

NATIONAL HISTORIC LIGHTHOUSE PRESERVATION ACT OF
2000

SEPTEMBER 26, 2000.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 4613]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4613) to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Historic Lighthouse Preservation Act of 2000”.

SEC. 2. PRESERVATION OF HISTORIC LIGHT STATIONS.

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

“SEC. 308. HISTORIC LIGHTHOUSE PRESERVATION.

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

“(1) collect and disseminate information concerning historic light stations, including historic lighthouses and associated structures;

“(2) foster educational programs relating to the history, practice, and contribution to society of historic light stations;

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

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

“(5) assess the effectiveness of the program established by this section regarding the conveyance of historic light stations.

“(b) CONVEYANCE OF HISTORIC LIGHT STATIONS.—

“(1) PROCESS AND POLICY.—Not later than one year after the date of the enactment of this section, the Secretary and the Administrator shall establish a process and policies for identifying, and selecting, an eligible entity to which a

historic light station could be conveyed for education, park, recreation, cultural, or historic preservation purposes, and to monitor the use of such light station by the eligible entity.

“(2) APPLICATION REVIEW.—The Secretary shall review all applications for the conveyance of a historic light station, when the agency with administrative jurisdiction over the historic light station has determined the property to be ‘excess property’ as that term is defined in the Federal Property Administrative Services Act of 1949 (40 U.S.C. 472(e)), and forward to the Administrator a single approved application for the conveyance of the historic light station. When selecting an eligible entity, the Secretary shall consult with the State Historic Preservation Officer of the state in which the historic light station is located.

“(3) CONVEYANCE OF HISTORIC LIGHT STATIONS.—(A) Except as provided in subparagraph (B), the Administrator shall convey, by quitclaim deed, without consideration, all right, title, and interest of the United States in and to the historic light station, subject to the conditions set forth in subsection (c) after the Secretary’s selection of an eligible entity. The conveyance of a historic light station under this section shall not be subject to the provisions of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) or section 416(d) of the Coast Guard Authorization Act of 1998 (Public Law 105–383).

“(B)(i) Historic light stations located within the exterior boundaries of a unit of the National Park System or a refuge within the National Wildlife Refuge System shall be conveyed or sold only with the approval of the Secretary.

“(ii) If the Secretary approves the conveyance of a historic light station referenced in this paragraph, such conveyance shall be subject to the conditions set forth in subsection (c) and any other terms or conditions the Secretary considers necessary to protect the resources of the park unit or wildlife refuge.

“(iii) If the Secretary approves the sale of a historic light station referenced in this paragraph, such sale shall be subject to the conditions set forth in subparagraphs (A) through (D) and (H) of subsection (c)(1) and subsection (c)(2) and any other terms or conditions the Secretary considers necessary to protect the resources of the park unit or wildlife refuge.

“(iv) For those historic light stations referenced in this paragraph, the Secretary is encouraged to enter into cooperative agreements with appropriate eligible entities, as provided in this Act, to the extent such cooperative agreements are consistent with the Secretary’s responsibilities to manage and administer the park unit or wildlife refuge, as appropriate.

“(c) TERMS OF CONVEYANCE.—

“(1) IN GENERAL.—The conveyance of a historic light station shall be made subject to any conditions, including the reservation of easements and other rights on behalf of the United States, the Administrator considers necessary to ensure that—

“(A) the Federal aids to navigation located at the historic light station in operation on the date of conveyance remain the personal property of the United States and continue to be operated and maintained by the United States for as long as needed for navigational purposes;

“(B) there is reserved to the United States the right to remove, replace, or install any Federal aid to navigation located at the historic light station as may be necessary for navigational purposes;

“(C) the eligible entity to which the historic light station is conveyed under this section shall not interfere or allow interference in any manner with any Federal aid to navigation, nor hinder activities required for the operation and maintenance of any Federal aid to navigation, without the express written permission of the head of the agency responsible for maintaining the Federal aid to navigation;

“(D) the eligible entity to which the historic light station is conveyed under this section shall, at its own cost and expense, use and maintain the historic light station in accordance with this Act, the Secretary of the Interior’s Standards for the Treatment of Historic Properties, 36 CFR part 68, and other applicable laws, and any proposed changes to the historic light station shall be reviewed and approved by the Secretary in consultation with the State Historic Preservation Officer of the state in which the historic light station is located, for consistency with 36 CFR part 800.5(a)(2)(vii), and the Secretary of the Interior’s Standards for Rehabilitation, 36 CFR part 67.7;

