

Union Calendar No. 85

113TH CONGRESS
1ST SESSION

H. R. 1299

[Report No. 113–120, Part I]

To provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Army for inclusion in White Sands Missile Range, New Mexico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2013

Mr. PEARCE 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

JUNE 24, 2013

Reported from the Committee on Natural Resources with an amendment
[Strike out all after the enacting clause and insert the part printed in italic]

JUNE 24, 2013

The 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 March 20, 2013]

A BILL

To provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Army for inclusion in White Sands Missile Range, New Mexico, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “White Sands Missile*
5 *Range Security Enhancement Act”.*

6 **SEC. 2. TRANSFER OF ADMINISTRATIVE JURISDICTION,**
7 **WHITE SANDS MISSILE RANGE, NEW MEXICO.**

8 (a) *TRANSFER REQUIRED.*—*Not later than September*
9 *30, 2014, the Secretary of the Interior shall transfer to the*
10 *administrative jurisdiction of the Secretary of the Army*
11 *certain public land administered by the Bureau of Land*
12 *Management in Dona Ana County, New Mexico, consisting*
13 *of approximately 5,100 acres depicted as “Parcel 1” on the*
14 *map titled “White Sands Missile Range Land Reservation”*
15 *and dated January 4, 2013.*

16 (b) *USE OF TRANSFERRED LAND.*—*Upon the receipt*
17 *of the land under subsection (a), the Secretary of the Army*
18 *shall include the land as part of White Sands Missile*
19 *Range, New Mexico, and authorize use of the land for mili-*
20 *tary purposes.*

21 (c) *LEGAL DESCRIPTION AND MAP.*—

22 (1) *PREPARATION AND PUBLICATION.*—*The Sec-*
23 *retary of the Interior shall publish in the Federal*
24 *Register a legal description and map of the public*
25 *land to be transferred under subsection (a).*

1 (2) *FORCE OF LAW.*—*The legal description and*
2 *map filed under paragraph (1) shall have the same*
3 *force and effect as if included in this Act, except that*
4 *the Secretary of the Interior may correct errors in the*
5 *legal description.*

6 (d) *REIMBURSEMENT OF COSTS.*—*The transfer re-*
7 *quired by subsection (a) shall be made without reimburse-*
8 *ment, except that the Secretary of the Army shall reimburse*
9 *the Secretary of the Interior for any costs incurred by the*
10 *Secretary of the Interior to prepare the legal description*
11 *and map under subsection (c).*

12 (e) *TREATMENT OF GRAZING LEASES.*—*If a grazing*
13 *permit or lease exists on the date of the enactment of this*
14 *Act for any portion of the public land to be transferred*
15 *under subsection (a), the Secretary of the Interior shall*
16 *transfer or relocate the grazing allotments associated with*
17 *the permit or lease to other public land, acceptable to the*
18 *permit or lease holder, so that the grazing continues to have*
19 *the same value to the holder.*

20 **SEC. 3. WATER RIGHTS.**

21 (a) *WATER RIGHTS.*—*Nothing in this Act shall be con-*
22 *strued—*

23 (1) *to establish a reservation in favor of the*
24 *United States with respect to any water or water*
25 *right on lands transferred by this Act; or*

1 (2) *to authorize the appropriation of water on*
2 *lands transferred by this Act except in accordance*
3 *with applicable State law.*

4 **(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED**
5 **WATER RIGHTS.**—*This section shall not be construed to af-*
6 *fect any water rights acquired or reserved by the United*
7 *States before the date of the enactment of this Act.*

8 **SEC. 4. WITHDRAWAL.**

9 *Subject to valid existing rights, the public land to be*
10 *transferred under section 2 is withdrawn from all forms*
11 *of appropriation under the public land laws, including the*
12 *mining laws and geothermal leasing laws, so long as the*
13 *lands remain under the administrative jurisdiction of the*
14 *Secretary of the Army.*

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