

AMENDMENT TO H.R. 3619
OFFERED BY MR. SCOTT OF VIRGINIA

Page 312, after line 22, add the following new section:

1 **SEC. ____ . AMENDMENT OF THE DEATH ON THE HIGH SEAS**
2 **ACT.**

3 (a) **APPLICATION OF ACT.**—Section 30302 of title
4 46, United States Code, is amended by striking “3 nau-
5 tical miles” and inserting “12 nautical miles”.

6 (b) **NONAPPLICATION TO INCIDENTS WITHIN 12-**
7 **MILE LIMIT.**—Section 30308 of title 46, United States
8 Code, is amended by adding at the end thereof the fol-
9 lowing new subsection:

10 “(c) **INCIDENTS OCCURRING WITHIN 12-MILE 2**
11 **LIMIT.**—This chapter does not apply if the death of an
12 individual is caused by wrongful act, neglect, or default
13 occurring on the high seas 12 nautical miles or less from
14 the shore of the United States.”.

15 (d) **DAMAGES.**—Section 30303 of title 46, United
16 States Code, is amended

17 (1) by inserting “and nonpecuniary loss” after
18 “pecuniary loss”; and

1 (2) by adding at the end the following new sen-
2 tence: “In this section, the term”nonpecuniary loss“
3 means loss of care, comfort, and companionship. The
4 individuals for whose benefit the action is brought
5 may also recover damages for the decedent”s pre-
6 death pain and suffering.”.

7 (d) CONFORMING AND CLERICAL AMENDMENTS.—

8 (1) Chapter 303 of title 46, United States
9 Code, is amended by striking section 30307.

10 (2) The chapter analysis for such chapter is
11 amended by striking the item relating to section
12 30307.

