

Calendar No. 136

112TH CONGRESS
1ST SESSION

S. 404

[Report No. 112-56]

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

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

AUGUST 30 (legislative day, AUGUST 2), 2011

Reported under authority of the order of the Senate of August 2, 2011, by Mr. BINGAMAN, without amendment

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 (a) IN GENERAL.—The Secretary of the Interior shall
15 modify the matter under the heading “Subject Also to the
16 Following Conditions” of paragraph 6 of United States
17 Patent Number 61–2000–0007 by striking “Whitefish
18 Point Comprehensive Plan of October 1992 or for a gift
19 shop” and inserting “Human Use/Natural Resource Plan
20 for Whitefish Point, dated December 2002”.

21 (b) EFFECT.—Each other term of the conveyance re-
22 lating to the property that is the subject of United States
23 Patent Number 61–2000–0007, including each obligation
24 to maintain the property in accordance with the National
25 Historic Preservation Act (16 U.S.C. 470 et seq.) and any

1 other appropriate law (including regulations), and the obli-
2 gation to use the property in a manner that does not im-
3 pair or interfere with the conservation values of the prop-
4 erty, shall remain in effect.

5 **SEC. 3. EFFECTIVE DATE.**

6 (a) IN GENERAL.—The modification of United States
7 Patent Number 61–2000–0007 in accordance with section
8 2 shall become effective on the date of the recording of
9 the modification in the Office of the Register of Deeds
10 of Chippewa County of the State of Michigan.

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

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