

114TH CONGRESS
1ST SESSION

H. R. 373

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2015

Mr. HECK of Nevada (for himself, Mr. LAMALFA, Mr. AMODEI, Mr. ZINKE, Mr. KELLY of Pennsylvania, Mr. MCCLINTOCK, Mr. VALADAO, and Mr. HARDY) 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 land 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”.

1 **SEC. 2. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.**

2 (a) DEFINITIONS.—In this section:

3 (1) ELIGIBLE.—The term “eligible”, with re-
4 spect to an organization or individual, means that
5 the organization or individual, respectively, is—

6 (A) acting in a not-for-profit capacity; and

7 (B) certificated in training that meets or
8 exceeds standards established by the American
9 Society for Testing and Materials.

10 (2) GOOD SAMARITAN SEARCH-AND-RECOVERY
11 MISSION.—The term “good Samaritan search-and-
12 recovery mission” means a search for 1 or more
13 missing individuals believed to be deceased at the
14 time that the search is initiated.

15 (3) SECRETARY.—The term “Secretary” means
16 the Secretary of the Interior or the Secretary of Ag-
17 riculture, as applicable.

18 (b) PROCESS.—

19 (1) IN GENERAL.—Each Secretary shall develop
20 and implement a process to expedite access to Fed-
21 eral land under the administrative jurisdiction of the
22 Secretary for eligible organizations and individuals
23 to request access to Federal land to conduct good
24 Samaritan search-and-recovery missions.

1 (2) INCLUSIONS.—The process developed and
2 implemented under this subsection shall include pro-
3 visions to clarify that—

4 (A) an eligible organization or individual
5 granted access under this section—

6 (i) shall be acting for private pur-
7 poses; and

8 (ii) shall not be considered to be a
9 Federal volunteer;

10 (B) an eligible organization or individual
11 conducting a good Samaritan search-and-recov-
12 ery mission under this section shall not be con-
13 sidered to be a volunteer under section
14 102301(c) of title 54, United States Code;

15 (C) chapter 171 of title 28, United States
16 Code (commonly known as the “Federal Tort
17 Claims Act”), shall not apply to an eligible or-
18 ganization or individual carrying out a privately
19 requested good Samaritan search-and-recovery
20 mission under this section; and

21 (D) chapter 81 of title 5, United States
22 Code (commonly known as the “Federal Em-
23 ployees Compensation Act”), shall not apply to
24 an eligible organization or individual conducting
25 a good Samaritan search-and-recovery mission

1 under this section, and the conduct of the good
2 Samaritan search-and-recovery mission shall
3 not constitute civilian employment.

4 (c) RELEASE OF FEDERAL GOVERNMENT FROM LI-
5 ABILITY.—The Secretary shall not require an eligible or-
6 ganization or individual to have liability insurance as a
7 condition of accessing Federal land under this section, if
8 the eligible organization or individual—

9 (1) acknowledges and consents, in writing, to
10 the provisions described in subparagraphs (A)
11 through (D) of subsection (b)(2); and

12 (2) signs a waiver releasing the Federal Gov-
13 ernment from all liability relating to the access
14 granted under this section.

15 (d) APPROVAL AND DENIAL OF REQUESTS.—

16 (1) IN GENERAL.—The Secretary shall notify
17 an eligible organization or individual of the approval
18 or denial of a request by the eligible organization or
19 individual to carry out a good Samaritan search-
20 and-recovery mission under this section by not later
21 than 48 hours after the request is made.

22 (2) DENIALS.—If the Secretary denies a re-
23 quest from an eligible organization or individual to
24 carry out a good Samaritan search-and-recovery mis-

1 sion under this section, the Secretary shall notify the
2 eligible organization or individual of—

3 (A) the reason for the denial of the re-
4 quest; and

5 (B) any actions that the eligible organiza-
6 tion or individual can take to meet the require-
7 ments for the request to be approved.

8 (e) PARTNERSHIPS.—Each Secretary shall develop
9 search-and-recovery-focused partnerships with search-and-
10 recovery organizations—

11 (1) to coordinate good Samaritan search-and-
12 recovery missions on Federal land under the admin-
13 istrative jurisdiction of the Secretary; and

14 (2) to expedite and accelerate good Samaritan
15 search-and-recovery mission efforts for missing indi-
16 viduals on Federal land under the administrative ju-
17 risdiction of the Secretary.

18 (f) REPORT.—Not later than 180 days after the date
19 of enactment of this Act, the Secretaries shall submit to
20 Congress a joint report describing—

21 (1) plans to develop partnerships described in
22 subsection (e)(1); and

23 (2) efforts carried out to expedite and accel-
24 erate good Samaritan search-and-recovery mission
25 efforts for missing individuals on Federal land under

- 1 the administrative jurisdiction of each Secretary
- 2 pursuant to subsection (e)(2).

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