

113TH CONGRESS  
1ST SESSION

# 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.

---

## IN THE SENATE OF THE UNITED STATES

JULY 16 (legislative day, JULY 15), 2013

Mr. WYDEN (by request) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses, 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 “Military Land With-  
5       drawals Act”.

1 **SEC. 2. MILITARY LAND WITHDRAWALS AND CODIFICATION**  
 2 **OF STATUTORY PROVISIONS RELATING TO**  
 3 **CHINA LAKE, LIMESTONE HILLS, CHOCOLATE**  
 4 **MOUNTAIN, AND TWENTYNINE PALMS.**

5 (a) MILITARY LAND WITHDRAWALS AND CREATION  
 6 OF NEW CHAPTER.—Subtitle A of title 10, United States  
 7 Code, is amended by inserting after chapter 173 the fol-  
 8 lowing new chapter:

9 **“CHAPTER 174—LAND WITHDRAWALS**

<b>“Subchapter</b>	<b>Sec.</b>
<b>“I. General Provisions</b> .....	<b>2931</b>
<b>“II. China Lake, California</b> .....	<b>2955</b>
<b>“III. Limestone Hills, Montana</b> .....	<b>2957</b>
<b>“IV. Chocolate Mountain, California</b> .....	<b>2959</b>
<b>“V. Twentynine Palms, California</b> .....	<b>2961</b>

10 **“SUBCHAPTER I—GENERAL PROVISIONS**

- “Sec.  
 “2931. General applicability; definition.  
 “2932. Maps and legal descriptions.  
 “2933. Access restrictions.  
 “2934. Changes in use.  
 “2935. Authorizations for nondefense-related uses.  
 “2936. Brush and fire prevention and suppression.  
 “2937. On-going decontamination.  
 “2938. Water rights.  
 “2939. Hunting, fishing, and trapping.  
 “2940. Limitations on extensions and withdrawals.  
 “2941. Application for renewal of a withdrawal and reservation.  
 “2942. Limitation on subsequent availability of lands for appropriation.  
 “2943. Relinquishment.  
 “2944. Interchanges and transfers of Federal lands.  
 “2945. Delegability by the Secretary of the Interior.  
 “2946. Land withdrawals; immunity of United States.

11 **“§ 2931. General applicability; definition**

12 **“(a) APPLICABILITY OF SUBCHAPTER.—**The provi-  
 13 sions of this subchapter apply to any withdrawal made by  
 14 this chapter.

1       “(b) RULES OF CONSTRUCTION.—(1) Except as may  
2 be provided pursuant to section 2944 of this title, nothing  
3 in this chapter shall be construed as assigning manage-  
4 ment of real property under the administrative jurisdiction  
5 of the Secretary concerned to the Secretary of the Interior.

6       “(2) The terms ‘manage’ and ‘management’, when  
7 used in reference to lands withdrawn and reserved by this  
8 chapter, include the authority to exercise jurisdiction, cus-  
9 tody, and control over those lands in accordance with this  
10 title, except that those terms do not include authority for  
11 land disposal.

12       “(c) DEFINITION.—In this chapter, the term ‘Indian  
13 tribe’ has the meaning given such term in section 102 of  
14 the Federally Recognized Indian Tribe List Act of 1994  
15 (25 U.S.C. 479a).

16       **“§ 2932. Maps and legal descriptions**

17       “(a) PREPARATION OF MAPS AND LEGAL DESCRIP-  
18 TIONS.—As soon as practicable after the date of the enact-  
19 ment of a subchapter of this chapter, the Secretary of the  
20 Interior shall—

21               “(1) publish in the Federal Register a notice  
22 containing the legal description of the lands with-  
23 drawn and reserved by such subchapter; and

24               “(2) file a map or maps and legal description  
25 of the lands withdrawn and reserved by such sub-

1 chapter with the Committee on Armed Services and  
2 the Committee on Energy and Natural Resources of  
3 the Senate and the Committee on Armed Services  
4 and the Committee on Natural Resources of the  
5 House of Representatives.

6 “(b) LEGAL EFFECT.—Such maps and legal descrip-  
7 tions shall have the same force and effect as if they were  
8 included in this chapter, except that the Secretary of the  
9 Interior may correct clerical and typographical errors in  
10 such maps and legal descriptions.

11 “(c) AVAILABILITY.—Copies of such maps and legal  
12 descriptions shall be available 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 at which the lands are with-  
17 drawn; and

18 “(3) if the military installation is under the  
19 management of the National Guard, in the office of  
20 the Adjutant General of the State in which the in-  
21 stallation 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 **“§ 2933. 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 the lands withdrawn and reserved by  
6 a subchapter of this chapter, the Secretary may take such  
7 action as the Secretary determines necessary or desirable  
8 to effect and maintain such closure.

9 “(b) LIMITATION.—Any closure under subsection (a)  
10 shall be limited to the minimum areas and periods that  
11 the Secretary concerned determines are required for the  
12 purposes specified in such subsection.

13 “(c) CONSULTATION.—(1) Before a closure under  
14 this section is implemented, the Secretary concerned shall  
15 consult with the Secretary of the Interior.

16 “(2) In a case in which such a closure may affect  
17 access to or use of sacred sites or resources considered  
18 important by an Indian tribe, the Secretary concerned  
19 shall consult, at the earliest practicable time, with that  
20 tribe.

21 “(3) No consultation is required under paragraph (1)  
22 or (2)—

23 “(A) if the closure is already provided for in an  
24 integrated natural resources management plan, an  
25 installation cultural resources management plan, or  
26 a land use management plan; or

1           “(B) in the case of an emergency, as deter-  
2           mined by the Secretary concerned.

3           “(d) NOTICE.—Immediately preceding and during  
4 any closure under subsection (a), the Secretary concerned  
5 shall post appropriate warning notices and take other  
6 steps, as necessary, to notify the public of the closure.

7 **“§ 2934. Changes in use**

8           “(a) OTHER USES AUTHORIZED.—The Secretary  
9 concerned may authorize the use of lands withdrawn and  
10 reserved by a subchapter of this chapter for defense-re-  
11 lated purposes in addition to the purposes specified in  
12 such subchapter.

13           “(b) NOTICE TO SECRETARY OF THE INTERIOR.—  
14 The Secretary concerned shall promptly notify the Sec-  
15 retary of the Interior in the event that the lands with-  
16 drawn and reserved by a subchapter of this chapter will  
17 be used for additional defense-related purposes. Such noti-  
18 fication shall indicate—

19           “(1) the additional use or uses involved;

20           “(2) the planned duration of such additional  
21 uses; and

22           “(3) the extent to which such additional uses  
23 will require that additional or more stringent condi-  
24 tions or restrictions be imposed on otherwise-per-

1 mitted non-defense-related uses of the withdrawn  
2 and reserved lands or portions thereof.

