

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.**

**S. 1309**

To withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses, 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 IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the

5 “Military Land Withdrawals Act of 2013”.

6 (b) TABLE OF CONTENTS.—The table of contents of

7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—GENERAL PROVISIONS

Sec. 101. General applicability; definitions.

Sec. 102. Maps and legal descriptions.

Sec. 103. Access restrictions.

Sec. 104. Changes in use.

Sec. 105. Authorizations for nondefense-related uses.

- Sec. 106. Brush and range fire prevention and suppression.
- Sec. 107. Ongoing decontamination.
- Sec. 108. Water rights.
- Sec. 109. Hunting, fishing, and trapping.
- Sec. 110. Limitation on extensions and renewals.
- Sec. 111. Application for renewal of a withdrawal and reservation.
- Sec. 112. Limitation on subsequent availability of land for appropriation.
- Sec. 113. Relinquishment.
- Sec. 114. Land withdrawals; immunity of the United States.

## TITLE II—MILITARY LAND WITHDRAWALS

- Sec. 201. China Lake, California.
- Sec. 202. Limestone Hills, Montana.
- Sec. 203. Chocolate Mountain, California.
- Sec. 204. Twentynine Palms, California.
- Sec. 205. White Sands Missile Range and Fort Bliss.

### 1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) INDIAN TRIBE.—The term “Indian tribe”  
4 has the meaning given the term in section 102 of the  
5 Federally Recognized Indian Tribe List Act of 1994  
6 (25 U.S.C. 479a).

7 (2) MANAGE; MANAGEMENT.—

8 (A) INCLUSIONS.—The terms “manage”  
9 and “management” include the authority to ex-  
10 ercise jurisdiction, custody, and control over the  
11 land withdrawn and reserved by title II.

12 (B) EXCLUSIONS.—The terms “manage”  
13 and “management” do not include authority for  
14 disposal of the land withdrawn and reserved by  
15 title II.

1           (3) SECRETARY CONCERNED.—The term “Sec-  
2       retary concerned” has the meaning given the term  
3       in section 101(a) of title 10, United States Code.

## 4   **TITLE I—GENERAL PROVISIONS**

### 5   **SEC. 101. GENERAL APPLICABILITY; DEFINITIONS.**

6       (a) APPLICABILITY OF TITLE.—The provisions of  
7       this title apply to any withdrawal made by this Act.

8       (b) RULES OF CONSTRUCTION.—Nothing in this title  
9       assigns management of real property under the adminis-  
10      trative jurisdiction of the Secretary concerned to the Sec-  
11      retary of the Interior.

### 12   **SEC. 102. MAPS AND LEGAL DESCRIPTIONS.**

13      (a) PREPARATION OF MAPS AND LEGAL DESCRIP-  
14      TIONS.—As soon as practicable after the date of enact-  
15      ment of this Act, the Secretary of the Interior shall—

16           (1) publish in the Federal Register a notice  
17           containing the legal description of the land with-  
18           drawn and reserved by title II; and

19           (2) file maps and legal descriptions of the land  
20           withdrawn and reserved by title II with—

21                   (A) the Committee on Armed Services and  
22                   the Committee on Energy and Natural Re-  
23                   sources of the Senate; and

1 (B) the Committee on Armed Services and  
2 the Committee on Natural Resources of the  
3 House of Representatives.

4 (b) LEGAL EFFECT.—The maps and legal descrip-  
5 tions filed under subsection (a)(2) shall have the same  
6 force and effect as if the maps and legal descriptions were  
7 included in this Act, except that the Secretary of the Inte-  
8 rior may correct any clerical and typographical errors in  
9 the maps and legal descriptions.

10 (c) AVAILABILITY.—Copies of the maps and legal de-  
11 scriptions filed under subsection (a)(2) shall be available  
12 for public inspection—

13 (1) in the appropriate offices of the Bureau of  
14 Land Management;

15 (2) in the office of the commanding officer of  
16 the military installation for which the land is with-  
17 drawn; and

18 (3) if the military installation is under the man-  
19 agement of the National Guard, in the office of the  
20 Adjutant General of the State in which the military  
21 installation is located.

22 (d) COSTS.—The Secretary concerned shall reim-  
23 burse the Secretary of the Interior for the costs incurred  
24 by the Secretary of the Interior in implementing this sec-  
25 tion.

1 **SEC. 103. ACCESS RESTRICTIONS.**

2 (a) IN GENERAL.—If the Secretary concerned deter-  
3 mines that military operations, public safety, or national  
4 security require the closure to the public of any road, trail,  
5 or other portion of land withdrawn and reserved by this  
6 Act, the Secretary may take such action as the Secretary  
7 determines to be necessary to implement and maintain the  
8 closure.

9 (b) LIMITATION.—Any closure under subsection (a)  
10 shall be limited to the minimum area and duration that  
11 the Secretary concerned determines are required for the  
12 purposes of the closure.

13 (c) CONSULTATION REQUIRED.—

14 (1) IN GENERAL.—Subject to paragraph (3),  
15 before a closure is implemented under this section,  
16 the Secretary concerned shall consult with the Sec-  
17 retary of the Interior.

18 (2) INDIAN TRIBE.—Subject to paragraph (3),  
19 if a closure proposed under this section may affect  
20 access to or use of sacred sites or resources consid-  
21 ered to be important by an Indian tribe, the Sec-  
22 retary concerned shall consult, at the earliest prac-  
23 ticable date, with the affected Indian tribe.

24 (3) LIMITATION.—No consultation shall be re-  
25 quired under paragraph (1) or (2)—

1           (A) if the closure is provided for in an in-  
2           tegrated natural resources management plan,  
3           an installation cultural resources management  
4           plan, or a land use management plan; or

5           (B) in the case of an emergency, as deter-  
6           mined by the Secretary concerned.

7           (d) NOTICE.—Immediately preceding and during any  
8           closure implemented under subsection (a), the Secretary  
9           concerned shall post appropriate warning notices and take  
10          other appropriate actions to notify the public of the clo-  
11          sure.

12       **SEC. 104. CHANGES IN USE.**

13          (a) OTHER USES AUTHORIZED.—In addition to the  
14          purposes described in title II, the Secretary concerned may  
15          authorize the use of land withdrawn and reserved by this  
16          Act for defense-related purposes.

17          (b) NOTICE TO SECRETARY OF THE INTERIOR.—

18               (1) IN GENERAL.—The Secretary concerned  
19               shall promptly notify the Secretary of the Interior if  
20               the land withdrawn and reserved by this Act is used  
21               for additional defense-related purposes.

22               (2) REQUIREMENTS.—A notification under  
23               paragraph (1) shall specify—

24                       (A) each additional use;

1 (B) the planned duration of each addi-  
2 tional use; and

3 (C) the extent to which each additional use  
4 would require that additional or more stringent  
5 conditions or restrictions be imposed on other-  
6 wise-permitted nondefense-related uses of the  
7 withdrawn and reserved land or portions of  
8 withdrawn and reserved land.

9 **SEC. 105. AUTHORIZATIONS FOR NONDEFENSE-RELATED**  
10 **USES.**

11 (a) AUTHORIZATIONS BY THE SECRETARY OF THE  
12 INTERIOR.—Subject to the applicable withdrawals under  
13 title II, with the consent of the Secretary concerned, the  
14 Secretary of the Interior may authorize the use, occu-  
15 pancy, or development of the land withdrawn and reserved  
16 by this Act.

