

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 4216

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

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. MANCHIN

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ocmulgee Mounds National Park and Preserve Establishment Act”.
5

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ADVISORY COUNCIL.**—The term “Advisory Council” means the Ocmulgee Mounds National Park and Preserve Advisory Council established under section 5(a).
9
10
11

12 (2) **MAP.**—The term “Map” means the map entitled “Ocmulgee Mounds National Park and Pre-
13

1 serve Proposed Boundary”, numbered 363/193026,
2 and dated September 2024.

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

5 (4) STATE.—The term “State” means the State
6 of Georgia.

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

9 **SEC. 3. REDESIGNATION OF OCMULGEE MOUNDS NA-**
10 **TIONAL PARK AND ESTABLISHMENT OF**
11 **OCMULGEE MOUNDS NATIONAL PRESERVE.**

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

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

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

1 (3) LAND ACQUISITION FOR OCMULGEE
2 MOUNDS NATIONAL PARK.—

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

9 (B) ADMINISTRATION.—Any land or inter-
10 est in land acquired under subparagraph (A)
11 shall be—

12 (i) incorporated into the Ocmulgee
13 Mounds National Park; and

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

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

20 (b) ESTABLISHMENT OF OCMULGEE MOUNDS NA-
21 TIONAL PRESERVE.—

22 (1) IN GENERAL.—Effective on the date on
23 which the Secretary publishes in the Federal Reg-
24 ister a notice that the Secretary has determined that
25 sufficient land within the area depicted as “National

1 Preserve Area” on the Map has been acquired under
2 paragraph (2) to constitute a manageable unit, there
3 is established the Ocmulgee Mounds National Pre-
4 serve in the State as a unit of the National Park
5 System.

6 (2) LAND ACQUISITION FOR OCMULGEE
7 MOUNDS NATIONAL PRESERVE.—

8 (A) IN GENERAL.—The Secretary may ac-
9 quire land or any interest in land within the
10 area depicted as “National Preserve Area” on
11 the Map for inclusion in the Ocmulgee Mounds
12 National Preserve by purchase from a willing
13 seller, 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 Preserve; 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 (3) BOUNDARIES.—The boundaries of the
2 Ocmulgee Mounds National Preserve shall reflect
3 the land and interests in land acquired for the
4 Ocmulgee Mounds National Preserve under para-
5 graph (2)(A).

6 (c) MAP.—

7 (1) CORRECTIONS.—The Secretary may make
8 technical corrections to the Map.

9 (2) AVAILABILITY.—The Map 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 management plan developed under
4 subsection (b); and

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

7 (b) MANAGEMENT PLAN.—

8 (1) IN GENERAL.—Not later than 3 years after
9 the date of enactment of this Act, the Secretary, in
10 consultation with the Advisory Council, shall develop
11 a general management plan for the preservation and
12 use of the Ocmulgee Mounds National Park and
13 Preserve in accordance with section 100502 of title
14 54, United States Code.

15 (2) CULTURAL RESOURCES AND LAND-
16 SCAPES.—The general management plan developed
17 under paragraph (1) shall provide for—

18 (A) the interpretation and preservation of
19 cultural resources of the Ocmulgee Mounds Na-
20 tional Park and Preserve, including burial
21 grounds and other sites that are sacred to the
22 Tribe; and

23 (B) an inventory of important cultural
24 landscapes, including flora, that should be pre-
25 served, managed, developed, and maintained be-

1 cause of the cultural, natural, and public use
2 significance of the cultural landscapes, includ-
3 ing to the Tribe.

4 (c) HUNTING AND FISHING.—

5 (1) HUNTING.—The Secretary shall allow hunt-
6 ing on land under the jurisdiction of the Secretary
7 within the boundaries of the Ocmulgee Mounds Na-
8 tional Preserve in accordance with applicable Fed-
9 eral and State laws.

10 (2) FISHING.—The Secretary shall allow fishing
11 on waters under the jurisdiction of the Secretary
12 within the boundaries of the Ocmulgee Mounds Na-
13 tional Park and Preserve in accordance with applica-
14 ble Federal and State laws.

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

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

24 (5) PRIVATE LAND.—Nothing in this subsection
25 prohibits hunting, fishing, or trapping on private

1 land in accordance with applicable State and Federal
2 laws.