3 **“§ 2935. Authorizations for nondefense-related uses**

4 “(a) AUTHORIZATIONS BY THE SECRETARY OF THE  
5 INTERIOR.—Subject to the applicable withdrawals con-  
6 tained in each subchapter of this chapter, with the consent  
7 of the Secretary concerned, the Secretary of the Interior  
8 may authorize the use, occupancy, or development of the  
9 lands withdrawn and reserved by this chapter.

10 “(b) AUTHORIZATIONS BY THE SECRETARY CON-  
11 CERNED.—The Secretary concerned may authorize the  
12 use, occupancy, or development of the lands withdrawn  
13 and reserved by this chapter—

14 “(1) for a defense-related purpose; or

15 “(2) subject to the consent of the Secretary of  
16 the Interior, for a non-defense-related purpose.

17 “(c) FORM OF AUTHORIZATION.—An authorization  
18 under this section may be provided by lease, easement,  
19 right-of-way, permit, license, or other instrument author-  
20 ized by law.

21 “(d) PREVENTION OF DRAINAGE OF OIL OR GAS RE-  
22 SOURCES.—For the purpose of preventing drainage of oil  
23 or gas resources, the Secretary of the Interior may lease  
24 lands otherwise withdrawn from operation of the mineral  
25 leasing laws and reserved for defense-related purposes

1 under this chapter, under such terms and conditions as  
2 the Secretary considers appropriate. No surface occupancy  
3 may be approved by the Secretary of the Interior without  
4 the consent of the Secretary concerned. The Secretary of  
5 the Interior may unitize or consent to communitization of  
6 such lands. The Secretary of the Interior may promulgate  
7 regulations to implement this subsection.

8 **“§ 2936. Brush and range fire prevention and sup-**  
9 **pression**

10 “(a) REQUIRED ACTIVITIES.—The Secretary con-  
11 cerned shall, consistent with any applicable land manage-  
12 ment plan, take necessary precautions to prevent, and ac-  
13 tions to suppress, brush and range fires occurring as a  
14 result of military activities on the lands withdrawn and  
15 reserved by this chapter, including fires outside those  
16 lands that spread from the withdrawn and reserved lands  
17 and which occurred as a result of such activities.

18 “(b) COOPERATION OF SECRETARY OF THE INTE-  
19 RIOR.—At the request of the Secretary concerned, the Sec-  
20 retary of the Interior shall provide assistance in the sup-  
21 pression of such fires and shall be reimbursed for such  
22 assistance by the Secretary concerned. Notwithstanding  
23 section 2215 of this title, the Secretary concerned may  
24 transfer to the Secretary of the Interior, in advance, funds



1 to reimburse the costs of the Department of the Interior  
2 in providing such assistance.

3 **“§ 2937. On-going decontamination**

4 “Throughout the duration of a withdrawal and res-  
5 ervation of lands under this chapter, the Secretary con-  
6 cerned shall maintain, to the extent funds are available  
7 for such purpose, a program of decontamination of con-  
8 tamination caused by defense-related uses on such lands  
9 consistent with applicable Federal and State law. The Sec-  
10 retary of Defense shall include a description of such de-  
11 contamination activities in the annual report required by  
12 section 2711 of this title.

13 **“§ 2938. Water rights**

14 “(a) NO RESERVATION CREATED.—Nothing in this  
15 chapter shall be construed—

16 “(1) to establish a reservation in favor of the  
17 United States with respect to any water or water  
18 right on the lands withdrawn and reserved by this  
19 chapter; or

20 “(2) to authorize the appropriation of water on  
21 such lands except in accordance with applicable  
22 State law.

23 “(b) EFFECT ON PREVIOUSLY ACQUIRED OR RE-  
24 SERVED WATER RIGHTS.—This section shall not be con-  
25 strued to affect any water rights acquired or reserved by

1 the United States before the date of the enactment of the  
2 applicable subchapter of this chapter, and the Secretary  
3 concerned may exercise any such previously acquired or  
4 reserved water rights.

5 **“§ 2939. Hunting, fishing, and trapping**

6 “Section 2671 of this title shall apply to all hunting,  
7 fishing, and trapping on the lands withdrawn and reserved  
8 by this chapter and for which management has been as-  
9 signed to the Secretary concerned.

10 **“§ 2940. Limitation on extensions and renewals**

11 “The withdrawals and reservations established by  
12 this chapter may not be extended or renewed except by  
13 a law enacted by Congress.

14 **“§ 2941. Application for renewal of a withdrawal and**  
15 **reservation**

16 “(a) NOTICE.—To the extent practicable, no later  
17 than five years before the termination of a withdrawal and  
18 reservation established by a subchapter of this chapter,  
19 the Secretary concerned shall notify the Secretary of the  
20 Interior as to whether or not the Secretary concerned will  
21 have a continuing defense-related need for any of the lands  
22 withdrawn and reserved by such subchapter after the ter-  
23 mination date of such withdrawal and reservation. The  
24 Secretary concerned shall provide a copy of the notice to  
25 the Committee on Armed Services and the Committee on

1 Energy and Natural Resources of the Senate and the  
2 Committee on Armed Services and the Committee on Nat-  
3 ural Resources of the House of Representatives.

4       “(b) FILING FOR EXTENSION.—If the Secretary con-  
5 cerned concludes that there will be a continuing defense-  
6 related need for any of such lands after the termination  
7 date, the Secretary shall file an application for extension  
8 of the withdrawal and reservation of such needed lands  
9 in accordance with the regulations and procedures of the  
10 Department of the Interior applicable to the extension of  
11 withdrawals.

12 **“§ 2942. Limitation on subsequent availability of**  
13 **lands for appropriation**

14       “‘At the time of termination of a withdrawal and res-  
15 ervation made by a subchapter of this chapter, the pre-  
16 viously withdrawn lands shall not be open to any form of  
17 appropriation under the public land laws, including the  
18 mining laws and the mineral leasing and geothermal leas-  
19 ing laws, until the Secretary of the Interior publishes in  
20 the Federal Register an appropriate order specifying the  
21 date upon which such lands shall be restored to the public  
22 domain and opened for such purposes.

23 **“§ 2943. Relinquishment**

24       “(a) NOTICE OF INTENTION TO RELINQUISH.—If,  
25 during the period of withdrawal and reservation, the Sec-

1 retary concerned decides to relinquish any or all of the  
2 lands withdrawn and reserved by a subchapter of this  
3 chapter, the Secretary concerned shall file a notice of in-  
4 tention to relinquish with the Secretary of the Interior.

