

106TH CONGRESS
2D SESSION

S. 2035

To amend title 49, United States Code, to clarify the application of the Act popularly known as the “Death on the High Seas Act” to aviation incidents.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2000

Mr. SPECTER (for himself, Mr. SANTORUM, Mr. LAUTENBERG, Mr. MOYNIHAN, Mr. SCHUMER, Mrs. MURRAY, Mr. DODD, Mr. WELLSTONE, Mr. TORRICELLI, Mr. SARBANES, Mr. INHOFE, Mr. ROBB, Ms. MIKULSKI, and Mr. GRAMM) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 49, United States Code, to clarify the application of the Act popularly known as the “Death on the High Seas Act” to aviation incidents.

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. DEATH ON THE HIGH SEAS ACT.**

4 Section 40120(c) of title 49, United States Code, is
5 amended to read as follows:

6 “(c) ADDITIONAL REMEDIES.—

7 “(1) IN GENERAL.—Nothing in this part or the
8 Act entitled ‘An Act relating to the maintenance of

1 actions for death on the high seas and other navi-
2 gable waters' approved March 30, 1920 (46 U.S.C.
3 App. 761 et seq.), popularly known as the 'Death on
4 the High Seas Act', shall, with respect to any injury
5 or death arising out of any covered aviation incident,
6 affect any remedy—

7 “(A) under common law; or

8 “(B) under State law.

9 “(2) ADDITIONAL REMEDIES.—Any remedy
10 provided for under this part or the Act referred to
11 in paragraph (1) for an injury or death arising out
12 of any covered aviation incident shall be in addition
13 to any of the remedies described in subparagraphs
14 (A) and (B) of paragraph (1).

15 “(3) COVERED AVIATION INCIDENT DEFINED.—
16 In this subsection, the term 'covered aviation inci-
17 dent' means an aviation disaster occurring on or
18 after January 1, 1995.”.

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