“(E) the eligible entity to which the historic light station is conveyed under this section shall make the historic light station available for education, park, recreation, cultural or historic preservation purposes for the general public at reasonable times and under reasonable conditions;

“(F) the eligible entity to which the historic light station is conveyed shall not sell, convey, assign, exchange, or encumber the historic light station, any part thereof, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including but not limited to any lens or lanterns, unless such sale, conveyance, assignment, exchange or encumbrance is approved by the Secretary;

“(G) the eligible entity to which the historic light station is conveyed shall not conduct any commercial activities at the historic light station, any part thereof, or in connection with any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, in any manner, unless such commercial activities are approved by the Secretary; and

“(H) the United States shall have the right, at any time, to enter the historic light station conveyed under this section without notice, for purposes of operating, maintaining, and inspecting any aid to navigation and for the purpose of ensuring compliance with this subsection, to the extent that it is not possible to provide advance notice.

“(2) MAINTENANCE OF AID TO NAVIGATION.—Any eligible entity to which a historic light station is conveyed under this section shall not be required to maintain any Federal aid to navigation associated with a historic light station, except any private aids to navigation permitted under section 83 of title 14, United States Code, to the eligible entity.

“(3) REVERSION.—In addition to any term or condition established pursuant to this subsection, the conveyance of a historic light station shall include a condition that the historic light station, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including but not limited to any lens or lanterns, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

“(A) the historic light station, any part thereof, or any associated historic artifact ceases to be available for education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions which shall be set forth in the eligible entity’s application;

“(B) the historic light station or any part thereof ceases to be maintained in a manner that ensures its present or future use as a site for a Federal aid to navigation;

“(C) the historic light station, any part thereof, or any associated historic artifact ceases to be maintained in compliance with this Act, the Secretary of the Interior’s Standards for the Treatment of Historic Properties, 36 CFR part 68, and other applicable laws;

“(D) the eligible entity to which the historic light station is conveyed, sells, conveys, assigns, exchanges, or encumbers the historic light station, any part thereof, or any associated historic artifact, without approval of the Secretary;

“(E) the eligible entity to which the historic light station is conveyed, conducts any commercial activities at the historic light station, any part thereof, or in conjunction with any associated historic artifact, without approval of the Secretary; or

“(F) at least 30 days before the reversion, the Administrator provides written notice to the owner that the historic light station or any part thereof is needed for national security purposes.

“(d) DESCRIPTION OF PROPERTY.—

“(1) IN GENERAL.—The Administrator shall prepare the legal description of any historic light station conveyed under this section. The Administrator, in consultation with the Commandant, United States Coast Guard, and the Secretary, may retain all right, title, and interest of the United States in and to any historical artifact, including any lens or lantern, that is associated with the historic light station and located at the light station at the time of conveyance. Wherever possible, such historical artifacts should be used in interpreting that station. In cases where there is no method for preserving lenses and other artifacts and equipment in situ, priority should be given to preservation or museum entities most closely associated with the station, if they meet loan requirements.

“(2) ARTIFACTS.—Artifacts associated with, but not located at, the historic light station at the time of conveyance shall remain the personal property of the United States under the administrative control of the Commandant, United States Coast Guard.

“(3) COVENANTS.—All conditions placed with the quitclaim deed of title to the historic light station shall be construed as covenants running with the land.

“(4) SUBMERGED LANDS.—No submerged lands shall be conveyed under this section.

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

“(1) ADMINISTRATOR.—The term ‘Administrator’ shall mean the Administrator of General Services.

“(2) HISTORIC LIGHT STATION.—The term ‘historic light station’ includes the light tower, lighthouse, keepers dwelling, garages, storage sheds, oil house, fog signal building, boat house, barn, pumphouse, tramhouse support structures, piers, walkways, underlying and appurtenant land and related real property and improvements associated therewith; provided that the ‘historic light station’ shall be included in or eligible for inclusion in the National Register of Historic Places.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ shall mean:

“(A) any department or agency of the Federal Government; or

“(B) any department or agency of the State in which the historic light station is located, the local government of the community in which the historic light station is located, nonprofit corporation, educational agency, or community development organization that—

“(i) has agreed to comply with the conditions set forth in subsection (c) and to have such conditions recorded with the deed of title to the historic light station; and

“(ii) is financially able to maintain the historic light station in accordance with the conditions set forth in subsection (c).