17 (b) AUTHORIZATIONS BY THE SECRETARY CON-  
18 CERNED.—The Secretary concerned may authorize the  
19 use, occupancy, or development of the land withdrawn and  
20 reserved by this Act—

21 (1) for a defense-related purpose; or

22 (2) subject to the consent of the Secretary of  
23 the Interior, for a non-defense-related purpose.

24 (c) FORM OF AUTHORIZATION.—An authorization  
25 under this section may be provided by lease, easement,

1 right-of-way, permit, license, or other instrument author-  
2 ized by law.

3 (d) PREVENTION OF DRAINAGE OF OIL OR GAS RE-  
4 SOURCES.—

5 (1) IN GENERAL.—For the purpose of pre-  
6 venting drainage of oil or gas resources, the Sec-  
7 retary of the Interior may lease land otherwise with-  
8 drawn from operation of the mineral leasing laws  
9 and reserved for defense-related purposes under this  
10 Act, under such terms and conditions as the Sec-  
11 retary determines to be appropriate.

12 (2) CONSENT REQUIRED.—No surface occu-  
13 pancy may be approved by the Secretary of the Inte-  
14 rior under this Act without the consent of the Sec-  
15 retary concerned.

16 (3) COMMUNITIZATION.—The Secretary of the  
17 Interior may unitize or consent to communitization  
18 of land leased under paragraph (1).

19 (4) REGULATIONS.—The Secretary of the Inte-  
20 rior may promulgate regulations to implement this  
21 subsection.

22 **SEC. 106. BRUSH AND RANGE FIRE PREVENTION AND SUP-**  
23 **PRESSION.**

24 (a) REQUIRED ACTIVITIES.—The Secretary con-  
25 cerned shall, consistent with any applicable land manage-



1 ment plan, take necessary precautions to prevent, and ac-  
2 tions to suppress, brush and range fires occurring as a  
3 result of military activities on the land withdrawn and re-  
4 served by this Act, including fires that occur on other land  
5 that spread from the withdrawn and reserved land.

6 (b) COOPERATION OF SECRETARY OF THE INTE-  
7 RIOR.—

8 (1) IN GENERAL.—At the request of the Sec-  
9 retary concerned, the Secretary of the Interior  
10 shall—

11 (A) provide assistance in the suppression  
12 of fires under subsection (a); and

13 (B) be reimbursed by the Secretary con-  
14 cerned for the costs of the Secretary of the In-  
15 terior in providing the assistance.

16 (2) TRANSFER OF FUNDS.—Notwithstanding  
17 section 2215 of title 10, United States Code, the  
18 Secretary concerned may transfer to the Secretary  
19 of the Interior, in advance, funds to reimburse the  
20 costs of the Department of the Interior in providing  
21 assistance under this subsection.

22 **SEC. 107. ONGOING DECONTAMINATION.**

23 (a) IN GENERAL.—During the period of a withdrawal  
24 and reservation of land under this Act, the Secretary con-  
25 cerned shall maintain a program of decontamination of

1 contamination caused by defense-related uses on the with-  
2 drawn land—

3 (1) to the extent funds are available to carry  
4 out this subsection; and

5 (2) consistent with applicable Federal and State  
6 law.

7 (b) ANNUAL REPORT.—The Secretary of Defense  
8 shall include in the annual report required by section 2711  
9 of title 10, United States Code, a description of decon-  
10 tamination activities conducted under subsection (a)

11 **SEC. 108. WATER RIGHTS.**

12 (a) NO RESERVATION OF WATER RIGHTS.—Nothing  
13 in this Act—

14 (1) establishes a reservation of the United  
15 States with respect to any water or water right on  
16 the land withdrawn and reserved by this Act; or

17 (2) authorizes the appropriation of water on the  
18 land withdrawn and reserved by this Act, except in  
19 accordance with applicable State law.

20 (b) EFFECT ON PREVIOUSLY ACQUIRED OR RE-  
21 SERVED WATER RIGHTS.—

22 (1) IN GENERAL.—Nothing in this section af-  
23 fects any water rights acquired or reserved by the  
24 United States before the date of enactment of this  
25 Act.

1 (2) AUTHORITY OF SECRETARY CONCERNED.—

2 The Secretary concerned may exercise any water  
3 rights described in paragraph (1).

4 **SEC. 109. HUNTING, FISHING, AND TRAPPING.**

5 Section 2671 of title 10, United States Code, shall  
6 apply to all hunting, fishing, and trapping on the land—

7 (1) that is withdrawn and reserved by this Act;

8 and

9 (2) for which management of the land has been  
10 assigned to the Secretary concerned.

11 **SEC. 110. LIMITATION ON EXTENSIONS AND RENEWALS.**

12 The withdrawals and reservations established under  
13 this Act may not be extended or renewed except by a law  
14 enacted after the date of enactment of this Act.

15 **SEC. 111. APPLICATION FOR RENEWAL OF A WITHDRAWAL  
16 AND RESERVATION.**

17 To the extent practicable, not later than 5 years be-  
18 fore the date of termination of a withdrawal and reserva-  
19 tion established by this Act, the Secretary concerned  
20 shall—

21 (1) notify the Secretary of the Interior as to  
22 whether the Secretary concerned will have a con-  
23 tinuing defense-related need for any of the land  
24 withdrawn and reserved by this Act after the termi-  
25 nation date of the withdrawal and reservation; and

1           (2) transmit a copy of the notice submitted  
2           under paragraph (1) to—

3                   (A) the Committee on Armed Services and  
4                   the Committee on Energy and Natural Re-  
5                   sources of the Senate; and

6                   (B) the Committee on Armed Services and  
7                   the Committee on Natural Resources of the  
8                   House of Representatives.

9 **SEC. 112. LIMITATION ON SUBSEQUENT AVAILABILITY OF**  
10 **LAND FOR APPROPRIATION.**

11           On the termination of a withdrawal and reservation  
12 by this Act, the previously withdrawn land shall not be  
13 open to any form of appropriation under the public land  
14 laws, including the mining laws, the mineral leasing laws,  
15 and the geothermal leasing laws, unless the Secretary of  
16 the Interior publishes in the Federal Register an appro-  
17 priate order specifying the date on which the land shall  
18 be—

19                   (1) restored to the public domain; and

20                   (2) opened for appropriation under the public  
21           land laws.

22 **SEC. 113. RELINQUISHMENT.**

23           (a) NOTICE OF INTENTION TO RELINQUISH.—If,  
24 during the period of withdrawal and reservation under this  
25 Act, the Secretary concerned decides to relinquish any or

1 all of the land withdrawn and reserved by this Act, the  
2 Secretary concerned shall submit to the Secretary of the  
3 Interior notice of the intention to relinquish the land.

4 (b) DETERMINATION OF CONTAMINATION.—The Sec-  
5 retary concerned shall include in the notice submitted  
6 under subsection (a) a written determination concerning  
7 whether and to what extent the land that is to be relin-  
8 quished is contaminated with explosive materials or toxic  
9 or hazardous substances.

10 (c) PUBLIC NOTICE.—The Secretary of the Interior  
11 shall publish in the Federal Register the notice of inten-  
12 tion to relinquish the land under this section, including  
13 the determination concerning the contaminated state of  
14 the land.

