

# Union Calendar No. 441

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5125

[Report No. 107-710]

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

---

## 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

OCTOBER 1, 2002

Additional sponsors: Mr. HEFLEY, Mr. SNYDER, Mr. SHERMAN, Mr. ISAKSON, and Ms. MCCARTHY of Missouri

OCTOBER 1, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on July 15, 2002]

---

## 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:*

8               *(1) Civil War battlefields provide a means for*  
9       *the people of the United States to understand a tragic*  
10       *period in the history of the United States.*

11               *(2) According to the Report on the Nation’s Civil*  
12       *War Battlefields, prepared by the Civil War Sites Ad-*  
13       *visory Commission, and dated July 1993, of the 384*  
14       *principal Civil War battlefields—*

15               *(A) almost 20 percent are lost or frag-*  
16       *mented;*

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

18               *(C) 60 percent have been lost or are in im-*  
19       *minent danger of being fragmented by develop-*  
20       *ment and lost as coherent historic sites.*

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

22               *(1) to act quickly and proactively to preserve*  
23       *and protect nationally significant Civil War battle-*  
24       *fields through conservation easements and fee-simple*  
25       *purchases of those battlefields from willing sellers; and*

1           (2) *to create partnerships among State and local*  
 2           *governments, regional entities, and the private sector*  
 3           *to preserve, conserve, and enhance nationally signifi-*  
 4           *cant Civil War battlefields.*

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

6           *The American Battlefield Protection Act of 1996 (16*  
 7           *U.S.C. 469k) is amended—*

8                   (1) *by redesignating subsection (d) as paragraph*  
 9                   *(3) of subsection (c), and indenting appropriately;*

10                   (2) *in paragraph (3) of subsection (c) (as red-*  
 11                   *ignated by paragraph (1))—*

12                           (A) *by striking “APPROPRIATIONS” and in-*  
 13                           *serting “APPROPRIATIONS”; and*

14                           (B) *by striking “section” and inserting*  
 15                           *“subsection”;*

16                   (3) *by inserting after subsection (c) the fol-*  
 17                   *lowing:*

18           “(d) **BATTLEFIELD ACQUISITION GRANT PROGRAM.—**

19                   “(1) **DEFINITIONS.—***In this subsection:*

20                           “(A) **BATTLEFIELD REPORT.—***The term*  
 21                           *‘Battlefield Report’ means the document entitled*  
 22                           *‘Report on the Nation’s Civil War Battlefields’,*  
 23                           *prepared by the Civil War Sites Advisory Com-*  
 24                           *mission, and dated July 1993.*

1                   “(B) *ELIGIBLE ENTITY*.—The term ‘eligible  
2                   entity’ means a State or local government.

3                   “(C) *ELIGIBLE SITE*.—The term ‘eligible  
4                   site’ means a site—

5                               “(i) that is not within the exterior  
6                               boundaries of a unit of the National Park  
7                               System; and

8                               “(ii) that is identified in the Battle-  
9                               field Report.

10                   “(D) *SECRETARY*.—The term ‘Secretary’  
11                   means the Secretary of the Interior, acting  
12                   through the American Battlefield Protection Pro-  
13                   gram.

14                   “(2) *ESTABLISHMENT*.—The Secretary shall es-  
15                   tablish a battlefield acquisition grant program under  
16                   which the Secretary may provide grants to eligible en-  
17                   tities to pay the Federal share of the cost of acquiring  
18                   interests in eligible sites for the preservation and pro-  
19                   tection of those eligible sites.

20                   “(3) *NONPROFIT PARTNERS*.—An eligible entity  
21                   may acquire an interest in an eligible site using a  
22                   grant under this subsection in partnership with a  
23                   nonprofit organization.

24                   “(4) *NON-FEDERAL SHARE*.—The non-Federal  
25                   share of the total cost of acquiring an interest in an

1     *eligible site under this subsection shall be not less*  
2     *than 50 percent.*

3             “(5) *LIMITATION ON LAND USE.*—*An interest in*  
4     *an eligible site acquired under this subsection shall be*  
5     *subject to section 6(f)(3) of the Land and Water Con-*  
6     *servation Fund Act of 1965 (16 U.S.C. 460l–8(f)(3)).*

7             “(6) *REPORTS.*—

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

13                “(B) *UPDATE OF BATTLEFIELD REPORT.*—  
14    *Not later than 2 years after the date of the enact-*  
15    *ment of this subsection, the Secretary shall sub-*  
16    *mit to Congress a report that updates the Battle-*  
17    *field Report to reflect—*

18                   “(i) *preservation activities carried out*  
19     *at the 384 battlefields during the period be-*  
20     *tween publication of the Battlefield Report*  
21     *and the update;*

22                   “(ii) *changes in the condition of the*  
23     *battlefields during that period; and*

1                   “(iii) any other relevant developments  
2                   relating to the battlefields during that pe-  
3                   riod.

4                   “(7) AUTHORIZATION OF APPROPRIATIONS.—

5                   “(A) IN GENERAL.—There are authorized to  
6                   be appropriated to the Secretary from the Land  
7                   and Water Conservation Fund to provide grants  
8                   under this subsection \$10,000,000 for each of fis-  
9                   cal years 2004 through 2008.

10                  “(B) UPDATE OF BATTLEFIELD REPORT.—  
11                  There are authorized to be appropriated to the  
12                  Secretary to carry out paragraph (6)(B),  
13                  \$500,000.”; and  
14                  (4) in subsection (e)—

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

18                  (B) in paragraph (2), by inserting “and  
19                  provide battlefield acquisition grants” after  
20                  “studies”.



**Union Calendar No. 441**

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5125**

**[Report No. 107-710]**

---

---

**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.

---

---

OCTOBER 1, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed