

111TH CONGRESS
1ST SESSION

S. 1378

To modify a land grant patent issued by the Secretary of the Interior.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2009

Mr. LEVIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To modify a land grant patent issued by the Secretary of the Interior.

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. FINDINGS.**

4 Congress finds that—

5 (1) pursuant to section 5505 of division A of
6 the Omnibus Consolidated Appropriations Act, 1997
7 (Public Law 104–208; 110 Stat. 3009–516), the
8 Secretary of the Interior, acting through the Bureau
9 of Land Management, issued to the Great Lakes
10 Shipwreck Historical Society located in Chippewa
11 County of the State of Michigan United States Pat-

1 ent Number 61–98–0040 on September 23, 1998,
2 conveying certain property (referred to in this Act as
3 the “Property”) from the Federal Government to
4 the Great Lakes Shipwreck Historical Society;

5 (2) United States Patent Number 61–98–0040
6 was recorded in the Office of the Register of Deeds
7 of Chippewa County of the State of Michigan, on
8 January 22, 1999, at Liber 757, on pages 115
9 through 118;

10 (3) in order to correct an error in United States
11 Patent Number 61–98–0040, the Secretary issued a
12 corrected patent, United States Patent Number 61–
13 2000–0007, on March 10, 2000;

14 (4) after issuance of the corrected United
15 States Patent Number 61–2000–0007, the original
16 United States Patent Number 61–98–0040 was can-
17 celled on the records of the Bureau of Land Man-
18 agement; and

19 (5) corrected United States Patent Number 61–
20 2000–0007 should be modified in accordance with
21 this Act—

22 (A) to effectuate—

23 (i) the Human Use/Natural Resource
24 Plan for Whitefish Point, dated December
25 2002; and

1 (ii) the settlement agreement dated
2 July 16, 2001, filed in Docket Number
3 2:00–CV–206 in the United States District
4 Court for the Western District of Michi-
5 gan; and

6 (B) to ensure a clear chain of title, re-
7 corded in the Office of the Register of Deeds of
8 Chippewa County of the State of Michigan.

9 **SEC. 2. MODIFICATION OF LAND GRANT PATENT ISSUED BY**
10 **SECRETARY OF THE INTERIOR.**

11 The Secretary of the Interior shall modify the matter
12 under the heading “SUBJECT ALSO TO THE FOLLOWING
13 CONDITIONS” of paragraph 6 of United States Patent
14 Number 61–2000–0007 by striking “Whitefish Point
15 Comprehensive Plan of October 1992, or a gift shop” and
16 inserting “Human Use/Natural Resource Plan for White-
17 fish Point, dated December 2002”.

18 **SEC. 3. DEVELOPMENT LIMITATIONS AND REVIEW.**

19 As of the date of enactment of this Act, each develop-
20 ment of a new facility or expansion of a facility or infra-
21 structure on the Property shall be subject to—

22 (1) the National Historic Preservation Act (16
23 U.S.C. 470 et seq.) (including regulations);

1 (2) the National Environmental Policy Act of
2 1969 (42 U.S.C. 4321 et seq.) (including regula-
3 tions); and

4 (3) any other applicable law of—

5 (A) the Federal Government (including
6 regulations); and

7 (B) a State or local government.

8 **SEC. 4. EFFECTIVE DATE.**

9 (a) IN GENERAL.—The modification of United States
10 Patent Number 61–2000–0007 in accordance with section
11 2 shall become effective on the date of the recording of
12 the modification in the Office of the Register of Deeds
13 of Chippewa County of the State of Michigan.

14 (b) ENDORSEMENT.—The Office of the Register of
15 Deeds of Chippewa County of the State of Michigan is
16 requested to endorse on the recorded copy of United
17 States Patent Number 61–2000–0007 the fact that the
18 Patent Number has been modified in accordance with this
19 Act.

○