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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To establish the Ocmulgee Mounds National Park and Preserve in the State of Georgia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. AUSTIN SCOTT of Georgia introduced the following bill; which was referred to the Committee on _____

A BILL

To establish the Ocmulgee Mounds National Park and Preserve in the State of Georgia, 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 “Ocmulgee Mounds Na-
5 tional Park and Preserve Establishment Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ADVISORY COUNCIL.**—The term “Advisory
9 Council” means the Ocmulgee Mounds National

1 Park and Preserve Advisory Council established
2 under section 5(a).

3 (2) MAP.—The term “Map” means the map en-
4 titled “Ocmulgee Mounds National Park and Pre-
5 serve Proposed Boundary”, numbered 363/193026,
6 and dated April 2024.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (4) STATE.—The term “State” means the State
10 of Georgia.

11 (5) TRIBE.—The term “Tribe” means the
12 Muscogee (Creek) Nation.

13 **SEC. 3. REDESIGNATION OF OCMULGEE MOUNDS NA-**
14 **TIONAL PARK AND ESTABLISHMENT OF**
15 **OCMULGEE MOUNDS NATIONAL PRESERVE.**

16 (a) REDESIGNATION OF OCMULGEE MOUNDS NA-
17 TIONAL PARK; LAND ACQUISITION.—

18 (1) IN GENERAL.—The Ocmulgee Mounds Na-
19 tional Historical Park designated by section
20 2102(b)(1)(A) of the John D. Dingell, Jr. Conserva-
21 tion, Management, and Recreation Act (16 U.S.C.
22 410yyy–3(b)(1)(A)) shall be known and designated
23 as the “Ocmulgee Mounds National Park”.

24 (2) REFERENCES.—Any reference in a law,
25 map, regulation, document, paper, or other record of

1 the United States to the “Ocmulgee Mounds Na-
2 tional Historical Park” shall be considered to be a
3 reference to the “Ocmulgee Mounds National Park”.

4 (3) LAND ACQUISITION FOR OCMULGEE
5 MOUNDS NATIONAL PARK.—

6 (A) IN GENERAL.—The Secretary may ac-
7 quire land or any interest in land within the
8 area depicted as “National Park Area” on the
9 Map for inclusion in the Ocmulgee Mounds Na-
10 tional Park by purchase from a willing seller,
11 donation, or exchange.

12 (B) ADMINISTRATION.—Any land or inter-
13 est in land acquired under subparagraph (A)
14 shall be—

15 (i) incorporated into the Ocmulgee
16 Mounds National Park; and

17 (ii) administered by the Secretary in
18 accordance with section 4.

19 (C) PROHIBITION ON USE OF EMINENT
20 DOMAIN.—Nothing in this paragraph authorizes
21 the use of eminent domain to acquire land or
22 an interest in land.

23 (D) BOUNDARIES.—The boundaries of the
24 Ocmulgee Mounds National Park shall reflect
25 the land and interests in land acquired for the

1 Ocmulgee Mounds National Park under sub-
2 paragraph (A).

3 (b) ESTABLISHMENT OF OCMULGEE MOUNDS NA-
4 TIONAL PRESERVE.—

5 (1) IN GENERAL.—Effective on the date on
6 which the Secretary publishes in the Federal Reg-
7 ister a notice that the Secretary has determined that
8 sufficient land within the area depicted as “National
9 Preserve Area” on the Map has been acquired under
10 paragraph (2) to constitute a manageable unit, there
11 is established the Ocmulgee Mounds National Pre-
12 serve in the State as a unit of the National Park
13 System.

14 (2) LAND ACQUISITION FOR OCMULGEE
15 MOUNDS NATIONAL PRESERVE.—

16 (A) IN GENERAL.—The Secretary may ac-
17 quire land or any interest in land within the
18 area depicted as “National Preserve Area” on
19 the Map for inclusion in the Ocmulgee Mounds
20 National Preserve by purchase from a willing
21 seller, donation, or exchange.

22 (B) ADMINISTRATION.—Any land or inter-
23 est in land acquired under subparagraph (A)
24 shall be—

1 (i) incorporated into the Ocmulgee
2 Mounds National Preserve; and

3 (ii) administered by the Secretary in
4 accordance with section 4.

5 (C) PROHIBITION ON USE OF EMINENT
6 DOMAIN.—Nothing in this paragraph authorizes
7 the use of eminent domain to acquire land or
8 an interest in land.

9 (3) BOUNDARIES.—The boundaries of the
10 Ocmulgee Mounds National Preserve shall reflect
11 the land and interests in land acquired for the
12 Ocmulgee Mounds National Preserve under para-
13 graph (2)(A).

14 (c) MAPS AND LEGAL DESCRIPTIONS.—

15 (1) IN GENERAL.—The Secretary shall file with
16 the Committee on Energy and Natural Resources of
17 the Senate and the Committee on Natural Resources
18 of the House of Representatives—

19 (A) as soon as practicable after the date of
20 enactment of this Act, a map and legal descrip-
21 tion of the Ocmulgee Mounds National Park;
22 and

23 (B) as soon as practicable after the date of
24 establishment of the Ocmulgee Mounds Na-

1 tional Preserve, a map and legal description of
2 the Ocmulgee Mounds National Preserve.

