

106TH CONGRESS  
2D SESSION

# H. R. 5199

To provide for conveyance of a lighthouse to the City of Kingston, New York.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2000

Mr. HINCHEY introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To provide for conveyance of a lighthouse to the City of Kingston, New York.

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 KINGSTON LIGHTHOUSE,**

4 **NEW YORK.**

5 (a) **AUTHORITY TO CONVEY.**—

6 (1) **IN GENERAL.**—Notwithstanding any other  
7 law, the conveying authority shall convey to the city  
8 of Kingston, New York, without monetary consider-  
9 ation, all right, title, and interest of the United  
10 States in and to the Kingston Lighthouse known as

1 Roundout Creek Light 2, Roundout Creek, Ulster  
2 County, Kingston, New York, together with any im-  
3 provements thereon in their then current condition.

4 (2) IDENTIFICATION OF PROPERTY.—The con-  
5 veying authority shall identify, describe, and deter-  
6 mine the property to be conveyed under this section.  
7 The conveying authority may retain all right, title,  
8 and interest of the United States in and to any his-  
9 torical artifact, including any lens or lantern, that is  
10 associated with and located at a property conveyed  
11 under this section at the time of conveyance. No  
12 submerged lands shall be conveyed under this sec-  
13 tion.

14 (3) ADMINISTRATION OF RETAINED ARTI-  
15 FACTS.—Artifacts associated with, but not located at  
16 property conveyed under this section at the time of  
17 conveyance, shall remain the personal property of  
18 the United States under the administrative control  
19 of the Commandant.

20 (b) TERMS AND CONDITIONS OF CONVEYANCE.—

21 (1) IN GENERAL.—The conveyance of property  
22 under this section shall be made subject to any  
23 terms and conditions the conveying authority con-  
24 siders necessary, including the reservation of ease-

1       ments and other rights on behalf of the United  
2       States, to ensure that—

3               (A) the aids to navigation located at prop-  
4               erty conveyed under this section shall remain  
5               the personal property of the United States and  
6               continue to be operated and maintained by the  
7               United States for as long as needed for naviga-  
8               tional purposes;

9               (B) there is reserved to the United States  
10              the right to remove, relocate, or replace any aid  
11              to navigation located upon, or install or con-  
12              struct any aid to navigation upon, property con-  
13              veyed under this section as may be necessary  
14              for navigational purposes;

15             (C) the United States shall have the right  
16             to enter property conveyed under this section at  
17             any time, without notice, for purposes of oper-  
18             ating, maintaining, and inspecting any aid to  
19             navigation and for the purposes of exercising  
20             any of the rights set forth in subparagraph (B);  
21             and

22             (D) the City shall not, without the Com-  
23             mandant's express written permission, interfere  
24             or allow interference, in any manner, with any

1 aid to navigation, or hinder activities  
2 required—

3 (i) for the inspection, operation, and  
4 maintenance of any aid to navigation; or

5 (ii) for the exercise of any of the  
6 rights set forth in subparagraph (B).

7 (2) MAINTENANCE OF CONVEYED PROPERTY.—

8 (A) The City shall, at its own cost and expense,  
9 maintain the property conveyed under this section in  
10 a proper, substantial, and workmanlike manner.

11 (B) The City shall not be required to maintain  
12 any active aid to navigation associated with the  
13 property conveyed under this section except for pri-  
14 vate aids to navigation permitted under section 83  
15 of title 14, United States Code.

16 (3) PUBLIC ACCESS.—The City shall ensure  
17 that the property conveyed is available and acces-  
18 sible to the public, on a reasonable basis, for edu-  
19 cational, park, recreational, cultural, historic preser-  
20 vation, or similar purposes.

21 (4) COVENANTS.—All conditions included in the  
22 deed of title for property conveyed under this section  
23 shall be construed as covenants running with the  
24 land.

1           (c) REVERSIONARY INTEREST.—In addition to any  
2 term or condition established pursuant to this section, any  
3 property conveyed under this section, at the option of the  
4 Administrator, shall revert to the United States and be  
5 placed under the administrative control of the Adminis-  
6 trator, if—

7           (1) the property, or any part thereof, ceases to  
8 be maintained in a manner that ensures its present  
9 or future use as a site for an aid to navigation, as  
10 determined by the Commandant;

11           (2) the property, or any part thereof, ceases to  
12 be maintained in a manner compliant with any con-  
13 ditions established under the National Historic Pres-  
14 ervation Act (16 U.S.C. 470 et seq.) or any other  
15 applicable laws, as determined by the Secretary of  
16 the Interior;

17           (3) the City conveys, assigns, exchanges, or in  
18 any manner encumbers the property for consider-  
19 ation, unless approved by the Administrator;

20           (4) the City conducts any commercial activities  
21 at the property, unless approved by the Adminis-  
22 trator; or

23           (5) at least 30 days before the reversion, the  
24 Administrator provides written notice to the City

1 that the property, or any portion thereof, is needed  
2 for national security purposes.

3 (d) DEFINITIONS.—For purposes of this section:

4 (1) ADMINISTRATOR.—The term “Adminis-  
5 trator” means the Administrator of General Serv-  
6 ices.

7 (2) AID TO NAVIGATION.—The term “aid to  
8 navigation” means equipment used for navigation  
9 purposes, including any light, antenna, sound signal,  
10 electronic and radio navigation equipment and sig-  
11 nals, cameras, sensors, or other equipment operated  
12 or maintained by the United States.

13 (3) CITY.—The term “City” means the city of  
14 Kingston, New York, and its successors and assigns.

15 (4) COMMANDANT.—The term “Commandant”  
16 means the Commandant of the Coast Guard.

17 (5) CONVEYING AUTHORITY.—The term “con-  
18 veying authority” means the Administrator or the  
19 Commandant, as appropriate.

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