

118TH CONGRESS
2D SESSION

H. R. 8182

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2024

Mr. AUSTIN SCOTT of Georgia (for himself, Mr. BISHOP of Georgia, Mr. ALLEN, Mr. CARTER of Georgia, Mr. COLLINS, Mr. FERGUSON, Ms. GREENE of Georgia, Mr. LOUDERMILK, Mr. MCCORMICK, Mr. JOHNSON of Georgia, Mrs. MCBATH, Mr. DAVID SCOTT of Georgia, and Ms. WILLIAMS of Georgia) introduced the following bill; which was referred to the Committee on Natural Resources

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:

1 (1) **ADVISORY COUNCIL.**—The term “Advisory
2 Council” means the Ocmulgee Mounds National
3 Park and Preserve Advisory Council established
4 under section 5(a).

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

9 (3) **SECRETARY.**—The term “Secretary” means
10 the Secretary of the Interior.

11 (4) **STATE.**—The term “State” means the State
12 of Georgia.

13 (5) **TRIBE.**—The term “Tribe” means the
14 Muscogee (Creek) Nation.

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

18 (a) **REDESIGNATION OF OCMULGEE MOUNDS NA-**
19 **TIONAL PARK; LAND ACQUISITION.**—

20 (1) **IN GENERAL.**—The Ocmulgee Mounds Na-
21 tional Historical Park designated by section
22 2102(b)(1)(A) of the John D. Dingell, Jr. Conserva-
23 tion, Management, and Recreation Act (16 U.S.C.
24 410yyy-3(b)(1)(A)) shall be known and designated
25 as the “Ocmulgee Mounds National Park”.

1 (2) REFERENCES.—Any reference in a law,
2 map, regulation, document, paper, or other record of
3 the United States to the “Ocmulgee Mounds Na-
4 tional Historical Park” shall be considered to be a
5 reference to the “Ocmulgee Mounds National Park”.

6 (3) LAND ACQUISITION FOR OCMULGEE
7 MOUNDS NATIONAL PARK.—

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

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

17 (i) incorporated into the Ocmulgee
18 Mounds National Park; and

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

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

1 (D) BOUNDARIES.—The boundaries of the
2 Ocmulgee Mounds National Park shall reflect
3 the land and interests in land acquired for the
4 Ocmulgee Mounds National Park under sub-
5 paragraph (A).

6 (b) ESTABLISHMENT OF OCMULGEE MOUNDS NA-
7 TIONAL PRESERVE.—

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

17 (2) LAND ACQUISITION FOR OCMULGEE
18 MOUNDS NATIONAL PRESERVE.—

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

1 (B) ADMINISTRATION.—Any land or inter-
2 est in land acquired under subparagraph (A)
3 shall be—

4 (i) incorporated into the Ocmulgee
5 Mounds National Preserve; and

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

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

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

17 (c) MAPS AND LEGAL DESCRIPTIONS.—

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

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

1 (B) as soon as practicable after the date of
2 establishment of the Ocmulgee Mounds Na-
3 tional Preserve, a map and legal description of
4 the Ocmulgee Mounds National Preserve.

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

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

14 **SEC. 4. ADMINISTRATION OF OCMULGEE MOUNDS NA-**
15 **TIONAL PARK AND PRESERVE.**

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

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

20 (A) this section;

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

23 (i) section 100101(a), chapter 1003,
24 and sections 100751(a), 100752, 100753,

1 and 102101 of title 54, United States
2 Code; and

3 (ii) chapter 3201 of title 54, United
4 States Code; and

5 (C) any co-management agreement entered
6 into under subsection (b); and

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

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

15 (c) HUNTING AND FISHING.—

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

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

1 (3) LIMITATION.—The Secretary may designate
2 zones in which, and establish periods during which,
3 no hunting, fishing, or both, shall be allowed for rea-
4 sons of public safety, administration, fish or wildlife
5 management, or emergencies.

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

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

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

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

1 (e) EFFECT ON ADMINISTRATION OF BOND SWAMP
2 NATIONAL WILDLIFE REFUGE.—

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

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

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

- 21 (1) traditional ceremonies; and
22 (2) hunting, fishing, and trapping.

23 (g) MILITARY ACTIVITIES.—Nothing in this Act pre-
24 cludes—

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

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

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

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

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

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

23 (7) the Secretary of Defense from entering into
24 new or renewed agreements with the Secretary relat-
25 ing to the use by military aircraft of airspace over

1 the Ocmulgee Mounds National Park and Preserve
2 or the maintenance of associated ground instrumen-
3 tation or tactical ground parties—

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

9 (B) in accordance with applicable laws.

10 **SEC. 5. ADVISORY COUNCIL.**

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

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

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

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

1 and the interpretation of cultural resources and re-
2 sources of the Tribe at the Ocmulgee Mounds Na-
3 tional Park and Preserve.

4 (c) MEMBERS.—The Advisory Council shall consist of
5 9 members, to be appointed by the Secretary, as follows:

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

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

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

12 (4) The Principal Chief of the Tribe.

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

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

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

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

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

1 (d) APPLICABLE LAW.—The Advisory Council shall
2 be subject to chapter 10 of title 5, United States Code
3 (commonly referred to as the “Federal Advisory Com-
4 mittee Act”) and other applicable laws.

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

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

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

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

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

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

21 (i) TERMINATION.—The Advisory Council shall ter-
22minate on the date on which the Advisory Council com-
23pletes the management plan for the Ocmulgee Mounds
24 National Park and Preserve.

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

2 All right, title, and interest of the United States in
3 and to the approximately 126 acres of land in the
4 Ocmulgee Mounds National Park and Preserve owned in
5 fee by the Tribe are hereby taken into trust for the benefit
6 of the Tribe. Such land—

7 (1) is part of Indian country (as defined in sec-
8 tion 1151 of title 18, United State Code) of the
9 Tribe; and

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

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