3 (2) CORRECTIONS.—The maps and legal de-
4 scriptions filed under paragraph (1) shall have the
5 same force and effect as if included in this Act, ex-
6 cept that the Secretary may make technical correc-
7 tions to the maps and legal descriptions.

8 (3) AVAILABILITY.—The maps and legal de-
9 scriptions filed under paragraph (1) shall be on file
10 and available for public inspection in the appropriate
11 offices of the National Park Service.

12 **SEC. 4. ADMINISTRATION OF OCMULGEE MOUNDS NA-**
13 **TIONAL PARK AND PRESERVE.**

14 (a) IN GENERAL.—The Ocmulgee Mounds National
15 Park and the Ocmulgee Mounds National Preserve shall—

16 (1) be administered as a single unit of the Na-
17 tional Park System in accordance with—

18 (A) this section;

19 (B) the laws generally applicable to units
20 of the National Park System, including—

21 (i) section 100101(a), chapter 1003,
22 and sections 100751(a), 100752, 100753,
23 and 102101 of title 54, United States
24 Code; and

1 (ii) chapter 3201 of title 54, United
2 States Code; and

3 (C) any co-management agreement entered
4 into under subsection (b); and

5 (2) collectively be known and designated as the
6 “Ocmulgee Mounds National Park and Preserve”.

7 (b) CO-MANAGEMENT AGREEMENT.—Not later than
8 1 year after the date of receipt of the recommendations
9 of the Advisory Council under section 5(b)(2), the Sec-
10 retary shall enter into an agreement with the Tribe to pro-
11 vide for the co-management of the Ocmulgee Mounds Na-
12 tional Park and Preserve by the Secretary and the Tribe.

13 (c) HUNTING AND FISHING.—

14 (1) HUNTING.—The Secretary shall allow hunt-
15 ing on lands under the jurisdiction of the Secretary
16 within the boundaries of the Ocmulgee Mounds Na-
17 tional Preserve in accordance with applicable Fed-
18 eral and State laws.

19 (2) FISHING.—The Secretary shall allow fishing
20 on waters under the jurisdiction of the Secretary
21 within the boundaries of the Ocmulgee Mounds Na-
22 tional Park and Preserve in accordance with applica-
23 ble Federal and State laws.

24 (3) LIMITATION.—The Secretary may designate
25 zones in which, and establish periods during which,

1 no hunting, fishing, or both, shall be allowed for rea-
2 sons of public safety, administration, fish or wildlife
3 management, or emergencies.

4 (4) CONSULTATION.—The Secretary shall en-
5 sure any regulations prescribing such restrictions
6 under this subsection shall be put into effect only
7 after consultation with the State.

8 (5) PRIVATE LAND.—Nothing in this subsection
9 prohibits hunting, fishing, or trapping on private
10 land in accordance with applicable State and Federal
11 laws.

12 (6) CONGRESSIONAL INTENT.—Nothing in this
13 Act is intended to affect the jurisdiction or respon-
14 sibilities of the State with respect to fish and wild-
15 life.

16 (d) HIRING PREFERENCE.—The Secretary shall es-
17 tablish policies to provide a preference for hiring members
18 of the Tribe for positions at the Ocmulgee Mounds Na-
19 tional Park and Preserve, consistent with the Indian pref-
20 erence policy established by the Secretary of the Interior
21 under section 12 of the Act of June 18, 1934 (commonly
22 known as the “Indian Reorganization Act”) (48 Stat. 986,
23 chapter 576; 25 U.S.C. 5116).

24 (e) EFFECT ON ADMINISTRATION OF BOND SWAMP
25 NATIONAL WILDLIFE REFUGE.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), nothing in this Act affects the continued
3 administration of the Bond Swamp National Wildlife
4 Refuge by the Director of the United States Fish
5 and Wildlife Service as a unit of the National Wild-
6 life Refuge System.

7 (2) CULTURAL INTERPRETATION ACTIVITIES.—
8 The Director of the National Park Service shall con-
9 sult with the Tribe to provide cultural programs and
10 related activities with respect to the Bond Swamp
11 National Wildlife Refuge with the consent of the Di-
12 rector of the United States Fish and Wildlife Serv-
13 ice.

14 (f) TRIBAL USES.—Subject to any terms and condi-
15 tions that the Secretary determines to be necessary and
16 in accordance with applicable law, the Secretary shall
17 allow for the continued use of the Ocmulgee Mounds Na-
18 tional Park and Preserve by members of the Tribe for—

- 19 (1) traditional ceremonies; and
20 (2) hunting, fishing, and trapping.

