

the "R. Jess Brown United States Courthouse".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "R. Jess Brown United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 172.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 172 designates the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the R. Jess Brown United States Courthouse.

Mr. Brown was a civil rights attorney who worked against racial discrimination and was credited in the 1950s with filing the first civil rights lawsuit in Mississippi. A native of Oklahoma, Mr. Brown attended Illinois State University, Indiana University, and the Texas Southern University law school.

In the 1960s, he was one of only four African American lawyers in Mississippi and one of three who took civil rights cases. In 1962, he worked on behalf of James Meredith, whose successful lawsuit allowed him to be the first African American student to enroll in the University of Mississippi.

Later, Mr. Brown worked to fight against discrimination in transportation and other public accommodations. Given his dedication to the law and civil rights, it is appropriate to name this courthouse after him.

Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 172, a bill to designate the Federal courthouse in Jackson, Mississippi, as the R. Jess Brown United States Courthouse.

Attorney R. Jess Brown was a towering champion during critical moments in the civil rights movement in the South and especially in Mississippi.

Jess Brown received his law degree from Texas Southern University and practised law in Mississippi throughout the 1960s and the 1970s.

As an associate counsel for the NAACP, he filed the first civil rights suit in Mississippi in the 1950s. In 1961, he represented James Meredith in his suit to be allowed to enter the University of Mississippi.

His victory in this case opened doors that the University of Mississippi citizens had to walk through quite boldly, and I think that he doesn't get the credit that he deserves, Mr. Speaker.

It is important to note that, while with the NAACP's Legal Defense and Educational Fund, he played a major role in fighting racial discrimination in the areas of transportation and other public accommodations.

I support this legislation, Mr. Speaker. I urge my colleagues to help me pass H.R. 172.

I yield back the balance of my time, Mr. Speaker.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Mr. Brown was a courageous American who stood and fought for what was right. He is deserving to have this courthouse named after him.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 172.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GOOD SAMARITAN SEARCH AND RECOVERY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 373

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Good Samaritan Search and Recovery Act".

#### SEC. 2. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE.—The term "eligible", with respect to an organization or individual, means that the organization or individual, respectively, is—

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

(B) composed entirely of members who, at the time of the good Samaritan search-and-recovery mission, have attained the age of majority under the law of the State where the mission takes place.

(2) GOOD SAMARITAN SEARCH-AND-RECOVERY MISSION.—The term "good Samaritan search-and-recovery mission" means a search conducted by an eligible organization or individual for 1 or more missing individuals believed to be deceased at the time that the search is initiated.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior or the Secretary of Agriculture, as applicable.

(b) PROCESS.—

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

(2) INCLUSIONS.—The process developed and implemented under this subsection shall include provisions to clarify that—

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

(i) shall be acting for private purposes; and

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

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 102301(c) of title 54, United States Code;

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

(D) chapter 81 of title 5, United States Code (commonly known as the "Federal Employees Compensation Act"), shall not apply to an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section, and the conduct of the good Samaritan search-and-recovery mission shall not constitute civilian employment.

(c) RELEASE OF FEDERAL GOVERNMENT FROM LIABILITY.—The Secretary shall not require an eligible organization or individual to have liability insurance as a condition of accessing Federal land under this section, if the eligible organization or individual—

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

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) APPROVAL AND DENIAL OF REQUESTS.—

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

(2) DENIALS.—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

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

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

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

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

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

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

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. HECK), whose bill we are discussing, to introduce the bill.

Mr. HECK of Nevada. Mr. Speaker, I want to thank the chairman and the ranking member of the House Natural Resources Committee for working with me in a bipartisan manner to bring H.R. 373, the Good Samaritan Search and Recovery Act, to the floor.

H.R. 373 tears down bureaucratic roadblocks that are preventing families from achieving closure when their loved ones go missing on Federal land. This issue was first brought to my attention by the separate but similarly tragic cases of Las Vegas taxi driver Keith Goldberg and Air Force Staff Sergeant Antonio Tucker.

Mr. Goldberg and Staff Sergeant Tucker were presumed dead, and their remains were believed to be missing somewhere within the Lake Mead National Recreation Area. In both cases, local, experienced search and recovery groups volunteered their time and resources to help locate the remains of these missing individuals.

Unfortunately, due to unnecessary bureaucratic hurdles from the Federal Government, the group volunteering to help locate and recover Mr. Goldberg's remains was denied access to Park Service land to conduct its search for 15 months. The group volunteering to help locate the remains of Staff Sergeant Tucker was denied access for 10 months, needlessly delaying the closure these families sought.

This is unacceptable and must change. My bill does just that. Once these bureaucratic hurdles were finally cleared and these Good Samaritan search and recovery groups were allowed access to Park Service land, Mr. Goldberg's remains were recovered in less than 2 hours and the remains of Staff Sergeant Tucker's were recovered in less than 2 days.

