

MICCOSUKEE RESERVED AREA AMENDMENTS ACT

JULY 10, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 504]

The Committee on Natural Resources, to whom was referred the bill (H.R. 504) to amend the Miccosukee Reserved Area Act to authorize the expansion of the Miccosukee Reserved Area and to carry out activities to protect structures within the Osceola Camp from flooding, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 504 is to amend the Miccosukee Reserved Area Act to authorize the expansion of the Miccosukee Reserved Area and to carry out activities to protect structures within the Osceola Camp from flooding, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 504 would amend the Miccosukee Reserved Area Act to include the Osceola Camp tribal village as part of the Miccosukee Reserved Area and would direct the Secretary of the Interior to consult with the tribe and then take appropriate actions to protect the structures within the village from flooding.

The Miccosukee Tribe is currently located in the Greater Everglades in southern Florida. The oral history of the Miccosukee Tribe claims originality in the northern part of Florida,¹ and that the tribe's ancestors used land stretching from the Appalachians to

¹“Miccosukee,” Tiller’s Guide to Indian Country, Veronica E. Velarde Tiller (2015).

the Florida Keys.² After the Indian Removal Act of 1830 was implemented, many Miccosukee and other Indian peoples hid in the Everglades and subsequently fought in the second and third Seminole Wars.³ The tribe eventually settled and lived in what became Everglades National Park, but were moved further north when the park was officially created. Following the tribe's federal recognition in 1962, the villages the tribe occupied in the northernmost area within the park along the Tamiami Trail were managed as a special use permit from 1964 until 1998.⁴ As the tribe grew, however, the need for more land became apparent.⁵

Congress passed the Miccosukee Reserved Area Act (MRAA) in 1998, replacing the special use permit with a permanent framework for the tribe's occupancy in the Everglades. The MRAA authorized the tribe's use of the area, declaring it the Miccosukee Reserve Area (MRA) and noting it as "Indian Country."⁶ The MRAA maintained that the federal government had the right to engage in restoration and protection activities in the area and that any costs associated with those activities fell to the federal government.⁷

The MRAA did not include the area known as the Osceola Camp, a residential tribal village within the Everglades National Park. The village has a residential community and associated infrastructure, including wastewater treatment and water supply systems. Chairman Cypress identified the Osceola Camp as "one of the only remaining Tribal tree islands inhabited by a substantial residential community."⁸ Tree islands, formed by sediment caught in roots, within the Everglades provided sanctuary to the Miccosukee and Seminole ancestors during and after the Seminole Wars.⁹ The Osceola Camp is currently subject to a special use permit renewal by the National Park.¹⁰

The National Park Service is already working with the Miccosukee Tribe to protect the Osceola Camp from flooding caused by the Comprehensive Everglades Restoration Plan and the Central Everglades Planning Project.¹¹ By incorporating the Osceola Camp into the Miccosukee Reserved Area, the tribe will have authority over the village area and will work with the Department of the Interior to elevate the area to prevent flooding, preserve village

²Miccosukee Casino & Resort, "History of the Miccosukee Tribe," <https://miccosukee.com/miccosukee-tribe-history/>.

³"Miccosukee," Tiller's Guide to Indian Country, Veronica E. Velarde Tiller (2015).

⁴Testimony of Talbert H. Cypress, Chairman of the Miccosukee Tribe of Indians of Florida, U.S. Senate Committee on Indian Affairs, July 10, 2024. <https://www.indian.senate.gov/wp-content/uploads/07-10-2024-Cypress-Testimony.pdf>.

⁵H. Rept. 105–708, <https://www.congress.gov/congressional-report/105th-congress/house-report/708/1>.

⁶S. Rept. 118–245, <https://www.congress.gov/congressional-report/118th-congress/senate-report/245/1>.

⁷*Id.*

⁸Testimony of Talbert H. Cypress, Chairman of the Miccosukee Tribe of Indians of Florida, U.S. Senate Committee on Indian Affairs, July 10, 2024. <https://www.indian.senate.gov/wp-content/uploads/07-10-2024-Cypress-Testimony.pdf>.

⁹Jennifer Reed, "Stepping into a Hidden World in the Everglades," New York Times, Oct. 29, 2024. <https://www.nytimes.com/2024/10/29/travel/everglades-miccosukee-reservation.html>.

¹⁰Testimony of Talbert H. Cypress, Chairman of the Miccosukee Tribe of Indians of Florida, U.S. Senate Committee on Indian Affairs, July 10, 2024. <https://www.indian.senate.gov/wp-content/uploads/07-10-2024-Cypress-Testimony.pdf>.