15 (d) DECONTAMINATION OF LAND TO BE RELIN-  
16 QUISHED.—

17 (1) DECONTAMINATION REQUIRED.—The Sec-  
18 retary concerned shall decontaminate land subject to  
19 a notice of intention under subsection (a) to the ex-  
20 tent that funds are appropriated for that purpose,  
21 if—

22 (A) the land subject to the notice of inten-  
23 tion is contaminated, as determined by the Sec-  
24 retary concerned; and

1 (B) the Secretary of the Interior, in con-  
2 sultation with the Secretary concerned, deter-  
3 mines that—

4 (i) decontamination is practicable and  
5 economically feasible, after taking into con-  
6 sideration the potential future use and  
7 value of the contaminated land; and

8 (ii) on decontamination of the land,  
9 the land could be opened to operation of  
10 some or all of the public land laws, includ-  
11 ing the mining laws, the mineral leasing  
12 laws, and the geothermal leasing laws.

13 (2) ALTERNATIVES TO RELINQUISHMENT.—The  
14 Secretary of the Interior shall not be required to ac-  
15 cept the land proposed for relinquishment under  
16 subsection (a), if—

17 (A) the Secretary of the Interior, after  
18 consultation with the Secretary concerned, de-  
19 termines that—

20 (i) decontamination of the land is not  
21 practicable or economically feasible; or

22 (ii) the land cannot be decontami-  
23 nated sufficiently to be opened to operation  
24 of some or all of the public land laws; or

1 (B) sufficient funds are not appropriated  
2 for the decontamination of the land.

3 (3) STATUS OF CONTAMINATED LAND ON TER-  
4 MINATION.—If, because of the contaminated state of  
5 the land, the Secretary of the Interior declines to ac-  
6 cept land withdrawn and reserved by this Act that  
7 has been proposed for relinquishment, or if at the  
8 expiration of the withdrawal and reservation made  
9 by this Act, the Secretary of the Interior determines  
10 that a portion of the land withdrawn and reserved  
11 by this Act is contaminated to an extent that pre-  
12 vents opening the contaminated land to operation of  
13 the public land laws—

14 (A) the Secretary concerned shall take ap-  
15 propriate steps to warn the public of—

16 (i) the contaminated state of the land;

17 and

18 (ii) any risks associated with entry  
19 onto the land;

20 (B) after the expiration of the withdrawal  
21 and reservation under this Act, the Secretary  
22 concerned shall undertake no activities on the  
23 contaminated land, except for activities relating  
24 to the decontamination of the land; and

1 (C) the Secretary concerned shall submit  
2 to the Secretary of the Interior and Congress a  
3 report describing—

4 (i) the status of the land; and

5 (ii) any actions taken under this para-  
6 graph.

7 (e) REVOCATION AUTHORITY.—

8 (1) IN GENERAL.—If the Secretary of the Inte-  
9 rior determines that it is in the public interest to ac-  
10 cept the land proposed for relinquishment under  
11 subsection (a), the Secretary of the Interior may  
12 order the revocation of a withdrawal and reservation  
13 established by this Act.

14 (2) REVOCATION ORDER.—To carry out a rev-  
15 ocation under paragraph (1), the Secretary of the  
16 Interior shall publish in the Federal Register a rev-  
17 ocation order that—

18 (A) terminates the withdrawal and reserva-  
19 tion;

20 (B) constitutes official acceptance of the  
21 land by the Secretary of the Interior; and

22 (C) specifies the date on which the land  
23 will be opened to the operation of some or all  
24 of the public land laws, including the mining  
25 laws.



1 (f) ACCEPTANCE BY SECRETARY OF THE INTE-  
2 RIOR.—

3 (1) IN GENERAL.—Nothing in this section re-  
4 quires the Secretary of the Interior to accept the  
5 land proposed for relinquishment if the Secretary de-  
6 termines that the land is not suitable for return to  
7 the public domain.

8 (2) NOTICE.—If the Secretary makes a deter-  
9 mination that the land is not suitable for return to  
10 the public domain, the Secretary shall provide notice  
11 of the determination to Congress.

12 **SEC. 114. LAND WITHDRAWALS; IMMUNITY OF THE UNITED**  
13 **STATES.**

14 The United States and officers and employees of the  
15 United States shall be held harmless and shall not be lia-  
16 ble for any injuries or damages to persons or property in-  
17 curred as a result of any mining or mineral or geothermal  
18 leasing activity or other authorized nondefense-related ac-  
19 tivity conducted on land withdrawn and reserved by this  
20 Act.

21 **TITLE II—MILITARY LAND**  
22 **WITHDRAWALS**

23 **SEC. 201. CHINA LAKE, CALIFORNIA.**

24 (a) WITHDRAWAL AND RESERVATION.—

1           (1) WITHDRAWAL.—Subject to valid existing  
2 rights and except as otherwise provided in this sec-  
3 tion, the public land (including the interests in land)  
4 described in paragraph (2), and all other areas with-  
5 in the boundary of the land depicted on the map de-  
6 scribed in that paragraph that may become subject  
7 to the operation of the public land laws, is with-  
8 drawn from all forms of appropriation under the  
9 public land laws (including the mining laws and the  
10 mineral leasing laws).

11           (2) DESCRIPTION OF LAND.—The public land  
12 (including interests in land) referred to in paragraph  
13 (1) is the Federal land located within the boundaries  
14 of the Naval Air Weapons Station China Lake, com-  
15 prising approximately 1,045,000 acres in Inyo,  
16 Kern, and San Bernardino Counties, California, as  
17 generally depicted on the maps entitled “Naval Air  
18 Weapons Station China Lake Withdrawal—Re-  
19 newal”, “North Range”, and “South Range”, dated  
20 March 18, 2013, and filed in accordance with sec-  
21 tion 102.

22           (3) RESERVATION.—The land withdrawn by  
23 paragraph (1) is reserved for use by the Secretary  
24 of the Navy for the following purposes:

1 (A) Use as a research, development, test,  
2 and evaluation laboratory.

3 (B) Use as a range for air warfare weap-  
4 ons and weapon systems.

5 (C) Use as a high-hazard testing and  
6 training area for aerial gunnery, rocketry, elec-  
7 tronic warfare and countermeasures, tactical  
8 maneuvering and air support, and directed en-  
9 ergy and unmanned aerial systems.

10 (D) Geothermal leasing, development, and  
11 related power production activities.

12 (E) Other defense-related purposes con-  
13 sistent with the purposes described in subpara-  
14 graphs (A) through (D) and authorized under  
15 section 104.

16 (b) MANAGEMENT OF WITHDRAWN AND RESERVED  
17 LAND.—

18 (1) MANAGEMENT BY THE SECRETARY OF THE  
19 INTERIOR.—

20 (A) IN GENERAL.—Except as provided in  
21 paragraph (2), during the period of the with-  
22 drawal and reservation of land by this section,  
23 the Secretary of the Interior shall manage the  
24 land withdrawn and reserved by this section in  
25 accordance with—

1 (i) this Act;

2 (ii) the Federal Land Policy and Man-  
3 agement Act of 1976 (43 U.S.C. 1701 et  
4 seq.); and

5 (iii) any other applicable law.

6 (B) AUTHORIZED ACTIVITIES.—To the ex-  
7 tent consistent with applicable law and Execu-  
8 tive orders, the land withdrawn by this section  
9 may be managed in a manner that permits the  
10 following activities:

11 (i) Grazing.

12 (ii) Protection of wildlife and wildlife  
13 habitat.

14 (iii) Preservation of cultural prop-  
15 erties.

16 (iv) Control of predatory and other  
17 animals.

18 (v) Recreation and education.

19 (vi) Prevention and appropriate sup-  
20 pression of brush and range fires resulting  
21 from non-military activities.

22 (vii) Geothermal leasing and develop-  
23 ment and related power production activi-  
24 ties.

