

118TH CONGRESS  
2D SESSION

# H. R. 8535

To establish the Benjamin Harrison National Recreation Area and Wilderness  
in the State of Indiana, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2024

Mrs. HOUCHIN introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish the Benjamin Harrison National Recreation Area and Wilderness in the State of Indiana, 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 “Benjamin Harrison  
5 National Recreation Area and Wilderness Establishment  
6 Act of 2024”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1           (1) **ADVISORY COMMITTEE.**—The term “Advi-  
2           sory Committee” means the advisory committee for  
3           the National Recreation Area established under sec-  
4           tion 4(a)(1).

5           (2) **MANAGEMENT PLAN.**—The term “Manage-  
6           ment Plan” means the management plan for the Na-  
7           tional Recreation Area and Wilderness developed  
8           under section 4(b).

9           (3) **MAP.**—The term “map” means the map en-  
10          titled “Benjamin Harrison National Recreation Area  
11          and Wilderness Establishment Act of 2023” and  
12          dated March 27, 2024.

13          (4) **NATIONAL RECREATION AREA.**—The term  
14          “National Recreation Area” means the Benjamin  
15          Harrison National Recreation Area established by  
16          section 3(a)(2).

17          (5) **NATIONAL RECREATION AREA AND WILDER-**  
18          **NESS.**—The term “National Recreation Area and  
19          Wilderness” means the Benjamin Harrison National  
20          Recreation Area and Wilderness established by sec-  
21          tion 3(a)(1).

22          (6) **NONWILDERNESS CORRIDOR.**—The term  
23          “nonwilderness corridor” means the land 100 feet in  
24          width from either side of the centerline of the exist-  
25          ing trails and roads, as depicted on the map as

1 “Non-Wilderness Corridor”, which is not included as  
2 part of the “Proposed Wilderness”, as depicted on  
3 the map.

4 (7) SECRETARY.—The term “Secretary” means  
5 the Secretary of Agriculture, acting through the  
6 Chief of the Forest Service.

7 (8) STATE.—The term “State” means the State  
8 of Indiana.

9 (9) WILDERNESS ADDITION.—The term “Wil-  
10 derness addition” means the land added to the  
11 Charles C. Deam Wilderness by section 3(a)(3).

12 **SEC. 3. BENJAMIN HARRISON NATIONAL RECREATION**  
13 **AREA AND WILDERNESS.**

14 (a) ESTABLISHMENT.—

15 (1) IN GENERAL.—There is established in the  
16 State the Benjamin Harrison National Recreation  
17 Area and Wilderness as a subunit of the Hoosier  
18 National Forest, consisting of—

19 (A) the National Recreation Area; and

20 (B) the Wilderness addition.

21 (2) BENJAMIN HARRISON NATIONAL RECRE-  
22 ATION AREA.—There is established in the State the  
23 Benjamin Harrison National Recreation Area, con-  
24 sisting of approximately 29,382 acres of National

1 Forest System land depicted on the map as “Pro-  
2 posed National Recreation Area (NRA)”.

3 (3) CHARLES C. DEAM WILDERNESS ADDI-  
4 TION.—The approximately 15,300 acres of National  
5 Forest System land in the State generally depicted  
6 on the map as “Proposed Wilderness” shall be  
7 added to and administered as part of the Charles C.  
8 Deam Wilderness in accordance with Public Law  
9 97–384 (16 U.S.C. 1132 note; 96 Stat. 1942), con-  
10 sisting of—

11 (A) the approximately 2,028.8 acres of Na-  
12 tional Forest System land in the State generally  
13 depicted on the map as the “Deckard Ridge  
14 Units A, B, and C”;

15 (B) the approximately 2,633 acres of Na-  
16 tional Forest System land in the State generally  
17 depicted on the map as the “Panther Creek  
18 Units A and B”;

19 (C) the approximately 5,456.9 acres of Na-  
20 tional Forest System land in the State generally  
21 depicted on the map as the “Nebo Ridge Units  
22 A, B, C, D, and E”;

23 (D) the approximately 2,141.4 acres of  
24 National Forest System land in the State gen-

1 erally depicted on the map as the “Browning  
2 Mountain Unit”;

3 (E) the approximately 2,161.9 acres of Na-  
4 tional Forest System land in the State generally  
5 depicted on the map as the “Hickory Ridge  
6 Units A, B, C, D, and E”; and

7 (F) the approximately 878.3 acres of Na-  
8 tional Forest System land in the State generally  
9 depicted on the map as the “Mose Ray Branch  
10 Unit”.

11 (4) AVAILABILITY OF MAP.—Not later than 30  
12 days after the date of enactment of this Act, the  
13 Secretary shall file the map, and make the map  
14 available for public inspection, in the appropriate of-  
15 fices of the Forest Service.