“(4) FEDERAL AID TO NAVIGATION.—The term ‘Federal aid to navigation’ shall mean any device, operated and maintained by the United States, external to a vessel or aircraft, intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation, and shall include, but not be limited to, a light, lens, lantern, antenna, sound signal, camera, sensor, electronic navigation equipment, power source, or other associated equipment.

“(5) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.”.

SEC. 3. SALE OF HISTORIC LIGHT STATIONS.

Title III of the National Historic Preservation Act (16 U.S.C. 470w, 470w–6), as amended by section 2 of this Act, is amended by adding at the end the following new section:

“SEC. 309. HISTORIC LIGHT STATION SALES.

“(a) IN GENERAL.—In the event no applicants are approved for the conveyance of a historic light station pursuant to section 308, the historic light station shall be offered for sale. Terms of such sales shall be developed by the Administrator of General Services and consistent with the requirements of section 308, subparagraphs (A) through (D) and (H) of subsection (c)(1), and subsection (c)(2). Conveyance documents shall include all necessary covenants to protect the historical integrity of the historic light station and ensure that any Federal aid to navigation located at the historic light station is operated and maintained by the United States for as long as needed for that purpose.

“(b) NET SALE PROCEEDS.—Net sale proceeds from the disposal of a historic light station—

“(1) located on public domain lands shall be transferred to the National Maritime Heritage Grant Program, established by the National Maritime Heritage Act of 1994 (Public Law 103–451) within the Department of the Interior; and

“(2) under the administrative control of the Coast Guard shall be credited to the Coast Guard’s Operating Expenses appropriation account, and shall be available for obligation and expenditure for the maintenance of light stations remaining under the administrative control of the Coast Guard, such funds to remain available until expended and shall be available in addition to funds available in the Operating Expense appropriation for this purpose.”.

SEC. 4. FUNDING.

There are hereby authorized to be appropriated to the Secretary of the Interior such sums as may be necessary to carry out this Act.

PURPOSE OF THE BILL

The purpose of H.R. 4613 is to amend the National Historic Preservation Act for purposes of establishing a national historic light-house preservation program.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4613 amends the National Historic Preservation Act (16 U.S.C. 470w, 470w-6) to establish a national historic lighthouse preservation program. The new program will provide a process for the conveyance of excess historic lighthouses from federal ownership to eligible entities who have agreed to the terms and conditions of the conveyance. Such terms and conditions include non-interference with federal aids to navigation and that the conveyed light station be available at reasonable times to the general public. Eligible entities can include federal, state, or local agencies, along with nonprofit corporations and community development organizations. After the conveyance, the eligible entity agrees to maintain the historic light station at its own cost. Furthermore, the eligible entity agrees that the light station be used for public educational, park, recreational, cultural and historic preservation purposes. H.R. 4613 includes provisions for the sale of historic light stations if no applications for the conveyance are approved. In addition, the bill establishes a national historic light station program to collect information on, foster educational programs relating to, and maintain a listing of historic light stations.

COMMITTEE ACTION

H.R. 4613 was introduced by Congressman Mark E. Souder (R-IN) on June 8, 2000. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On July 13, 2000, the Subcommittee held a hearing on the bill. On September 13, 2000, the Resources Committee met to consider H.R. 4613. The Subcommittee on National Parks and Public Lands was discharged from further consideration of the bill by unanimous consent. An amendment was offered by Congressman Souder which made technical changes to the bill. The amendment was adopted by voice vote. No further amendments were offered and the bill, as amended, was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill pre-

pared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of this bill could affect direct spending by allowing the federal government to sell certain federally-controlled lighthouses and then spend the proceeds without further appropriation. However, the Congressional Budget Office concludes that “any such changes in direct spending would not be significant”.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 18, 2000.

Hon. DON YOUNG,
Chairman,

U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4613, the National Historic Lighthouse Preservation Act of 2000.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are John R. Righter (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

BARRY B. ANDERSON,
(For Dan L. Crippen, Director).

