

Union Calendar No. 247

113TH CONGRESS
2^D SESSION

H. R. 2166

[Report No. 113-331, Part I]

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

JANUARY 23 (legislative day, JANUARY 21), 2014

Additional sponsors: Mr. MORAN and Mr. McDERMOTT

JANUARY 23 (legislative day, JANUARY 21), 2014

Reported from the Committee on Natural Resources

JANUARY 23 (legislative day, JANUARY 21), 2014

The Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Good Samaritan
5 Search and Recovery Act of 2013”.

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

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

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

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

24 (3) the Federal Torts Claim Act shall not apply
25 to an eligible organization or eligible individual car-

1 rying out a privately requested good Samaritan
2 search-and-recovery mission under this section; and

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

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

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

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

20 (c) APPROVAL AND DENIAL OF REQUESTS.—

21 (1) IN GENERAL.—The Secretary shall notify
22 an eligible organization and eligible individual of the
23 approval or denial of a request by that eligible orga-
24 nization and eligible individual to carry out a good
25 Samaritan search-and-recovery mission under this

1 section not more than 48 hours after the request is
2 made.

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

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

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

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

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

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

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

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

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

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

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

14 (A) is acting in a not-for-profit capacity;
15 and

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

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

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

Union Calendar No. 247

113TH CONGRESS
2^D SESSION

H. R. 2166

[Report No. 113-331, Part I]

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.

JANUARY 23 (legislative day, JANUARY 21), 2014

Reported from the Committee on Natural Resources

JANUARY 23 (legislative day, JANUARY 21), 2014

The Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed