

# Calendar No. 793

110TH CONGRESS  
2D SESSION

# S. 2124

[Report No. 110–361]

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.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2007

Mr. BAUCUS (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 16, 2008

Reported by Mr. BINGAMAN, without amendment

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## A BILL

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Montana Cemetery Act  
3 of 2007”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

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

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

10 (A) entitled “Elkhorn Cemetery”;

11 (B) dated May 9, 2005; and

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

14 (3) SECRETARY.—The term “Secretary” means  
15 the Secretary of Agriculture.

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

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

25 (b) DESCRIPTION OF LAND.—The parcel of land re-  
26 ferred to in subsection (a) is the parcel of approximately

1 9.67 acres of National Forest System land (including any  
2 improvements to the land) in the County that is known  
3 as the “Elkhorn Cemetery”, as generally depicted on the  
4 map.

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

7 (1) use the land described in subsection (b) as  
8 a County cemetery; and

9 (2) agree to manage the cemetery with due con-  
10 sideration and protection for the historic and cul-  
11 tural values of the cemetery, under such terms and  
12 conditions as are agreed to by the Secretary and the  
13 County.

14 (d) EASEMENT.—In conveying the land to the County  
15 under subsection (a), the Secretary, in accordance with  
16 applicable law, shall grant to the County an easement  
17 across certain National Forest System land, as generally  
18 depicted on the map, to provide access to the land con-  
19 veyed under that subsection.

20 (e) REVERSION.—In the quitclaim deed to the Coun-  
21 ty, the Secretary shall provide that the land conveyed to  
22 the County under subsection (a) shall revert to the Sec-  
23 retary, at the election of the Secretary, if the land is—

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

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



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