As a former member of the Las Vegas Metropolitan Police Department's

search and rescue team, I introduced this bill because unnecessary red tape simply must not continue to get in the way of providing closure for families faced with similar tragic circumstances.

A similar bill, H.R. 2166, passed the House in the 113th Congress with a unanimous vote of 394-0, showing real bipartisan support. Unfortunately, the Senate failed to take action on the measure.

We must pass this bill so that future families won't have to suffer the mental anguish that the families of Keith Goldberg and Antonio Tucker did. Again, I thank the chairman and the ranking member of the House Natural Resources Committee for diligently working with me on H.R. 373.

I urge its adoption.

Ms. TSONGAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in January 2012, when Keith Goldberg went missing, finding him was all his family wanted. Investigators presumed that he had been murdered and that his remains were somewhere in the Lake Mead National Recreation Area, a unit administered by the National Park Service.

After several months passed, local law enforcement was unable to recover Mr. Goldberg's remains, and they gave up the search. His family, wanting what any family would want, reached out to a private, nonprofit search and rescue outfit for assistance.

Unfortunately, it took 15 months for the professional search and rescue company to acquire the permits and insurance required to conduct this search. Within 2 hours of receiving the necessary credentials, Mr. Goldberg's body was recovered.

H.R. 373 will help speed up the process for granting private search and rescue companies access to Federal lands. The bill strikes a fair balance between guaranteeing safety, ensuring sufficient liability insurance for the American taxpayer, and improving the process. Under H.R. 373, private search and rescue operations, when appropriate, can have timely access to public lands.

The Natural Resources Committee held a hearing on this bill in the 113th Congress, and the National Park Service recommended some technical changes to the legislation.

I would like to thank the majority for working with us to incorporate those suggestions into the legislation that we are considering today. I also want to thank Mr. HECK for his leadership on this legislation.

Mr. Speaker, I support H.R. 373 and urge its adoption.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have this assumption here that a suspension is simply an easy bill, one where everyone agrees to it, and it simply will happen. Last session, we were wise enough to pass this bill in committee and on the floor,

and the House should be commended for the action that it took last year. The Senate did not and should not.

Mr. Speaker, this year, it is with us again, but sometimes, these suspension bills are far more significant than one would think. This is one of those bills that is extremely significant even though we simply label it as a suspension because it illustrates a problem, a larger problem that we have here in the Nation, one in the way we define public lands versus Federal lands.

Public lands are those lands which actually should be dedicated to the local people who live there, where their decisions should be tolerated, and their ideas should be respected. The land should be there to help people.

Federal lands, unfortunately, are lands where simply the government—the Federal Government—controls them, and the Federal Government has grown so big they can't actually see the value of those particular lands.

The government has become too big to be concerned, too big to be creative, and instead simply tries to cross bureaucratic T's and sometimes, to cover themselves for future action, too big simply to care about people. These two situations, which the good Representative from Nevada has shown, illustrate exactly how that happened.

The first family, trying to find the remains of their lost relative, was required—was required, along with the group that was trying to help them in recovering the body—was required to pay a high indemnity because the agency feared that there might be some potential harm done to the land, which would trump the ability of helping people do something for someone and to be creative in the process.

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It took the family and this entity 15 months to raise the money to pay it off. Ultimately, they decided to waive it. And as has been stated, within hours, when they were actually allowed to do things, they found the body—15 months, 15 months of waiting, when it should have only taken a matter of hours to bring closure to a family. And why? Because our agencies have become too big, too dogmatic, too bureaucratic to actually do things that help people. Instead, you have to follow the rule.

For the Air Force sergeant, it was the same situation. He was, unfortunately, drowned. A company that is an expert in this kind of recovery system volunteered to go in there and find the body, and, once again, month after month, the agency rejected to try and help people who are there on public lands. Instead, they treated them as Federal lands and insisted that the bureaucratic rules were supreme because there might be some damage that could potentially happen, and, therefore, that is the most important goal to make sure does not take place.

That entity went to court and the court finally said that this is a ridiculous approach; let them go in there.

Within months of their ability to go in there, once again, they found the body.

The bill that Mr. HECK is presenting to you is nothing more than common sense. This is the way all agencies should behave, and it is sad that we actually have to pass legislation to get our land agency to do what they should be doing in the first place.

Sometimes we are criticized here in Congress for having a lack of common sense, but it is sad that it is up to Congress to try to insist that our land agencies actually use common sense. The most important issue should be the issue with how we can actually help people; that is our first responsibility. In these two situations, it was an utter failure to actually realize that people are the most important element and, if we do have Federal lands, they better be used to help people or we shouldn't have them in the first place.

That is why this bill is not just a simple suspension bill. This is a significant piece of legislation that should set the standard for how agencies deal with people in the future.

