

111TH CONGRESS
1ST SESSION

H. R. 146

To amend the American Battlefield Protection Act of 1996 to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. HOLT (for himself, Mr. HINCHEY, Mr. ROTHMAN of New Jersey, Mr. WELCH, Mr. DINGELL, Mr. LANGEVIN, Mr. MCGOVERN, Mr. BLUMENAUER, and Mr. PATRICK MURPHY of Pennsylvania) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the American Battlefield Protection Act of 1996 to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

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 “Revolutionary War and
5 War of 1812 Battlefield Protection Act”.

1 **SEC. 2. BATTLEFIELD ACQUISITION GRANT PROGRAM FOR**
2 **BATTLEFIELDS OF THE REVOLUTIONARY**
3 **WAR AND WAR OF 1812.**

4 (a) GRANT PROGRAM.—The American Battlefield
5 Protection Act of 1996 (section 604 of division I of Public
6 Law 104–333; 16 U.S.C. 469k) is amended—

7 (1) by redesignating subsection (e) as sub-
8 section (f); and

9 (2) by inserting after subsection (d) the fol-
10 lowing new subsection:

11 “(e) BATTLEFIELD ACQUISITION GRANT PROGRAM
12 FOR BATTLEFIELDS OF THE REVOLUTIONARY WAR AND
13 WAR OF 1812.—

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

15 “(A) BATTLEFIELD REPORT.—The term
16 ‘battlefield report’ means the document entitled
17 ‘Report to Congress on the Historic Preserva-
18 tion of Revolutionary War and War of 1812
19 Sites in the United States’, prepared by the Na-
20 tional Park Service, and dated September 2007.

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

23 “(C) ELIGIBLE SITE.—The term ‘eligible
24 site’ means a site that—

1 “(i) is not within the exterior bound-
2 aries of a unit of the National Park Sys-
3 tem; and

4 “(ii) is identified in the battlefield re-
5 port.

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 for
12 nationally significant battlefields and associated sites
13 of the Revolutionary War and the War of 1812
14 under which the Secretary may make grants to eligi-
15 ble entities to pay the Federal share of the cost of
16 acquiring fee-simple or lesser interests from willing
17 sellers in eligible sites for the preservation and pro-
18 tection of those eligible sites.

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

23 “(4) NON-FEDERAL SHARE.—The non-Federal
24 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) LIMITATIONS ON LAND USE.—An interest
4 in an eligible site acquired under this subsection
5 shall be subject to section 6(f)(3) of the Land and
6 Water Conservation Fund Act of 1965 (16 U.S.C.
7 4601–8(f)(3)).

8 “(6) REPORTS.—

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

14 “(B) UPDATE ON BATTLEFIELD RE-
15 PORT.—Not later than 3 years after the date of
16 the enactment of this subsection, the Secretary
17 shall submit to Congress a report that updates
18 the battlefield report to reflect—

19 “(i) preservation activities carried out
20 at the 677 battlefields and associated sites
21 identified in the battlefield report during
22 the period between publication of the bat-
23 tlefield report and the update;

1 “(ii) changes in the condition of the
2 battlefields and associated sites during
3 that period; and

4 “(iii) any other relevant developments
5 relating to the battlefields and associated
6 sites during that period.

7 “(7) AUTHORIZATIONS OF APPROPRIATIONS.—

8 “(A) IN GENERAL.—There are authorized
9 to be appropriated to the Secretary from the
10 Land and Water Conservation Fund to provide
11 grants under this subsection \$10,000,000 for
12 each of fiscal years 2010 through 2014.

13 “(B) UPDATE OF BATTLEFIELD RE-
14 PORT.—There are authorized to be appro-
15 priated to the Secretary to carry out paragraph
16 (6)(B), \$500,000.”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) REFERENCES TO OTHER BATTLEFIELD AC-
19 QUISSION PROGRAM.—Subsection (d) of the Amer-
20 ican Battlefield Protection Act of 1996, as added by
21 section 3 of Civil War Battlefield Preservation Act
22 of 2002 (Public Law 107–359; 116 Stat. 3016), is
23 amended—

24 (A) in the subsection heading, by striking
25 “BATTLEFIELD ACQUISITION GRANT PRO-

1 GRAM” and inserting “BATTLEFIELD ACQUI-
2 TION GRANT PROGRAM FOR BATTLEFIELDS OF
3 THE CIVIL WAR”; and

4 (B) in paragraph (2), by striking “grant
5 program” and inserting “grant program for
6 battlefields of the Civil War”; and

7 (2) TERMINATION OF AUTHORITY.—Subsection
8 (f) of the American Battlefield Protection Act of
9 1996, as redesignated by subsection (a)(1), is
10 amended—

11 (A) in the subsection heading, by striking
12 “REPEAL” and inserting “EXPIRATION”; and

13 (B) in paragraph (1), by striking “is re-
14 pealed” and inserting “expires”.

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