

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6070
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

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

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

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

14 (2) by striking “and” at the end of subpara-
15 graph (C);

16 (3) by redesignating subparagraph (D) as sub-
17 paragraph (G); and

1 (4) by inserting after subparagraph (C) the fol-
2 lowing new subparagraphs:

3 “(D) for emergency response;

4 “(E) for the establishment and use of ex-
5 isting or new electronic tracking and commu-
6 nications sites, including the construction of up
7 to 15 equipment pads, no larger than 150-by-
8 150 feet in size, along existing roads to allow
9 placement and operation of threat emitters;

10 “(F) for the use and maintenance of roads
11 in existence as of January 1, 2024, to allow ac-
12 cess to threat emitters and repeaters for instal-
13 lation, maintenance, and periodic relocation;
14 and”.

15 (b) INTERAGENCY COMMITTEE.—Section
16 3011(b)(5)(G), as added by paragraph (1) of section
17 2844(b) of the William M. (Mac) Thornberry National De-
18 fense Authorization Act for Fiscal Year 2021 (Public Law
19 116–283; 134 Stat. 4351), is further amended—

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

21 “(i) IN GENERAL.—The Secretary of
22 the Interior and the Secretary of the Air
23 Force shall jointly establish an interagency
24 committee (referred to in this subpara-
25 graph as the ‘interagency committee’) to—

1 “(I) facilitate coordination, man-
2 age public access needs and require-
3 ments, and minimize potential conflict
4 between the Department of the Inte-
5 rior and the Department of the Air
6 Force with respect to joint operating
7 areas within the Desert National
8 Wildlife Refuge; and

9 “(II) discuss the activities au-
10 thorized in paragraph (1) and provide
11 input to the United States Fish and
12 Wildlife Service and the Department
13 of the Air Force when assessing
14 whether these activities may be con-
15 ducted on the joint operating areas
16 within the Desert National Wildlife
17 Refuge that are under the primary ju-
18 risdiction of the Secretary of the Inte-
19 rior in a manner that is consistent
20 with the National Wildlife Refuge
21 System Administration Act (16
22 U.S.C. 668dd et seq.) and other appli-
23 cable law.”; and

24 (2) in clause (ii)—

1 (A) by inserting “, including a designee of
2 the Director of the United States Fish and
3 Wildlife Service” before the period at the end of
4 subclause (I); and

5 (B) by inserting “, including a designee of
6 the Assistant Secretary of the Air Force for
7 Energy, Installations, and Environment” before
8 the period at the end of subclause (II).

9 (c) ADDITIONAL PURPOSE OF INTERGOVERNMENTAL
10 EXECUTIVE COMMITTEE.—Section 3011(b)(H)(5)(ii), as
11 added by paragraph (2) of such section 2844(b), is amend-
12 ed in clause (ii)—

13 (1) by striking “and” at the end of subclause
14 (I);

15 (2) by striking the period at the end of sub-
16 clause (II) and inserting “; and”; and

17 (3) by adding at the end the following new sub-
18 clause:

19 “(III) discussing and making rec-
20 ommendations to the interagency com-
21 mittee established under subpara-
22 graph (G) with respect to any pro-
23 posal by the Secretary of the Air
24 Force to undertake any of the activi-
25 ties authorized in paragraph (1) on

1 the joint operating areas within the
2 Desert National Wildlife Refuge.”.

3 (d) COMPLETION OF INTERAGENCY MEMORANDUM
4 OF UNDERSTANDING.—

5 (1) DEADLINE.—Not later than one year after
6 the date of the enactment of this Act, the Secretary
7 of the Air Force and the Secretary of the Interior
8 shall enter into either—

9 (A) a complete new operational memo-
10 randum of understanding under paragraph
11 (5)(E) of section 3011(b) of the Military Lands
12 Withdrawal Act of 1999 (title XXX of the Na-
13 tional Defense Authorization Act for Fiscal
14 Year 2000; Public Law 106–65; 113 Stat.
15 886); or

16 (B) a revision to the current memorandum
17 of understanding under that paragraph that
18 will complete the memorandum of under-
19 standing.

20 (2) ACCESS TO JOINT USE AREA FOR FISH AND
21 WILDLIFE SERVICE.—The memorandum of under-
22 standing entered into under paragraph (1) shall in-
23 clude one or more provisions to ensure adequate ac-
24 cess for the United States Fish and Wildlife Service
25 to the joint use area.

1 (e) BUREAU OF LAND MANAGEMENT AND STATE OF
2 NEVADA COOPERATIVE AGREEMENT.—Not later than 180
3 days after the date of enactment of this Act, the Secretary
4 of the Interior shall submit to the Committee on Energy
5 and Natural Resources of the Senate and the Committee
6 on Natural Resources of the House of Representatives a
7 report that describes the status of the cooperative agree-
8 ment authorized under section 2905(j)(6) of the James
9 M. Inhofe National Defense Authorization Act for Fiscal
10 Year 2023 (Public Law 117–263; 136 Stat. 3043).

