

# Union Calendar No. 777

118TH CONGRESS  
2D SESSION

# H. R. 6070

**[Report No. 118–752, Part I]**

To amend the Military Lands Withdrawal Act of 1999 to clarify the authority of Department of Defense to conduct certain military activities at the Nevada test and training range, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2023

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

NOVEMBER 18, 2024

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

NOVEMBER 18, 2024

Referral to the Committee on Armed Services extended for a period ending not later than December 19, 2024

DECEMBER 19, 2024

Additional sponsors: Mr. HORSFORD and Ms. LEE of Nevada

DECEMBER 19, 2024

Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on October 26, 2023]

# **A BILL**

To amend the Military Lands Withdrawal Act of 1999 to clarify the authority of Department of Defense to conduct certain military activities at the Nevada test and training range, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CLARIFICATION OF AUTHORITY OF DEPART-**  
4 **MENT OF DEFENSE TO CONDUCT CERTAIN**  
5 **MILITARY ACTIVITIES AT NEVADA TEST AND**  
6 **TRAINING RANGE.**

7 *(a) SPECIFICATION OF AUTHORIZED MILITARY AC-*  
8 *TIVITIES.—Paragraph (1) of section 3011(b) of the Military*  
9 *Lands Withdrawal Act of 1999 (title XXX of the National*  
10 *Defense Authorization Act for Fiscal Year 2000; Public Law*  
11 *106–65; 113 Stat. 886) is amended—*

12 *(1) in the matter preceding subparagraph (A),*  
13 *by inserting “, subject to the conditions set forth in*  
14 *subsection (a) of section 3014” after “Secretary of the*  
15 *Air Force”;*

16 *(2) by striking “and” at the end of subpara-*  
17 *graph (C);*

18 *(3) by redesignating subparagraph (D) as sub-*  
19 *paragraph (G); and*

20 *(4) by inserting after subparagraph (C) the fol-*  
21 *lowing new subparagraphs:*

22 *“(D) for emergency response;*

23 *“(E) for the establishment and use of exist-*  
24 *ing or new electronic tracking and communica-*  
25 *tions sites, including the construction of up to 15*

1           *equipment pads, no larger than 150-by-150 feet*  
2           *in size, along existing roads to allow placement*  
3           *and operation of threat emitters;*

4           *“(F) for the use and maintenance of roads*  
5           *in existence as of January 1, 2024, to allow ac-*  
6           *cess to threat emitters and repeaters for installa-*  
7           *tion, maintenance, and periodic relocation;*  
8           *and”.*

9           **(b)           INTERAGENCY           COMMITTEE.**—*Section*  
10          *3011(b)(5)(G) of the Military Lands Withdrawal Act of*  
11          *1999 (title XXX of the National Defense Authorization Act*  
12          *for Fiscal Year 2000; Public Law 106–65) is amended—*

13                 *(1) by amending clause (i) to read as follows:*

14                         *“(i) IN GENERAL.—The Secretary of*  
15                         *the Interior and the Secretary of the Air*  
16                         *Force shall jointly establish an interagency*  
17                         *committee (referred to in this subparagraph*  
18                         *as the ‘interagency committee’) to—*

19                                 *“(I) facilitate coordination, man-*  
20                                 *age public access needs and require-*  
21                                 *ments, and minimize potential conflict*  
22                                 *between the Department of the Interior*  
23                                 *and the Department of the Air Force*  
24                                 *with respect to joint operating areas*

1                   *within the Desert National Wildlife*  
2                   *Refuge; and*

3                   “(II) *discuss the activities author-*  
4                   *ized in paragraph (1) and provide*  
5                   *input to the United States Fish and*  
6                   *Wildlife Service and the Department of*  
7                   *the Air Force when assessing whether*  
8                   *these activities may be conducted on*  
9                   *the joint operating areas within the*  
10                   *Desert National Wildlife Refuge that*  
11                   *are under the primary jurisdiction of*  
12                   *the Secretary of the Interior in a man-*  
13                   *ner that is consistent with the National*  
14                   *Wildlife Refuge System Administration*  
15                   *Act (16 U.S.C. 668dd et seq.) and other*  
16                   *applicable law.”; and*

17                   (2) *in clause (ii)—*

18                   (A) *by inserting “, including a designee of*  
19                   *the Director of the United States Fish and Wild-*  
20                   *life Service” before the period at the end of sub-*  
21                   *clause (I); and*

22                   (B) *by inserting “, including a designee of*  
23                   *the Assistant Secretary of the Air Force for En-*  
24                   *ergy, Installations, and Environment” before the*  
25                   *period at the end of subclause (II).*



1           (A) enter into a complete new operational  
2 memorandum of understanding under paragraph  
3 (5)(E) of section 3011(b) of the Military Lands  
4 Withdrawal Act of 1999 (title XXX of the Na-  
5 tional Defense Authorization Act for Fiscal Year  
6 2000; Public Law 106–65); or

7           (B) amend the current memorandum of un-  
8 derstanding in effect under that paragraph that  
9 will complete the memorandum of under-  
10 standing.

11           (2) ACCESS TO JOINT USE AREA FOR FISH AND  
12 WILDLIFE SERVICE.—The memorandum of under-  
13 standing entered into or amended under paragraph  
14 (1) shall include one or more provisions to ensure  
15 adequate access for the United States Fish and Wild-  
16 life Service to the joint use area.

17           (e) BUREAU OF LAND MANAGEMENT AND STATE OF  
18 NEVADA COOPERATIVE AGREEMENT.—Not later than 180  
19 days after the date of enactment of this Act, the Secretary  
20 of the Interior shall submit to the Committee on Energy  
21 and Natural Resources of the Senate and the Committee on  
22 Natural Resources of the House of Representatives a report  
23 that describes the status of the cooperative agreement au-  
24 thorized under section 2905(j)(6) of the James M. Inhofe

- 1 *National Defense Authorization Act for Fiscal Year 2023*
- 2 *(Public Law 117–263; 136 Stat. 3043).*





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