SEC.___. AUTHORITY FOR THE TRANSFER OF FEDERAL LANDS WITHIN THE SHARED USE AREA OF THE MARINE CORPS AIR GROUND COMBAT CENTER, TWENTYNINE PALMS, CALIFORNIA, AND AUTHORITY FOR THE TRANSFER OF FEDERAL LANDS WITHIN MARINE CORPS AIR STATION YUMA, ARIZONA

(a) TRANSFER OF LANDS UNDER THE ADMINISTRATIVE JURISDICTION OF THE DEPARTMENT OF THE NAVY.—

(1) AUTHORITY.—The Secretary of the Navy may transfer to the Secretary of the Interior, at no cost, administrative jurisdiction of approximately 2,105 acres of non-contiguous parcels of land acquired or to be acquired by the Department of the Navy within the Shared Use Area of the Marine Corps Air Ground Combat Center, created by section 2941 of the National Defense Authorization Act for Fiscal Year 2014.

(2) CONDITIONS.—Any transfer of land under this subsection is subject to the following conditions:

(A) The Secretary of the Interior and the Secretary of the Navy shall each determine that the transfer is to the benefit of their respective department and in the public interest.

(B) All parcels of land to be transferred shall be located within the Shared Use Area of the Marine Corps Air Ground Combat Center, Twentynine Palms, California, created by section 2941 of the National Defense Authorization Act for Fiscal Year 2014.

(3) STATUS OF FEDERAL LAND AFTER TRANSFER.—Upon completion of a transfer under this subsection, any parcel received by the Secretary of the Interior shall—

(A) become public lands withdrawn and reserved under section 2941 of the National Defense Authorization Act for Fiscal Year 2014; and

(B) be managed in accordance with section 2942 of such Act.

(b) TRANSFER OF LANDS UNDER THE ADMINISTRATIVE JURISDICTION OF THE DEPARTMENT OF THE INTERIOR.—

(1) AUTHORITY.—The Secretary of the Interior may transfer to the Secretary of the Navy, at no cost, administrative jurisdiction of approximately 256 acres of non-contiguous parcels of land within Marine Corps Air Station Yuma, Arizona, that are used, on the day preceding the date of the enactment of this Act, by the Department of the Navy pursuant to any of the following:

(A) Public Land Order Number 2766 of August 28, 1962.

(B) Expired Public Land Order Number 6804 of October 16, 1990.

(C) Memorandum of Understanding 14-06-300-1266 of July 5, 1962, between the Department of the Interior and the Department of the Navy.

(2) CONDITIONS.—Any transfer of land under this subsection is subject to the following conditions:

(A) The Secretary of the Interior and the Secretary of the Navy shall each determine that the transfer is to the benefit of their respective department and in the public interest.

(B) All parcels of land to be transferred shall be located within the boundary of Marine Corps Air Station Yuma as the boundary existed on the day before the date of the enactment of this Act.

(3) STATUS OF FEDERAL LAND AFTER TRANSFER.—(A) Upon completion of a transfer under this subsection, any parcel received by the Secretary of the Navy shall cease to be public land and shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the Navy.

(B)(i) Any such parcel shall be withdrawn from—

(I) all forms of entry, appropriation, or disposal under the public land laws;

(II) location, entry, and patent under the mining laws; and

(III) disposition under all laws relating to mineral materials and to mineral and geothermal leasing.

(II) Any such parcel shall be withdrawn for as long as the land is under the administrative jurisdiction of the Secretary of a military department.

Section-by-Section Analysis

This proposal would allow the Secretary of the Navy to transfer acquired State and privately owned lands within the Shared Use Area (as described below) to the Secretary of the Interior for inclusion as public lands withdrawn and reserved by section 2941 of the National Defense Authorization Act for Fiscal Year 2014. The proposal would also allow the Department of the Interior to transfer certain parcels of land at Marine Corps Air Station Yuma to the Department of the Navy. In each instance, the transfers would allow more rational and uniform management of the lands involved so that these "inholdings" are managed in the same manner as their surrounding lands.

The National Defense Authorization Act for Fiscal Year 2014 withdrew and reserved approximately 150,928 acres of public land in Johnson Valley for an expansion of the Marine Corps Air Ground Combat Center, Twentynine Palms, California. These areas were divided into

an Exclusive Military Use Area (one area to the west of the Combat Center, consisting of approximately 78,993 acres, and one area to the south of the Combat Center, consisting of approximately 18,704 acres), and a Shared Use Area, consisting of approximately 53,231 acres. The Shared Use Area is open for public use except during two 30-day periods each year when it is exclusively used for military training purposes. Scattered throughout the Shared Use Area are non-contiguous parcels of State and privately owned land, consisting of approximately 2,105 acres.

