

# AMERICAN BATTLEFIELD PROTECTION PROGRAM AMENDMENTS ACT OF 2012

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2489) to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2489

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

*This Act may be cited as the “American Battlefield Protection Program Amendments Act of 2012”.*

## SEC. 2. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION.

*Section 7301(c) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11) is amended as follows:*

*(1) In paragraph (1)—*

*(A) by striking subparagraph (A) and inserting the following:*

*“(A) BATTLEFIELD REPORT.—The term ‘battlefield report’ means, collectively—*

*“(i) the report entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993; and*

*“(ii) the report entitled ‘Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States’, prepared by the National Park Service, and dated September 2007.”; and*

*(B) in subparagraph (C)(ii), by striking “Battlefield Report” and inserting “battlefield report”.*

*(2) In paragraph (2), by inserting “eligible sites or” after “acquiring”.*

*(3) In paragraph (3), by inserting “an eligible site or” after “acquire”.*

*(4) In paragraph (4), by inserting “an eligible site or” after “acquiring”.*

*(5) In paragraph (5), by striking “An” and inserting “An eligible site or an”.*

*(6) By redesignating paragraph (6) as paragraph (9).*

*(7) By inserting after paragraph (5) the following new paragraphs:*

*“(6) WILLING SELLERS.—Acquisition of land or interests in land under this subsection shall be from willing sellers only.*

*“(7) REPORT.—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, including a description of—*

*“(A) preservation activities carried out at the battlefields and associated sites identified in the battlefield report during the period between publication of the battlefield report and the report required under this paragraph;*

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

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

*“(8) PROHIBITION ON LOBBYING.—*

*“(A) IN GENERAL.—None of the funds provided pursuant to this section may be used for purposes of lobbying any person or entity regarding the implementation of this section or be granted, awarded, contracted, or otherwise be made available to any person, organization, or entity that participates in such lobbying.*

*“(B) LOBBYING DEFINED.—For purposes of this paragraph, the term ‘lobbying’ means to directly*

*or indirectly pay for any personal service, advertisement, telegram, telephone call, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government to favor, adopt, or oppose by vote or otherwise, any legislation, law, ratification, policy, land use plan (including zoning), or appropriation of funds before or after the introduction of any bill, resolution, or other measure proposing such legislation, law, ratification, policy, or appropriation.”.*

*(8) In paragraph (9) (as redesignated by paragraph (6)), by striking “2013” and inserting “2017”.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

The American Battlefield Protection Act of 1996 addressed the preservation and protection of Civil War battlefields through conservation easements or through the purchase of land from willing sellers through Federal grants. H.R. 2489 renews this effort, which will soon expire, and it adds the Revolutionary War and the War of 1812 battlefields to those eligible for protection.

The Natural Resources Committee made several improvements to the legislation as introduced, including a reduction of the authorization from 10 years to 5 years. Also, the authorization was cut in half to save up to \$50 million over the course of the program. It is important to note that we have not raised the authorization one cent over current levels; therefore, there is no increase in spending.

Finally, the committee added language to prohibit these funds from being used for lobbying activities or from being distributed to organizations that participate in lobbying. With so many existing needs within the National Park Service, we want to ensure that these funds go specifically for battlefield protection and not to outside advocacy groups. These battlefields are part of our history, and we should do everything we can to ensure that future generations understand what our forefathers went through to ensure our freedoms.

So, with that, I support this legislation, and I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank my colleagues from the Natural Resources Committee

for working with me to bring this bill to the floor today, our bipartisan bill, which is the American Battlefield Protection Program Amendments Act. I was pleased to work with Chairman HASTINGS and Chairman BISHOP and Ranking Members MARKEY and GRIJALVA to move this bill through our committee, and I would like to thank the majority and minority staffs for their hard work.

The bill before us today reauthorizes the American Battlefield Protection Program, which is a competitive grant program that matches Federal dollars with private money to preserve historic war sites. H.R. 2489 builds on the success of the Civil War Battlefield Protection Program, which has preserved Civil War battlefield sites. The legislation also expands the grant program to include over 670 historic battlefields and associated sites from the Revolutionary War and the War of 1812.

Since 1996, when the Battlefield Protection Program was first authorized, the program has helped preserve many important sites, including, for example, the Fort Gregg, New Market Heights Battlefield in Virginia.

