

117TH CONGRESS
1ST SESSION

S. 726

To transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for use as a national cemetery, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2021

Ms. CORTEZ MASTO (for herself and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for use as a national cemetery, 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 “Elko National Ceme-
5 tery Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) FEDERAL LAND.—The term “Federal land”
 2 means the approximately 15 acres of Bureau of
 3 Land Management land in Elko, Nevada, that is
 4 more particularly described as NE¹/₄
 5 SW¹/₄ NW¹/₄, N¹/₂SE¹/₄SW¹/₄NW¹/₄, sec. 8, T.
 6 34 N., R. 55 E., of the Mount Diablo Meridian, as
 7 depicted on the map prepared by the Bureau of
 8 Land Management, entitled “Proposed National
 9 Cemetery-Elko Nevada”, and dated September 9,
 10 2015.

11 (2) SECRETARY.—The term “Secretary” means
 12 the Secretary of the Interior.

13 **SEC. 3. TRANSFER AND WITHDRAWAL OF BUREAU OF LAND**
 14 **MANAGEMENT LAND FOR USE AS A NA-**
 15 **TIONAL CEMETERY.**

16 (a) TRANSFER OF ADMINISTRATIVE JURISDIC-
 17 TION.—

18 (1) IN GENERAL.—Subject to valid existing
 19 rights, administrative jurisdiction over the Federal
 20 land is transferred from the Secretary to the Sec-
 21 retary of Veterans Affairs for use as a national cem-
 22 etery in accordance with chapter 24 of title 38,
 23 United States Code.

24 (2) LEGAL DESCRIPTIONS.—

1 (A) IN GENERAL.—As soon as practicable
2 after the date of enactment of this Act, the Sec-
3 retary shall publish in the Federal Register a
4 notice containing a legal description of the Fed-
5 eral land.

6 (B) EFFECT.—A legal description pub-
7 lished under subparagraph (A) shall have the
8 same force and effect as if included in this Act,
9 except that the Secretary may correct any cler-
10 ical and typographical errors in the legal de-
11 scription.

12 (C) AVAILABILITY.—Copies of the legal de-
13 scription published under subparagraph (A)
14 shall be available for public inspection in the
15 appropriate offices of—

16 (i) the Bureau of Land Management;
17 and

18 (ii) the National Cemetery Adminis-
19 tration.

20 (D) COSTS.—The Secretary of Veterans
21 Affairs shall reimburse the Secretary for the
22 costs incurred by the Secretary in carrying out
23 this paragraph, including the costs of any sur-
24 veys and other reasonable costs.

1 (b) WITHDRAWAL.—Subject to valid existing rights,
2 for any period during which the Federal land is under the
3 administrative jurisdiction of the Secretary of Veterans
4 Affairs, the Federal land—

5 (1) is withdrawn from all forms of appropria-
6 tion under the public land laws, including the mining
7 laws, the mineral leasing laws, and the geothermal
8 leasing laws; and

9 (2) shall be treated as property (as defined in
10 section 102 of title 40, United States Code).

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