a member of the Armed Forces resulted from an accident occurring on the high seas beyond 12 nautical miles from the shore of the United States while the decedent was serving aboard a United States military vessel, the personal representative of the decedent may bring a civil action in admiralty or at law against the person or vessel responsible. The action shall be for the exclu-
sive benefit of the decedent’s spouse, parent, child, dependent relative, or estate. Compensation is recoverable for nonpecuniary and pecuniary damages.

“(b) JURY TRIAL.—A claim under this section may be tried with a jury.

“(c) EFFECTIVE DATE.—This section shall apply to any death occurring after January 1, 2017.

“(d) GOVERNMENT IMMUNITY.—Nothing in this Act shall be construed to affect any existing laws or doctrines establishing governmental immunity from tort-based claims.

“(e) NONPECUNIARY DAMAGES DEFINED.—In this section, the term ‘nonpecuniary damages’ means damages for loss of care, comfort, or companionship.”.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended—

(1) by redesignating the item relating to section 30308 as the item relating to section 30309; and

(2) by inserting after the item relating to section 30307 the following:

“30308. Death of a member of the Armed Forces from an accident on the high seas.”.