

110TH CONGRESS
2D SESSION

H. R. 160

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Received

OCTOBER 2 (legislative day, SEPTEMBER 17), 2008

Read twice and referred to the Committee on Energy and Natural Resources

AN ACT

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”.

6 **SEC. 2. BATTLEFIELD ACQUISITION GRANT PROGRAM FOR**
 7 **BATTLEFIELDS OF THE REVOLUTIONARY**
 8 **WAR AND WAR OF 1812.**

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

12 (1) by redesignating subsection (e) as sub-
 13 section (f); and

14 (2) by inserting after subsection (d) the fol-
 15 lowing new subsection:

16 “(e) BATTLEFIELD ACQUISITION GRANT PROGRAM
 17 FOR BATTLEFIELDS OF THE REVOLUTIONARY WAR AND
 18 WAR OF 1812.—

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

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

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 that—

5 “(i) is not within the exterior bound-
6 aries of a unit of the National Park Sys-
7 tem; and

8 “(ii) is identified in the battlefield re-
9 port.

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

23 “(3) NONPROFIT PARTNERS.—An eligible entity
24 may acquire an interest in an eligible site using a

1 grant under this subsection in partnership with a
2 nonprofit organization.

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

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

12 “(6) REPORTS.—

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

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

23 “(i) preservation activities carried out
24 at the 677 battlefields and associated sites
25 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 2009 through 2013.

“(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—

1 (A) in the subsection heading, by striking
 2 “BATTLEFIELD ACQUISITION GRANT PRO-
 3 GRAM” and inserting “BATTLEFIELD ACQUI-
 4 TION GRANT PROGRAM FOR BATTLEFIELDS OF
 5 THE CIVIL WAR”; and

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

9 (2) TERMINATION OF AUTHORITY.—Subsection
 10 (f) of the American Battlefield Protection Act of
 11 1996, as redesignated by subsection (a)(1), is
 12 amended—

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

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

Passed the House of Representatives September 24,
 2008.

Attest: LORRAINE C. MILLER,
Clerk.