May XX, 2020

The Honorable Adam Smith,

Chairman

House Armed Services Committee

2216 Rayburn House Office Building

Washington, D.C. 20515-6035

The Honorable Mac Thornberry,

Ranking Member

House Armed Services Committee

2216 Rayburn House Office Building

Washington, D.C. 20510-605

Dear Chairman Smith and Ranking Member Thornberry:

On behalf of millions of members and supporters in Nevada and across the nation, we wish to express our concerns regarding the land withdrawals of Nellis Air Force Range and Naval Air Station Fallon (NAS Fallon). We urge you to adopt the following recommendations as you draft and vote on the National Defense Authorization Act for Fiscal Year 2021 (NDAA).

As you know, the existing military land withdrawal of Nellis, which is set to expire late in calendar year 2021, totals just under 3,000,000 acres, including approximately 850,000 acres of the Desert National Wildlife Refuge. The NDAA text should reflect the will of the people of Nevada by including these priorities: (1) rejecting any proposal to expand the Nevada Test and Training Range onto additional portions of Desert Refuge; (2) improving access of refuge lands for the Fish and Wildlife Service and native tribes; and (3) designating approximately 1.4 million acres of the Desert Refuge as wilderness under the Wilderness Act of 1964.

The Air Force’s legislative proposal is to expand the NTTR by an additional 260,000 acres onto the refuge, taking primary control of a colossal 1.1 million acres of Desert Refuge. That proposal is unacceptable. It would threaten the refuge’s unequaled cultural and biological resources and the integrity of the National Wildlife Refuge System as a whole. We urge you to follow the will of the state legislature and reject any additional expansion.[[1]](#footnote-1)

Even though Desert Refuge is the largest wildlife refuge in the contiguous U.S. and is home to dozens of vulnerable wildlife species, the Fish and Wildlife Service needs additional access to properly study, monitor, and manage the refuge. It is imperative for Congress to resolve these issues by guaranteeing at least 15 percent of annual calendar days to the Service for specific activities like biological surveys, water development maintenance, and the annual desert bighorn sheep hunt.

The Southern Paiute Nuwu consider the mountains of Southern Nevada and the imperiled bighorn sheep of the region to be sacred. Notably, the Moapa Band of Paiutes recently passed a resolution opposing the increased use and expansion of the Nevada Test and Training Range, which threatens cultural sites and their access to them.[[2]](#footnote-2) The Air Force’s proposal would afford the tribe with little autonomy, instead allowing the secretaries of the Air Force and the Interior to decide when and where the tribe may access sacred sites. The final bill should address these concerns by rejecting the Air Force’s proposed expansion and ensuring tribal access to and protection for these significant areas.

We urge Congress to officially designate the proposed wilderness areas within the Desert Refuge. The Service first recommended wilderness designation for approximately 1.4 million acres of the refuge in 1974 and has managed them as *de facto* wilderness ever since.[[3]](#footnote-3) These remarkable, intact habitats retain their wilderness character today and provide a safe haven for bighorn sheep and other sensitive and imperiled species. The Air Force’s submission would ignore the status of this proposed wilderness acreage and remove existing management protections. Rather, these exceptional wildlands must be permanently protected for future generations.

We are also concerned about the withdrawal for NAS Fallon. We urge you to reject any expansion of NAS Fallon, safeguard surrounding public lands and wildlife, and require special attention to cultural sites and tribal access under the NDAA.

The Navy’s proposal would renew the current withdrawal of around 200,000 acres and withdraw an additional 602,216 acres of public land and 66,551 acres of private land.[[4]](#footnote-4) The majority of these lands would be fenced and closed to the public entirely, eliminating hunting, wildlife watching, hiking, and other significant public and tribal uses of land. The proposal would encroach onto approximately 2,720 acres of the Fallon National Wildlife Refuge, a protected unit within the National Wildlife Refuge System, as well as eliminate 74,400 acres of Wilderness Study Areas. The Navy has conceded that expansion would impact thousands of acres of bighorn sheep and pronghorn habitat, with other likely impacts to greater sage-grouse leks and other vulnerable species.

The proposal has been met with strong opposition from state leaders, tribal councils, and various stakeholders. Citing the preservation of Fallon National Wildlife Refuge and public access for recreation, the Nevada Legislature opposed the Navy’s proposal in 2019.[[5]](#footnote-5) The Inter-Tribal Council of Nevada recently opposed the proposal and called on the Navy to meaningfully consult with the Fallon Paiute Shoshone Tribe, share relevant information, and fund a study to identify culturally significant sites.[[6]](#footnote-6) The National Congress of American Indians also passed a resolution strongly opposing the proposal for limiting access and impacting tribal and cultural resources.[[7]](#footnote-7)

The people of Nevada have given away their lands for decades through withdrawals, expansions, and takeovers. We support fair and responsible use of our public lands, which includes the protection of both the Desert Refuge and the public lands surrounding Fallon. We thank you in advance for working your consideration of these important recommendations.

Sincerely,

1. Nevada State Legislature, Assembly Joint Resolution No. 2 (2019) (passing by a vote of 58-3): “That the members of the 80th Session of the Nevada Legislature hereby urge Congress to reject any proposal by the United States Air Force to expand its use of land or exercise of jurisdiction within the Desert National Wildlife Refuge.” [↑](#footnote-ref-1)
2. Moapa Band of Paiutes, Tribal Resolution M-18-03-07, “Oppose Department of Defense Increased Use and Expansion of the Nevada Test and Training Range in the Desert National Wildlife Refuge” (2018). [↑](#footnote-ref-2)
3. U.S. Fish and Wildlife Service, *About Desert Refuge*, <https://www.fws.gov/refuge/Desert/about.html> [↑](#footnote-ref-3)
4. U.S. Navy, Fallon Range Training Complex Modernization Final Environmental Impact Statement. [<https://frtcmodernization.com/>] [↑](#footnote-ref-4)
5. Nevada State Legislature, Assembly Joint Resolution No. 2 (2019). [↑](#footnote-ref-5)
6. Inter-Tribal Council of Nevada, Resolution No. 06-ITCN-19 (May 3, 2019). [↑](#footnote-ref-6)
7. National Congress of American Indians, Resolution No. ABQ-19-006, (2019). [↑](#footnote-ref-7)