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

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

15 (e) EFFECT ON ADMINISTRATION OF BOND SWAMP
16 NATIONAL WILDLIFE REFUGE.—

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

23 (2) CULTURAL INTERPRETATION ACTIVITIES.—
24 The Director of the National Park Service shall con-
25 sult with the Tribe to provide cultural programs and

1 related activities with respect to the Bond Swamp
2 National Wildlife Refuge with the consent of the Di-
3 rector of the United States Fish and Wildlife Serv-
4 ice.

5 (f) TRIBAL CONSULTATION.—Nothing in this Act
6 prevents continued consultation with federally recognized
7 Indian Tribes pursuant to Executive Order 13175 (25
8 U.S.C. 5301 note; relating to consultation and coordina-
9 tion with Indian Tribal governments).

10 (g) MILITARY OVERFLIGHTS.—Nothing in this Act
11 precludes—

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

14 (2) the designation of new units of special use
15 airspace over the Ocmulgee Mounds National Park
16 and Preserve; or

17 (3) the use or establishment of military flight
18 training routes over the Ocmulgee Mounds National
19 Park and Preserve.

20 (h) SACRED AND CULTURAL SITES.—The Secretary
21 shall ensure the protection of sacred sites and cultural
22 sites within the Ocmulgee Mounds National Park and Pre-
23 serve and provide access to the sites by members of Indian
24 Tribes who have ancestral connections to the Ocmulgee
25 River Corridor, in accordance with Public Law 95–341

1 (commonly known as the “American Indian Religious
2 Freedom Act”) (42 U.S.C. 1996 et seq.) and Executive
3 Order 13007 (42 U.S.C. 1996 note; relating to Indian sa-
4 cred sites).

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

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

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

10 (1) advise the Secretary with respect to the de-
11 velopment and implementation of the management
12 plan for the Ocmulgee Mounds National Park and
13 Preserve; and

14 (2) not later than 3 years after the date of en-
15 actment of this Act, submit to the Secretary rec-
16 ommendations regarding how the Secretary would
17 consider and accommodate Tribal interests in the
18 management of the Ocmulgee Mounds National
19 Park and Preserve, including recommendations re-
20 garding how the Secretary and the Tribe may col-
21 laborate with respect to land management, species
22 management, and the interpretation of cultural re-
23 sources and resources of the Tribe at the Ocmulgee
24 Mounds National Park and Preserve.

1 (c) MEMBERS.—The Advisory Council shall consist of
2 7 members, to be appointed by the Secretary, as follows:

3 (1) 1 member, who shall be a representative of
4 the applicable National Park Service office.

5 (2) 1 member, who shall be a representative of
6 the applicable United States Fish and Wildlife Serv-
7 ice office.

8 (3) 3 members, who shall be representatives of
9 the Tribe.

10 (4) 1 member, who shall be a representative of
11 the State Department of Natural Resources.

12 (5) 1 member, who shall be appointed after con-
13 sidering recommendations from the Middle Georgia
14 Regional Commission.

15 (d) APPLICABLE LAW.—The Advisory Council shall
16 be subject to chapter 10 of title 5, United States Code
17 (commonly referred to as the “Federal Advisory Com-
18 mittee Act”) (other than section 1013 of that title), and
19 other applicable laws.

20 (e) VACANCY.—A vacancy on the Advisory Council
21 shall be filled in the same manner as the original appoint-
22 ment.

23 (f) QUORUM.—A majority of the members of the Ad-
24 visory Council (including not fewer than 1 member who

1 is a designated representative of the Tribe) shall con-
2 stitute a quorum.

3 (g) FREQUENCY OF MEETINGS.—The Advisory
4 Council shall meet 2 times per year, or more often as the
5 Chairperson of the Advisory Council determines to be ap-
6 propriate.

7 (h) CHAIRPERSON.—The Advisory Council shall—

8 (1) elect a chairperson of the Advisory Council
9 from among the members of the Advisory Council;
10 and

11 (2) establish any rules and procedures for the
12 Advisory Council that the Advisory Council deter-
13 mines to be appropriate.

14 (i) NO COMPENSATION.—Members of the Advisory
15 Council shall serve without compensation.

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

17 All right, title, and interest of the United States in
18 and to the approximately 126 acres of land owned in fee
19 by the Tribe are hereby taken into trust for the benefit
20 of the Tribe. Such land—

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

24 (2) shall be administered in accordance with the
25 laws and regulations generally applicable to property

1 held in trust by the United States for the benefit of
2 an Indian Tribe.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated such sums
5 as are necessary to carry out this Act.