

110TH CONGRESS  
1ST SESSION

# S. 1796

To provide for the conveyance of the Presque Isle Light Station Fresnel Lens to Presque Isle Township, Michigan.

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## IN THE SENATE OF THE UNITED STATES

JULY 17, 2007

Mr. LEVIN (for himself and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To provide for the conveyance of the Presque Isle Light Station Fresnel Lens to Presque Isle Township, Michigan.

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. CONVEYANCE OF PRESQUE ISLE LIGHT STA-  
4 TION FRESNEL LENS TO PRESQUE ISLE  
5 TOWNSHIP, MICHIGAN.**

6       (a) CONVEYANCE OF LENS AUTHORIZED.—  
7           (1) TRANSFER OF POSSESSION.—Notwith-  
8 standing any other provision of law, the Com-  
9 mandant of the Coast Guard may transfer to  
10 Presque Isle Township, a township in Presque Isle

1       County in the State of Michigan (in this section re-  
2       ferred to as the “Township”), possession of the His-  
3       toric Fresnel Lens (in this section referred to as the  
4       “Lens”) from the Presque Isle Light Station Light-  
5       house, Michigan (in this section referred to as the  
6       “Lighthouse”).

7                   (2) CONDITION.—As a condition of the transfer  
8       of possession authorized by paragraph (1), the  
9       Township shall, not later than one year after the  
10      date of transfer, install the Lens in the Lighthouse  
11      for the purpose of operating the Lens and Light-  
12      house as a Class I private aid to navigation pursu-  
13      ant to section 85 of title 14, United States Code,  
14      and the applicable regulations under that section.

15                   (3) CONVEYANCE OF LENS.—Upon the certifi-  
16       cation of the Commandant that the Township has  
17       installed the Lens in the Lighthouse and is able to  
18       operate the Lens and Lighthouse as a private aid to  
19       navigation as required by paragraph (2), the Com-  
20       mandant shall convey to the Township all right,  
21       title, and interest of the United States in and to the  
22       Lens.

23                   (4) CESSATION OF UNITED STATES OPER-  
24       ATIONS OF AIDS TO NAVIGATION AT LIGHTHOUSE.—  
25       Upon the making of the certification described in

1       paragraph (3), all active Federal aids to navigation  
2       located at the Lighthouse shall cease to be operated  
3       and maintained by the United States.

4       (b) REVERSION.—

5               (1) REVERSION FOR FAILURE OF AID TO NAVI-  
6       GATION.—If the Township does not comply with the  
7       condition set forth in subsection (a)(2) within the  
8       time specified in that subsection, the Township shall,  
9       except as provided in paragraph (2), return the Lens  
10      to the Commandant at no cost to the United States  
11      and under such conditions as the Commandant may  
12      require.

13               (2) EXCEPTION FOR HISTORICAL PRESERVA-  
14       TION.—Notwithstanding the lack of compliance of  
15       the Township as described in paragraph (1), the  
16       Township may retain possession of the Lens for in-  
17       stallation as an artifact in, at, or near the Light-  
18       house upon the approval of the Commandant. The  
19       Lens shall be retained by the Township under this  
20       paragraph under such conditions for the preserva-  
21       tion and conservation of the Lens as the Com-  
22       mandant shall specify for purposes of this para-  
23       graph. Installation of the Lens under this paragraph  
24       shall occur, if at all, not later than two years after

1 the date of the transfer of the Lens to the Township  
2 under subsection (a)(1).

3 (3) REVERSION FOR FAILURE OF HISTORICAL  
4 PRESERVATION.—If retention of the Lens by the  
5 Township is authorized under paragraph (2) and the  
6 Township does not install the Lens in accordance  
7 with that paragraph within the time specified in that  
8 paragraph, the Township shall return the lens to the  
9 Coast Guard at no cost to the United States and  
10 under such conditions as the Commandant may re-  
11 quire.

12 (c) CONVEYANCE OF ADDITIONAL PERSONAL PROP-  
13 ERTY.—

14 (1) TRANSFER AND CONVEYANCE OF PERSONAL  
15 PROPERTY.—Notwithstanding any other provision of  
16 law, the Commandant may transfer to the Township  
17 any additional personal property of the United  
18 States related to the Lens that the Commandant  
19 considers appropriate for conveyance under this sec-  
20 tion. If the Commandant conveys the Lens to the  
21 Township under subsection (a)(3), the Commandant  
22 may convey to the Township any personal property  
23 previously transferred to the Township under this  
24 subsection.

7 (d) CONVEYANCE WITHOUT CONSIDERATION.—The  
8 conveyance of the Lens and any personal property under  
9 this section shall be without consideration.

10 (e) DELIVERY OF PROPERTY.—The Commandant  
11 shall deliver property conveyed under this section—

16 (f) MAINTENANCE OF PROPERTY.—As a condition of  
17 the conveyance of any property to the Township under this  
18 section, the Commandant shall enter into an agreement  
19 with the Township under which the Township agrees—

20 (1) to operate the Lens as a Class I private aid  
21 to navigation under section 85 of title 14, United  
22 States Code, and application regulations under that  
23 section; and

4 (g) LIMITATION ON FUTURE CONVEYANCE.—The in-  
5 struments providing for the conveyance of property under  
6 this section shall—

10 (2) provide that, if the Commandant determines  
11 that an interest in such property was conveyed with-  
12 out such approval—

13 (A) all right, title, and interest in such  
14 property shall revert to the United States, and  
15 the United States shall have the right to imme-  
16 diate possession of such property; and

17 (B) the recipient of such property shall pay  
18 the United States for costs incurred by the  
19 United States in recovering such property.

20 (h) ADDITIONAL TERMS AND CONDITIONS.—The  
21 Commandant may require such additional terms and con-  
22 ditions in connection with the conveyances authorized by  
23 this section as the Commandant considers appropriate to  
24 protect the interests of the United States.

