

which the advisory council is established and such other matters as may be referred to it by the Secretary.

**(e) Public participation; procedures applicable**

In exercising his authorities under this Act, the Secretary, by regulation, shall establish procedures, including public hearings where appropriate, to give the Federal, State, and local governments and the public adequate notice and an opportunity to comment upon the formulation of standards and criteria for, and to participate in, the preparation and execution of plans and programs for, and the management of, the public lands.

(Pub. L. 94-579, title III, §309, Oct. 21, 1976, 90 Stat. 2767; Pub. L. 95-514, §13, Oct. 25, 1978, 92 Stat. 1808; Pub. L. 117-286, §4(a)(285), Dec. 27, 2022, 136 Stat. 4337.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in subsec. (e), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, known as the Federal Land Policy and Management Act of 1976. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117-286 substituted “chapter 10 of title 5.” for “the Federal Advisory Committee Act (86 Stat. 770).”

1978—Subsec. (a). Pub. L. 95-514 substituted in first sentence “shall establish” for “is authorized to establish”.

**Statutory Notes and Related Subsidiaries**

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided for by law. See sections 1001(2) and 1013 of Title 5, Government Organization and Employees.

**§ 1740. Rules and regulations**

The Secretary, with respect to the public lands, shall promulgate rules and regulations to carry out the purposes of this Act and of other laws applicable to the public lands, and the Secretary of Agriculture, with respect to lands within the National Forest System, shall promulgate rules and regulations to carry out the purposes of this Act. The promulgation of such rules and regulations shall be governed by the provisions of chapter 5 of title 5, without regard to section 553(a)(2). Prior to the promulgation of such rules and regulations, such lands shall be administered under existing rules and regulations concerning such lands to the extent practical.

(Pub. L. 94-579, title III, §310, Oct. 21, 1976, 90 Stat. 2767.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, known as the Federal Land Policy

and Management Act of 1976. For complete classification of this Act to the Code, see Tables.

**§ 1741. Annual reports**

**(a) Purpose; time for submission**

For the purpose of providing information that will aid Congress in carrying out its oversight responsibilities for public lands programs and for other purposes, the Secretary shall prepare a report in accordance with subsections (b) and (c) and submit it to the Congress no later than one hundred and twenty days after the end of each fiscal year beginning with the report for fiscal year 1979.

**(b) Format**

A list of programs and specific information to be included in the report as well as the format of the report shall be developed by the Secretary after consulting with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and shall be provided to the committees prior to the end of the second quarter of each fiscal year.

**(c) Contents**

The report shall include, but not be limited to, program identification information, program evaluation information, and program budgetary information for the preceding current and succeeding fiscal years.

(Pub. L. 94-579, title III, §311, Oct. 21, 1976, 90 Stat. 2768; Pub. L. 103-437, §16(d)(3), Nov. 2, 1994, 108 Stat. 4595.)

**Editorial Notes**

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-437 substituted “Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate” for “Committees on Interior and Insular Affairs of the House and Senate”.

**Statutory Notes and Related Subsidiaries**

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which the 9th item on page 112 identifies a reporting provision which, as subsequently amended, is contained in this section), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

**§ 1742. Search, rescue, and protection forces; emergency situations authorizing hiring**

Where in his judgment sufficient search, rescue, and protection forces are not otherwise available, the Secretary is authorized in cases of emergency to incur such expenses as may be necessary (a) in searching for and rescuing, or in cooperating in the search for and rescue of, persons lost on the public lands, (b) in protecting or rescuing, or in cooperating in the protection and rescue of, persons or animals endangered by an act of God, and (c) in transporting deceased persons or persons seriously ill or injured to the nearest place where interested parties or local authorities are located.

(Pub. L. 94-579, title III, §312, Oct. 21, 1976, 90 Stat. 2768.)

**§ 1742a. Good Samaritan Search and Recovery Act**

**(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 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;

(C) chapter 171 of title 28 (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 (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 insur-

ance 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 March 12, 2019, 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).

(Pub. L. 116-9, title IX, §9002, Mar. 12, 2019, 133 Stat. 830.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the John D. Dingell, Jr. Conservation, Management, and Recreation Act, and not as part of the Federal Land Policy and Management Act of 1976 which comprises this chapter.