5       “(b) DETERMINATION OF CONTAMINATION.—As a  
6 part of the notice under subsection (a), the Secretary con-  
7 cerned shall include a written determination concerning  
8 whether and to what extent the lands that are to be relin-  
9 quished are contaminated with explosive materials or toxic  
10 or hazardous substances.

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

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

17               “(1) DECONTAMINATION REQUIRED.—If land  
18 subject of a notice of intention to relinquish pursu-  
19 ant to subsection (a) is contaminated, and the Sec-  
20 retary of the Interior, in consultation with the Sec-  
21 retary concerned, determines that decontamination  
22 is practicable and economically feasible (taking into  
23 consideration the potential future use and value of  
24 the land) and that, upon decontamination, the land  
25 could be opened to operation of some or all of the

1 public land laws, including the mining laws and the  
2 mineral leasing and geothermal leasing laws, the  
3 Secretary concerned shall decontaminate the land to  
4 the extent that funds are appropriated for such pur-  
5 pose.

6 “(2) ALTERNATIVES.—If the Secretary of the  
7 Interior, after consultation with the Secretary con-  
8 cerned, concludes that decontamination of land sub-  
9 ject of a notice of intention to relinquish pursuant  
10 to subsection (a) is not practicable or economically  
11 feasible, or that the land cannot be decontaminated  
12 sufficiently to be opened to operation of some or all  
13 of the public land laws, or if Congress does not ap-  
14 propriate sufficient funds for the decontamination of  
15 such land, the Secretary of the Interior shall not be  
16 required to accept the land proposed for relinquish-  
17 ment.

18 “(3) STATUS OF CONTAMINATED LANDS UPON  
19 TERMINATION.—If, because of their contaminated  
20 state, the Secretary of the Interior declines to accept  
21 the lands withdrawn and reserved by a subchapter  
22 of this chapter which have been proposed for relin-  
23 quishment, or if at the expiration of the withdrawal  
24 and reservation made by such subchapter the Sec-  
25 retary of the Interior determines that some of the

1 lands withdrawn and reserved by such subchapter  
2 are contaminated to an extent which prevents open-  
3 ing such contaminated lands to operation of the pub-  
4 lic land laws—

5 “(A) the Secretary concerned shall take  
6 appropriate steps to warn the public of the con-  
7 taminated state of such lands and any risks as-  
8 sociated with entry onto such lands;

9 “(B) after the expiration of the withdrawal  
10 and reservation, the Secretary concerned shall  
11 undertake no activities on such lands except in  
12 connection with decontamination of such lands;  
13 and

14 “(C) the Secretary concerned shall report  
15 to the Secretary of the Interior and to the Con-  
16 gress concerning the status of such lands and  
17 all actions taken in furtherance of this para-  
18 graph.

19 “(e) REVOCATION AUTHORITY.—Upon deciding that  
20 it is in the public interest to accept the lands proposed  
21 for relinquishment pursuant to subsection (a), the Sec-  
22 retary of the Interior may order the revocation of a with-  
23 drawal and reservation established by a subchapter of this  
24 chapter as it applies to such lands. The Secretary of the

1 Interior shall publish in the Federal Register the revoca-  
2 tion order, which shall—

3 “(1) terminate the withdrawal and reservation;

4 “(2) constitute official acceptance of the lands  
5 by the Secretary of the Interior; and

6 “(3) state the date upon which the lands will be  
7 opened to the operation of some or all of the public  
8 land laws, including the mining laws.

9 “(f) ACCEPTANCE BY SECRETARY OF THE INTE-  
10 RIOR.—Nothing in this section shall be construed to re-  
11 quire the Secretary of the Interior to accept the lands pro-  
12 posed for relinquishment if the Secretary determines that  
13 such lands are not suitable for return to the public do-  
14 main. If the Secretary makes such a determination, the  
15 Secretary shall provide notice of the determination to Con-  
16 gress.

17 **“§ 2944. Interchanges and transfers of Federal lands**

18 “(a) AUTHORITY.—The Secretary of the Interior and  
19 the Secretary concerned may interchange or transfer be-  
20 tween each other parcels of Federal land under their juris-  
21 diction. A parcel may include multiple non-contiguous  
22 pieces of Federal lands.

23 “(b) CONDITIONS.—Any interchange or transfer of  
24 land under this section is subject to the following condi-  
25 tions:

1           “(1) The Secretary of the Interior and the Sec-  
2           retary concerned must each determine that the  
3           interchange or transfer is to the benefit of their re-  
4           spective department and in the public interest.

5           “(2) Both parcels of land to be interchanged  
6           must, before the interchange, be located on the same  
7           military installation.

8           “(3) Both parcels of land to be interchanged  
9           must be of approximately the same acreage.

10          “(4) The parcel to be transferred must be lo-  
11          cated on the military installation to which it is  
12          transferred.

13          “(5) The parcel interchanged or transferred by  
14          the Secretary of the Interior must be part of the  
15          lands withdrawn and reserved by this chapter.

16          “(6) The parcel interchanged or transferred by  
17          the Secretary concerned must be under the adminis-  
18          trative jurisdiction of the Secretary concerned and  
19          excess to the needs of the Department of Defense.

20          “(7) During the term of a withdrawal, no more  
21          than 5,000 acres may be transferred under this sec-  
22          tion by one Secretary to the other on any one mili-  
23          tary installation.



1       “(c) STATUS OF FEDERAL LAND AFTER INTER-  
2 CHANGE.—Upon completion of an interchange or transfer  
3 under this section—

4               “(1) at the discretion of the Secretary of the  
5 Interior, a parcel received by the Secretary of the  
6 Interior may—

7                       “(A) become withdrawn and reserved lands  
8 under the provisions of this chapter; or

9                       “(B) be managed as public lands under the  
10 provisions of the Federal Land Policy and Man-  
11 agement Act (43 U.S.C. 1701 et seq.) and  
12 other applicable law; and

13               “(2) a parcel received by the Secretary con-  
14 cerned shall—

15                       “(A) cease to be part of the public lands  
16 and lands withdrawn and reserved by this chap-  
17 ter; and

18                       “(B) be treated as property under section  
19 102(9) of title 40 under the administrative ju-  
20 risdiction of the Secretary concerned.

21       “(d) EQUALIZATION PAYMENTS.—Neither the Sec-  
22 retary of the Interior nor the Secretary concerned may  
23 make an equalization payment to further a land inter-  
24 change or transfer under this section.

1 **“§ 2945. Delegability by the Secretary of the Interior**

2       “The Secretary of the Interior may delegate the Sec-  
3 retary’s functions under this chapter, except that an order  
4 pursuant to section 2942 of this title and a revocation  
5 order pursuant to section 2943(e) of this title may be ap-  
6 proved and signed only by individuals in the Office of the  
7 Secretary who have been appointed by the President, by  
8 and with the advice and consent of the Senate.