I commend the good gentleman from Nevada for bringing this back up and giving it to us again, and I promise that we will continue to pass this bill until it becomes reality, until it becomes a standard by which people are treated by the Federal land agencies we have here in this Nation. I urge its adoption, and I urge its passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 373, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### CHIEF STANDING BEAR NATIONAL HISTORIC TRAIL FEASIBILITY STUDY

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 984) to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Chief Standing Bear National Historic Trail, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 984

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CHIEF STANDING BEAR NATIONAL HISTORIC TRAIL FEASIBILITY STUDY.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

“(46) CHIEF STANDING BEAR NATIONAL HISTORIC TRAIL.—

“(A) IN GENERAL.—The Chief Standing Bear Trail, extending approximately 550 miles from Niobrara, Nebraska, to Ponca City, Oklahoma, which follows the route taken by Chief Standing Bear and the Ponca people during Federal Indian removal, and approximately 550 miles from Ponca City, Oklahoma, through Omaha, Nebraska, to Niobrara, Nebraska, which follows the return route taken by Chief Standing Bear and the Ponca people, as generally depicted on the map entitled ‘Chief Standing Bear National Historic Trail Feasibility Study’, numbered 903/125,630, and dated November 2014.

“(B) AVAILABILITY OF MAP.—The map described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Department of the Interior.

“(C) COMPONENTS.—The feasibility study conducted under subparagraph (A) shall include a determination on whether the Chief Standing Bear Trail meets the criteria described in subsection (b) for designation as a national historic trail.

“(D) CONSIDERATIONS.—In conducting the feasibility study under subparagraph (A), the Secretary of the Interior shall consider input from owners of private land within or adjacent to the study area.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. FORTENBERRY), the sponsor of this piece of legislation.

Mr. FORTENBERRY. Mr. Speaker, let me thank the distinguished gentleman from Utah (Mr. BISHOP), the chairman of the House Committee on Natural Resources, and the distinguished gentleman from Arizona (Mr. GRIJALVA), who is the ranking member on the committee, as well as the distinguished gentleman from California (Mr. MCCLINTOCK), the chairman of the Federal Lands Subcommittee, and the distinguished gentlewoman from Massachusetts (Ms. TSONGAS), the ranking member on the subcommittee, for their outstanding work and help to me in bringing this legislation to the floor.

This is important. This legislation directs the Secretary of the Interior to conduct a feasibility study for the Chief Standing Bear National Historic Trail.

Now, Chief Standing Bear holds a very special place in Native American and U.S. history. Establishing a trail in his name would be an outstanding way to recognize his contributions to our great land. I would like to provide

some additional background on this extraordinary individual, who prevailed in one of the most important court cases for Native Americans in our country's history.

Chief Standing Bear was a Ponca chief. In the 1800s, the Ponca Tribe made its home in the Niobrara River Valley area of Nebraska. In 1877, the United States Government forcibly pressured the Poncas from that homeland, compelling them to move to the Indian territory in Oklahoma. Not wanting to subject his people to a confrontation with the government, Standing Bear obliged and led them from their homes on a perilous journey to the territory of Oklahoma. That journey was harsh and the new land was inhospitable. Nearly a third of the tribe died along the way from starvation, malaria, and other diseases, including Chief Standing Bear's little girl and, later, his son, Bear Shield.

Before Bear Shield died, however, Standing Bear promised his son that he would bury him in their native land in the Niobrara River Valley. So Standing Bear embarked on the trip in the winter of 1878 to return to the homeland to bury his son, leading a group of about 65 other Poncas. When they reached the Omaha reservation, the United States Army stopped Standing Bear and arrested him for leaving Oklahoma without their permission. He was taken to Fort Omaha and held there until trial.

In the meantime, Standing Bear's plight attracted media attention, first in the Omaha Daily Herald, which was the forerunner of the present-day Omaha World-Herald, and the story became well-publicized nationally.

At the conclusion of his 2-day trial, Standing Bear was allowed to speak for himself. And then he raised his hand and he said this: “That hand is not the color of yours, but if I pierce it, I shall feel pain. If you pierce your hand, you will feel pain. The blood that will flow from mine will be the same color as yours. I am a man. God made us both.”

With these profound words in that late spring day of 1879, I believe Chief Standing Bear expressed the most American of sentiments: the belief in the inherent dignity and rights of all persons, no matter their color, no matter their ethnicity. Judge Elmer Dundy concurred, and he ruled that Native Americans are persons within the meaning of the law. Now, this is notable. This is 1879, and, for the first time, Native Americans are recognized as persons within the full meaning of the law.

The story of the Ponca chief is a story of strength and grace and determination. I think it is a story that we need to tell over and over again so that it is understood and cherished by all Americans of future generations.

Mr. Speaker, establishment of the Chief Standing Bear National Historic Trail would honor both the courage of this man and the great contribution to the freedom and the civil liberties of