1 (C) NONDEFENSE USES.—All nondefense-  
2 related uses of the land withdrawn by this sec-  
3 tion (including the uses described in subpara-  
4 graph (B)), shall be subject to any conditions  
5 and restrictions that the Secretary of the Inte-  
6 rior and the Secretary of the Navy jointly deter-  
7 mine to be necessary to permit the defense-re-  
8 lated use of the land for the purposes described  
9 in this section.

10 (D) ISSUANCE OF LEASES.—

11 (i) IN GENERAL.—The Secretary of  
12 the Interior shall be responsible for the  
13 issuance of any lease, easement, right-of-  
14 way, permit, license, or other instrument  
15 authorized by law with respect to any ac-  
16 tivity that involves geothermal resources  
17 on—

18 (I) the land withdrawn and re-  
19 served by this section; and

20 (II) any other land not under the  
21 administrative jurisdiction of the Sec-  
22 retary of the Navy.

23 (ii) CONSENT REQUIRED.—Any au-  
24 thorization issued under clause (i) shall—

1 (I) only be issued with the con-  
2 sent of the Secretary of the Navy; and

3 (II) be subject to such conditions  
4 as the Secretary of the Navy may re-  
5 quire with respect to the land with-  
6 drawn and reserved by this section.

7 (2) ASSIGNMENT TO THE SECRETARY OF THE  
8 NAVY.—

9 (A) IN GENERAL.—The Secretary of the  
10 Interior may assign the management responsi-  
11 bility, in whole or in part, for the land with-  
12 drawn and reserved by this section to the Sec-  
13 retary of the Navy.

14 (B) APPLICABLE LAW.—On assignment of  
15 the management responsibility under subpara-  
16 graph (A), the Secretary of the Navy shall man-  
17 age the land in accordance with—

18 (i) this Act;

19 (ii) title I of the Sikes Act (16 U.S.C.  
20 670a et seq.);

21 (iii) the Federal Land Policy and  
22 Management Act of 1976 (43 U.S.C. 1701  
23 et seq.);

24 (iv) cooperative management arrange-  
25 ments entered into by the Secretary of the

1 Interior and the Secretary of the Navy;  
2 and  
3 (v) any other applicable law.

4 (3) GEOTHERMAL RESOURCES.—

5 (A) IN GENERAL.—Nothing in this section  
6 or section 105 affects—

7 (i) geothermal leases issued by the  
8 Secretary of the Interior before the date of  
9 enactment of this Act; or

10 (ii) the responsibility of the Secretary  
11 of the Interior to administer and manage  
12 the leases described in clause (i), con-  
13 sistent with the provisions of this section.

14 (B) AUTHORITY OF THE SECRETARY OF  
15 THE INTERIOR.—Nothing in this section or any  
16 other provision of law prohibits the Secretary of  
17 the Interior from issuing, subject to the concur-  
18 rence of the Secretary of the Navy, and admin-  
19 istering any lease under the Geothermal Steam  
20 Act of 1970 (30 U.S.C. 1001 et seq.) and any  
21 other applicable law for the development and  
22 use of geothermal steam and associated geo-  
23 thermal resources on the land withdrawn and  
24 reserved by this section.

1           (C) APPLICABLE LAW.—Nothing in this  
2 section affects the geothermal exploration and  
3 development authority of the Secretary of the  
4 Navy under section 2917 of title 10, United  
5 States Code, with respect to the land withdrawn  
6 and reserved by this section, except that the  
7 Secretary of the Navy shall be required to ob-  
8 tain the concurrence of the Secretary of the In-  
9 terior before taking action under section 2917  
10 of title 10, United States Code.

11           (D) NAVY CONTRACTS.—On the expiration  
12 of the withdrawal and reservation of land under  
13 this section or the relinquishment of the land,  
14 any Navy contract for the development of geo-  
15 thermal resources at Naval Air Weapons Sta-  
16 tion, China Lake, in effect on the date of the  
17 expiration or relinquishment shall remain in ef-  
18 fect, except that the Secretary of the Interior,  
19 with the consent of the Secretary of the Navy,  
20 may offer to substitute a standard geothermal  
21 lease for the contract.

22           (E) CONCURRENCE OF SECRETARY OF THE  
23 NAVY REQUIRED.—Any lease issued under sec-  
24 tion 105(d) with respect to land withdrawn and



1 reserved by this section shall require the con-  
2 currence of the Secretary of the Navy, if—

3 (i) the Secretary of the Interior antici-  
4 pates the surface occupancy of the with-  
5 drawn land; or

6 (ii) the Secretary of the Interior de-  
7 termines that the proposed lease may  
8 interfere with geothermal resources on the  
9 land.

10 (4) WILD HORSES AND BURROS.—

11 (A) IN GENERAL.—The Secretary of the  
12 Navy—

13 (i) shall be responsible for the man-  
14 agement of wild horses and burros located  
15 on the land withdrawn and reserved by this  
16 section; and

17 (ii) may use helicopters and motorized  
18 vehicles for the management of the wild  
19 horses and burros.

20 (B) REQUIREMENTS.—The activities au-  
21 thorized under subparagraph (A) shall be con-  
22 ducted in accordance with laws applicable to the  
23 management of wild horses and burros on pub-  
24 lic land.

1           (C) AGREEMENT.—The Secretary of the  
2 Interior and the Secretary of the Navy shall  
3 enter into an agreement for the implementation  
4 of the management of wild horses and burros  
5 under this paragraph.

6           (5) CONTINUATION OF EXISTING AGREE-  
7 MENT.—The agreement between the Secretary of the  
8 Interior and the Secretary of the Navy entered into  
9 before the date of enactment of this Act under sec-  
10 tion 805 of the California Military Lands With-  
11 drawal and Overflights Act of 1994 (Public Law  
12 103–433; 108 Stat. 4503) shall continue in effect  
13 until the earlier of—

14           (A) the date on which the Secretary of the  
15 Interior and the Secretary of the Navy enter  
16 into a new agreement; or

17           (B) the date that is 1 year after the date  
18 of enactment of this Act.

19           (6) COOPERATION IN DEVELOPMENT OF MAN-  
20 AGEMENT PLAN.—

21           (A) IN GENERAL.—The Secretary of the  
22 Navy and the Secretary of the Interior shall up-  
23 date and maintain cooperative arrangements  
24 concerning land resources and land uses on the  
25 land withdrawn and reserved by this section.

1 (B) REQUIREMENTS.—A cooperative ar-  
2 rangement entered into under subparagraph  
3 (A) shall—

4 (i) focus on and apply to sustainable  
5 management and protection of the natural  
6 and cultural resources and environmental  
7 values found on the withdrawn and re-  
8 served land, consistent with the defense-re-  
9 lated purposes for which the land is with-  
10 drawn and reserved; and

11 (ii) include a comprehensive land use  
12 management plan that—

13 (I) integrates and is consistent  
14 with any applicable law, including—

15 (aa) title I of the Sikes Act  
16 (16 U.S.C. 670a et seq.); and

17 (bb) the Federal Land Pol-  
18 icy and Management Act of 1976  
19 (43 U.S.C. 1701 et seq.); and

20 (II) shall be—

21 (aa) annually reviewed by  
22 the Secretary of the Navy and  
23 the Secretary of the Interior; and

24 (bb) updated, as the Sec-  
25 retary of the Navy and the Sec-

1                   retary of the Interior determine  
2                   to be necessary—

3                                 (AA) to respond to  
4                                 evolving management re-  
5                                 quirements; and

6                                 (BB) to complement  
7                                 the updates of other applica-  
8                                 ble land use and resource  
9                                 management and planning.