9 **“§ 2946. Land withdrawals; immunity of the United**  
10 **States**

11       “The United States and all departments and agencies  
12 thereof, and their officers and employees, shall be held  
13 harmless and shall not be liable for any injuries or dam-  
14 ages to persons or property suffered in the course of any  
15 mining or mineral or geothermal leasing activity or other  
16 authorized non-defense-related activity conducted on lands  
17 withdrawn and reserved by this chapter.

18 **“SUBCHAPTER II—CHINA LAKE, CALIFORNIA**

“Sec.

“2955a. Withdrawal and reservation.

“2955b. Management of withdrawn and reserved lands.

“2955c. Duration of withdrawal and reservation.

19 **“§ 2955a. Withdrawal and reservation**

20       “(a) WITHDRAWAL.—(1) Subject to valid existing  
21 rights and except as otherwise provided in this subchapter,  
22 the public lands and interests in lands described in sub-  
23 section (c), and all other areas within the boundary of

1 such lands as depicted on the map provided for by section  
2 2932 of this title which may become subject to the oper-  
3 ation of the public land laws, are hereby withdrawn from  
4 all forms of appropriation under the public land laws, in-  
5 cluding the mining laws and the mineral leasing laws.

6 “(b) RESERVATION.—The lands withdrawn by sub-  
7 section (a) are reserved for use by the Secretary of the  
8 Navy for the following purposes:

9 “(1) Use as a research, development, test, and  
10 evaluation laboratory.

11 “(2) Use as a range for air warfare weapons  
12 and weapon systems.

13 “(3) Use as a high-hazard testing and training  
14 area for aerial gunnery, rocketry, electronic warfare  
15 and countermeasures, tactical maneuvering and air  
16 support, and directed energy and unmanned aerial  
17 systems.

18 “(4) Geothermal leasing, development, and re-  
19 lated power production activities.

20 “(5) Other defense-related purposes consistent  
21 with the purposes specified in the preceding para-  
22 graphs and authorized pursuant to section 2934 of  
23 this title.

24 “(c) LAND DESCRIPTION.—The public lands and in-  
25 terests in lands referred to in subsection (a) are the Fed-

1 eral lands located within the boundaries of the Naval Air  
2 Weapons Station China Lake, comprising approximately  
3 1,030,000 acres in Inyo, Kern, and San Bernardino Coun-  
4 ties, California, as generally depicted on a map entitled  
5 ‘Naval Air Weapons Station China Lake Withdrawal—Re-  
6 newal’, dated XX, xx, 2012, and filed in accordance with  
7 section 2932 of this title.

8 **“§ 2955b. Management of withdrawn and reserved**  
9 **lands**

10 “(a) MANAGEMENT BY THE SECRETARY OF THE IN-  
11 TERIOR.—(1) Except as provided in subsection (b), during  
12 the period of the withdrawal and reservation of lands by  
13 this subchapter, the Secretary of the Interior shall manage  
14 the lands withdrawn and reserved by section 2955a of this  
15 title in accordance with this chapter, the Federal Land  
16 Policy and Management Act of 1976 (43 U.S.C. 1701 et  
17 seq.), and other applicable law.

18 “(2) To the extent consistent with applicable law and  
19 Executive orders, the lands withdrawn by section 2955a  
20 of this title may be managed in a manner permitting the  
21 following activities:

22 “(A) Grazing.

23 “(B) Protection of wildlife and wildlife habitat.

24 “(C) Preservation of cultural properties.

25 “(D) Control of predatory and other animals.

1           “(E) Recreation and education.

2           “(F) Prevention and appropriate suppression of  
3 brush and range fires resulting from non-military  
4 activities.

5           “(G) Geothermal leasing and development and  
6 related power production activities.

7           “(3) All non-defense-related uses of such lands, in-  
8 cluding the uses described in paragraph (2), shall be sub-  
9 ject to such conditions and restrictions as may be nec-  
10 essary to permit the defense-related use of such lands for  
11 the purposes specified in or authorized pursuant to this  
12 chapter.

13           “(b) ASSIGNMENT OF MANAGEMENT.—(1) The Sec-  
14 retary of the Interior may assign the management respon-  
15 sibility, in whole or in part, for the lands withdrawn and  
16 reserved by section 2955a of this title to the Secretary  
17 of the Navy who, if so assigned, shall manage such lands  
18 in accordance with this title, title I of the Sikes Act (16  
19 U.S.C. 670a et seq.), the Federal Land Policy and Man-  
20 agement Act of 1976, and cooperative management ar-  
21 rangements between the Secretary of the Interior and the  
22 Secretary of the Navy. Nothing in this subsection or sec-  
23 tion 2935 of this title shall affect geothermal leases issued  
24 by the Secretary of the Interior before the date of the en-  
25 actment of this subchapter, or the responsibility of the

1 Secretary of the Interior to administer and manage such  
2 leases, consistent with the provisions of this section.

3       “(2) The Secretary of the Interior shall be respon-  
4 sible for the issuance of any lease, easement, right-of-way,  
5 permit, license, or other instrument authorized by law with  
6 respect to any activity which involves both the lands with-  
7 drawn and reserved by section 2955a of this title and any  
8 other lands not under the administrative jurisdiction of  
9 the Secretary of the Navy. Any such authorization shall  
10 be issued only with the consent of the Secretary of the  
11 Navy and shall be subject to such conditions as the Sec-  
12 retary of the Navy may prescribe with regard to those  
13 lands withdrawn and reserved by section 2955a of this  
14 title.

15       “(3) Neither this chapter nor any other provision of  
16 law shall be construed to prohibit the Secretary of the In-  
17 terior from issuing and administering any lease pursuant  
18 to the Geothermal Steam Act of 1970 (30 U.S.C. 1001  
19 et seq.) and other applicable law for the development and  
20 utilization of geothermal steam and associated geothermal  
21 resources on the lands withdrawn and reserved by section  
22 2955a of this title, but such a lease may not be issued  
23 without the concurrence of the Secretary of the Navy.

24       “(4) This chapter shall not affect the geothermal ex-  
25 ploration and development authority of the Secretary of

1 the Navy under section 2917 of this title with respect to  
2 the lands withdrawn and reserved by section 2955a, except  
3 that the Secretary of the Navy shall obtain the concur-  
4 rence of the Secretary of the Interior before taking action  
5 under section 2917.

