SEC. __. MILITARY LAND WITHDRAWAL FOR FALLON RANGE TRAINING COMPLEX.

The Military Land Withdrawals Act of 2013 (title XXIX of division B of Public Law 113–66) is amended by adding at the end the following new subtitle:

"Subtitle G – Fallon Range Training Complex, Nevada

"SEC. 2981. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

"(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subtitle, the lands established at the B–16, B–17, B–19, and B–20 Ranges, as referred to in subsection (b), and all other areas within the boundary of such lands as depicted on the map referred to in such paragraph, which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws. The lands and interests in lands within the boundaries established at the Dixie Valley Training Area, as referred to in subsection (b), are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, but not the geothermal and mineral leasing laws.

"(b) DESCRIPTION OF LAND.—The public lands and interests in lands withdrawn and reserved by this subsection comprise of approximately 802,326 acres of land in Churchill County, Lyon County, Mineral County, Pershing County, and Nye County, Nevada, as generally depicted as ''Proposed Withdrawal Land'' and ''Existing Withdrawals'' on the map entitled ''Naval Air Station Fallon Ranges—Proposed Withdrawal of Public Lands for Range Safety and Training Purposes'', dated March 22, 2019, and filed in accordance with section 2912. The ranges in the Fallon Range Training Complex described in this subsection are identified as B-16, B-17, B-19, B-20, Dixie Valley Training Area and the Shoal Site.

"(c) PURPOSE OF WITHDRAWAL AND RESERVATION.—The land withdrawn by subsections (a) and (b) are reserved for use by the Secretary of the Navy for—

"(1) aerial testing and training, bombing, missile firing, electronic warfare, and tactical combat maneuvering and air support;

"(2) ground combat tactical maneuvering and firing; and

"(3) other defense-related purposes that are—

"(A) consistent with the purposes specified in the preceding paragraphs; and

"(B) authorized under section 2914.

"SEC. 2982. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.

"(a) MANAGEMENT BY THE SECRETARY OF THE NAVY.—During the duration of this withdrawal, the Secretary of the Navy shall manage the land withdrawn and reserved comprising the B-16, B-17, B-19 and B-20 ranges for the purposes described in section 2981(c) in accordance with—

"(1) an Integrated Natural Resources Management Plan prepared an implemented under title I of the Sikes Act (16 U.S.C. 670a et seq.);

"(2) to the extent possible, an agreement between the Secretary of the Navy and the Governor of Nevada to accommodate hunting on portions of B-17 consistent with military training requirements;

"(3) to the extent possible, a programmatic agreement between the Navy and the Nevada State Historic Preservation Officer regarding management of historic properties as they relate to operation, maintenance, training, and construction at the Fallon Range Training Complex; and

"(4) any other applicable law.

"(b) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—

"(1) IN GENERAL.—During the duration of this withdrawal, the Secretary of the Interior shall manage the land withdrawn and reserved comprising the Dixie Valley Training Area and the Shoal Site for the purposes described in section 2981(c) in accordance with—

"(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

"(B) any other applicable law.

"(2) CONSULTATION WITH SECRETARY OF THE NAVY.—Prior to taking any Federal action approving any use within the land withdrawn, the Secretary of the Interior shall consult with the Secretary of the Navy. Such consultation shall include—

"(A) informing the Secretary of the Navy of the pending authorization request so the Secretary of the Navy may work with the Secretary of the Interior to preserve the training environment.

"(B) prior to authorizing approval of any installation or use of mobile or stationary equipment used to transmit and receive radio signals in the land withdrawn, obtaining permission from the Secretary of the Navy for the use of such equipment.

"(3) AGREEMENT.—The Secretary of the Navy and the Secretary of the Interior shall enter into an agreement governing the roles and responsibilities for reviewing and approving Federal actions to be granted by the Secretary of the Interior in the Dixie Valley Training Area and Shoal Site.

