

107TH CONGRESS  
2D SESSION

# H. R. 5125

To amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2002

Mr. GARY G. MILLER of California (for himself, Mr. RADANOVICH, Mr. MOLLOHAN, Mr. WICKER, Mr. BACHUS, and Mr. DUNCAN) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

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. SHORT TITLE.**

4       This Act may be cited as the “Civil War Battlefield  
5       Preservation Act of 2002”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds the following:

1           (1) Civil War battlefields provide a means for  
2           the people of the United States to understand a  
3           tragic period in the history of the United States.

4           (2) According to the Report on the Nation's  
5           Civil War Battlefields, prepared by the Civil War  
6           Sites Advisory Commission, and dated July 1993, of  
7           the 384 principal Civil War battlefields—

8                   (A) almost 20 percent are lost or frag-  
9                   mented;

10                   (B) 17 percent are in poor condition; and

11                   (C) 60 percent have been lost or are in im-  
12                   minent danger of being fragmented by develop-  
13                   ment and lost as coherent historic sites.

14           (b) PURPOSES.—The purposes of this Act are—

15                   (1) to act quickly and proactively to preserve  
16                   and protect nationally significant Civil War battle-  
17                   fields through conservation easements and fee-simple  
18                   purchases of those battlefields from willing sellers;  
19                   and

20                   (2) to create partnerships among State and  
21                   local governments, regional entities, and the private  
22                   sector to preserve, conserve, and enhance nationally  
23                   significant Civil War battlefields.

1 **SEC. 3. BATTLEFIELD ACQUISITION GRANT PROGRAM.**

2 The American Battlefield Protection Act of 1996 (16  
3 U.S.C. 469k) is amended—

4 (1) by redesignating subsection (d) as para-  
5 graph (3) of subsection (c), and indenting appro-  
6 priately;

7 (2) in paragraph (3) of subsection (c) (as redes-  
8 ignated by paragraph (1))—

9 (A) by striking “APPROPRIATIONS” and in-  
10 serting “APPROPRIATIONS”; and

11 (B) by striking “section” and inserting  
12 “subsection”;

13 (3) by inserting after subsection (c) the fol-  
14 lowing:

15 “(d) BATTLEFIELD ACQUISITION GRANT PRO-  
16 GRAM.—

17 “(1) DEFINITIONS.—In this subsection:

18 “(A) BATTLEFIELD REPORT.—The term  
19 ‘Battlefield Report’ means the document enti-  
20 tled ‘Report on the Nation’s Civil War Battle-  
21 fields’, prepared by the Civil War Sites Advi-  
22 sory Commission, and dated July 1993.

23 “(B) ELIGIBLE ENTITY.—The term ‘eligi-  
24 ble entity’ means a State or local government.

25 “(C) ELIGIBLE SITE.—The term ‘eligible  
26 site’ means a site—

1 “(i) that is not within the exterior  
2 boundaries of a unit of the National Park  
3 System; and

4 “(ii) that is identified in the Battle-  
5 field Report.

6 “(D) SECRETARY.—The term ‘Secretary’  
7 means the Secretary of the Interior, acting  
8 through the American Battlefield Protection  
9 Program.

10 “(2) ESTABLISHMENT.—The Secretary shall es-  
11 tablish a battlefield acquisition grant program under  
12 which the Secretary may provide grants to eligible  
13 entities to pay the Federal share of the cost of ac-  
14 quiring interests in eligible sites for the preservation  
15 and protection of those eligible sites.

16 “(3) NONPROFIT PARTNERS.—An eligible entity  
17 may acquire an interest in an eligible site using a  
18 grant under this subsection in partnership with a  
19 nonprofit organization.

20 “(4) NON-FEDERAL SHARE.—The non-Federal  
21 share of the total cost of acquiring an interest in an  
22 eligible site under this subsection shall be not less  
23 than 50 percent.

24 “(5) LIMITATION ON LAND USE.—An interest  
25 in an eligible site acquired under this subsection

1 shall be subject to section 6(f)(3) of the Land and  
2 Water Conservation Fund Act of 1965 (16 U.S.C.  
3 460l–8(f)(3)).

4 “(6) REPORTS.—

5 “(A) IN GENERAL.—Not later than 5 years  
6 after the date of the enactment of this subpara-  
7 graph, the Secretary shall submit to Congress a  
8 report on the activities carried out under this  
9 subsection.

10 “(B) UPDATE OF BATTLEFIELD RE-  
11 PORT.—Not later than 1 year after the date of  
12 the enactment of this subsection, the Secretary  
13 shall submit to Congress a report that updates  
14 the Battlefield Report to reflect—

15 “(i) preservation activities carried out  
16 at the 384 battlefields during the period  
17 between publication of the Battlefield Re-  
18 port and the update;

19 “(ii) changes in the condition of the  
20 battlefields during that period; and

21 “(iii) any other relevant developments  
22 relating to the battlefields during that pe-  
23 riod.

24 “(7) AUTHORIZATION OF APPROPRIATIONS.—

1           “(A) IN GENERAL.—There are authorized  
2           to be appropriated to the Secretary from the  
3           Land and Water Conservation Fund to provide  
4           grants under this subsection \$10,000,000 for  
5           each of fiscal years 2004 through 2008.

6           “(B) UPDATE OF BATTLEFIELD RE-  
7           PORT.—There are authorized to be appro-  
8           priated to the Secretary to carry out paragraph  
9           (6)(B), \$500,000.”; and  
10          (4) in subsection (e)—

11           (A) in paragraph (1), by striking “as of”  
12           and all that follows through the period and in-  
13           serting “on September 30, 2008.”; and

14           (B) in paragraph (2), by inserting “and  
15           provide battlefield acquisition grants” after  
16           “studies”.

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