6       “(5) Upon the expiration of the withdrawal and res-  
7 ervation or upon the relinquishment of the lands with-  
8 drawn and reserved by section 2955a of this title, Navy  
9 contracts for the development of geothermal resources at  
10 Naval Air Weapons Station China Lake then in effect (as  
11 amended or renewed by the Navy after the date of the  
12 enactment of this subchapter) shall remain in effect, ex-  
13 cept that the Secretary of the Interior, with the consent  
14 of the Secretary of the Navy, may offer to substitute a  
15 standard geothermal lease for any such contract.

16       “(6) Any lease made pursuant to section 2935(d) of  
17 this title of lands withdrawn and reserved by section  
18 2955a of this title shall require the concurrence of the Sec-  
19 retary of the Navy if the Secretary determines that the  
20 proposed lease may interfere with geothermal resources on  
21 those lands.

22       “(7) The Secretary of the Navy shall be responsible  
23 for the management of wild horses and burros located on  
24 the lands withdrawn and reserved by section 2955a of this  
25 title and may use helicopters and motorized vehicles for

1 such purpose. Such management shall be conducted in ac-  
2 cordance with laws applicable to such management on  
3 public lands. The Secretary of the Interior and the Sec-  
4 retary of the Navy shall enter into an agreement for imple-  
5 mentation of such management.

6 “(c) CONTINUATION OF EXISTING AGREEMENT.—  
7 The agreement between the Secretary of the Interior and  
8 the Secretary of the Navy entered into before the date of  
9 the enactment of this subchapter pursuant to section 805  
10 of the California Military Lands Withdrawal and Over-  
11 flights Act of 1994 shall continue in effect until the earlier  
12 of—

13 “(1) the date on which the Secretaries enter  
14 into a new agreement; or

15 “(2) the date that is one year after the date of  
16 the enactment of this subchapter.

17 “(d) COOPERATION IN DEVELOPMENT OF MANAGE-  
18 MENT PLAN.—(1) The Secretary of the Navy and the Sec-  
19 retary of the Interior shall update and maintain coopera-  
20 tive arrangements concerning land resources and land  
21 uses on the lands withdrawn and reserved by section  
22 2955a of this title.

23 “(2) Cooperative arrangements under paragraph (1)  
24 shall focus on and apply to sustainable management and  
25 protection of the natural and cultural resources and envi-



1 ronmental values found on such withdrawn and reserved  
2 lands, consistent with the defense-related purposes for  
3 which those lands are withdrawn and reserved.

4       “(3) Each cooperative arrangement under paragraph  
5 (1) shall include a comprehensive land use management  
6 plan which shall integrate and be consistent with all appli-  
7 cable law, including the requirements of title I of the Sikes  
8 Act and the Federal Land Policy and Management Act  
9 of 1976. Each such management plan shall be reviewed  
10 annually and shall be updated, as needed, in response to  
11 evolving management requirements and to complement the  
12 updates of other applicable land use and resource manage-  
13 ment and planning.

14       “(e) IMPLEMENTING AGREEMENT.—(1) The Sec-  
15 retary of the Interior and the Secretary of the Navy may  
16 enter into a written agreement to implement the com-  
17 prehensive land use management plan developed under  
18 subsection (d).

19       “(2) An agreement under paragraph (1) shall include  
20 a provision for periodic review of the agreement for its  
21 adequacy, effectiveness, and need for revision.

22       “(3) The duration of an agreement under paragraph  
23 (1) shall be the same as the period of the withdrawal and  
24 reservation of lands under this subchapter, but may be  
25 amended from time to time.

1 **“§ 2955c. Duration of withdrawal and reservation**

2 “The withdrawal and reservation made by this sub-  
3 chapter shall terminate on March 31, 2039.

4 “SUBCHAPTER III—LIMESTONE HILLS,  
5 MONTANA

“Sec.

“2957a. Withdrawal and reservation.

“2957b. Management of withdrawn and reserved lands.

“2957c. Duration of withdrawal and reservation.

“2957d. Special rules governing minerals management.

“2957e. Grazing.

6 **“§ 2957a. Withdrawal and reservation**

7 “(a) WITHDRAWAL.—Subject to valid existing rights  
8 and except as otherwise provided in this subchapter, the  
9 public lands and interests in lands described in subsection  
10 (c), and all other areas within the boundary of such lands  
11 as depicted on the map provided for by section 2932 of  
12 this title which may become subject to the operation of  
13 the public land laws, are hereby withdrawn from all forms  
14 of appropriation under the public land laws, including the  
15 mining laws and the mineral leasing and geothermal leas-  
16 ing laws.

17 “(b) RESERVATION.—The lands withdrawn by sub-  
18 section (a) are reserved for use by the Secretary of the  
19 Army for the following purposes:

20 “(1) The conduct of training for active and re-  
21 serve components of the armed forces.

1           “(2) The conduct of training by the Montana  
2 Department of Military Affairs; any such use may  
3 not interfere with purposes specified in paragraphs  
4 (1) and (3).

5           “(3) The construction, operation, and mainte-  
6 nance of organizational support and maintenance fa-  
7 cilities for component units conducting training.

8           “(4) Other defense-related purposes consistent  
9 with the purposes specified in the preceding para-  
10 graphs and authorized pursuant to section 2934 of  
11 this title.

12           “(5) The conduct of training by State and local  
13 law enforcement agencies, civil defense organiza-  
14 tions, and public education institutions; any such use  
15 may not interfere with military training activities.

16           “(c) LAND DESCRIPTION.—The public lands and in-  
17 terests in lands referred to in subsection (a) are the Fed-  
18 eral lands comprising approximately 18,644 acres in  
19 Broadwater County, Montana, as generally depicted as  
20 ‘Proposed Land Withdrawal’ on the map entitled ‘Lime-  
21 stone Hills Training Area Land Withdrawal’ dated  
22 \_\_\_\_\_, and filed in accordance with section 2932 of  
23 this title.

24           “(d) INDIAN TRIBES.—Nothing in this subchapter  
25 shall be construed as altering any rights reserved for an

1 Indian tribe for tribal use by treaty or Federal law. Sub-  
2 ject to section 2933 of this title, the Secretary of the Army  
3 shall consult with any Indian tribe in the vicinity of the  
4 lands withdrawn and reserved by this section before taking  
5 action affecting tribal rights or cultural resources pro-  
6 tected by treaty or Federal law.

7 **“§ 2957b. Management of withdrawn and reserved**  
8 **lands**

9 “During the period of the withdrawal and reservation  
10 made by this subchapter, the Secretary of the Army shall  
11 manage the lands withdrawn and reserved by this sub-  
12 chapter for the purposes specified in section 2957a of this  
13 title.

14 **“§ 2957c. Duration of withdrawal and reservation**

15 “(a) TERM.—The withdrawal and reservation made  
16 by this subchapter shall terminate on March 31, 2039.