Congress has previously provided the Secretary of the Navy funding for the acquisition of these State and privately owned lands within the Shared Use Area. These acquisitions are ongoing.

Subsection (a)(1) provides the authority for the Secretary of the Navy to transfer Federal land located within the Shared Use Area of the Marine Corps Air Ground Combat Center, Twentynine Palms, California, to the Secretary of the Interior.

Subsection (a)(2) lists conditions for the transfers.

Subsection (a)(3) addresses the status of the Federal land after a transfer. Parcels received by the Secretary of the Interior would become public land withdrawn and reserved under section 2941 of the National Defense Authorization Act for Fiscal Year 2014.

This proposal allows the DON to avoid the costs of management of these lands for public use. Under the current land withdrawal, lands within the Shared Use Area must be managed for public recreation when not used for military purposes. Withdrawn lands will continue to be managed by the Bureau of Land Management (BLM) for public use when not used for military purposes. Lands acquired by the DON would have to be separately managed by the DON for public use when not used for military purposes. Transfer of these lands to the BLM allows the DON to avoid incurring costs associated with public use management and allows the BLM to manage them uniformly with the adjacent public lands, ensuring consistent management for public use.

Marine Corps Air Station Yuma was created in 1956 with the transfer of Vincent Air Force Base from the Secretary of the Air Force to the Secretary of the Navy. As is the case with Twentynine Palms, the parcels at Yuma are “inholding” within the greater installation, but in this case under the administrative jurisdiction of the Department of the Interior while the remainder of the installation is under DON jurisdiction. As part of the original transfer from the Air Force, the custody of two parcels totaling 37 acres that were withdrawn by the Department of the Air Force was transferred to the DON. One of these administrative withdrawals expired in October 2010. The DON has been working with the Department of the Interior to extend this withdrawal. In addition, to secure the clear zones associated with the runways, the DON signed a Memorandum of Understanding in 1962 with the Department of the Interior that placed custody of 219 acres with the Marine Corps.

Subsection (b) provides authority for the Department of the Interior to transfer administrative jurisdiction to the DON of 256 acres of non-contiguous parcels of land within

Marine Corps Air Station Yuma. Navy currently has custody of the 256 acres via several different mechanisms: 51 acres via 2 indefinite withdrawals, 27 acres via a right-of-way, and 178 acres via a Memorandum of Understanding with the Bureau of Reclamation. Collectively, these various instruments require the DON to manage the 256 acres. All but 41 acres are behind the secure perimeter of the installation; the 41 acres outside the secure perimeter are within the Accident Potential Zone for runway operations.

Budget Implications: There are small budget increases associated with this proposal. While the land transfers are at no cost, the table below details resource requirements associated with this proposal. The transfer of administrative jurisdiction results in the land being retained by the U.S. Government; it merely transfers authority for management of the land between the Departments of the Interior and the Navy, so as to be consistent with the surrounding withdrawn lands.

Given that Marine Corps Air Ground Combat Center, Twentynine Palms encompasses over 900 square miles of land, the DON estimates that the cost associated with management of an additional 2,105 acres is de minimis. If an ongoing survey concludes that these 2,105 acres are habitat for the endangered desert tortoise, DON environmental planners estimate that increased management costs would be an additional $5,000.00 per year.

The DON currently has custody of and manages the 256 acres which are addressed by that section of the proposal dealing with Marine Corps Air Station Yuma via several different mechanisms: 51 acres via 2 indefinite withdrawals, 27 acres via a right-of-way, and 178 acres via a memorandum of understanding with the Bureau of Reclamation. Each of these various instruments requires the DON to manage the land. Consequently, the DON does not estimate any additional costs associated with the assumption of administrative jurisdiction over these 256 acres.

This proposal is funded in the FY 2019 President's Budget request.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2019	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Transfer of Administration Jurisdiction, MCAGCC Twentynine Palms	<$0.01	<$0.01	<$0.01	<$0.01	<$0.01	O&M,MC	N/A	N/A	N/A
Transfer of Administrative Jurisdiction, MCAS Yuma	$0.00	$0.00	$0.00	$0.00	$0.00	O&M,MC	N/A	N/A	N/A
Total	<$0.01	<$0.01	<$0.01	<$0.01	<$0.01	O&M, MC	--	--	--

Changes to Existing Law: This proposal does not make any changes to existing law.