16 (b) ADMINISTRATION.—The Secretary shall man-  
17 age—

18 (1) the Wilderness addition (other than the  
19 nonwilderness corridors) in a manner that is con-  
20 sistent with the Wilderness Act (16 U.S.C. 1131 et  
21 seq.); and

22 (2) the National Recreation Area in a manner  
23 that ensures—

24 (A) the protection of the water quality of  
25 the public water supply of Monroe Reservoir in

1 the State in accordance with section 303(e)(1)  
2 of the Healthy Forests Restoration Act of 2003  
3 (16 U.S.C. 6542(e)(1)); and

4 (B) the promotion of recreational opportu-  
5 nities in the National Recreation Area.

6 (3) HUNTING, FISHING, AND TRAPPING.—

7 (A) IN GENERAL.—Subject to subpara-  
8 graph (B), the Secretary shall allow hunting,  
9 fishing, and trapping in the National Recre-  
10 ation Area and Wilderness.

11 (B) LIMITATIONS.—The Secretary, in con-  
12 sultation with designees from the State Depart-  
13 ment of Natural Resources and the Corps of  
14 Engineers, may, for reasons of public safety,  
15 species enhancement, or management of a spe-  
16 cies listed as endangered or threatened under  
17 the Endangered Species Act of 1973 (16 U.S.C.  
18 1531 et seq.), designate areas in which, and es-  
19 tablish seasons during which, no hunting, fish-  
20 ing, or trapping is permitted in the National  
21 Recreation Area and Wilderness.

22 (C) EFFECT.—Nothing in this Act affects  
23 the jurisdiction of the State with respect to fish  
24 and wildlife in the National Recreation Area  
25 and Wilderness.

1 (4) RECREATION.—

2 (A) IN GENERAL.—Subject to subpara-  
3 graph (B), the Secretary shall—

4 (i) in the National Recreation Area,  
5 continue to permit and provide for appro-  
6 priate nonmotorized and motorized rec-  
7 reational uses, including hiking, viewing of  
8 nature and wildlife, camping, horseback  
9 riding, mountain biking, and other existing  
10 recreational uses; and

11 (ii) permit the nonmechanized rec-  
12 reational use of the Wilderness addition, in  
13 accordance with the Wilderness Act (16  
14 U.S.C. 1131 et seq.) within the boundary  
15 of the “Proposed Wilderness” indicated on  
16 the map.

17 (B) LIMITATIONS.—The Secretary, in con-  
18 sultation with designees from the State Depart-  
19 ment of Natural Resources and the Corps of  
20 Engineers, may designate zones in which, and  
21 establish periods during which, a recreational  
22 use shall not be permitted in the National  
23 Recreation Area and Wilderness under subpara-  
24 graph (A) for reasons of public safety, species  
25 enhancement, or management of a species listed

1 as endangered or threatened under the Endan-  
2 gered Species Act of 1973 (16 U.S.C. 1531 et  
3 seq.).

4 (C) TRAIL PLAN.—Notwithstanding any  
5 provisions of the Wilderness Act (16 U.S.C.  
6 1131 et seq.) or any other provision of law, the  
7 Secretary, in consultation with interested par-  
8 ties, shall establish a trail plan—

9 (i) to maintain existing mountain  
10 biking, hiking, and equestrian trails in the  
11 nonwilderness corridors; and

12 (ii) to develop mountain biking, hik-  
13 ing, and equestrian trails in the National  
14 Recreation Area.

15 (5) VEGETATION MANAGEMENT.—

16 (A) WILDERNESS ADDITION.—Consistent  
17 with the Wilderness Act (16 U.S.C. 1131 et  
18 seq.), timber removal or management shall not  
19 be permitted in the Wilderness addition, except  
20 as the Secretary determines to be necessary for  
21 public safety and management of diseases, as  
22 described in section 293.3 of title 36, Code of  
23 Federal Regulations (or a successor regulation).



1 (B) NATIONAL RECREATION AREA.—Vege-  
2 tation management within the National Recre-  
3 ation Area shall be consistent with—

4 (i) the Management Plan; and

5 (ii) any applicable Forest Service land  
6 management plan.

7 **SEC. 4. NATIONAL RECREATION AREA ADVISORY COM-**  
8 **MITTEE; MANAGEMENT PLAN.**

9 (a) NATIONAL RECREATION AREA FEDERAL ADVI-  
10 SORY COMMITTEE.—

11 (1) ESTABLISHMENT.—As soon as practicable  
12 after the date of enactment of this Act, the Sec-  
13 retary shall establish an advisory committee to ad-  
14 vise the Secretary with respect to the management  
15 of the National Recreation Area.