17 “(b) EXTENSION OF TERM.—Notwithstanding sec-  
18 tion 2940 of this title, in accordance with section 2 of the  
19 Act of February 28, 1958, Public Law 85–337 (72 STAT.  
20 27), commonly known as the ‘Engle Act’ (43 U.S.C. 156),  
21 if an application is filed by the Secretary of the Army in  
22 accordance with section 2941 of this title, the Secretary  
23 of the Interior may use the authority and procedures  
24 under section 204 of the Federal Land Policy and Man-  
25 agement Act of 1976 (43 U.S.C. 1714) to extend the with-

1 drawal and reservation made by this subchapter for an  
2 additional term not to exceed 20 years in accordance with  
3 that section and other applicable law.

4 **“§ 2957d. Special rules governing minerals manage-**  
5 **ment**

6 “(a) INDIAN CREEK MINE.—Locatable mineral ac-  
7 tivities in the approved Indian Creek Mine, plan of oper-  
8 ations MTM-78300, shall be regulated pursuant to sub-  
9 parts 3715 and 3809 of title 43, Code of Federal Regula-  
10 tions. Notwithstanding section 2935 of this title, the Sec-  
11 retary of the Army shall make no determination that the  
12 disposition of or exploration for minerals as provided for  
13 in the approved plan of operations is inconsistent with the  
14 military uses of such lands. The coordination of such dis-  
15 position of and exploration for minerals with military uses  
16 of such lands shall be determined pursuant to procedures  
17 in an agreement provided for under subsection (d).

18 “(b) REMOVAL OF UNEXPLODED ORDNANCE ON  
19 LANDS TO BE MINED.—The Secretary of the Army shall  
20 request funding for and, subject to the availability of such  
21 funds, shall remove unexploded ordnance on lands with-  
22 drawn and reserved by this subchapter which are subject  
23 to mining under subsection (a), consistent with applicable  
24 Federal and State law. The Secretary of the Army may  
25 engage in such removal of unexploded ordnance in phases

1 to accommodate the development of the Indian Creek Mine  
2 pursuant to subsection (a).

3 “(c) REPORT ON REMOVAL ACTIVITIES.—The Sec-  
4 retary of the Army shall annually submit to the Secretary  
5 of the Interior a report regarding the unexploded ordnance  
6 removal activities for the previous fiscal year performed  
7 pursuant to subsection (b). The report shall include the  
8 amounts of funding expended for unexploded ordnance re-  
9 moval on such lands.

10 “(d) IMPLEMENTATION AGREEMENT FOR MINING  
11 ACTIVITIES.—(1) The Secretary of the Interior and the  
12 Secretary of the Army shall enter into an agreement to  
13 implement this section with regard to coordination of de-  
14 fense-related uses and mining and the ongoing removal of  
15 unexploded ordnance. The agreement shall provide the fol-  
16 lowing:

17 “(A) Procedures that will be used to facilitate  
18 day-to-day joint-use of the Limestone Hills Training  
19 Area.

20 “(B) Procedures for access through mining op-  
21 erations covered by this section to training areas  
22 within the boundaries of the Limestone Hills Train-  
23 ing Area.

24 “(C) Procedures for scheduling of the removal  
25 of unexploded ordnance.

1       “(2) The Secretary of the Interior and the Secretary  
2 of the Army shall invite Graymont Western US, Inc., or  
3 any successor or assign of the approved Indian Creek Mine  
4 mining plan of operations, MTM-78300, to be a party to  
5 the agreement.

6       **“§ 2957e. Grazing**

7       “(a) ISSUANCE AND ADMINISTRATION OF PERMITS  
8 AND LEASES.—The issuance and administration of graz-  
9 ing permits and leases, including their renewal, on the  
10 lands withdrawn and reserved by this subchapter shall be  
11 managed by the Secretary of the Interior consistent with  
12 all applicable laws, regulations, and policies of the Sec-  
13 retary of the Interior relating to such permits and leases.

14       “(b) SAFETY REQUIREMENTS.—With respect to any  
15 grazing permit or lease issued after the date of enactment  
16 of this subchapter for lands withdrawn and reserved by  
17 this subchapter, the Secretary of the Interior and the Sec-  
18 retary of the Army shall jointly establish procedures that  
19 are consistent with Department of the Army explosive and  
20 range safety standards and that provide for the safe use  
21 of any such lands.

22       “(c) ASSIGNMENT.—The Secretary of the Interior  
23 may, with the agreement of the Secretary of the Army,  
24 assign the authority to issue and to administer grazing  
25 permits and leases to the Secretary of the Army, except

1 that such an assignment may not include the authority  
 2 to discontinue grazing on the lands withdrawn and re-  
 3 served by this subchapter.

4 “SUBCHAPTER IV—CHOCOLATE MOUNTAIN,  
 5 CALIFORNIA

“Sec.

“2959a. Withdrawal and reservation.

“2959b. Management of withdrawn and reserved lands.

“2959c. Duration of withdrawal and reservation.

“2959d. Access.

6 **“§ 2959a. Withdrawal and reservation**

7 “(a) WITHDRAWAL.—Subject to valid existing rights  
 8 and except as otherwise provided in this subchapter, the  
 9 public lands and interests in lands described in subsection  
 10 (c), and all other areas within the boundary of such lands  
 11 as depicted on the map provided for by section 2932 of  
 12 this title which may become subject to the operation of  
 13 the public land laws, are hereby withdrawn from all forms  
 14 of appropriation under the public land laws, including the  
 15 mining laws and the mineral leasing and geothermal leas-  
 16 ing laws.

17 “(b) RESERVATION.—The lands withdrawn by sub-  
 18 section (a) are reserved for use by the Secretary of the  
 19 Navy for the following purposes:

20 “(1) Testing and training for aerial bombing,  
 21 missile firing, tactical maneuvering, and air support.





1 lands withdrawn and reserved by section 2959a of this  
2 title in accordance with this chapter, the Federal Land  
3 Policy and Management Act of 1976 (43 U.S.C. 1701 et  
4 seq.), and other applicable law.

5       “(b) ASSIGNMENT OF MANAGEMENT TO THE SEC-  
6 RETARY OF THE NAVY.—The Secretary of the Interior  
7 may assign the management responsibility, in whole or in  
8 part, for the lands withdrawn and reserved by section  
9 2959a of this title to the Secretary of the Navy. If the  
10 Secretary of the Navy accepts such assignment, that Sec-  
11 retary shall manage such lands in accordance with this  
12 title, title I of the Sikes Act (16 U.S.C. 670a et seq.),  
13 and other applicable law.