21 (g) MILITARY ACTIVITIES.—Nothing in this Act pre-
22 cludes—

- 23 (1) low-level overflights of military aircraft over
24 the Ocmulgee Mounds National Park and Preserve;

1 (2) the designation of new units of special use
2 airspace over the Ocmulgee Mounds National Park
3 and Preserve;

4 (3) the use or establishment of military flight
5 training routes over the Ocmulgee Mounds National
6 Park and Preserve;

7 (4) access to electronic tracking and commu-
8 nications sites associated with special use airspace or
9 military flight training routes over the Ocmulgee
10 Mounds National Park and Preserve;

11 (5) ground access to respond to emergency or
12 accident locations relating to special use airspace or
13 military flight training routes over the Ocmulgee
14 Mounds National Park and Preserve;

15 (6) continued use of the Ocmulgee Mounds Na-
16 tional Park and Preserve by tactical ground parties
17 or the maintenance of existing associated ground in-
18 strumentation, in accordance with any applicable
19 interagency agreements in effect on the date of en-
20 actment of this Act; or

21 (7) the Secretary of Defense from entering into
22 new or renewed agreements with the Secretary relat-
23 ing to the use by military aircraft of airspace over
24 the Ocmulgee Mounds National Park and Preserve

1 or the maintenance of associated ground instrumen-
2 tation or tactical ground parties—

3 (A) that will not interfere with the man-
4 agement of the Ocmulgee Mounds National
5 Park and Preserve for the purposes for which
6 the Ocmulgee Mounds National Park and Pre-
7 serve was established; and

8 (B) in accordance with applicable laws.

9 **SEC. 5. ADVISORY COUNCIL.**

10 (a) ESTABLISHMENT.—The Secretary shall establish
11 an advisory council, to be known as the “Ocmulgee
12 Mounds National Park and Preserve Advisory Council”.

13 (b) DUTIES.—The Advisory Council shall—

14 (1) advise the Secretary with respect to the
15 preparation and implementation of a management
16 plan for the Ocmulgee Mounds National Park and
17 Preserve; and

18 (2) not later than 3 years after the date of en-
19 actment of this Act, submit to the Secretary rec-
20 ommendations relating to the management of the
21 Ocmulgee Mounds National Park and Preserve, in-
22 cluding the role of the Tribe with respect to the del-
23 egation of any aspects of Federal decisionmaking,
24 including land management, species management,
25 and the interpretation of cultural resources and re-

1 sources of the Tribe at the Ocmulgee Mounds Na-
2 tional Park and Preserve.

3 (c) MEMBERS.—The Advisory Council shall consist of
4 9 members, to be appointed by the Secretary, as follows:

5 (1) The superintendent of the Ocmulgee
6 Mounds National Park and Preserve.

7 (2) The Secretary of Culture and Humanities of
8 the Tribe.

9 (3) The Secretary of Interior Affairs of the
10 Tribe.

11 (4) The Principal Chief of the Tribe.

12 (5) A representative of the applicable National
13 Park Service regional office for the State.

14 (6) A representative of the applicable United
15 States Fish and Wildlife Service regional office for
16 the State.

17 (7) The United States Fish and Wildlife Service
18 project leader of the Bond Swamp National Wildlife
19 Refuge.

20 (8) A representative of the State Department of
21 Natural Resources.

22 (9) A representative of the Middle Georgia Re-
23 gional Commission.

24 (d) APPLICABLE LAW.—The Advisory Council shall
25 be subject to chapter 10 of title 5, United States Code

1 (commonly referred to as the “Federal Advisory Com-
2 mittee Act”) and other applicable laws.

3 (e) VACANCY.—A vacancy on the Advisory Council
4 shall be filled in the same manner as the original appoint-
5 ment.

6 (f) QUORUM.—A majority of the members of the Ad-
7 visory Council (including not fewer than 1 member who
8 is a designated representative of the Tribe) shall con-
9 stitute a quorum.

10 (g) CHAIRPERSON.—The Advisory Council shall—

11 (1) elect a chairperson of the Advisory Council
12 from among the members of the Advisory Council;
13 and

14 (2) establish any rules and procedures for the
15 Advisory Council that the Advisory Council deter-
16 mines to be appropriate.

17 (h) NO COMPENSATION.—Members of the Advisory
18 Council shall serve without compensation.

19 (i) TERMINATION.—The Advisory Council shall ter-
20minate on the date on which the Advisory Council com-
21pletes the management plan for the Ocmulgee Mounds
22 National Park and Preserve.

23 **SEC. 6. LAND TO BE HELD IN TRUST.**

24 All right, title, and interest of the United States in
25 and to the approximately 126 acres of land in the

1 Ocmulgee Mounds National Park and Preserve owned in
2 fee by the Tribe are hereby taken into trust for the benefit
3 of the Tribe. Such land—

4 (1) is part of Indian country (as defined in sec-
5 tion 1151 of title 18, United States Code) of the
6 Tribe; and

7 (2) shall be administered in accordance with the
8 laws and regulations generally applicable to property
9 held in trust by the United States for the benefit of
10 an Indian Tribe.