“SEC. 2983. RELATIONSHIP TO OTHER RESERVATIONS.

“(a) B–16 RANGE.—To the extent the withdrawal and reservation made by section 2981 for the B–16 Range withdraws lands currently withdrawn and reserved for use by the Bureau of Reclamation, the reservation made by such section shall be the primary reservation for public safety management actions only, and the existing Bureau of Reclamation reservation shall be the primary reservation for all other management actions. The Secretary of the Navy shall enter into an agreement with the Secretary of the Interior to ensure continued access to the B-16 Range by the Bureau of Reclamation to conduct management activities consistent with the purposes for which the Bureau of Reclamation withdrawal was established.

“(b) B-20 RANGE.—

“(1) EXISTING WITHDRAWAL FOR UNITED STATES FISH AND WILDLIFE SERVICE USE.—To the extent the withdrawal and reservation made by section 2981 for the B-20 Range withdraws land currently withdrawn and reserved for use by the United States Fish and Wildlife Service as part of the Fallon National Wildlife Refuge, the reservation made by such section shall be the primary reservation for public safety management actions only, and the existing United States Fish and Wildlife reservation shall be the primary reservation for all other management actions. Notwithstanding the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et. seq.), the Secretary of the Navy shall enter into an agreement with the Secretary of the Interior for the establishment and operation of a weapons danger zone that overlays a portion of the Fallon National Wildlife Refuge and to ensure continued access to the B-20 Range by the United States Fish and Wildlife Service to conduct land management activities consistent with the purposes for which the Fallon National Wildlife Refuge was established.

"(2) EXISTING WITHDRAWAL FOR BUREAU OF RECLAMATION USE.—To the extent the withdrawal and reservation made by section 2981 for the B–20 Range withdraws lands currently withdrawn and reserved for use by the Bureau of Reclamation, the reservation made by such section shall be the primary reservation for public safety management actions only, and the existing Bureau of Reclamation reservation shall be the primary reservation for all other management actions. The Secretary of the Navy shall enter into an agreement with the Secretary of the Interior to ensure continued access to the B-20 Range by the Bureau of Reclamation to conduct management activities consistent with the purposes for which the Bureau of Reclamation withdrawal was established.

"(c) SHOAL SITE.—The Secretary of Energy shall remain responsible and liable for the subsurface estate and all its activities at the 'Shoal Site' withdrawn and reserved by Public Land Order Number 2771, as amended by Public Land Order Number 2834. The Secretary of the Navy shall be responsible for the use of the surface estate at the 'Shoal Site' pursuant to the withdrawal and reservation made by section 2981.

"SEC. 2984. RELEASE OF WILDERNESS STUDY AREAS.

"(a) COMPLETION OF STUDY.—For the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in Churchill County identified as the Stillwater Wilderness Study Area, the Job Peak Wilderness Study Area, and approximately 127,670 acres of the Clan Alpine Mountain Wilderness Study Area on the map entitled 'Naval Air Station Fallon Ranges.—Proposed Withdrawal of Public Lands for Range Safety and Training Purposes', dated March 22, 2019, and filed in accordance with section 2912,

was inventoried in accordance with section 201(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711(a)), and has been adequately studied for wilderness designation.

"(b) RELEASE OF LANDS NOT RESERVED FOR NAVY USE. —Any public land referred to in subsection (a) that is not reserved for use by the Secretary of the Navy under section 2981 is no longer—

"(1) subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

"(2) withdrawn from appropriation under the public land laws, including the mining laws and mineral leasing and geothermal leasing laws.

"(c) MEMORANDUM OF UNDERSTANDING. —Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary of the Interior and Secretary of the Navy shall enter into a memorandum of understanding concerning the management of lands under this section and the approximately 78,478 acres as generally depicted on the map entitled 'Naval Air Station Fallon Ranges – Proposed Withdrawal of Public Lands for Range Safety and Training Purposes', dated March 22, 2019, and filed in accordance with Section 2912 that addresses—

"(1) location of floodlights and unshaded or unfocused nighttime lighting;

"(2) placement of head frames or any structures taller than 50 feet above the surface; and

"(3) any electromagnetic emissions.