¹¹National Park Service, "Miccosukee Tribe of Indians of Florida Osceola Camp Cure Plan Environmental Assessment," Oct. 2023, available at: <https://parkplanning.nps.gov/document.cfm?documentID=132461>; and S. Rept. 118–245, <https://www.congress.gov/congressional-report/118th-congress/senate-report/245/1>.

infrastructure, and ensure continued residency by tribal members.¹²

H.R. 504 would amend the Miccosukee Reserved Area Act to include the Osceola Camp as part of the Miccosukee Reserved Area. The bill also would direct the Secretary of the Interior to consult with the tribe and then take appropriate actions to protect the structures within the area from flooding.

COMMITTEE ACTION

H.R. 504 was introduced on January 16, 2025, by Representative Carlos Gimenez (R-FL). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Indian and Insular Affairs. The bill was also referred to the Committee on Transportation and Infrastructure. On February 5, 2025, the Subcommittee on Indian and Insular Affairs held a hearing on the bill. On June 25, 2025, the Committee on Natural Resources met to consider the bill. The Subcommittee on Indian and Insular Affairs was discharged from further consideration of H.R. 504 by unanimous consent. The bill was then ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Indian and Insular Affairs held on February 5, 2025.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 establishes that the Act shall be cited as the “Miccosukee Reserved Area Amendments Act”.

Section 2. Miccosukee Reserved Area addition

Section 2 adds the area known as the Osceola Camp to the Miccosukee Reserved Area.

Section 3. Protection of the Osceola Camp from flooding

Section 3 authorizes the Secretary of the Interior to consult and work with the Miccosukee Tribe to protect the Osceola Camp tribal village from flooding.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

¹²*Congressman Carlos Gimenez Introduces Bill to Incorporate Osceola Camp into the MRA.* Congressman Carlos Gimenez. <https://gimenez.house.gov/2025/1/congressman-carlos-gimenez-introduces-bill-to-incorporate-osceola-camp-into-the-mra>.

COMPLIANCE WITH HOUSE RULE XIII AND
CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to authorize the expansion of the Miccosukee Reserved Area and to carry out activities to protect structures within the Osceola Camp from flooding, and for other purposes.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

MICCOSUKEE RESERVED AREA ACT

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SEC. 4. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **EVERGLADES.**—The term “Everglades” means the areas within the Florida Water Conservation Areas, Everglades National Park, and Big Cypress National Preserve.

(3) **FEDERAL AGENCY.**—The term “Federal agency” means an agency, as that term is defined in section 551(1) of title 5, United States Code.

(4) **MICCOSUKEE RESERVED AREA; MRA.**—

(A) **IN GENERAL.**—The term “Miccosukee Reserved Area” or “MRA” means, notwithstanding any other provision of law and subject to the limitations specified in section 6(d) of this Act, the portion of the Everglades National Park described in subparagraph (B) that is depicted on the map entitled “Miccosukee Reserved Area” numbered NPS-160/41,038, and dated September 30, 1998, copies of which shall be kept available for public inspection in the offices of the National Park Service, Department of the Interior, and shall be filed with appropriate officers of Miami-Dade County and the Miccosukee Tribe of Indians of Florida.

(B) **DESCRIPTION.**—The description of the lands referred to in subparagraph (A) is as follows: “Beginning at the western boundary of Everglades National Park at the west line of sec. 20, T. 54 S., R. 35 E., thence E. following the Northern boundary of said Park in T. 54 S., Rs. 35 and 36 E., to a point in sec. 19, T. 54 S., R. 36 E., 500 feet west of the existing road known as Seven Mile Road, thence 500 feet south from said point, thence west paralleling the Park boundary for 3,200 feet, thence south for 600 feet, thence west, paralleling the Park boundary to the west line of sec. 20, T. 54 S., R. 35 E., thence N. 1,100 feet to the point of beginning.”.

(C) **ADDITIONAL AREA.**—*In addition to the land described in subparagraph (B), the term “Miccosukee Reserved Area” or “MRA” includes the portion of the Park that is known as “Osceola Camp” and is depicted on the map entitled “Everglades National Park, Proposed Expansion–Miccosukee Reserved Area, Osceola Camp”, numbered 160/188443, and dated July 2023, copies of which shall—*

(i) be kept available for public inspection in the offices of the National Park Service; and

(ii) *be filed with appropriate officers of Miami-Dade County and the Tribe.*

(5) PARK.—The term “Park” means the Everglades National Park, including any additions to that Park.

(6) PERMIT.—The term “permit”, unless otherwise specified, means any federally issued permit, license, certificate of public convenience and necessity, or other permission of any kind.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior or the designee of the Secretary.

