

107TH CONGRESS
2D SESSION

S. 2968

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 SENATE OF THE UNITED STATES

SEPTEMBER 19, 2002

Mr. SARBANES (for himself, Mr. JEFFORDS, and Mr. SESSIONS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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 that—

1 (1) Civil War battlefields provide a means for
 2 the people of the United States to understand a
 3 tragic period in the history of the United States; and

4 (2) according to the Report on the Nation's
 5 Civil War Battlefields, prepared by the Civil War
 6 Sites Advisory Commission, and dated July 1993, of
 7 the 384 principal Civil War battlefields—

8 (A) almost 20 percent are lost or frag-
 9 mented;

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

11 (C) 60 percent—

12 (i) have been lost; or

13 (ii) are in imminent danger of being—

14 (I) fragmented by development;

15 and

16 (II) lost as coherent historic

17 sites.

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

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

24 (2) to create partnerships among State and
 25 local governments, regional entities, and the private

1 sector to preserve, conserve, and enhance nationally
 2 significant Civil War battlefields.

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

4 The American Battlefield Protection Act of 1996 (16
 5 U.S.C. 469k) is amended—

6 (1) by redesignating subsection (d) as para-
 7 graph (3) of subsection (c), and indenting appro-
 8 priately;

9 (2) in paragraph (3) of subsection (c) (as redes-
 10 ignated by paragraph (1))—

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

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

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

17 “(d) BATTLEFIELD ACQUISITION GRANT PRO-
 18 GRAM.—

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

20 “(A) BATTLEFIELD REPORT.—The term
 21 ‘Battlefield Report’ means the document enti-
 22 tled ‘Report on the Nation’s Civil War Battle-
 23 fields’, prepared by the Civil War Sites Advi-
 24 sory Commission, and dated July 1993.

1 “(B) ELIGIBLE ENTITY.—The term ‘eligi-
2 ble 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
13 Program.

14 “(2) ESTABLISHMENT.—The Secretary shall es-
15 tablish a battlefield acquisition grant program under
16 which the Secretary may provide grants to eligible
17 entities to pay the Federal share of the cost of ac-
18 quiring interests in eligible sites for the preservation
19 and protection 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
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 460l–8(f)(3)).

8 “(6) REPORTS.—

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

14 “(B) UPDATE OF BATTLEFIELD RE-
15 PORT.—Not later than 2 years after the date of
16 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 384 battlefields during the period
21 between publication of the Battlefield Re-
22 port and the update;

23 “(ii) changes in the condition of the
24 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 is 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
 9 fiscal years 2004 through 2008.

10 “(B) UPDATE OF BATTLEFIELD RE-
 11 PORT.—There is authorized to be appropriated
 12 to the 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 battlefields acquisition grants” after
 20 “studies”.

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