

AMENDMENT TO H.R. 1987
OFFERED BY MS. BROWN OF FLORIDA

At the end of title V, add the following:

1 **SEC. 5___ . PENALTY WAGES.**

2 (a) FOREIGN AND INTERCOASTAL VOYAGES.—Sec-
3 tion 10313(g) of title 46, United States Code, is amend-
4 ed—

5 (1) in paragraph (2)—

6 (A) by striking “all claims in a class action
7 suit by seamen” and inserting “each claim by
8 a seaman”; and

9 (B) by striking “the seamen” and inserting
10 “the seaman”; and

11 (2) in paragraph (3)—

12 (A) by striking “class action”; and

13 (B) in subparagraph (B), by striking “, by
14 a seaman who is a claimant in the suit,” and
15 inserting “by the seaman”.

16 (b) COASTWISE VOYAGES.—Section 10504(c) of such
17 title is amended—

18 (1) in paragraph (2)—

1 (A) by striking “all claims in a class action
2 suit by seamen” and inserting “each claim by
3 a seaman”; and

4 (B) by striking “the seamen” and inserting
5 “the seaman”; and

6 (2) in paragraph (3)—

7 (A) by striking “class action”; and

8 (B) in subparagraph (B), by striking “, by
9 a seaman who is a claimant in the suit,” and
10 inserting “by the seaman”.

11 **SEC. 5___ . RECOURSE FOR NONCITIZENS.**

12 Section 30104 of title 46, United States Code, is
13 amended—

14 (1) by inserting “(a) IN GENERAL.—” before
15 the first sentence; and

16 (2) by adding at the end the following new sub-
17 section:

18 “(b) RESTRICTION ON RECOVERY FOR NON-
19 RESIDENT ALIENS EMPLOYED ON FOREIGN PASSENGER
20 VESSELS.—A claim for damages or expenses relating to
21 personal injury, illness, or death of a seaman who is a
22 citizen of a foreign nation, arising during or from the en-
23 gagement of the seaman by or for a passenger vessel duly
24 registered under the laws of a foreign nation, may not be
25 brought under the laws of the United States if—

1 “(1) such seaman was not a permanent resident
2 alien of the United States at the time the claim
3 arose;

4 “(2) the injury, illness, or death arose outside
5 the territorial waters of the United States; and

6 “(3) the seaman or the seaman’s personal rep-
7 resentative has or had a right to seek compensation
8 for the injury, illness, or death in, or under the laws
9 of—

10 “(A) the nation in which the vessel was
11 registered at the time the claim arose; or

12 “(B) the nation in which the seaman main-
13 tained citizenship or residency at the time the
14 claim arose.”.