16 (2) MEMBERSHIP.—The Advisory Committee  
17 shall be composed of members appointed by the Sec-  
18 retary, from among—

19 (A) representatives of local government;

20 (B) forest ecologists;

21 (C) experts in dispersed recreation;

22 (D) local residents who own or reside in  
23 property located not more than 2 miles from  
24 the boundary of the National Recreation Area;

1 (E) representatives of conservation and  
2 outdoor recreation groups;

3 (F) consulting foresters;

4 (G) the Director of the State Department  
5 of Natural Resources (or designees);

6 (H) wildlife experts; and

7 (I) designees from the Corps of Engineers.

8 (b) MANAGEMENT PLAN.—

9 (1) IN GENERAL.—Not later than 5 years after  
10 the date of enactment of this Act, the Secretary  
11 shall develop a comprehensive management plan for  
12 the long-term protection and management of the  
13 National Recreation Area.

14 (2) REQUIREMENTS.—The Management Plan  
15 shall—

16 (A) be developed—

17 (i) in consultation with the Advisory  
18 Committee;

19 (ii) after providing an opportunity for  
20 public comment; and

21 (iii) after engaging with interested or  
22 affected federally recognized Indian Tribes,  
23 other Federal agencies, and State and local  
24 governments, including the State Depart-  
25 ment of Natural Resources;

- 1 (B) address management issues associated  
2 with the National Recreation Area, including—
- 3 (i) fires;
  - 4 (ii) invasive species;
  - 5 (iii) the response to insect and disease  
6 infestations;
  - 7 (iv) measures needed to protect the  
8 public water supply provided by Monroe  
9 Reservoir;
  - 10 (v) the establishment, maintenance,  
11 and closure of camp sites, campgrounds,  
12 trails, and roadways; and
  - 13 (vi) any other issues identified by the  
14 Advisory Committee; and
- 15 (C) include—
- 16 (i) measures to preserve and protect  
17 native and historical resources, flora,  
18 fauna, and recreational, scenic, and aes-  
19 thetic values within the National Recre-  
20 ation Area; and
  - 21 (ii) measures to prevent degradation  
22 of the public water supply provided by  
23 Monroe Reservoir.

1 **SEC. 5. FUNDING.**

2 (a) NO ADDITIONAL FUNDS.—No additional funds  
3 are authorized to be appropriated to carry out this Act.

4 (b) USE OF EXISTING FUNDS.—This Act shall be  
5 carried out using amounts otherwise made available to the  
6 Secretary.

7 **SEC. 6. EFFECT.**

8 Nothing in this Act—

9 (1) affects the Corps of Engineers use permits  
10 for flowage rights within the National Recreation  
11 Area and Wilderness established by the order enti-  
12 tled “Joint Order Interchanging Administrative Ju-  
13 risdiction of Department of the Army Lands and  
14 National Forest Lands” (35 Fed. Reg. 10382 (June  
15 25, 1970));

16 (2) prevents the Corps of Engineers from car-  
17 rying out the water control management plan of the  
18 Corps of Engineers within the National Recreation  
19 Area and Wilderness as described in the Corps of  
20 Engineers water control manual;

21 (3) prevents the Corps of Engineers from—

22 (A) disposing of, or otherwise managing,  
23 real estate interests held by the Corps of Engi-  
24 neers as of the date of enactment of this Act;

25 or

1 (B) acquiring additional real estate inter-  
2 ests required to support the operation or main-  
3 tenance of Monroe Lake;

4 (4) affects the use of motor vessels (as defined  
5 in section 2101 of title 46, United States Code) on  
6 Monroe Lake;

7 (5) results in the closure of any State or county  
8 roadway in the National Recreation Area and the  
9 nonwilderness corridors;

10 (6) precludes the ownership, use, or enjoyment  
11 of private land within the National Recreation Area  
12 and Wilderness;

13 (7) otherwise affects access to private land or  
14 cemeteries within the National Recreation Area and  
15 Wilderness;

16 (8) affects the access to land within the non-  
17 wilderness corridors and within 100 feet of the outer  
18 boundary of the Wilderness addition by any State or  
19 private entity or organization with a permit, special  
20 use authorization, or other right to access land with-  
21 in the Wilderness addition, as described in section  
22 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), for  
23 the purpose of maintaining infrastructure located  
24 within the Wilderness addition, including access  
25 by—

- 1 (A) the Smithville Telephone Company;  
2 (B) Jackson County Water Utility;  
3 (C) Jackson County Rural Electric;  
4 (D) the ANR Pipeline Company;  
5 (E) the Monroe County commissioners;  
6 (F) Hoosier Trails Council, BSA; and  
7 (G) the State Department of Natural Re-  
8 sources; or  
9 (9) affects the access to land within the Wilder-  
10 ness addition by the State Department of Natural  
11 Resources or appropriate public safety officers with  
12 the use of motor vehicles, mechanized equipment, or  
13 motorboats for emergencies involving the health and  
14 safety of persons within the Wilderness addition, in  
15 accordance with section 4(c) of the Wilderness Act  
16 (16 U.S.C. 1133(c)).

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