

Union Calendar No. 54

114TH CONGRESS
1ST SESSION

H. R. 373

[Report No. 114–75, Part I]

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

APRIL 15, 2015

Additional sponsor: Mr. WESTERMAN

APRIL 15, 2015

Reported from the Committee on Natural Resources

APRIL 15, 2015

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 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”.

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

7 (a) DEFINITIONS.—In this section:

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

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

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

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

20 (3) SECRETARY.—The term “Secretary” means
21 the Secretary of the Interior or the Secretary of Ag-
22 riculture, as applicable.

23 (b) PROCESS.—

24 (1) IN GENERAL.—Each Secretary shall develop
25 and implement a process to expedite access to Fed-

1 eral land under the administrative jurisdiction of the
2 Secretary for eligible organizations and individuals
3 to request access to Federal land to conduct good
4 Samaritan search-and-recovery missions.

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

8 (A) an eligible organization or individual
9 granted access under this section—

10 (i) shall be acting for private pur-
11 poses; and

12 (ii) shall not be considered to be a
13 Federal volunteer;

14 (B) an eligible organization or individual
15 conducting a good Samaritan search-and-recov-
16 ery mission under this section shall not be con-
17 sidered to be a volunteer under section
18 102301(c) of title 54, United States Code;

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

1 (D) chapter 81 of title 5, United States
2 Code (commonly known as the “Federal Em-
3 ployees Compensation Act”), shall not apply to
4 an eligible organization or individual conducting
5 a good Samaritan search-and-recovery mission
6 under this section, and the conduct of the good
7 Samaritan search-and-recovery mission shall
8 not constitute civilian employment.

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

14 (1) acknowledges and consents, in writing, to
15 the provisions described in subparagraphs (A)
16 through (D) of subsection (b)(2); and

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

20 (d) APPROVAL AND DENIAL OF REQUESTS.—

21 (1) IN GENERAL.—The Secretary shall notify
22 an eligible organization or individual of the approval
23 or denial of a request by the eligible organization or
24 individual to carry out a good Samaritan search-

1 and-recovery mission under this section by not later
2 than 48 hours after the request is made.

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

8 (A) the reason for the denial of the re-
9 quest; and

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

13 (e) PARTNERSHIPS.—Each Secretary shall develop
14 search-and-recovery-focused partnerships with search-and-
15 recovery organizations—

16 (1) to coordinate good Samaritan search-and-
17 recovery missions on Federal land under the admin-
18 istrative jurisdiction of the Secretary; and

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

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

1 (1) plans to develop partnerships described in
2 subsection (e)(1); and
3 (2) efforts carried out to expedite and accel-
4 erate good Samaritan search-and-recovery mission
5 efforts for missing individuals on Federal land under
6 the administrative jurisdiction of each Secretary
7 pursuant to subsection (e)(2).

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