(8) SOUTH FLORIDA ECOSYSTEM.—The term “South Florida ecosystem” has the meaning given that term in section 528(a)(4) of the Water Resources Development Act of 1996 (Public Law 104-303).

(9) SPECIAL USE PERMIT AREA.—The term “special use permit area” means the area of 333.3 acres on the northern boundary of the Park reserved for the use, occupancy, and governance of the Tribe under a special use permit before the date of the enactment of this Act.

(10) TRIBE.—The term “Tribe”, unless otherwise specified, means the Miccosukee Tribe of Indians of Florida, a tribe of American Indians recognized by the United States and organized under section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U.S.C. 476), and recognized by the State of Florida pursuant to chapter 285, Florida Statutes.

(11) TRIBAL.—The term “tribal” means of or pertaining to the Miccosukee Tribe of Indians of Florida.

(12) TRIBAL CHAIRMAN.—The term “tribal chairman” means the duly elected chairman of the Miccosukee Tribe of Indians of Florida, or the designee of that chairman.

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SEC. 8. MISCELLANEOUS.

(a) NO GENERAL APPLICABILITY.—Nothing in this Act creates any right, interest, privilege, or immunity affecting any other Tribe or any other park or Federal lands.

(b) NONINTERFERENCE WITH FEDERAL AGENTS.—

(1) IN GENERAL.—Federal employees, agents, officers, and officials shall have a right of access to the MRA—

(A) to monitor compliance with the provisions of this Act; and

(B) for other purposes, as though it were a Federal Indian reservation.

(2) STATUTORY CONSTRUCTION.—Nothing in this Act shall authorize the Tribe or members or agents of the Tribe to interfere with any Federal employee, agent, officer, or official in the performance of official duties (whether within or outside the boundaries of the MRA) except that nothing in this paragraph may prejudice any right under the Constitution of the United States.

(c) FEDERAL PERMITS.—

(1) IN GENERAL.—No Federal permit shall be issued to the Tribe for any activity or structure that would be inconsistent with this Act.

(2) CONSULTATIONS.—Any Federal agency considering an application for a permit for construction or activities on the MRA

shall consult with, and consider the advice, evidence, and recommendations of the Secretary before issuing a final decision.

(3) RULE OF CONSTRUCTION.—Except as otherwise specifically provided in this Act, nothing in this Act supersedes any requirement of any other applicable Federal law.

(d) VOLUNTEER PROGRAMS AND TRIBAL INVOLVEMENT.—The Secretary may establish programs that foster greater involvement by the Tribe with respect to the Park. Those efforts may include internships and volunteer programs with tribal schoolchildren and with adult tribal members.

(e) SAVING ECOSYSTEM RESTORATION.—

(1) IN GENERAL.—Nothing in this Act shall be construed to amend or prejudice the authority of the United States to design, construct, fund, operate, permit, remove, or degrade canals, levees, pumps, impoundments, wetlands, flow ways, or other facilities, structures, or systems, for the restoration or protection of the South Florida ecosystem pursuant to Federal laws.

(2) USE OF NONEASEMENT LANDS.—

(A) IN GENERAL.—The Secretary may use all or any part of the MRA lands to the extent necessary to restore or preserve the quality, quantity, timing, or distribution of surface or groundwater, if other reasonable alternative measures to achieve the same purpose are impractical.

(B) SECRETARIAL AUTHORITY.—The Secretary may use lands referred to in subparagraph (A) either under an agreement with the tribal chairman or upon an order of the United States district court for the district in which the MRA is located, upon petition by the Secretary and finding by the court that—

(i) the proposed actions of the Secretary are necessary; and

(ii) other reasonable alternative measures are impractical.

(3) COSTS.—

(A) IN GENERAL.—In the event the Secretary exercises the authority granted the Secretary under paragraph (2), the United States shall be liable to the Tribe or the members of the Tribe for—

(i) cost of modification, removal, relocation, or reconstruction of structures lawfully erected in good faith on the MRA; and

(ii) loss of use of the affected land within the MRA.

(B) PAYMENT OF COMPENSATION.—Any compensation paid under subparagraph (A) shall be paid as cash payments with respect to taking structures and other fixtures and in the form of rights to occupy similar land adjacent to the MRA with respect to taking land.

(4) RULE OF CONSTRUCTION.—Paragraphs (2) and (3) shall not apply to a natural easement described in section 6(d)(1).