14       “(c) IMPLEMENTING AGREEMENT.—(1) The Sec-  
15 retary of the Interior and the Secretary of the Navy may  
16 enter into a written agreement to implement the assign-  
17 ment of management responsibility pursuant to subsection  
18 (b).

19       “(2) An agreement under paragraph (1) shall include  
20 a provision for periodic review of the agreement for its  
21 adequacy, effectiveness, and need for revision.

22       “(3) The duration of an agreement under paragraph  
23 (1) shall be the same as the period of the withdrawal and  
24 reservation of lands under this subchapter, but may be  
25 amended from time to time.

1 “(d) ACCESS AGREEMENT.—The Secretary of the In-  
 2 terior and the Secretary of the Navy may enter into a writ-  
 3 ten agreement to address access to and maintenance of  
 4 Bureau of Reclamation facilities located within the bound-  
 5 ary of the Chocolate Mountains Aerial Gunnery Range.

6 **“§ 2959c. Duration of withdrawal and reservation**

7 “The withdrawal and reservation made by this sub-  
 8 chapter shall terminate on March 31, 2039.

9 **“§ 2959d. Access**

10 “Notwithstanding section 2933 of this title, the lands  
 11 withdrawn and reserved by section 2959a of this title,  
 12 other than those constituting the Bradshaw Trail, are  
 13 closed to the public and all uses, other than those author-  
 14 ized by section 2959a(b) of this title or pursuant to section  
 15 2934 of this title, shall be subject to such conditions and  
 16 restrictions as may be necessary to prevent any inter-  
 17 ference with the uses authorized by section 2959a(b) of  
 18 this title or pursuant to section 2934 of this title.

19 “SUBCHAPTER V—TWENTYNINE PALMS,  
 20 CALIFORNIA

“Sec.

“2961a. Withdrawal and reservation.

“2961b. Management of withdrawn and reserved lands.

“2961c. Duration of withdrawal and reservation.

21 **“§ 2961a. Withdrawal and reservation**

22 “(a) WITHDRAWAL.—Subject to valid existing rights  
 23 and except as otherwise provided in this subchapter, the

1 public lands and interests in lands described in subsection  
2 (d), and all other areas within the boundary of such lands  
3 as depicted on the map provided for by section 2932 of  
4 this title which may become subject to the operation of  
5 the public land laws, are hereby withdrawn from all forms  
6 of appropriation under the public land laws, including the  
7 mining laws and the mineral leasing and geothermal leas-  
8 ing laws.

9       “(b) RESERVATION FOR SECRETARY OF THE  
10 NAVY.—The lands withdrawn by subsection (a) consti-  
11 tuting the Exclusive Military Use Area are reserved for  
12 use by the Secretary of the Navy for the following pur-  
13 poses:

14               “(1) Sustained, combined arms, live-fire, and  
15 maneuver field training for large-scale Marine air  
16 ground task forces.

17               “(2) Individual and unit live-fire training  
18 ranges.

19               “(3) Equipment and tactics development.

20               “(4) Other defense-related purposes consistent  
21 with the purposes specified in the preceding para-  
22 graphs and authorized pursuant to section 2934 of  
23 this title.

24       “(c) RESERVATION FOR SECRETARY OF THE INTE-  
25 RIOR.—The lands withdrawn by subsection (a) consti-

1 tuting the Shared Use Area are reserved for use by the  
2 Secretary of the Navy for the purposes specified in sub-  
3 section (b) and for the Secretary of the Interior for the  
4 following purposes:

5           “(1) Public recreation when not used for mili-  
6           tary training and having been determined as suitable  
7           for public use.

8           “(2) Natural resources conservation.

9           “(d) LAND DESCRIPTION.—The public lands and in-  
10          terests in lands referred to in subsection (a) are the Fed-  
11          eral lands comprising approximately 154,663 acres in San  
12          Bernardino County, California, as generally depicted on  
13          a map entitled \_\_\_\_\_, dated \_\_\_\_\_, and filed in accord-  
14          ance with section 2932 of this title. Such lands are divided  
15          into two areas, as follows:

16               “(1) The Exclusive Military Use Area, divided  
17               into four areas, consisting of one area to the west  
18               of the Marine Corps Air Ground Combat Center of  
19               approximately 103,618 acres, one area south of the  
20               Marine Corps Air Ground Combat Center of ap-  
21               proximately 21,304 acres, and two other areas, each  
22               measuring approximately 300 meters square, located  
23               inside the boundaries of the Shared Use Area.

24               “(2) The Shared Use Area, consisting of ap-  
25               proximately 36,755 acres.

1 **“§ 2961b. Management of withdrawn and reserved**  
2 **lands**

3 “(a) MANAGEMENT BY THE SECRETARY OF THE  
4 NAVY.—During the period of withdrawal and reservation  
5 of lands by this subchapter, the Secretary of the Navy  
6 shall, subject to subsection (b), manage the lands with-  
7 drawn and reserved by section 2961a of this title for the  
8 purposes specified in such section pursuant to—

9 “(1) an integrated natural resources manage-  
10 ment plan prepared and implemented pursuant to  
11 title I of the Sikes Act (16 U.S.C. 670 et seq.);

12 “(2) this title; and

13 “(3) a programmatic agreement between the  
14 United States Marine Corps and the California  
15 State Historic Preservation Officer regarding oper-  
16 ation, maintenance, training, and construction at the  
17 United States Marine Air Ground Task Force  
18 Training Command, Marine Corps Air Ground Com-  
19 bat Center, Twentynine Palms, California.

20 “(b) MANAGEMENT BY THE SECRETARY OF THE IN-  
21 TERIOR.—(1) During the period of withdrawal and res-  
22 ervation of lands by this subchapter, the Secretary of the  
23 Interior shall manage the Shared Use Area except for two  
24 30-day periods each year when such lands are exclusively  
25 used by the Secretary of the Navy for military training

1 purposes, during which time the Secretary of the Navy  
2 shall manage such lands.

3 “(2) The Secretary of the Interior, during the period  
4 of the Secretary’s management pursuant to paragraph (1),  
5 shall manage the Shared Use Area for the purposes speci-  
6 fied in section 2961a(c) of this title in accordance with—

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

9 “(B) any other applicable law and regulations.

10 “(3) The Secretary of the Navy, during the period  
11 of the Secretary’s management pursuant to paragraph (1),  
12 shall manage the Shared Use Area for the purposes speci-  
13 fied in section 2961a(b) of this title in accordance with—

14 “(A) an integrated natural resources manage-  
15 ment plan prepared and implemented in accordance  
16 with title I of the Sikes Act (16 U.S.C. 670a et  
17 seq.);

18 “(B) this title; and

19 “(C) the programmatic agreement referred to in  
20 subsection (a)(3).

