

Suspend the Rules and Pass the Bill, H.R. 2166, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

113TH CONGRESS
2^D SESSION

H. R. 2166

To direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal lands under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2013

Mr. HECK of Nevada (for himself and Mr. AMODEI) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal lands under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Good Samaritan
3 Search and Recovery Act”.

4 **SEC. 2. EXPEDITED ACCESS TO CERTAIN FEDERAL LANDS.**

5 (a) IN GENERAL.—The Secretary shall develop and
6 implement a process to expedite access to Federal lands
7 under the administrative jurisdiction of the Secretary for
8 eligible organizations and eligible individuals to request
9 access to Federal lands to conduct good Samaritan search-
10 and-recovery missions. The process developed and imple-
11 mented pursuant to this subsection shall include provi-
12 sions that clarify that—

13 (1) an eligible organization or eligible individual
14 granted access under this section shall be acting for
15 private purposes and shall not be considered a Fed-
16 eral volunteer;

17 (2) an eligible organization or eligible individual
18 conducting a good Samaritan search-and-recovery
19 mission under this section shall not be considered a
20 volunteer under section 3 of the Volunteers in the
21 Parks Act of 1969 (16 U.S.C. 18i);

22 (3) the Federal Torts Claim Act shall not apply
23 to an eligible organization or eligible individual car-
24 rying out a privately requested good Samaritan
25 search-and-recovery mission under this section; and

1 (4) the Federal Employee Compensation Act
2 shall not apply to an eligible organization or eligible
3 individual conducting good Samaritan search-and-re-
4 covery mission under this section and such activities
5 shall not constitute civilian employment.

6 (b) RELEASE OF THE FEDERAL GOVERNMENT FROM
7 LIABILITY.—The Secretary shall not require an eligible
8 organization or an eligible individual to have liability in-
9 surance as a condition of accessing Federal lands under
10 this section if the eligible organization or eligible indi-
11 vidual—

12 (1) acknowledges and consents, in writing, to
13 the provisions listed in paragraphs (1) through (4)
14 of subsection (a); and

15 (2) signs a waiver releasing the Federal Gov-
16 ernment from all liability related to the access grant-
17 ed under this section.

18 (c) APPROVAL AND DENIAL OF REQUESTS.—

19 (1) IN GENERAL.—The Secretary shall notify
20 an eligible organization and eligible individual of the
21 approval or denial of a request by that eligible orga-
22 nization and eligible individual to carry out a good
23 Samaritan search-and-recovery mission under this
24 section not more than 48 hours after the request is
25 made.

1 (2) DENIALS.—If the Secretary denies a re-
2 quest from an eligible organization or eligible indi-
3 vidual to carry out a good Samaritan search-and-re-
4 covery mission under this section, the Secretary shall
5 notify the eligible organization or eligible individual
6 of—

7 (A) the reason for the denial request; and

8 (B) any actions that eligible organization
9 or eligible individual can take to meet the re-
10 quirements for the request to be approved.

11 (d) PARTNERSHIPS.—The Secretary shall develop
12 search-and-recovery focused partnerships with search-and-
13 recovery organizations to—

14 (1) coordinate good Samaritan search-and-re-
15 covery missions on Federal lands under the adminis-
16 trative jurisdiction of the Secretary; and

17 (2) expedite and accelerate good Samaritan
18 search-and-recovery mission efforts for missing indi-
19 viduals on Federal lands under the administrative
20 jurisdiction of the Secretary.

21 (e) REPORT.—Not later than 180 days after the date
22 of the enactment of this Act, the Secretary shall submit
23 a joint report to Congress describing—

24 (1) plans to develop partnerships described in
25 subsection (d)(1); and

1 (2) efforts being taken to expedite and accel-
2 erate good Samaritan search-and-recovery mission
3 efforts for missing individuals on Federal lands
4 under the administrative jurisdiction of the Sec-
5 retary pursuant to subsection (d)(2).

6 (f) DEFINITIONS.—For the purposes of this section,
7 the following definitions apply:

8 (1) ELIGIBLE ORGANIZATION AND ELIGIBLE IN-
9 DIVIDUAL.—The terms “eligible organization” and
10 “eligible individual” means an organization or indi-
11 vidual, respectively, that—

12 (A) is acting in a not-for-profit capacity;

13 and

14 (B) is certificated in training that meets or
15 exceeds standards established by the American
16 Society for Testing and Materials.

17 (2) GOOD SAMARITAN SEARCH-AND-RECOVERY
18 MISSION.—The term “good Samaritan search-and-
19 recovery mission” means a search for one or more
20 missing individuals believed to be deceased at the
21 time that the search is initiated.

22 (3) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior or the Secretary of Ag-
24 riculture, as appropriate.