(f) PARTIES HELD HARMLESS.—

(1) UNITED STATES HELD HARMLESS.—

(A) IN GENERAL.—Subject to subparagraph (B) with respect to any tribal member, tribal employee, tribal contractor, tribal enterprise, or any person residing within the

MRA, notwithstanding any other provision of law, the United States (including an officer, agent, or employee of the United States), shall not be liable for any action or failure to act by the Tribe (including an officer, employee, or member of the Tribe), including any failure to perform any of the obligations of the Tribe under this Act.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to alter any liability or other obligation that the United States may have under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(2) TRIBE HELD HARMLESS.—Notwithstanding any other provision of law, the Tribe and the members of the Tribe shall not be liable for any injury, loss, damage, or harm that—

(A) occurs with respect to the MRA; and

(B) is caused by an action or failure to act by the United States, or the officer, agent, or employee of the United States (including the failure to perform any obligation of the United States under this Act).

(g) COOPERATIVE AGREEMENTS.—Nothing in this Act shall alter the authority of the Secretary and the Tribe to enter into any cooperative agreement, including any agreement concerning law enforcement, emergency response, or resource management.

(h) WATER RIGHTS.—Nothing in this Act shall enhance or diminish any water rights of the Tribe, or members of the Tribe, or the United States (with respect to the Park).

(i) ENFORCEMENT.—

(1) ACTIONS BROUGHT BY ATTORNEY GENERAL.—The Attorney General may bring a civil action in the United States district court for the district in which the MRA is located, to enjoin the Tribe from violating any provision of this Act.

(2) ACTION BROUGHT BY TRIBE.—The Tribe may bring a civil action in the United States district court for the district in which the MRA is located to enjoin the United States from violating any provision of this Act.

(j) PROTECTION OF OSCEOLA CAMP FROM FLOODING.—*Not later than 2 years after the date of enactment of this subsection, the Secretary, in consultation with the Tribe, shall take appropriate actions to protect structures within the area described in section 4(4)(C) from flooding.*

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COMMITTEE CORRESPONDENCE



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Sam Graves
Chairman

Nick Christensen, Staff Director

Rick Larsen
Ranking Member

Katherine W. Dedrick, Democratic Staff Director

June 27, 2025

The Honorable Bruce Westerman
Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Westerman:

I am writing to you concerning H.R. 504, the *Miccosukee Reserved Area Amendments Act*. The bill was referred primarily to the Committee on Natural Resources, with additional referral to the Committee on Transportation and Infrastructure. Specifically, there are provisions of H.R. 504 that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, agree the Committee on Transportation and Infrastructure shall be discharged from further consideration of the bill. However, this is conditional on our mutual understanding that by foregoing consideration of H.R. 504 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation that falls with the Committee on Transportation and Infrastructure's Rule X jurisdiction, and the Committee will be appropriately consulted and involved on this or similar legislation as it moves forward. Further, this does not prejudice the Committee on Transportation and Infrastructure with respect to the appointment of conferees and should a conference on the bill be necessary, I would appreciate your agreement to support my request to have the Committee represented on the conference committee.

Finally, I would ask that a copy of this letter and your response acknowledging our jurisdictional interest in the bill be included in the Committee Report and *Congressional Record* during consideration of H.R. 504 on the House floor.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Graves", is written over a horizontal line.

Sam Graves
Chairman
Committee on Transportation
and Infrastructure

cc: The Honorable Mike Johnson, Speaker
The Honorable Rick Larsen, Ranking Member, Committee on Transportation and Infrastructure
The Honorable Jared Huffman, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian

BRUCE WESTERMAN OF ARKANSAS
CHAIRMAN

JARED HUFFMAN OF CALIFORNIA
RANKING DEMOCRAT

VIVIAN MOGLEIN
STAFF DIRECTOR

ANA UNRUH COHEN
DEMOCRATIC STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

June 30, 2025

The Honorable Sam Graves
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
2165 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Graves:

I write regarding H.R. 504, the "Miccosukee Reserved Area Amendments Act," which was ordered reported by the Committee on Natural Resources on June 25, 2025.

I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure and appreciate your willingness to forgo further consideration of the bill. I acknowledge that the Committee on Transportation and Infrastructure will not formally consider H.R. 504 and agree that the inaction of your Committee with respect to the bill does not waive any jurisdiction over the subject matter contained therein.

I am pleased to support your request to name members of the Committee on Transportation and Infrastructure to any conference committee to consider such provisions. I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill and will include such letters in the committee report on H.R. 504. I appreciate your cooperation regarding this legislation.

Sincerely,



Bruce Westerman
Chairman
Committee on Natural Resources

cc: The Honorable Mike Johnson, Speaker
The Honorable Rick Larsen, Ranking Member, Committee on Transportation and Infrastructure
The Honorable Jared Huffman, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian