H. R. 160

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 4, 2007

Mr. HOLT 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.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Revolutionary War and
War of 1812 Battlefield Protection Act”.

SEC. 2. FINDINGS.

Congress finds the following:
1. The battlefields of the American Revolutionary War and the War of 1812 provide a unique means for the people of the United States to relate to these epic struggles in the history of the United States and to understand their importance in the establishment and early development of the United States.

2. Urbanization, suburban sprawl, and unplanned commercial and residential development are constantly encroaching on many of the nationally significant battlefields of the American Revolutionary War and the War of 1812, as well as on associated sites, and this encroachment poses a severe and growing risk to the preservation of such battlefields and related sites.

3. According to the Revolutionary War and War of 1812 Historical Preservation Study, prepared by the National Park Service, and dated September 2003, of the 825 principal nationally significant battlefields and associated sites of the American Revolutionary War and the War of 1812—

   (A) thirteen percent are lost;

   (B) thirty percent are fragmented or in poor condition; or
(C) twenty-seven percent may be destroyed or impaired within the next ten years, and nine percent of this percentage figure are in imminent danger of damage occurring within the next three years.

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

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

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

“(e) Battlefield Acquisition Grant Program for Battlefields of the Revolutionary War and War of 1812.—

“(1) Definitions.—In this subsection:

“(A) Battlefield report.—The term ‘battlefield report’ means the document entitled ‘Revolutionary War and War of 1812 Historic Preservation Study’, prepared by the National Park Service, and dated September 2003."
“(B) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local government.

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

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

“(ii) is identified in the battlefield report.

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

“(2) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program for nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under which the Secretary may make grants to eligible entities to pay the Federal share of the cost of acquiring fee-simple or lesser interests from willing sellers in eligible sites for the preservation and protection of those eligible sites.

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

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

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

“(6) REPORTS.—

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

“(B) UPDATE ON BATTLEFIELD REPORT.—Not later than 3 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report that updates the battlefield report to reflect—

“(i) preservation activities carried out at the 871 battlefields and associated sites identified in the battlefield report during
the period between publication of the battlefield report and the update;

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

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

“(7) AUTHORIZATIONS OF APPROPRIATIONS.—

“(A) IN GENERAL.—There are authorized to be appropriated to the Secretary from the Land and Water Conservation Fund to provide grants under this subsection $10,000,000 for each of fiscal years 2008 through 2010.

“(B) UPDATE OF BATTLEFIELD REPORT.—There are authorized to be appropriated to the Secretary to carry out paragraph (6)(B), $500,000.”.

(b) CONFORMING AMENDMENTS.—

(1) REFERENCES TO OTHER BATTLEFIELD ACQUISITION PROGRAM.—Subsection (d) of the American Battlefield Protection Act of 1996, as added by section 3 of Civil War Battlefield Preservation Act of 2002 (Public Law 107–359; 116 Stat. 3016), is amended—
(A) in the subsection heading, by striking “BATTLEFIELD ACQUISITION GRANT PROGRAM” and inserting “BATTLEFIELD ACQUISITION GRANT PROGRAM FOR BATTLEFIELDS OF THE CIVIL WAR”; and

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

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

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

(B) in paragraph (1), by striking “is repealed” and inserting “expires”.

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