

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5063
OFFERED BY MRS. KIGGANS OF VIRGINIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Safe Beaches, Safe
3 Swimmers Act”.

4 SEC. 2. ADEQUATE LIFEGUARD STAFFING AT FEDERAL
5 SWIMMING AREAS AND BEACHES.

6 (a) IN GENERAL.—If the Secretary determines there
7 is a staffing shortage with respect to a designated swim
8 location, the Secretary may seek to enter into an agree-
9 ment with one or more local government agencies to enable
10 lifeguards employed by those local government agencies
11 to—

12 (1) adequately staff such designated swim loca-
13 tion during normal seasonal operating hours; and

14 (2) ensure visitor safety and provide rescue and
15 first aid services at the designated swim location as
16 necessary.

17 (b) REIMBURSEMENT.—In entering into an agree-
18 ment under subsection (a), the Secretary shall ensure that

1 the local government agency providing the lifeguard serv-
2 ices is reimbursed for all reasonable costs incurred by the
3 local government agency in carrying out the agreement.

4 (c) DEFINITIONS.—In this section:

5 (1) DESIGNATED SWIM LOCATION.—The term
6 “designated swim location” means a swimming area
7 or swimming beach—

8 (A) on lands and waters managed by the
9 National Park Service, the United States Fish
10 and Wildlife Service, the Bureau of Land Man-
11 agement, or the Bureau of Reclamation; and

12 (B) that is typically monitored by federally
13 employed lifeguards during normal seasonal op-
14 erating hours.

15 (2) STAFFING SHORTAGE.—

16 (A) IN GENERAL.—The term “staffing
17 shortage” means a level of staffing that nega-
18 tively impacts the ability to adequately staff a
19 designated swim location with federally em-
20 ployed lifeguards and will likely result or has
21 resulted in a designated swim location being left
22 unmonitored by federally employed lifeguards
23 during normal seasonal operating hours.

24 (B) EXCLUSION.—The term “staffing
25 shortage” does not refer to short-term staffing

1 shortages caused by temporary absences, such
2 as an employee taking annual or sick leave.

3 (3) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

