

110TH CONGRESS  
1ST SESSION

# H. R. 3570

To take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2007

Mr. BOREN introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, 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 “Fountainhead Prop-  
5       erty Land Transfer Act”.

6       **SEC. 2. TRANSFER OF LAND; LAND INTO TRUST.**

7       (a) IN GENERAL.—Administrative jurisdiction of the  
8       Property is hereby transferred to the Secretary of the In-  
9       terior. Upon receipt of consideration and costs required  
10      under subsection (d) and satisfaction of all terms specified

1 by the Secretary under subsection (e), the Secretary shall  
2 take the Property into trust for the benefit of the Tribe.

3 (b) DESCRIPTION.—The Property is the approxi-  
4 mately 18 acres of Federal land located in McIntosh Coun-  
5 ty, Oklahoma, within the boundary of the Muscogee  
6 (Creek) Nation and located in Northwest Quarter of Sec-  
7 tion 3, Township 10 North, Range 16 East, McIntosh  
8 County, Oklahoma, at Lake Eufaula.

9 (c) SURVEY.—The exact acreage and legal descrip-  
10 tion of the Property shall be determined by a survey satis-  
11 factory to the Secretary. The cost of the survey shall be  
12 paid by the Tribe.

13 (d) CONSIDERATION; COSTS.—The Tribe shall pay to  
14 the Secretary fair market value of the Property, as deter-  
15 mined by the Secretary. All costs and administrative ex-  
16 penses associated with the transfer of administrative juris-  
17 diction of the Property and taking the Property into trust  
18 pursuant to subsection (a), including costs of any environ-  
19 mental remediation, shall be paid by the Tribe.

20 (e) OTHER TERMS AND CONDITIONS.—The transfer  
21 of administrative jurisdiction of the Property and taking  
22 the Property into trust shall be subject to such other  
23 terms and conditions as the Secretary considers appro-  
24 priate to protect the interests of the United States, includ-  
25 ing reservation of flowage easements consistent with the

1 Acquisition Guide Line for Flowage Easement for the  
2 Lake Eufaula project and other applicable policies for that  
3 project.

4 (f) DEFINITIONS.—For the purposes of this section:

5 (1) PROPERTY.—The term “Property” means  
6 the Federal land described in subsection (b).

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

9 (3) TRIBE.—The term “Tribe” means the  
10 Muscogee (Creek) Nation.

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