

105TH CONGRESS
1ST SESSION

H. R. 2970

To amend the National Historic Preservation Act for purposes of establishing
a national historic lighthouse preservation program.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 1997

Mr. SOUDER introduced the following bill; which was referred to the
Committee on Resources

A BILL

To amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

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 “National Historic
5 Lighthouse Preservation Act of 1997”.

6 **SEC. 2. PRESERVATION OF HISTORIC LIGHT STATIONS.**

7 Title III of the National Historic Preservation Act
8 (16 U.S.C. 470w–470w–6) is amended by adding at the
9 end the following new section:

1 **“SEC. 308. HISTORIC LIGHTHOUSE PRESERVATION.**

2 “(a) IN GENERAL.—In order to provide a national
3 historic light station program, the Secretary shall—

4 “(1) collect and disseminate information con-
5 cerning historic light stations, including historic
6 lighthouses and associated structures;

7 “(2) foster educational programs relating to the
8 history, practice, and contribution to society of his-
9 toric light stations;

10 “(3) sponsor or conduct research and study into
11 the history of light stations;

12 “(4) maintain a listing of historic light stations;
13 and

14 “(5) assess the effectiveness of the program es-
15 tablished by this section regarding the conveyance of
16 historic light stations.

17 “(b) CONVEYANCE OF HISTORIC LIGHT STATIONS.—

18 “(1) Within 1 year after the date of enactment
19 of the National Historic Lighthouse Preservation
20 Act of 1997, the Secretary and the Administrator of
21 General Services (in this section referred to as the
22 Administrator) shall establish a process for identify-
23 ing, and selecting, an eligible entity to which a his-
24 toric light station could be conveyed for education,
25 park, recreation, cultural, and historic preservation
26 purposes.

1 “(2) The Secretary shall review all applicants
2 for the conveyance of a historic light station, when
3 the historic light station has been identified as ex-
4 cess to the needs of the agency with administrative
5 jurisdiction over the historic light station, and for-
6 ward to the Administrator a single approved applica-
7 tion for the conveyance of the historic light station.
8 When selecting an eligible entity, the Secretary may
9 consult with the State Historic Preservation Officer
10 of the State in which the historic light station is lo-
11 cated. A priority of consideration shall be afforded
12 public entities that submit applications in which the
13 public entity enters into a partnership with a non-
14 profit organization whose primary mission is historic
15 light station preservation.

16 “(3) The Administrator shall convey, by quit
17 claim deed, without consideration, all right, title,
18 and interest of the United States in and to the his-
19 toric light station, together with any related real
20 property, subject to the conditions set forth in sub-
21 section (c) upon the Secretary’s selection of an eligi-
22 ble entity. The conveyance of a historic light station
23 under this section shall not be subject to the provi-
24 sions of Public Law 100–77 (42 U.S.C. 11301 et
25 seq.).

1 “(c) TERMS OF CONVEYANCE.—

2 “(1) The conveyance of a historic light station
3 shall be made subject to any conditions as the Ad-
4 ministrator considers necessary to ensure that—

5 “(A) the lights, antennas, sound signal,
6 electronic navigation equipment, and associated
7 light station equipment located on the property
8 conveyed, which are active aids to navigation,
9 shall continue to be operated and maintained by
10 the United States for as long as needed for this
11 purpose;

12 “(B) the eligible entity to which the his-
13 toric light station is conveyed under this section
14 shall not interfere or allow interference in any
15 manner with aids to navigation without the ex-
16 press written permission of the head of the
17 agency responsible for maintaining the aids to
18 navigation;

19 “(C) there is reserved to the United States
20 the right to relocate, replace, or add any aid to
21 navigation or make any changes to the property
22 conveyed under this section as may be nec-
23 essary for navigation purposes;

24 “(D) the eligible entity to which the his-
25 toric light station is conveyed under this section

1 shall maintain the property in accordance with
2 this Act, the Secretary’s Historic Preservation
3 Standards, and other applicable laws; and

4 “(E) the United States shall have the
5 right, at any time, to enter property conveyed
6 under this section without notice for purposes
7 of maintaining and inspecting aids to naviga-
8 tion and ensuring compliance with paragraph
9 (C), to the extent that it is not possible to pro-
10 vide advance notice.

11 “(2) The Secretary, the Administrator, and any
12 eligible entity to which a historic light station is con-
13 veyed under this section, shall not be required to
14 maintain any active aids to navigation associated
15 with a historic light station.

