

Calendar No. 595

111TH CONGRESS
2^D SESSION

S. 1651

[Report No. 111-309]

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8, 2009

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

SEPTEMBER 27, 2010

Reported by Mr. BINGAMAN, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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~~

1 ~~(Public Law 104-208; 110 Stat. 3009-516)~~, the
2 Secretary of the Interior, acting through the Bureau
3 of Land Management, issued to the Great Lakes
4 Shipwreck Historical Society located in Chippewa
5 County of the State of Michigan United States Pat-
6 ent Number ~~61-98-0040~~ on September 23, 1998;

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

12 (3) in order to correct an error in United States
13 Patent Number ~~61-98-0040~~, the Secretary issued a
14 corrected patent, United States Patent Number ~~61-~~
15 ~~2000-0007~~, on March 10, 2000;

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

21 (5) corrected United States Patent Number ~~61-~~
22 ~~2000-0007~~ should be modified in accordance with
23 this Act—

24 (A) to effectuate—

1 (i) the Human Use/Natural Resource
 2 Plan for Whitefish Point, dated December
 3 2002; and

4 (ii) the settlement agreement dated
 5 July 16, 2001, filed in Docket Number
 6 ~~2:00-CV-206~~ in the United States District
 7 Court for the Western District of Michi-
 8 gan; and

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

12 **SEC. 2. MODIFICATION OF LAND GRANT PATENT ISSUED BY**
 13 **SECRETARY OF THE INTERIOR.**

14 **SECTION 1. MODIFICATION OF LAND GRANT PATENT**
 15 **ISSUED BY SECRETARY OF THE INTERIOR.**

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

23 **SEC. 32. REVIEW OF MODIFICATIONS AND UNDERTAKINGS.**

24 (a) MODIFICATIONS TO HUMAN USE/NATURAL RE-
 25 SOURCE PLAN FOR WHITEFISH POINT.—Each modifica-

1 tion to the Human Use/Natural Resource Plan for White-
2 fish Point, dated December 2002, described in the matter
3 under the heading “SUBJECT ALSO TO THE FOLLOWING
4 CONDITIONS” of paragraph 6 of United States Patent
5 Number 61–2000–0007 shall be subject to the review
6 process established under—

7 (1) section 106 of the National Historic Preser-
8 vation Act (16 U.S.C. 470f); and

9 (2) part 800 of title 36, Code of Federal Regu-
10 lations.

11 (b) FEDERAL OR FEDERALLY ASSISTED UNDER-
12 TAKINGS.—Each Federal or federally assisted undertaking
13 (as described in section 106 of the National Historic Pres-
14 ervation Act (16 U.S.C. 470f)) proposed to be carried out
15 within the boundaries of the Whitefish Point Light Station
16 shall be subject to the review process established under—

17 (1) section 106 of the National Historic Preser-
18 vation Act (16 U.S.C. 470f); and

19 (2) part 800 of title 36, Code of Federal Regu-
20 lations.

21 **SEC. 43. EFFECTIVE DATE.**

22 (a) IN GENERAL.—The modification of United States
23 Patent Number 61–2000–0007 in accordance with section
24 1 shall become effective on the date of the recording of

1 the modification in the Office of the Register of Deeds
2 of Chippewa County of the State of Michigan.

3 (b) ENDORSEMENT.—The Office of the Register of
4 Deeds of Chippewa County of the State of Michigan is
5 requested to endorse on the recorded copy of United
6 States Patent Number 61–2000–0007 the fact that the
7 Patent Number has been modified in accordance with this
8 Act.

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