



International Cruise Victims Association, Inc.

June 17, 2010

Chairman John Conyers, Jr.
2426 Rayburn
House Office Building
Washington, DC 20515

Dear Chairman Conyers,

We, the International Cruise Victims Association (ICV), are writing to express our strong support for HR 5503, the Securing Protections for the Injured from Limitations on Liability Act, which would correct the antiquated Death on the High Seas Act (DOSHA). Currently families who have lost a loved one at sea are prohibited from recovering anything but the lost income or wages for those who are economically dependent upon them.

While the Transocean Deepwater Horizon explosion has shone a new spotlight on DOSHA, our organization, ICV, has long been calling for a correction to the draconian limitations of DOSHA that would provide a fair remedy for **all** maritime victims. DOSHA was last amended by Congress in 2000 to provide non-pecuniary damages to the family members of persons who die on the high seas as a result of a plane crash. (See Pub. Law 106-181.) Senators Specter and Santorum pushed through this legislative change following the TWA Flight 800 disaster that left the families of sixteen high school students from Montoursville, Pennsylvania without any recovery for their devastating loss. Because children contribute little, if anything at all, to the economic support of their parents, the antiquated DOSHA law valued their loss at zero. However, no such consideration was provided for those otherwise lost at sea. This inherent unfairness can and should be corrected.

This history is not a coincidence. The cruise industry and its trade association, the Cruise Lines International Association (CLIA), have spent millions of dollars in lobbying efforts to fight regulation of any kind by Congress. By comparison, we, ICV, are an organization of purely volunteers who have lost a loved one at sea. As Rep. Melancon recently stated, "The pain I've seen on the faces of the family members of those 11 workers is heartbreaking, and will last a lifetime for them." I can attest to the fact that it is heartbreaking for the families who have lost loved ones on cruise ships when they discover that no action can be taken as a result of the outdated provisions in DOSHA.

Recently, our organization has found success in starting to hold cruise lines accountable for the tragedies our families have suffered. Last week, the Senate unanimously passed S.588, the Cruise Vessel Security and Safety Act, to take initial steps toward improving ship safety, improve responsiveness to crimes committed at sea, and provide transparency in reporting these incidents. The House has already passed the companion legislation, HR 3360, and we expect to have final passage before the July recess. We implore you to please keep all tragedies at sea in mind as you move forward with HR 5503.

As it stands now, if you fall from an airplane and meet your death at sea, your family can seek compensation; however if you fall from a cruise ship or are killed on an oil rig at sea, your family cannot seek compensation. Congress should provide fair and equal remedies for any and all American citizens killed at sea. We applaud your efforts to correct this matter, and thank you for injecting a level of fairness into such tragic events.

ICV stands ready to do whatever is needed to support your efforts. Please feel free to call upon us and, if necessary, I, as well as other members would be more than happy to come to Washington to assist in the passage of this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kendall Carver', with a long horizontal flourish extending to the right.

Kendall Carver
Chairman and Co-Founder
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