

Calendar No. 27

111TH CONGRESS
1ST SESSION**H. R. 146**

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2009

Received and read the first time

MARCH 5, 2009

Read the second time and placed on the calendar

AN ACT

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) DEFINITIONS.—In this Act:

5 (1) BATTLEFIELD REPORT.—The term “battle-
6 field report” means the document titled “Report to
7 Congress on the Historic Preservation of Revolu-
8 tionary War and War of 1812 Sites in the United
9 States”, prepared by the National Park Service, and
10 dated September 2007.

11 (2) ELIGIBLE ENTITY.—The term “eligible enti-
12 ty” means a State or local government.

13 (3) ELIGIBLE SITE.—The term “eligible site”
14 means a site that—

15 (A) is not within the exterior boundaries of
16 a unit of the National Park System; and

17 (B) is identified in the battlefield report.

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior, acting through the
20 American Battlefield Protection Program.

21 (b) ESTABLISHMENT.—The Secretary shall establish
22 a battlefield acquisition grant program for nationally sig-
23 nificant battlefields and associated sites of the Revolu-
24 tionary War and the War of 1812 under which the Sec-
25 retary may make grants to eligible entities to pay the Fed-
26 eral share of the cost of acquiring fee-simple or lesser in-

1 terests from willing sellers in eligible sites for the preser-
2 vation and protection of those eligible sites.

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

6 (d) NON-FEDERAL SHARE.—The non-Federal share
7 of the total cost of acquiring an interest in an eligible site
8 under this section shall be not less than 50 percent.

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

13 (f) WILLING SELLERS.—Acquisitions of land and in-
14 terests in land under this Act shall be limited to acquisi-
15 tions, from willing sellers only, of conservation easements
16 and fee-simple purchases of eligible sites.

17 (g) REPORTS.—

18 (1) IN GENERAL.—Not later than 5 years after
19 the date of the enactment of this Act, the Secretary
20 shall submit to Congress a report on the activities
21 carried out under this section.

22 (2) UPDATE ON BATTLEFIELD REPORT.—Not
23 later than 3 years after the date of the enactment
24 of this Act, the Secretary shall submit to Congress

1 a report that updates the battlefield report to re-
2 flect—

3 (A) preservation activities carried out at
4 the 677 battlefields and associated sites identi-
5 fied in the battlefield report during the period
6 between publication of the battlefield report and
7 the update;

8 (B) changes in the condition of the battle-
9 fields and associated sites during that period;
10 and

11 (C) any other relevant developments relat-
12 ing to the battlefields and associated sites dur-
13 ing that period.

14 (h) AUTHORIZATIONS OF APPROPRIATIONS.—

15 (1) IN GENERAL.—There are authorized to be
16 appropriated to the Secretary from the Land and
17 Water Conservation Fund to provide grants under
18 this Act \$10,000,000 for each of fiscal years 2010
19 through 2014.

20 (2) UPDATE OF BATTLEFIELD REPORT.—There
21 are authorized to be appropriated to the Secretary
22 to carry out subsection (g)(2), \$500,000.

Passed the House of Representatives March 3,
2009.

Attest:

LORRAINE C. MILLER,

Clerk.

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