10                 (7) IMPLEMENTING AGREEMENT.—

11                         (A) IN GENERAL.—The Secretary of the  
12                         Interior and the Secretary of the Navy may  
13                         enter into a written agreement to implement  
14                         the comprehensive land use management plan  
15                         developed under paragraph (6)(B)(ii).

16                         (B) COMPONENTS.—An agreement entered  
17                         into under subparagraph (A)—

18                                 (i) shall be for a duration that is  
19                                 equal to the period of the withdrawal and  
20                                 reservation of land under this section; and

21                                 (ii) may be amended from time to  
22                                 time.

23                 (c) TERMINATION OF PRIOR WITHDRAWALS.—

24                         (1) IN GENERAL.—Subject to paragraph (2),  
25                         the withdrawal and reservation under section 803(a)

1 of the California Military Lands Withdrawal and  
2 Overflights Act of 1994 (Public Law 103–433; 108  
3 Stat. 4502) is terminated.

4 (2) LIMITATION.—Notwithstanding the termi-  
5 nation under paragraph (1), all rules, regulations,  
6 orders, permits, and other privileges issued or grant-  
7 ed by the Secretary of the Interior or the Secretary  
8 of the Navy with respect to the land withdrawn and  
9 reserved under that section, unless inconsistent with  
10 the provisions of this section, shall remain in force  
11 until modified, suspended, overruled, or otherwise  
12 changed by—

13 (A) the Secretary of the Interior or the  
14 Secretary of the Navy (as applicable);

15 (B) a court of competent jurisdiction; or

16 (C) operation of law.

17 (d) DURATION OF WITHDRAWAL AND RESERVA-  
18 TION.—The withdrawal and reservation made by this sec-  
19 tion terminate on March 31, 2039.

20 **SEC. 202. LIMESTONE HILLS, MONTANA.**

21 (a) WITHDRAWAL AND RESERVATION OF PUBLIC  
22 LAND FOR LIMESTONE HILLS TRAINING AREA, MON-  
23 TANA.—

24 (1) WITHDRAWAL.—Subject to valid existing  
25 rights and except as otherwise provided in this sec-

1       tion, the public land (including the interests in land)  
2       described in paragraph (3), and all other areas with-  
3       in the boundaries of the land as depicted on the map  
4       provided for by paragraph (4) that may become sub-  
5       ject to the operation of the public land laws, is with-  
6       drawn from all forms of appropriation under the  
7       public land laws (including the mining laws, the  
8       mineral leasing laws, and the geothermal leasing  
9       laws).

10           (2) RESERVATION; PURPOSE.—Subject to the  
11       limitations and restrictions contained in subsection  
12       (c), the public land withdrawn by paragraph (1) is  
13       reserved for use by the Secretary of the Army for  
14       the following purposes:

15           (A) The conduct of training for active and  
16       reserve components of the Armed Forces.

17           (B) The construction, operation, and main-  
18       tenance of organizational support and mainte-  
19       nance facilities for component units conducting  
20       training.

21           (C) The conduct of training by the Mon-  
22       tana Department of Military Affairs, provided  
23       that the training does not interfere with the  
24       purposes specified in subparagraphs (A) and  
25       (B).

1           (D) The conduct of training by State and  
2 local law enforcement agencies, civil defense or-  
3 ganizations, and public education institutions,  
4 provided that the training does not interfere  
5 with the purposes specified in subparagraphs  
6 (A) and (B).

7           (E) Other defense-related purposes con-  
8 sistent with the purposes specified in subpara-  
9 graphs (A) through (D).

10         (3) DESCRIPTION OF LAND.—The public land  
11 (including the interests in land) referred to in para-  
12 graph (1) comprises approximately 18,644 acres in  
13 Broadwater County, Montana, generally depicted as  
14 “Proposed Land Withdrawal” on the map entitled  
15 “Limestone Hills Training Area Land Withdrawal”  
16 and dated April 10, 2013.

17         (4) INDIAN TRIBES.—

18           (A) IN GENERAL.—Nothing in this Act al-  
19 ters any rights reserved for an Indian tribe for  
20 tribal use of the public land withdrawn by para-  
21 graph (1) by treaty or Federal law.

22           (B) CONSULTATION REQUIRED.—The Sec-  
23 retary of the Army shall consult with any In-  
24 dian tribes in the vicinity of the public land  
25 withdrawn by paragraph (1) before taking any

1           action within the public land affecting tribal  
2           rights or cultural resources protected by treaty  
3           or Federal law.

4           (b) MANAGEMENT OF WITHDRAWN AND RESERVED  
5 LAND.—During the period of the withdrawal and reserva-  
6 tion specified in subsection (e), the Secretary of the Army  
7 shall manage the public land withdrawn by paragraph (1)  
8 of subsection (a) for the purposes specified in paragraph  
9 (2) of that subsection, subject to the limitations and re-  
10 strictions contained in subsection (c).

11          (c) SPECIAL RULES GOVERNING MINERALS MAN-  
12 AGEMENT.—

13           (1) INDIAN CREEK MINE.—

14           (A) IN GENERAL.—Of the land withdrawn  
15 by subsection (a)(1), locatable mineral activities  
16 in the approved Indian Creek Mine plan of op-  
17 erations, MTM-78300, shall be regulated in ac-  
18 cordance with subparts 3715 and 3809 of title  
19 43, Code of Federal Regulations.

20           (B) RESTRICTIONS ON SECRETARY OF THE  
21 ARMY.—

22           (i) IN GENERAL.—The Secretary of  
23 the Army shall make no determination that  
24 the disposition of, or exploration for, min-  
25 erals as provided for in the approved plan



1 of operations described in subparagraph  
2 (A) is inconsistent with the defense-related  
3 uses of the land withdrawn under this sec-  
4 tion.

5 (ii) COORDINATION.—The coordina-  
6 tion of the disposition of and exploration  
7 for minerals with defense-related uses of  
8 the land shall be determined in accordance  
9 with procedures in an agreement provided  
10 for under paragraph (3).

11 (2) REMOVAL OF UNEXPLODED ORDNANCE ON  
12 LAND TO BE MINED.—

13 (A) REMOVAL ACTIVITIES.—

14 (i) IN GENERAL.—Subject to the  
15 availability of funds appropriated for such  
16 purpose, the Secretary of the Army shall  
17 remove unexploded ordnance on land with-  
18 drawn by subsection (a)(1) that is subject  
19 to mining under paragraph (1), consistent  
20 with applicable Federal and State law.

21 (ii) PHASES.—The Secretary of the  
22 Army may provide for the removal of  
23 unexploded ordnance in phases to accom-  
24 modate the development of the Indian  
25 Creek Mine under paragraph (1).

1 (B) REPORT ON REMOVAL ACTIVITIES.—

2 (i) IN GENERAL.—The Secretary of  
3 the Army shall annually submit to the Sec-  
4 retary of the Interior a report regarding  
5 any unexploded ordnance removal activities  
6 conducted during the previous fiscal year  
7 in accordance with this paragraph.

8 (ii) INCLUSIONS.—The report under  
9 clause (i) shall include—

10 (I) a description of the amounts  
11 expended for unexploded ordnance re-  
12 moval on the land withdrawn by sub-  
13 section (a)(1) during the period cov-  
14 ered by the report; and

15 (II) the identification of the land  
16 cleared of unexploded ordnance and  
17 approved for mining activities by the  
18 Secretary of the Interior under this  
19 paragraph.