Enclosure.

H.R. 4613—National Historic Lighthouse Preservation Act of 2000

Subject to future appropriation actions, implementing H.R. 4613 could reduce the costs to the United States Coast Guard (USCG) of operating and maintaining historic lighthouses by a few million dollars annually. Because the bill could affect direct spending (including offsetting receipts), pay-as-you-go procedures would apply. CBO estimates, however, that any such changes in direct spending would not be significant. H.R. 4613 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. State and local governments might incur some costs as a result of the bill’s enactment, but such costs would be voluntary.

H.R. 4613 would amend the National Historic Preservation Act to establish a preservation program for historic lighthouses. The General Services Administration (GSA) and the Department of the Interior would be responsible for administering the program, which

would collect and disseminate information on historic lighthouses and convey, at no cost, historic lighthouses that are no longer needed. Federal, state, and local agencies, as well as nonprofit organizations, would be eligible to receive the lighthouses reported as excess property, provided that they agree to operate and maintain them, as well as make them accessible to the public for educational, recreational, cultural, or historic preservation purposes, and to the federal government for use in aiding navigation.

Subject to certain conditions, the bill would direct GSA to sell any lighthouse for which a qualified applicant has not been found. Net proceeds from the sale would be made available either to the National Maritime Heritage Grant Program or to the USCG, and could be spent without further appropriation. Because we think it is unlikely the government would sell a lighthouse under H.R. 4613 (according to GSA and the USCG, the government has sold only one in the last 10 years), as opposed to transferring it at no cost, CBO estimates that enacting the bill would not have any significant impact on direct spending.

According to the USCG, it controls about 350 lighthouses. The cost of operating and maintaining these facilities varies widely, but totals less than \$10 million a year. Under H.R. 4613, the USCG could still use conveyed lighthouses to aid in the navigation of waters, but would no longer be responsible for maintaining and operating them. Thus, if the legislation increases the conveyance of lighthouses to nonfederal entities, the bill should yield savings to the USCG. Any potential savings, however, would depend on which lighthouses were conveyed and on future appropriation actions.

On June 22, 2000, CBO transmitted a cost estimate for S. 2343, the National Historic Lighthouse Preservation Act of 2000, as ordered reported by the Senate Committee on Energy and Natural Resources on June 7, 2000. These two bills are very similar and their estimated costs are the same.

The CBO staff contacts are John R. Righter (for federal costs), and Marjorie Miller (for the state and local impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

This bill is not intended to preempt State, local, or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

NATIONAL HISTORIC PRESERVATION ACT

* * * * *

TITLE III

* * * * *

SEC. 308. HISTORIC LIGHTHOUSE PRESERVATION.

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

- (1) collect and disseminate information concerning historic light stations, including historic lighthouses and associated structures;
- (2) foster educational programs relating to the history, practice, and contribution to society of historic light stations;
- (3) sponsor or conduct research and study into the history of light stations;
- (4) maintain a listing of historic light stations; and
- (5) assess the effectiveness of the program established by this section regarding the conveyance of historic light stations.

(b) *CONVEYANCE OF HISTORIC LIGHT STATIONS.*—

(1) *PROCESS AND POLICY.*—Not later than one year after the date of the enactment of this section, the Secretary and the Administrator shall establish a process and policies for identifying, and selecting, an eligible entity to which a historic light station could be conveyed for education, park, recreation, cultural, or historic preservation purposes, and to monitor the use of such light station by the eligible entity.

(2) *APPLICATION REVIEW.*—The Secretary shall review all applications for the conveyance of a historic light station, when the agency with administrative jurisdiction over the historic light station has determined the property to be “excess property” as that term is defined in the Federal Property Administrative Services Act of 1949 (40 U.S.C. 472(e)), and forward to the Administrator a single approved application for the conveyance of the historic light station. When selecting an eligible entity, the Secretary shall consult with the State Historic Preservation Officer of the state in which the historic light station is located.

(3) *CONVEYANCE OF HISTORIC LIGHT STATIONS.*—(A) Except as provided in subparagraph (B), the Administrator shall convey, by quitclaim deed, without consideration, all right, title, and interest of the United States in and to the historic light station, subject to the conditions set forth in subsection (c) after the Secretary’s selection of an eligible entity. The conveyance of a historic light station under this section shall not be subject to the provisions of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) or section 416(d) of the Coast Guard Authorization Act of 1998 (Public Law 105–383).