"SEC. 2985. CLAN ALPINE MOUNTAINS WILDERNESS.

"(a) DESIGNATION. —In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), approximately 68,458 acres of the land identified as the Clan Alpine Mountains Wilderness

Study Area is designated as a wilderness area and as a component of the National Wilderness Preservation System.

"(b) LOW-LEVEL OVERFLIGHTS.—Nothing in this section shall be construed to restrict or preclude low-level overflights of military aircraft, flight testing and evaluation, or the designation or creation of new units of special use airspace or the establishment of military training routes over the wilderness area designated under subsection (a).

"SEC. 2986. TRANSFER OF LANDS UNDER THE ADMINISTRATIVE JURISDICTION OF THE DEPARTMENT OF THE NAVY.

"(a) AUTHORITY.—The Secretary of the Navy may transfer to the Secretary of the Interior, at no cost, administrative jurisdiction of—

"(1) approximately 86 acres of a non-contiguous parcel of land acquired by the Department of the Navy in Churchill County, Nevada, for inclusion into the Sand Mountain Recreation Area; and

"(2) approximately 2,200 acres of non-contiguous parcels of land acquired by the Department of the Navy in Churchill County, Nevada, for inclusion into the Stillwater National Wildlife Refuge Complex.

"(b) CONDITIONS.—Any transfer of land under this section is subject to the Secretary of the Interior and the Secretary of the Navy each making a determination that such transfer is to the benefit of their respective departments and in the public interest.

"SEC. 2987. USE OF MINERAL MATERIALS

"Notwithstanding any other provision of this subtitle or of the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 601 et seq.), the Secretary of the Navy may use sand, gravel, or similar mineral materials resources of the type subject to

disposition under that Act from lands withdrawn and reserved by this subtitle if use of such resources is required for construction needs on such lands.

"SEC. 2988. TERMINATION OF PRIOR WITHDRAWAL.

"(a) TERMINATION.—Subject to subsection (b), the withdrawal and reservation under subsection 3011(a) of the Military Lands Withdrawal Act of 1999 (Public Law 106-65; 113 Stat. 512) is terminated.

"(b) LIMITATION.—Notwithstanding subsection (a), all rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of the Interior or the Secretary of the Navy with respect to the land withdrawn and reserved under section 3011 of the Military Lands Withdrawal Act of 1999, unless inconsistent with the provisions of this subtitle, shall remain in force until modified, suspended, overruled, or otherwise changed by—

"(1) the Secretary of the Interior or the Secretary of the Navy, as applicable;

"(2) a court of competent jurisdiction; or

"(3) operation of law.

"SEC. 2989. DURATION OF WITHDRAWAL AND RESERVATION.

"(a) IN GENERAL.—Subject to subsection (b), the withdrawal and reservation of public land made by section 2981 shall terminate on March 31, 2047.

"(b) EXTENSION.—

"(1) AGREEMENT.—The withdrawal and reservation of public land made by section 2981 may be extended to March 31, 2072, by mutual agreement of the Secretary of the Navy and Secretary of the Interior.

"(2) NOTICE.—The Secretary of the Navy shall provide notice to Congress of an extension under paragraph (1).".

Section-by-Section Analysis

The National Defense Authorization Act for Fiscal Year 2000 (Pub. L. 106-65) withdrew and reserved approximately 204,953 acres of public land in Churchill County, Nevada, for defense related uses as a range complex associated with Naval Air Station Fallon, Nevada. This withdrawal and reservation expires on 5 November 2021. Subsequent refinement of real property descriptions revealed the actual withdrawal area to be 202,864 acres. The range complex is used to support naval aviation aerial combat maneuvering training and weapons deployment and is used by naval aviators to meet basic, intermediate and advanced tactics, techniques, and procedures training requirements. It is also used by special operations forces for ground vehicle tactical maneuvering and live-fire training.