16 “(3) In addition to any term or condition estab-
17 lished pursuant to this subsection, the conveyance of
18 a historic light station shall include a condition that
19 the property in its existing condition, at the option
20 of the Administrator, revert to the United States
21 if—

22 “(A) the property or any part of the prop-
23 erty ceases to be available for education, park,
24 recreation, cultural, and historic preservation
25 purposes for the general public at reasonable

1 times and under reasonable conditions which
2 shall be set forth in the eligible entity's applica-
3 tion;

4 “(B) the property or any part of the prop-
5 erty ceases to be maintained in a manner that
6 ensures its present or future use as an aid to
7 navigation or compliance with this Act, the Sec-
8 retary's Historic Preservation Standards, and
9 other applicable laws; or

10 “(C) at least 30 days before the reversion,
11 the Administrator provides written notice to the
12 owner that the property is needed for national
13 security purposes.

14 “(d) DESCRIPTION OF PROPERTY.—The legal de-
15 scription of any historic light station, and any real prop-
16 erty and improvements associated therewith, conveyed
17 under this section shall be determined by the Adminis-
18 trator. The Administrator may retain all right, title, and
19 interest of the United States in and to any historical arti-
20 fact, including any lens or lantern, that is associated with
21 the historical light station whether located at the light sta-
22 tion or elsewhere.

23 “(e) RESPONSIBILITIES OF CONVEYEEES.—Each eligi-
24 ble entity to which a historic light station is conveyed
25 under this section shall use and maintain the light station

1 in accordance with this section, and have such terms and
2 conditions recorded with the deed of title to the light sta-
3 tion and any real property conveyed therewith.

4 “(f) DEFINITIONS.— For purposes of this section:

5 “(1) HISTORIC LIGHT STATION.—The term
6 ‘historic light station’ includes the light tower, light-
7 house, keepers dwelling, garages, storage sheds, sup-
8 port structures, piers, walkways, and underlying
9 land; provided that the light tower or lighthouse
10 shall be—

11 “(A) at least 50 years old;

12 “(B) evaluated for inclusion in the Na-
13 tional Register of Historic Places; and

14 “(C) included on the Secretary’s listing of
15 historic light stations.

16 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
17 tity’ means any department or agency of the Federal
18 Government, any department or agency of the State
19 in which the historic light station is located, the
20 local government of the community in which the his-
21 toric light station is located, nonprofit corporation,
22 educational agency, or community development orga-
23 nization that—

24 “(A) has agreed to comply with the condi-
25 tions set forth in subsection (c) and to have

1 those conditions recorded in the conveyance
2 documents to the light station and any real
3 property and improvements that may be con-
4 veyed therewith;

5 “(B) is financially able to maintain the
6 light station (and any real property and im-
7 provements conveyed therewith) in accordance
8 with the conditions set forth in subsection (c);
9 and

10 “(C) can indemnify the Federal Govern-
11 ment to cover any loss in connection with the
12 light station and any real property and im-
13 provements that may be conveyed therewith, or
14 any expenses incurred due to reversion.”.

15 **SEC. 3. SALE OF SURPLUS LIGHT STATIONS.**

16 Title III of the National Historic Preservation Act
17 (16 U.S.C. 470w–470w–6) is further amended by adding
18 at the end the following new section:

19 **“SEC. 309. HISTORIC LIGHT STATION SALES.**

20 “In the event no applicants are approved for the con-
21 veyance of a historic light station pursuant to section 308,
22 the historic light station shall be offered for sale. Terms
23 of such sales shall be developed by the Administrator of
24 General Services. Conveyance documents shall include all
25 necessary covenants to protect the historical integrity of

1 the site. Net sale proceeds shall be transferred to the Na-
 2 tional Maritime Heritage Grant Program, established by
 3 the National Maritime Heritage Act of 1994 (Public Law
 4 103–451) within the Department of the Interior.”.

5 **SEC. 4. TRANSFER OF HISTORIC LIGHT STATIONS TO FED-**
 6 **ERAL AGENCIES.**

7 Title III of the National Historic Preservation Act
 8 (16 U.S.C. 470–470x) is further amended by adding at
 9 the end the following new section:

10 **“SEC. 310. TRANSFER OF HISTORIC LIGHT STATIONS TO**
 11 **FEDERAL AGENCIES.**

12 “After the date of enactment of the National Historic
 13 Lighthouse Preservation Act of 1997, any department or
 14 agency of the Federal Government to which a historic light
 15 station is conveyed shall maintain the historic light station
 16 in accordance with this Act, the Secretary’s Historic Pres-
 17 ervation Standards, and other applicable laws.”.

○