(B)(i) Historic light stations located within the exterior boundaries of a unit of the National Park System or a refuge within the National Wildlife Refuge System shall be conveyed or sold only with the approval of the Secretary.

(ii) If the Secretary approves the conveyance of a historic light station referenced in this paragraph, such conveyance shall be subject to the conditions set forth in subsection (c) and any other terms or conditions the Secretary considers necessary to protect the resources of the park unit or wildlife refuge.

(iii) If the Secretary approves the sale of a historic light station referenced in this paragraph, such sale shall be subject to

the conditions set forth in subparagraphs (A) through (D) and (H) of subsection (c)(1) and subsection (c)(2) and any other terms or conditions the Secretary considers necessary to protect the resources of the park unit or wildlife refuge.

(iv) For those historic light stations referenced in this paragraph, the Secretary is encouraged to enter into cooperative agreements with appropriate eligible entities, as provided in this Act, to the extent such cooperative agreements are consistent with the Secretary's responsibilities to manage and administer the park unit or wildlife refuge, as appropriate.

(c) TERMS OF CONVEYANCE.—

(1) IN GENERAL.—The conveyance of a historic light station shall be made subject to any conditions, including the reservation of easements and other rights on behalf of the United States, the Administrator considers necessary to ensure that—

(A) the Federal aids to navigation located at the historic light station in operation on the date of conveyance remain the personal property of the United States and continue to be operated and maintained by the United States for as long as needed for navigational purposes;

(B) there is reserved to the United States the right to remove, replace, or install any Federal aid to navigation located at the historic light station as may be necessary for navigational purposes;

(C) the eligible entity to which the historic light station is conveyed under this section shall not interfere or allow interference in any manner with any Federal aid to navigation, nor hinder activities required for the operation and maintenance of any Federal aid to navigation, without the express written permission of the head of the agency responsible for maintaining the Federal aid to navigation;

(D) the eligible entity to which the historic light station is conveyed under this section shall, at its own cost and expense, use and maintain the historic light station in accordance with this Act, the Secretary of the Interior's Standards for the Treatment of Historic Properties, 36 CFR part 68, and other applicable laws, and any proposed changes to the historic light station shall be reviewed and approved by the Secretary in consultation with the State Historic Preservation Officer of the state in which the historic light station is located, for consistency with 36 CFR part 800.5(a)(2)(vii), and the Secretary of the Interior's Standards for Rehabilitation, 36 CFR part 67.7;

(E) the eligible entity to which the historic light station is conveyed under this section shall make the historic light station available for education, park, recreation, cultural or historic preservation purposes for the general public at reasonable times and under reasonable conditions;

(F) the eligible entity to which the historic light station is conveyed shall not sell, convey, assign, exchange, or encumber the historic light station, any part thereof, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including but not limited to any lens or lanterns, unless such

sale, conveyance, assignment, exchange or encumbrance is approved by the Secretary;

(G) the eligible entity to which the historic light station is conveyed shall not conduct any commercial activities at the historic light station, any part thereof, or in connection with any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, in any manner, unless such commercial activities are approved by the Secretary; and

(H) the United States shall have the right, at any time, to enter the historic light station conveyed under this section without notice, for purposes of operating, maintaining, and inspecting any aid to navigation and for the purpose of ensuring compliance with this subsection, to the extent that it is not possible to provide advance notice.

(2) MAINTENANCE OF AID TO NAVIGATION.—Any eligible entity to which a historic light station is conveyed under this section shall not be required to maintain any Federal aid to navigation associated with a historic light station, except any private aids to navigation permitted under section 83 of title 14, United States Code, to the eligible entity.

