

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 548

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IN THE SENATE OF THE UNITED STATES

MARCH 4, 2009

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

To assist citizens, public and private institutions, and governments at all levels in planning, interpreting, and protecting sites where historic battles were fought on American soil during the armed conflicts that shaped the growth and development of the United States, 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 “Civil War Battlefield  
5 Preservation Act of 2009”.

6 **SEC. 2. AMERICAN BATTLEFIELD PROTECTION PROGRAM.**

7       The purpose of this Act is to assist citizens, public  
8 and private institutions, and governments at all levels in  
9 planning, interpreting, and protecting sites where historic  
10 battles were fought on American soil during the armed  
11 conflicts that shaped the growth and development of the  
12 United States, in order that present and future genera-  
13 tions may learn and gain inspiration from the ground  
14 where Americans made their ultimate sacrifice.

15 **SEC. 3. PRESERVATION ASSISTANCE.**

16       (a) IN GENERAL.—Using the established national  
17 historic preservation program to the extent practicable,  
18 the Secretary of the Interior, acting through the American  
19 Battlefield Protection Program, shall encourage, support,  
20 assist, recognize, and work in partnership with citizens,  
21 Federal, State, local, and tribal governments, other public  
22 entities, educational institutions, and private nonprofit or-  
23 ganizations in identifying, researching, evaluating, inter-  
24 preting, and protecting historic battlefields and associated  
25 sites on a National, State, and local level.

1 (b) FINANCIAL ASSISTANCE.—To carry out sub-  
2 section (a), the Secretary may use a cooperative agree-  
3 ment, grant, contract, or other generally adopted means  
4 of providing financial assistance.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
6 are authorized to be appropriated \$3,000,000 annually to  
7 carry out this section, to remain available until expended.

8 **SEC. 4. BATTLEFIELD ACQUISITION GRANT PROGRAM.**

9 (a) DEFINITIONS.—In this section:

10 (1) BATTLEFIELD REPORT.—The term “Battle-  
11 field Report” means the document entitled “Report  
12 on the Nation’s Civil War Battlefields”, prepared by  
13 the Civil War Sites Advisory Commission, and dated  
14 July 1993.

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

17 (3) ELIGIBLE SITE.—The term “eligible site”  
18 means a site—

19 (A) that is not within the exterior bound-  
20 aries of a unit of the National Park System;  
21 and

22 (B) that is identified in the Battlefield Re-  
23 port.

1           (4) SECRETARY.—The term “Secretary” means  
2           the Secretary of the Interior, acting through the  
3           American Battlefield Protection Program.

4           (b) ESTABLISHMENT.—The Secretary shall establish  
5           a battlefield acquisition grant program under which the  
6           Secretary may provide grants to eligible entities to pay  
7           the Federal share of the cost of acquiring interests in eligi-  
8           ble sites for the preservation and protection of those eligi-  
9           ble sites.

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

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

16          (e) LIMITATION ON LAND USE.—An interest in an  
17          eligible site acquired under this section shall be subject  
18          to section 6(f)(3) of the Land and Water Conservation  
19          Fund Act of 1965 (16 U.S.C. 460l–8(f)(3)).

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

24          (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
25          authorized to be appropriated to the Secretary to provide

1 grants under this section \$10,000,000 for each of fiscal  
2 years 2009 through 2013.

3 **SEC. 5. REPEAL.**

4 This Act shall be repealed on September 30, 2019.

Passed the House of Representatives March 3,  
2009.

Attest:

LORRAINE C. MILLER,

*Clerk.*