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In fiscal year 2011, a protection grant helped preserve a 7.2-acre property best remembered because of the unquestioned valor of the African American Union soldiers who fought there. There are many other examples that I could point to: the Wilderness Crossroads, the Reynolds Tract, Perryville Battlefield in Kentucky, the Slaughter Pen Farm, Fredericksburg Battlefield in Virginia, and so forth.

H.R. 2489 would allow the American Battlefield Protection Program to collaborate with State and local governments, nonprofit organizations, and willing sellers—and I do want to emphasize that point—to protect the most endangered historical sites, and to provide up to half the costs of purchasing battlefield land threatened by sprawl and commercial development.

From Lexington, where the shot was heard around the world, to Gettysburg, where Lincoln brilliantly summarized the description of the conception and proposition of our Nation, the stories of the American Revolution and the Civil War bring to life the ideals of liberty and democracy fostered by our Founders.

Unfortunately, urbanization, suburban sprawl, and unplanned commercial and residential development are constantly encroaching on many of the significant battlefields of the Revolutionary War, the War of 1812, and the Civil War. This encroachment poses a severe and growing risk to the preservation of these historic sites.

History is best experienced by those who can touch it, feel it, and live it, and the battlefields of the American Revolutionary War, the War of 1812, and the Civil War provide a unique opportunity for Americans to experience where and how the epic struggle for our

Nation's independence and identity took place.

In my home State of New Jersey, there are more sites of military engagements than in any other State. More military engagements were fought in New Jersey than in any other State. New Jersey played an influential role in the War for Independence.

I was pleased to join Representative FRELINGHUYSEN and Senator LAUTENBERG, and the rest of the New Jersey delegation, in establishing some years ago the Crossroads of the American Revolution National Heritage Area in our State. The Crossroads Association has made enormous progress toward promoting our State's rich heritage, and the bill before us today, I think, is vital for organizations like Crossroads in New Jersey and others to perform their important work.

As the Civil War Trust said in their letter supporting this legislation:

Preserving these American historic treasures is essential to remember the sacrifices our ancestors made to secure our freedom and independence, and to preserve our Republic.

Historical sites, once lost, are gone forever. They exist only on the pages of books and in fading memories. We must act to preserve these valuable sites while we still can. Approving this bill will demonstrate that the Members of this House can work together. Historic preservation is not a Republican issue, not a Democratic issue. Historic preservation is an American issue because it is our shared history that we are working to preserve and to protect.

I thank the majority for working with me on this bill. During the 111th Congress, similar legislation was twice approved by this body with near unanimous support. In this Congress, the American Battlefield Protection Program Amendments Act is again enjoying bipartisan support, and I certainly hope the other body will act promptly so that we can get about the work of preserving these sites.

I urge my colleagues to support H.R. 2489, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, this is good legislation, and I urge its adoption.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 2489, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### STUDY OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 6186) to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6186

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

##### (a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

##### (b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

#### GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6186, introduced by my friend and colleague on the Financial Services Committee, Congresswoman GWEN MOORE.

H.R. 6186 would require the Federal Emergency Management Agency, FEMA, the agency which administers the National Flood Insurance Program, NFIP, to conduct a study on the advantages and disadvantages of providing voluntary community-based flood insurance through NFIP and report its recommendations for implementation to Congress within 18 months. H.R. 6186 also requires the Government Accountability Office, GAO, to analyze FEMA's report and submit its comments or recommendations on it to Congress within 6 months.

Community-based flood insurance is an insurance technique where a risk assessment is made for all the buildings in a community, and then premiums to cover that risk are paid collectively by that community rather than the current practice of assessing each building individually and having each individual owner pay a premium. This innovative tool may represent a new and better way for some communities at risk of flooding to take the necessary steps to protect their citizens.

In fact, FEMA has stated in congressional testimony that voluntary community-based flood insurance could help the NFIP better account for the full cost of flood risk, as well as provide incentives to encourage communities to implement greater flood mitigation measures. Thus, we think it's appropriate to commission this study of the community-based flood insurance concept so that FEMA can understand how it could be put to the greatest benefit.

Congresswoman MOORE's community-based flood insurance study provision was originally introduced as part of H.R. 1309, the Flood Insurance Reform Act of 2011, the bipartisan, long-term NFIP reauthorization measure that passed the House with over 400 votes