The current FRTC is comprised of withdrawn and fee-owned land in and around Fallon, Nevada. The land withdrawal expires on 4 November 2021 and the withdrawn land will return to the Department of the Interior (DOI) and will be unavailable for readiness training unless extended. Though essential to continued naval readiness, FRTC is too small for today's tactics, techniques and procedures. The range complex must be expanded by withdrawing an additional 602,216 acres to accommodate precision-guided munitions and SEAL ground mobility training in a tactical environment. DON determined that 1,079 acres of B-16 are not required and are being relinquished. The total withdrawal request is for 802,326 acres.

This proposal would modernize the Fallon Range Training Complex (FRTC) by adding a Subtitle to the Military Land Withdrawals Act of 2013, Title XXIX of Pub. L. 113-66. Section 2901 and 2902 and Subtitle A – General Provisions are common to all withdrawals under Title XXIX. This proposal would create a new Subtitle dedicated specifically to the unique aspects of the FRTC withdrawal. The specific sections to be added are listed below.

Section 2981 identifies the land to be withdrawn and reserved from public use.

Section 2982 provides for management of FRTC withdrawn lands. DON would be responsible for managing the land within the ordnance ranges (B-16, B-17, B-19 and B-20) under the Sikes Act. Bureau of Land Management would responsible for managing the land within the Dixie Valley Training Area and Shoal Site under the Federal Land Policy and Management Act consistent with the purposes of the military land withdrawal. This section also requires DON and Department of the Interior to enter into an agreement for review of federal actions prior to approval by the Department of the Interior.

Section 2983 establishes the relationship between the proposed FRTC land withdrawal and reservation to other reservations currently existing over portions of B-16 and B-20 held by the Bureau of Reclamation and U.S. Fish and Wildlife Service. With regard to Bureau of Reclamation withdrawals on B-16 and B-20, the section requires DON to enter into an agreement with Department of the Interior to afford Bureau of Reclamation access to the ranges to operate and maintain its water management facilities consistent with DON range and public safety requirements. With regard to U.S. Fish and Wildlife Service withdrawal on B-20, the section requires DON to enter into an agreement with the Department of the Interior to afford U.S. Fish and Wildlife access to the range to conduct refuge management operations consistent

with DON range and public safety requirements. This section indicates that the military use of the withdrawn area is consistent with the purposes for which the Fallon National Wildlife Refuge was established.

Section 2984 provides for release from Wilderness Study Area designation over the areas known as the Job Peak Wilderness Study Area and the Stillwater Range Wilderness Study Area, and the portion of the Clan Alpine Mountains Wilderness Study Area, comprising approximately 127,670 acres, that is unsuitable for wilderness designation, and requires a Memorandum of Understanding between the Secretary of the Interior and the Secretary of the Navy concerning the management of lands under this section and approximately 78,478 acres adjacent to B-17.

Section 2985 designates as wilderness that portion, comprising approximately 68,458 acres, of the Clan Alpine Mountains Wilderness Study Area that contains wilderness characteristics as determined by the Bureau of Land Management in 2000 as a Wilderness Area while preserving the ability to conduct low-level military overflight of this area.

