

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3540

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

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2009

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

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## 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

1 County of the State of Michigan United States Pat-  
2 ent Number 61–98–0040 on September 23, 1998;

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

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

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

17 (5) corrected United States Patent Number 61–  
18 2000–0007 should be modified in accordance with  
19 this Act—

20 (A) to effectuate—

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

24 (ii) the settlement agreement dated  
25 July 16, 2001, filed in Docket Number

1                   2:00–CV–206 in the United States District  
2                   Court for the Western District of Michi-  
3                   gan; and

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

7   **SEC. 2. MODIFICATION OF LAND GRANT PATENT ISSUED BY**  
8                   **SECRETARY OF THE INTERIOR.**

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

16 **SEC. 3. REVIEW OF MODIFICATIONS AND UNDERTAKINGS.**

17           (a) MODIFICATIONS TO HUMAN USE/NATURAL RE-  
18 SOURCE PLAN FOR WHITEFISH POINT.—Each modifica-  
19 tion to the Human Use/Natural Resource Plan for White-  
20 fish Point, dated December 2002, described in the matter  
21 under the heading “SUBJECT ALSO TO THE FOLLOWING  
22 CONDITIONS” of paragraph 6 of United States Patent  
23 Number 61–2000–0007 shall be subject to the review  
24 process established under—

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

3 (2) part 800 of title 36, Code of Federal Regu-  
4 lations.

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

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

13 (2) part 800 of title 36, Code of Federal Regu-  
14 lations.

15 **SEC. 4. EFFECTIVE DATE.**

16 (a) IN GENERAL.—The modification of United States  
17 Patent Number 61–2000–0007 in accordance with section  
18 2 shall become effective on the date of the recording of  
19 the modification in the Office of the Register of Deeds  
20 of Chippewa County of the State of Michigan.

21 (b) ENDORSEMENT.—The Office of the Register of  
22 Deeds of Chippewa County of the State of Michigan is  
23 requested to endorse on the recorded copy of United  
24 States Patent Number 61–2000–0007 the fact that the

- 1 Patent Number has been modified in accordance with this
- 2 Act.

