

# Congress of the United States

## House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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December 5, 2023

The Honorable Kay Granger  
Chairwoman  
House Committee on Appropriations

The Honorable Rosa DeLauro  
Ranking Member  
House Committee on Appropriations

The Honorable Patty Murray  
Chair  
Senate Committee on Appropriations

The Honorable Susan Collins  
Vice Chair  
Senate Committee on Appropriations

Dear Chairwoman Granger and Ranking Member DeLauro, and Chair Murray and Vice Chair Collins,

We write to you regarding Section 466 in H.R. 4821, the Department of the Interior, Environment, and Related Agencies Appropriations Act, which would prevent any FY2024 funds to “implement, administer, or enforce Public Land Order 7921 (relating to the withdrawal of public land for satellite calibration in Railroad Valley; Nye County; Nevada).”

In response to an application from NASA originally submitted in April 2019, the Bureau of Land Management (BLM) announced the withdrawal of approximately 22,684 acres—about 40%—of the Railroad Valley lakebed from new mineral entry for twenty years on April 26, 2023.<sup>1</sup> It is our understanding that NASA pursued a land withdrawal because of growing interest in using the Railroad Valley site for new activities. Such activities are expected to significantly alter the site’s surface features, making it unusable for satellite calibration by NASA, commercial remote sensing companies, and other Federal government agencies.

The Railroad Valley site is critical for enabling NASA’s leadership in space-based Earth observations and measurement that enable everything from understanding the Earth’s systems and the drivers and impacts of climate change, to the applied use of the data for land use, natural resource management, agriculture, weather forecasting, disaster response, aviation safety, and many other applications. This

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<sup>1</sup> Public Land Order, No. 7921. Available at: <https://www.federalregister.gov/documents/2023/04/27/2023-08916/public-land-order-no-7921-withdrawal-of-public-land-for-satellite-calibration-in-railroad-valley-nye>

site is also widely used to protect our national security, through calibration of both government systems and commercial systems relied upon by the national security community.

According to NASA, the dry lakebed found at the Railroad Valley site has unique surface characteristics that make it the only location in the United States that meets the necessary criteria for the continuous calibration of instruments on board Earth-observing satellites, including those used by NASA, other federal agencies, international partners, and commercial remote sensing companies. NASA has used the Railroad Valley site for post-launch satellite instrument calibrations since 1993 to maintain the accuracy and precision of the data. Permanent alteration of the surface would destroy those characteristics.

We are pleased that productive progress has been made among many stakeholders and Members to develop an alternative, compromise approach to Section 466. That compromise would strike Section 466 and encourage the Bureau of Land Management to, if requested, prioritize completion of standard processes for existing mining claims to the area under the withdrawn land in Railroad Valley. This compromise text is reflected in the Amodei #216 amendment filed with the House Rules Committee. While we are disappointed this compromise was not reflected in H.R. 4821 or the amendments considered on the House Floor, we respectfully request your support for efforts to reach a resolution on this important matter through adoption of the Amodei #216 amendment in the conference process.

With vital Federal government agency and commercial remote sensing industry interests at stake, including for scientific research, public safety, national security, and economic growth, it is imperative that we effectuate an alternative, compromise approach to Section 466 during conference and in an enacted appropriation for the Department of the Interior, Environment, and Related Agencies.

Thank you for your attention to this matter.

Sincerely,



Zoe Lofgren  
Ranking Member  
Committee on Science, Space, and  
Technology



Doug Lamborn  
Member of Congress



Ami Bera  
Member of Congress

cc:

The Honorable Frank D. Lucas  
Chairman  
Committee on Science, Space, and Technology