20 (3) IMPLEMENTATION AGREEMENT FOR MINING  
21 ACTIVITIES.—

22 (A) IN GENERAL.—The Secretary of the  
23 Interior and the Secretary of the Army shall  
24 enter into an agreement to implement this sub-  
25 section with respect to the coordination of de-

1 fense-related uses and mining and the ongoing  
2 removal of unexploded ordnance.

3 (B) DURATION.—The duration of an  
4 agreement entered into under subparagraph (A)  
5 shall be equal to the period of the withdrawal  
6 under subsection (a)(1), but may be amended  
7 from time to time.

8 (C) REQUIREMENTS.—The agreement shall  
9 provide the following:

10 (i) That Graymont Western US, Inc.,  
11 or any successor or assign of the approved  
12 Indian Creek Mine mining plan of oper-  
13 ations, MTM-78300, shall be invited to be  
14 a party to the agreement.

15 (ii) Provisions regarding the day-to-  
16 day joint-use of the Limestone Hills Train-  
17 ing Area.

18 (iii) Provisions addressing periods  
19 during which military and other authorized  
20 uses of the withdrawn land will occur.

21 (iv) Provisions regarding when and  
22 where military use or training with explo-  
23 sive material will occur.

24 (v) Provisions regarding the sched-  
25 uling of training activities conducted with-

1 in the withdrawn land that restrict mining  
2 activities.

3 (vi) Procedures for deconfliction with  
4 mining operations, including parameters  
5 for notification and resolution of antici-  
6 pated changes to the schedule.

7 (vii) Procedures for access through  
8 mining operations covered by this section  
9 to training areas within the boundaries of  
10 the Limestone Hills Training Area.

11 (viii) Procedures for scheduling of the  
12 removal of unexploded ordnance.

13 (4) EXISTING MEMORANDUM OF AGREE-  
14 MENT.—Until the date on which the agreement  
15 under paragraph (3) becomes effective, the compat-  
16 ible joint use of the land withdrawn and reserved by  
17 subsection (a)(1) shall be governed, to the extent  
18 compatible, by the terms of the 2005 Memorandum  
19 of Agreement among the Montana Army National  
20 Guard, Graymont Western US, Inc., and the Bureau  
21 of Land Management.

22 (d) GRAZING.—

23 (1) ISSUANCE AND ADMINISTRATION OF PER-  
24 MITS AND LEASES.—The Secretary of the Interior  
25 shall manage the issuance and administration of

1 grazing permits and leases, including the renewal of  
2 permits and leases, on the public land withdrawn by  
3 subsection (a)(1), consistent with all applicable laws  
4 (including regulations) and policies of the Secretary  
5 of the Interior relating to the permits and leases.

6 (2) SAFETY REQUIREMENTS.—With respect to  
7 any grazing permit or lease issued after the date of  
8 enactment of this Act for land withdrawn by sub-  
9 section (a)(1), the Secretary of the Interior and the  
10 Secretary of the Army shall jointly establish proce-  
11 dures that—

12 (A) are consistent with Department of the  
13 Army explosive and range safety standards; and

14 (B) provide for the safe use of the with-  
15 drawn land.

16 (3) ASSIGNMENT.—The Secretary of the Inte-  
17 rior may, with the agreement of the Secretary of the  
18 Army, assign the authority to issue and to admin-  
19 ister grazing permits and leases to the Secretary of  
20 the Army, except that the assignment may not in-  
21 clude the authority to discontinue grazing on the  
22 land withdrawn by subsection (a)(1).

23 (e) DURATION OF WITHDRAWAL AND RESERVA-  
24 TION.—The withdrawal of public land by subsection (a)(1)  
25 shall terminate on March 31, 2039.

1 **SEC. 203. CHOCOLATE MOUNTAIN, CALIFORNIA.**

2 (a) WITHDRAWAL AND RESERVATION.—

3 (1) WITHDRAWAL.—Subject to valid existing  
4 rights and except as otherwise provided in this sec-  
5 tion, the public land (including the interests in land)  
6 described in paragraph (2), and all other areas with-  
7 in the boundary of the land depicted on the map de-  
8 scribed in that paragraph that become subject to the  
9 operation of the public land laws, is withdrawn from  
10 all forms of appropriation under the public land laws  
11 (including the mining laws, the mineral leasing laws,  
12 and the geothermal leasing laws).

13 (2) DESCRIPTION OF LAND.—The public land  
14 (including the interests in land) referred to in para-  
15 graph (1) is the Federal land comprising approxi-  
16 mately 228,324 acres in Imperial and Riverside  
17 Counties, California, generally depicted on the map  
18 entitled “Chocolate Mountain Aerial Gunnery  
19 Range—Administration’s Land Withdrawal Legisla-  
20 tive Proposal Map”, dated October 30, 2013, and  
21 filed in accordance with section 102.

22 (3) RESERVATION.—The land withdrawn by  
23 paragraph (1) is reserved for use by the Secretary  
24 of the Navy for the following purposes:

1 (A) Testing and training for aerial bomb-  
2 ing, missile firing, tactical maneuvering, and air  
3 support.

4 (B) Small unit ground forces training, in-  
5 cluding artillery firing, demolition activities,  
6 and small arms field training.

7 (C) Other defense-related purposes con-  
8 sistent with the purposes that are—

9 (i) described in subparagraphs (A)  
10 and (B); and

11 (ii) authorized under section 104.

12 (b) MANAGEMENT OF WITHDRAWN AND RESERVED  
13 LAND.—

14 (1) MANAGEMENT BY THE SECRETARY OF THE  
15 INTERIOR.—Except as provided in paragraph (2),  
16 during the period of the withdrawal and reservation  
17 of land by this section, the Secretary of the Interior  
18 shall manage the land withdrawn and reserved by  
19 this section in accordance with—

20 (A) this Act;

21 (B) the Federal Land Policy and Manage-  
22 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

23 (C) any other applicable law.

24 (2) ASSIGNMENT OF MANAGEMENT TO THE  
25 SECRETARY OF THE NAVY.—

1 (A) IN GENERAL.—The Secretary of the  
2 Interior may assign the management responsi-  
3 bility, in whole or in part, for the land with-  
4 drawn and reserved by this section to the Sec-  
5 retary of the Navy.

6 (B) ACCEPTANCE.—If the Secretary of the  
7 Navy accepts the assignment of responsibility  
8 under subparagraph (A), the Secretary of the  
9 Navy shall manage the land in accordance  
10 with—

11 (i) this Act;

12 (ii) title I of the Sikes Act (16 U.S.C.  
13 670a et seq.); and

14 (iii) any other applicable law.

15 (3) IMPLEMENTING AGREEMENT.—The Sec-  
16 retary of the Interior and the Secretary of the Navy  
17 may enter into a written agreement—

18 (A) that implements the assignment of  
19 management responsibility under paragraph  
20 (2);

21 (B) the duration of which shall be equal to  
22 the period of the withdrawal and reservation of  
23 the land under this section; and

24 (C) that may be amended from time to  
25 time.



1           (4) ACCESS AGREEMENT.—The Secretary of the  
2 Interior and the Secretary of the Navy may enter  
3 into a written agreement to address access to and  
4 maintenance of Bureau of Reclamation facilities lo-  
5 cated within the boundary of the Chocolate Moun-  
6 tain Aerial Gunnery Range.