Section 2986 allows the Secretary of the Navy to transfer administrative jurisdiction of one parcel of land consisting of 86 acres to the Secretary of the Interior in Churchill County for the purpose of incorporating the parcel into the Sand Mountain Recreation Area, which is managed by the Bureau of Land Management. The 86-acre parcel fronts U.S. Route 50 and was purchased in 1986 as part of a larger acquisition of property in Dixie Valley. This parcel is of limited value to DON, but of great value to Department of the Interior for meeting its requirements associated with the Sand Mountain Recreation Area. This section also allows the Secretary of the Navy to transfer administrative jurisdiction of several parcels of land consisting of 2,200 acres to the Secretary of the Interior in Churchill County for the purpose of incorporating these parcels into the Stillwater National Wildlife Refuge Complex. These parcels are north of the existing and proposed expansion of the Dixie Valley Training Area and were purchased in 1986 as part of a larger acquisition of property in Dixie Valley. These parcels are of limited value to DON, but of great value to the Department of Interior for meeting its requirements associated with the Fallon and Stillwater National Wildlife Refuges. Inclusion of these parcels into the Sand Mountain Recreation Area and Stillwater National Wildlife Refuge Complex is consistent with DON readiness requirements and beneficial to DON as it reduces management costs by transferring the cost of parcel management to the Department of the Interior. DON is currently spending $50,000 per year to manage these parcels.

Section 2987 provides authorization to the Department of the Navy to extract sand and gravel from the withdrawn area for its use on the withdrawn lands.

Section 2988 terminates the prior withdrawal for FRTC in the event that it is still in existence at the time this withdrawal is enacted, prior to 5 November 2021.

Section 2989 provides a termination date for the withdrawal and reservation. The date is approximately 25 years after the expected date of enactment, in the middle of the fiscal year. This firm date makes it easier to manage and plan for renewals. This section also authorizes an

extension of the withdrawal and reservation by mutual agreement of the Secretaries of the Navy and Interior.

Budget Implications: The resources impacted are reflected in the table below and are included within the Fiscal Year (FY) 2021 President's Budget Request. While acquisition of 802.326 acres of public land via land withdrawal has no budget implications, modernization of the Fallon Range Training Complex requires the acquisition of approximately 66,551 acres of non-federal land, relocation of approximately 10 miles of Nevada State Route 361 and relocation of approximately 20 miles of the Paiute Pipeline Company six-inch natural gas pipeline. In addition, expansion of the Range Complex from its current 231,069 acres to 898,758 thousand acres (an additional 667,689 acres of mostly withdrawn land but also purchased land) will result in increased management costs that will require six additional full time equivalent civilian employees, increased range operating support (e.g., electrical power, maintenance of range buildings, fencing and roads; preparation and implementation of a new Integrated Natural Resources Management Plan and Integrated Cultural Resources Management Plan; restoration of burned areas). Finally, modernization requires installation and maintenance of new target arrays, sensors and scoring systems.

RESOURCE IMPACTS ($MILLIONS)									
	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Appropriation	Budget Activity	BLI/ SAG	Program Element
Phase 1 FRTC Modernization – Land Acquisition	$ 29.04					Military Construction	01	160495442	N/A
Phase 2 FRTC Modernization – Land Acquisition		$ 48.25				Military Construction	01	160495444	N/A
Phase 3 FRTC Modernization – fencing, utilities, range support structures					$ 71.34	Military Construction	01	160495446	N/A
B-17 Range JDAM Capability – relocation of NV State Route 361 and natural gas pipeline				$ 110.80		Military Construction	01	160495444	N/A

Civilian Personnel (6 additional FTEs)	$ 0.90	$ 0.90	$ 0.91	$ 0.91	$ 0.91	Operations and Maintenance, Navy	01	BSS1	N/A
Range Facilities Maintenace (Base Operating Support) – maintenance of range facilities and restoration of burned areas	$ 2.25	$ 1.30	$ 1.34	$ 1.38	$ 1.42	Operations and Maintenance, Navy	01	BSM1	N/A
Total	$ 32.19	$ 50.45	$ 2.25	$ 113.09	$ 73.67				

PERSONNEL IMPACTS (END STRENGH OR FTEs)									
	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Appropriation	Budget Activity	BLI/ SAG	Program Element
Navy	6	6	6	6	6	Operation and Maintenance, Navy	01	BSS1	N/A
Total	6	6	6	6	6				

Changes to Existing Law: This proposal would add a new subtitle H to the Military Land Withdrawals Act of 2013, the full text of which is shown in the legislative text above.