21 “(c) PUBLIC ACCESS.—(1) Notwithstanding section  
22 2933 of this title, the Exclusive Military Use Area shall  
23 be closed to all public access unless otherwise authorized  
24 by the Secretary of the Navy.

1       “(2) The Shared Use Area shall be open to public  
2 recreational use during the period it is under the manage-  
3 ment of the Secretary of the Interior, but only after being  
4 determined as suitable for public use by the Secretary of  
5 the Navy. Any such determination shall not be unreason-  
6 ably withheld.

7       “(3)(A) The Secretary of the Navy and the Secretary  
8 of the Interior, by agreement, shall establish a Resource  
9 Management Group comprised of representatives of the  
10 Departments of the Interior and Navy.

11       “(B) The Group shall—

12               “(i) develop and implement a public outreach  
13 plan to inform the public of the land uses changes  
14 and safety restrictions affecting the withdrawn  
15 lands; and

16               “(ii) advise the Secretaries of the Interior and  
17 Navy as to all issues associated with the multiple  
18 uses of the Shared Use Area.

19       “(C) The Group shall meet at least once a year and  
20 shall seek information from relevant California State  
21 agencies, private off-highway vehicle interest groups, event  
22 managers, environmental advocacy groups, and others re-  
23 lating to the management and facilitation of recreational  
24 use within the Shared Use Area.



1       “(4) Military training within the Shared Use Area  
2 shall not be conditioned on, nor shall such training be pre-  
3 cluded by—

4               “(A) the lack of a Department of the Interior  
5 developed and implemented recreation management  
6 plan or land use management plan for the Shared  
7 Use Area; or

8               “(B) any legal or administrative challenge to  
9 any such recreation management plan or land use  
10 plan document.

11       “(5) The Shared Use Area shall be managed so as  
12 not to compromise the ability of the Department of the  
13 Navy to conduct military training in the Area.

14       “(d) IMPLEMENTATION AGREEMENT.—The Sec-  
15 retary of the Interior and the Secretary of the Navy shall  
16 enter into a written agreement to implement the manage-  
17 ment responsibility relating to the Shared Use Area. The  
18 agreement—

19               “(1) shall include a provision for periodic review  
20 of the agreement for its adequacy, effectiveness, and  
21 need for revision;

22               “(2) shall have a duration which shall be the  
23 same as the period of the withdrawal and reserva-  
24 tion of lands under this subchapter, but may be  
25 amended from time to time;

1           “(3) may provide for the integration of the  
2 management plans required of the Secretaries of the  
3 Interior and Navy by this chapter;

4           “(4) may provide for delegation to civilian law  
5 enforcement personnel of the Department of the  
6 Navy of the authority of the Secretary of the Inte-  
7 rior to enforce the laws relating to protection of nat-  
8 ural and cultural resources and of fish and wildlife;  
9 and

10           “(5) may provide for the Secretaries of the In-  
11 terior and Navy to share resources in order to most  
12 efficiently and effectively manage the Shared Use  
13 Area.

14           “(e) JOHNSON VALLEY OFF-HIGHWAY VEHICLE  
15 RECREATION AREA.—

16           “(1) DESIGNATION.—Approximately 45,000  
17 acres (as depicted on the map referred to in section  
18 2961a of this title) of the existing Bureau of Land  
19 Management-designated Johnson Valley Off-High-  
20 way Vehicle Area that are not withdrawn and re-  
21 served for defense-related uses by this subchapter,  
22 together with the Shared Use Area, are hereby des-  
23 ignated as the ‘Johnson Valley Off-Highway Vehicle  
24 Recreation Area’.

1           “(2) AUTHORIZED ACTIVITIES.—To the extent  
2 consistent with applicable Federal law and regula-  
3 tions and this chapter, any authorized recreation ac-  
4 tivities and use designation in effect on the date of  
5 the enactment of this subchapter and applicable to  
6 the Johnson Valley Off-Highway Vehicle Recreation  
7 Area may continue, including casual off-highway ve-  
8 hicular use, racing, competitive events, rock crawl-  
9 ing, training, and other forms of off-highway recre-  
10 ation.

11           “(3) ADMINISTRATION.—The Secretary of the  
12 Interior shall administer the Johnson Valley Off-  
13 Highway Vehicle Recreation Area (other than that  
14 portion consisting of the Shared Use Area the man-  
15 agement of which is addressed elsewhere in this sec-  
16 tion) in accordance with the Federal Land Policy  
17 and Management Act of 1976 (43 U.S.C. 1701 et  
18 seq.) and other applicable laws and regulations.

19           “(4) TRANSIT.—In coordination with the Sec-  
20 retary of the Interior, the Secretary of the Navy  
21 may authorize transit through the Johnson Valley  
22 Off-Highway Vehicle Recreation Area for defense-re-  
23 lated purposes supporting military training (includ-  
24 ing military range management and management of

1       exercise activities) conducted on the lands withdrawn  
2       and reserved by this subchapter.

3       **“§ 2961c. Duration of withdrawal and reservation**

4       “The withdrawal and reservation made by this sub-  
5 chapter shall terminate on March 31, 2039.”.

6       (b) COMPENSATION TO BROADWATER COUNTY, MON-  
7 TANA.—The Secretary of the Army may pay Broadwater  
8 County, Montana, a one-time lump sum payment of  
9 \$1,000,000 to offset the 25-year loss of payments in lieu  
10 of taxes provided to the County by the Federal Govern-  
11 ment for lands withdrawn and reserved by subchapter III  
12 of chapter 174 of title 10, United States Code, as added  
13 by subsection (a).

14       (c) TERMINATION OF PRIOR WITHDRAWALS.—The  
15 withdrawal and reservation contained in section 803(a) of  
16 the California Military Lands Withdrawal and Overflights  
17 Act of 1994 is hereby terminated. Notwithstanding such  
18 termination, all rules, regulations, orders, permits, and  
19 other privileges issued or granted by the Secretary of the  
20 Interior or a Secretary concerned with respect to the lands  
21 withdrawn and reserved under such section, unless incon-  
22 sistent with the provisions of chapter 174 of title 10,  
23 United States Code, as added by subsection (a), shall re-  
24 main in force until modified, suspended, overruled, or oth-

1 erwise changed by that Secretary, by a court of competent  
2 jurisdiction, or by operation of law.

3 (d) CLERICAL AMENDMENT.—The table of chapters  
4 at the beginning of subtitle A of such title and at the be-  
5 ginning of part IV of such subtitle are each amended by  
6 inserting after the item relating to chapter 173 the fol-  
7 lowing new item:

“174. Land Withdrawals ..... 2931”.