7           (c) ACCESS.—Notwithstanding section 103, the land  
8 withdrawn and reserved by this section (other than the  
9 land comprising the Bradshaw Trail) shall be—

10           (1) closed to the public and all uses (other than  
11 the uses authorized by subsection (a)(3) or under  
12 section 104); and

13           (2) subject to any conditions and restrictions  
14 that the Secretary of the Navy determines to be nec-  
15 essary to prevent any interference with the uses au-  
16 thorized by subsection (a)(3) or under section 104.

17           (d) DURATION OF WITHDRAWAL AND RESERVA-  
18 TION.—The withdrawal and reservation made by this sec-  
19 tion terminates on March 31, 2039.

20 **SEC. 204. TWENTYNINE PALMS, CALIFORNIA.**

21           (a) WITHDRAWAL AND RESERVATION.—

22           (1) WITHDRAWAL.—Subject to valid existing  
23 rights and except as otherwise provided in this sec-  
24 tion, the public land (including the interests in land)  
25 described in paragraph (2), and all other areas with-

1 in the boundary of the land depicted on the map de-  
2 scribed in that paragraph that may become subject  
3 to the operation of the public land laws, is with-  
4 drawn from all forms of appropriation under the  
5 public land laws, including the mining laws, the min-  
6 eral leasing laws, and the geothermal leasing laws.

7 (2) DESCRIPTION OF LAND.—The public land  
8 (including the interests in land) referred to in para-  
9 graph (1) is the Federal land comprising approxi-  
10 mately 150,928 acres in San Bernardino County,  
11 California, generally depicted on the map entitled  
12 “MCAGCC 29 Palms Expansion Map”, dated No-  
13 vember 13, 2013 (3 sheets), and filed in accordance  
14 with section 102, which are divided into the fol-  
15 lowing 2 areas:

16 (A) The Exclusive Military Use Area, di-  
17 vided into 4 areas, consisting of—

18 (i) 1 area to the west of the Marine  
19 Corps Air Ground Combat Center, con-  
20 sisting of approximately 91,293 acres;

21 (ii) 1 area south of the Marine Corps  
22 Air Ground Combat Center, consisting of  
23 approximately 19,704 acres; and

24 (iii) 2 other areas, each measuring ap-  
25 proximately 300 meters square (approx-

1                   mately 22 acres), located inside the bound-  
2                   aries of the Shared Use Area described in  
3                   subparagraph (B), totaling approximately  
4                   44 acres.

5                   (B) The Shared Use Area, consisting of  
6                   approximately 40,931 acres.

7                   (3) RESERVATION FOR SECRETARY OF THE  
8                   NAVY.—The land withdrawn by paragraph (2)(A) is  
9                   reserved for use by the Secretary of the Navy for the  
10                  following purposes:

11                  (A) Sustained, combined arms, live-fire,  
12                  and maneuver field training for large-scale Ma-  
13                  rine air ground task forces.

14                  (B) Individual and unit live-fire training  
15                  ranges.

16                  (C) Equipment and tactics development.

17                  (D) Other defense-related purposes that  
18                  are—

19                          (i) consistent with the purposes de-  
20                          scribed in subparagraphs (A) through (C);  
21                          and

22                          (ii) authorized under section 104.

23                  (4) RESERVATION FOR SECRETARY OF THE IN-  
24                  TERIOR.—The land withdrawn by paragraph (2)(B)  
25                  is reserved—

1 (A) for use by the Secretary of the Navy  
2 for the purposes described in paragraph (3);  
3 and

4 (B) for use by the Secretary of the Interior  
5 for the following purposes:

6 (i) Public recreation—

7 (I) during any period in which  
8 the land is not being used for military  
9 training; and

10 (II) as determined to be suitable  
11 for public use.

12 (ii) Natural resources conservation.

13 (b) MANAGEMENT OF WITHDRAWN AND RESERVED  
14 LAND.—

15 (1) MANAGEMENT BY THE SECRETARY OF THE  
16 NAVY.—Except as provided in paragraph (2), during  
17 the period of withdrawal and reservation of land by  
18 this section, the Secretary of the Navy shall manage  
19 the land withdrawn and reserved by this section for  
20 the purposes described in subsection (a)(3), in ac-  
21 cordance with—

22 (A) an integrated natural resources man-  
23 agement plan prepared and implemented under  
24 title I of the Sikes Act (16 U.S.C. 670a et  
25 seq.);

1 (B) this Act;

2 (C) a programmatic agreement between  
3 the Marine Corps and the California State His-  
4 toric Preservation Officer regarding operation,  
5 maintenance, training, and construction at the  
6 United States Marine Air Ground Task Force  
7 Training Command, Marine Corps Air Ground  
8 Combat Center, Twentynine Palms, California;  
9 and

10 (D) any other applicable law.

11 (2) MANAGEMENT BY THE SECRETARY OF THE  
12 INTERIOR.—

13 (A) IN GENERAL.—Except as provided in  
14 subparagraph (B), during the period of with-  
15 drawal and reservation of land by this section,  
16 the Secretary of the Interior shall manage the  
17 area described in subsection (a)(2)(B).

18 (B) EXCEPTION.—Twice a year during the  
19 period of withdrawal and reservation of land by  
20 this section, there shall be a 30-day period dur-  
21 ing which the Secretary of the Navy shall—

22 (i) manage the area described in sub-  
23 section (a)(2)(B); and

1 (ii) exclusively use the area described  
2 in subsection (a)(2)(B) for military train-  
3 ing purposes.

4 (C) APPLICABLE LAW.—The Secretary of  
5 the Interior, during the period of the manage-  
6 ment by the Secretary of the Interior under  
7 subparagraph (A), shall manage the area de-  
8 scribed in subsection (a)(2)(B) for the purposes  
9 described in subsection (a)(4), in accordance  
10 with—

11 (i) the Federal Land Policy and Man-  
12 agement Act of 1976 (43 U.S.C. 1701 et  
13 seq.); and

14 (ii) any other applicable law.

15 (D) SECRETARY OF THE NAVY.—

16 (i) IN GENERAL.—The Secretary of  
17 the Navy, during the period of the man-  
18 agement by the Secretary of the Navy  
19 under subparagraph (A), shall manage the  
20 area described in subsection (a)(2)(B) for  
21 the purposes described in subsection  
22 (a)(3), in accordance with—

23 (I) an integrated natural re-  
24 sources management plan prepared  
25 and implemented in accordance with

1 title I of the Sikes Act (16 U.S.C.  
2 670a et seq.);

3 (II) this Act;

4 (III) the programmatic agree-  
5 ment described in paragraph (1)(C);  
6 and

7 (IV) any other applicable law.

8 (ii) LIMITATION.—The Department of  
9 the Navy shall not fire dud-producing ord-  
10 nance onto the land withdrawn by sub-  
11 section (a)(2)(B).

12 (3) PUBLIC ACCESS.—

13 (A) IN GENERAL.—Notwithstanding sec-  
14 tion 103, the area described in subsection  
15 (a)(2)(A) shall be closed to all public access un-  
16 less otherwise authorized by the Secretary of  
17 the Navy.

18 (B) PUBLIC RECREATIONAL USE.—

19 (i) IN GENERAL.—The area described  
20 in subsection (a)(2)(B) shall be open to  
21 public recreational use during the period in  
22 which the area is under the management  
23 of the Secretary of the Interior, if there is  
24 a determination by the Secretary of the

1 Navy that the area is suitable for public  
2 use.

3 (ii) DETERMINATION.—A determina-  
4 tion of suitability under clause (i) shall not  
5 be withheld without a specified reason.

