

118TH CONGRESS  
2D SESSION

# S. 4216

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

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## IN THE SENATE OF THE UNITED STATES

APRIL 30, 2024

Mr. OSSOFF (for himself and Mr. WARNOCK) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## 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 elegation 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) 1 member, who shall be the superintendent  
6 of the Ocmulgee Mounds National Park and Pre-  
7 serve.

8 (2) 1 member, who shall be the Secretary of  
9 Culture and Humanities of the Tribe.

10 (3) 1 member, who shall be the Secretary of In-  
11 terior Affairs of the Tribe.

12 (4) 1 member, who shall be the Principal Chief  
13 of the Tribe.

14 (5) 1 member, who shall be a representative of  
15 the applicable National Park Service regional office  
16 for the State.

17 (6) 1 member, who shall be a representative of  
18 the applicable United States Fish and Wildlife Serv-  
19 ice regional office for the State.

20 (7) 1 member, who shall be the United States  
21 Fish and Wildlife Service project leader of the Bond  
22 Swamp National Wildlife Refuge.

23 (8) 1 member, who shall be a representative of  
24 the State Department of Natural Resources.

1           (9) 1 member, who shall be a representative of  
2           the Middle Georgia Regional Commission.

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

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

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

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

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

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

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

23          (i) TERMINATION.—The Advisory Council shall ter-  
24minate on the date on which the Advisory Council com-

1 pletes the management plan for the Ocmulgee Mounds  
2 National Park and Preserve.

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

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

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

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

16 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums  
18 as are necessary to carry out this Act.

○