

116TH CONGRESS  
2D SESSION

# S. 3492

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.

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## IN THE SENATE OF THE UNITED STATES

MARCH 12, 2020

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

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## 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 NE<sup>1</sup>/<sub>4</sub>  
 5 SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, 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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