(3) REVERSION.—In addition to any term or condition established pursuant to this subsection, the conveyance of a historic light station shall include a condition that the historic light station, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including but not limited to any lens or lanterns, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

(A) the historic light station, any part thereof, or any associated historic artifact ceases to be available for education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions which shall be set forth in the eligible entity's application;

(B) the historic light station or any part thereof ceases to be maintained in a manner that ensures its present or future use as a site for a Federal aid to navigation;

(C) the historic light station, any part thereof, or any associated historic artifact ceases to be maintained in compliance with this Act, the Secretary of the Interior's Standards for the Treatment of Historic Properties, 36 CFR part 68, and other applicable laws;

(D) the eligible entity to which the historic light station is conveyed, sells, conveys, assigns, exchanges, or encumbers the historic light station, any part thereof, or any associated historic artifact, without approval of the Secretary;

(E) the eligible entity to which the historic light station is conveyed, conducts any commercial activities at the historic light station, any part thereof, or in conjunction with any associated historic artifact, without approval of the Secretary; or

(F) at least 30 days before the reversion, the Administrator provides written notice to the owner that the historic

light station or any part thereof is needed for national security purposes.

(d) *DESCRIPTION OF PROPERTY.—*

(1) *IN GENERAL.—The Administrator shall prepare the legal description of any historic light station conveyed under this section. The Administrator, in consultation with the Commandant, United States Coast Guard, and the Secretary, may retain all right, title, and interest of the United States in and to any historical artifact, including any lens or lantern, that is associated with the historic light station and located at the light station at the time of conveyance. Wherever possible, such historical artifacts should be used in interpreting that station. In cases where there is no method for preserving lenses and other artifacts and equipment in situ, priority should be given to preservation or museum entities most closely associated with the station, if they meet loan requirements.*

(2) *ARTIFACTS.—Artifacts associated with, but not located at, the historic light station at the time of conveyance shall remain the personal property of the United States under the administrative control of the Commandant, United States Coast Guard.*

(3) *COVENANTS.—All conditions placed with the quitclaim deed of title to the historic light station shall be construed as covenants running with the land.*

(4) *SUBMERGED LANDS.—No submerged lands shall be conveyed under this section.*

(e) *DEFINITIONS.—For purposes of this section:*

(1) *ADMINISTRATOR.—The term “Administrator” shall mean the Administrator of General Services.*

(2) *HISTORIC LIGHT STATION.—The term “historic light station” includes the light tower, lighthouse, keepers dwelling, garages, storage sheds, oil house, fog signal building, boat house, barn, pumphouse, tramhouse support structures, piers, walkways, underlying and appurtenant land and related real property and improvements associated therewith; provided that the “historic light station” shall be included in or eligible for inclusion in the National Register of Historic Places.*

(3) *ELIGIBLE ENTITY.—The term “eligible entity” shall mean:*

(A) *any department or agency of the Federal Government;*

or

(B) *any department or agency of the State in which the historic light station is located, the local government of the community in which the historic light station is located, nonprofit corporation, educational agency, or community development organization that—*

(i) *has agreed to comply with the conditions set forth in subsection (c) and to have such conditions recorded with the deed of title to the historic light station; and*

(ii) *is financially able to maintain the historic light station in accordance with the conditions set forth in subsection (c).*

(4) *FEDERAL AID TO NAVIGATION.—The term “Federal aid to navigation” shall mean any device, operated and maintained by the United States, external to a vessel or aircraft, intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation, and shall in-*

clude, but not be limited to, a light, lens, lantern, antenna, sound signal, camera, sensor, electronic navigation equipment, power source, or other associated equipment.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 309. HISTORIC LIGHT STATION SALES.

(a) IN GENERAL.—In the event no applicants are approved for the conveyance of a historic light station pursuant to section 308, the historic light station shall be offered for sale. Terms of such sales shall be developed by the Administrator of General Services and consistent with the requirements of section 308, subparagraphs (A) through (D) and (H) of subsection (c)(1), and subsection (c)(2). Conveyance documents shall include all necessary covenants to protect the historical integrity of the historic light station and ensure that any Federal aid to navigation located at the historic light station is operated and maintained by the United States for as long as needed for that purpose.

(b) NET SALE PROCEEDS.—Net sale proceeds from the disposal of a historic light station—

(1) located on public domain lands shall be transferred to the National Maritime Heritage Grant Program, established by the National Maritime Heritage Act of 1994 (Public Law 103–451) within the Department of the Interior; and

(2) under the administrative control of the Coast Guard shall be credited to the Coast Guard’s Operating Expenses appropriation account, and shall be available for obligation and expenditure for the maintenance of light stations remaining under the administrative control of the Coast Guard, such funds to remain available until expended and shall be available in addition to funds available in the Operating Expense appropriation for this purpose.