6 (C) RESOURCE MANAGEMENT GROUP.—

7 (i) IN GENERAL.—The Secretary of  
8 the Navy and the Secretary of the Interior,  
9 by agreement, shall establish a Resource  
10 Management Group comprised of rep-  
11 resentatives of the Departments of the In-  
12 terior and Navy.

13 (ii) DUTIES.—The Resource Manage-  
14 ment Group established under clause (i)  
15 shall—

16 (I) develop and implement a pub-  
17 lic outreach plan to inform the public  
18 of the land uses changes and safety  
19 restrictions affecting the land; and

20 (II) advise the Secretary of the  
21 Interior and the Secretary of the  
22 Navy with respect to the issues associ-  
23 ated with the multiple uses of the  
24 area described in subsection  
25 (a)(2)(B).



1 (iii) MEETINGS.—The Resource Man-  
2 agement Group established under clause (i)  
3 shall—

4 (I) meet at least once a year; and

5 (II) solicit input from relevant  
6 State agencies, private off-highway ve-  
7 hicle interest groups, event managers,  
8 environmental advocacy groups, and  
9 others relating to the management  
10 and facilitation of recreational use  
11 within the area described in sub-  
12 section (a)(2)(B).

13 (D) MILITARY TRAINING.—

14 (i) NOT CONDITIONAL.—Military  
15 training within the area described in sub-  
16 section (a)(2)(B) shall not be conditioned  
17 on, or precluded by—

18 (I) the lack of a recreation man-  
19 agement plan or land use manage-  
20 ment plan for the area described in  
21 subsection (a)(2)(B) developed and  
22 implemented by the Secretary of the  
23 Interior; or

24 (II) any legal or administrative  
25 challenge to a recreation management

1 plan or land use plan developed under  
2 subclause (I).

3 (ii) MANAGEMENT.—The area de-  
4 scribed in subsection (a)(2)(B) shall be  
5 managed in a manner that does not com-  
6 promise the ability of the Department of  
7 the Navy to conduct military training in  
8 the area.

9 (4) IMPLEMENTATION AGREEMENT.—

10 (A) IN GENERAL.—The Secretary of the  
11 Interior and the Secretary of the Navy shall  
12 enter into a written agreement to implement  
13 the management responsibilities of the respec-  
14 tive Secretaries with respect to the area de-  
15 scribed in subsection (a)(2)(B).

16 (B) COMPONENTS.—The agreement en-  
17 tered into under subparagraph (A)—

18 (i) shall be of a duration that is equal  
19 to the period of the withdrawal and res-  
20 ervation of land under this section;

21 (ii) may be amended from time to  
22 time;

23 (iii) may provide for the integration of  
24 the management plans required of the Sec-

1           retary of the Interior and the Secretary of  
2           the Navy by this section;

3                   (iv) may provide for delegation to ci-  
4           vilian law enforcement personnel of the  
5           Department of the Navy of the authority  
6           of the Secretary of the Interior to enforce  
7           the laws relating to protection of natural  
8           and cultural resources and fish and wild-  
9           life; and

10                   (v) may provide for the Secretary of  
11           the Interior and the Secretary of the Navy  
12           to share resources so as to most efficiently  
13           and effectively manage the area described  
14           in subsection (a)(2)(B).

15           (5) JOHNSON VALLEY OFF-HIGHWAY VEHICLE  
16           RECREATION AREA.—

17                   (A) DESIGNATION.—The following areas  
18           are designated as the “Johnson Valley Off-  
19           Highway Vehicle Recreation Area”:

20                   (i) Approximately 45,000 acres (as  
21           depicted on the map referred to in sub-  
22           section (a)(2)) of the existing Bureau of  
23           Land Management-designated Johnson  
24           Valley Off-Highway Vehicle Area that is

1 not withdrawn and reserved for defense-re-  
2 lated uses by this section.

3 (ii) The area described in subsection  
4 (a)(2)(B).

5 (B) AUTHORIZED ACTIVITIES.—To the ex-  
6 tent consistent with applicable Federal law (in-  
7 cluding regulations) and this section, any au-  
8 thorized recreation activities and use designa-  
9 tion in effect on the date of enactment of this  
10 Act and applicable to the Johnson Valley Off-  
11 Highway Vehicle Recreation Area may continue,  
12 including casual off-highway vehicular use and  
13 recreation.

14 (C) ADMINISTRATION.—The Secretary of  
15 the Interior shall administer the Johnson Valley  
16 Off-Highway Vehicle Recreation Area (other  
17 than the portion of the area described in sub-  
18 section (a)(2)(B) that is being managed in ac-  
19 cordance with the other provisions of this sec-  
20 tion), in accordance with—

21 (i) the Federal Land Policy and Man-  
22 agement Act of 1976 (43 U.S.C. 1701 et  
23 seq.); and

24 (ii) any other applicable law.

1           (D) TRANSIT.—In coordination with the  
2           Secretary of the Interior, the Secretary of the  
3           Navy may authorize transit through the John-  
4           son Valley Off-Highway Vehicle Recreation  
5           Area for defense-related purposes supporting  
6           military training (including military range man-  
7           agement and management of exercise activities)  
8           conducted on the land withdrawn and reserved  
9           by this section.

10       (c) DURATION OF WITHDRAWAL AND RESERVA-  
11       TION.—The withdrawal and reservation made by this sec-  
12       tion terminate on March 31, 2039.

13       **SEC. 205. WHITE SANDS MISSILE RANGE AND FORT BLISS.**

14       (a) WITHDRAWAL.—

15           (1) IN GENERAL.—Subject to valid existing  
16           rights and paragraph (3), the Federal land described  
17           in paragraph (2) is withdrawn from—

18           (A) entry, appropriation, and disposal  
19           under the public land laws;

20           (B) location, entry, and patent under the  
21           mining laws; and

22           (C) operation of the mineral leasing, min-  
23           eral materials, and geothermal leasing laws.

1           (2) DESCRIPTION OF FEDERAL LAND.—The  
2 Federal land referred to in paragraph (1) consists  
3 of—

4           (A) the approximately 5,100 acres of land  
5 depicted as “Parcel 1” on the map entitled  
6 “White Sands Missile Range/Fort Bliss/BLM  
7 Land Transfer and Withdrawal” and dated  
8 April 3, 2012 (referred to in this section as the  
9 “map”);

10          (B) the approximately 37,600 acres of land  
11 depicted as “Parcel 2”, “Parcel 3”, and “Par-  
12 cel 4” on the map; and

13          (C) any land or interest in land that is ac-  
14 quired by the United States within the bound-  
15 aries of the parcels described in subparagraph  
16 (B).

17          (3) LIMITATION.—Notwithstanding paragraph  
18 (1), the land depicted as “Parcel 4” on the map is  
19 not withdrawn for purposes of the issuance of oil  
20 and gas pipeline rights-of-way.

21          (b) RESERVATION.—The Federal land described in  
22 subsection (a)(2)(A) is reserved for use by the Secretary  
23 of the Army for military purposes in accordance with Pub-  
24 lic Land Order 833, dated May 27, 1952 (17 Fed. Reg.  
25 4822).

1           (c) REVOCATION OF WITHDRAWAL.—Effective on the  
2 date of enactment of this Act—

3           (1) Public Land Order 833, dated May 21,  
4 1952 (17 Fed. Reg. 4822), is revoked with respect  
5 to the approximately 2,050 acres of land generally  
6 depicted as “Parcel 2” on the map; and

7           (2) the land described in paragraph (1) shall be  
8 managed by the Secretary of the Interior as public  
9 land, in accordance with—

10           (A) the Federal Land Policy and Manage-  
11 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

12           (B) any other applicable laws.