

## Calendar No. 825

110TH CONGRESS  
2D SESSION**H. R. 3702**

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2008

Received; read twice and placed on calendar

**AN ACT**

To direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery.

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 “Montana Cemetery Act  
5       of 2008”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) COUNTY.—The term “County” means Jef-  
9       ferson County, Montana.

1           (2) MAP.—The term “map” means the map  
2       that is—

3                   (A) entitled “Elkhorn Cemetery”;

4                   (B) dated May 9, 2005; and

5                   (C) on file in the office of the Beaverhead-  
6       Deerlodge National Forest Supervisor.

7           (3) SECRETARY.—The term “Secretary” means  
8       the Secretary of Agriculture.

9   **SEC. 3. CONVEYANCE TO JEFFERSON COUNTY, MONTANA.**

10       (a) CONVEYANCE.—Not later than 180 days after the  
11   date of enactment of this Act and subject to valid existing  
12   rights, the Secretary (acting through the Regional For-  
13   ester, Northern Region, Missoula, Montana) shall convey  
14   by quitclaim deed to the County for no consideration, all  
15   right, title, and interest of the United States, except as  
16   provided in subsection (e), in and to the parcel of land  
17   described in subsection (b).

18       (b) DESCRIPTION OF LAND.—The parcel of land re-  
19   ferred to in subsection (a) is the parcel of approximately  
20   9.67 acres of National Forest System land (including any  
21   improvements to the land) in the County that is known  
22   as the “Elkhorn Cemetery”, as generally depicted on the  
23   map.

24       (c) USE OF LAND.—As a condition of the conveyance  
25   under subsection (a), the County shall—

(2) agree to manage the cemetery with due consideration and protection for the historic and cultural values of the cemetery, under such terms and conditions as are agreed to by the Secretary and the County.

(d) EASEMENT.—In conveying the land to the County under subsection (a), the Secretary, in accordance with applicable law, shall grant to the County an easement across certain National Forest System land, as generally depicted on the map, to provide access to the land conveyed under that subsection.

(e) REVERSION.—In the quitclaim deed to the County, the Secretary shall provide that the land conveyed to the County under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the land is—

18 (1) used for a purpose other than the purposes  
19 described in subsection (c)(1); or

20 (2) managed by the County in a manner that  
21 is inconsistent with subsection (c)(2).

Passed the House of Representatives June 17, 2008.

Attest: LORRAINE C. MILLER,  
*Clerk.*

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2<sup>D</sup> Session

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