

PUBLIC LAW 107-359—DEC. 17, 2002

CIVIL WAR BATTLEFIELD PRESERVATION
ACT OF 2002

Public Law 107-359
107th Congress

An Act

Dec. 17, 2002
[H.R. 5125]

Civil War
Battlefield
Preservation Act
of 2002.
16 USC 469k
note.

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To amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

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 “Civil War Battlefield Preservation Act of 2002”.

SEC. 2. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds the following:

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

(2) According to the Report on the Nation’s Civil War Battlefields, prepared by the Civil War Sites Advisory Commission, and dated July 1993, of the 384 principal Civil War battlefields—

(A) almost 20 percent are lost or fragmented;

(B) 17 percent are in poor condition; and

(C) 60 percent have been lost or are in imminent danger of being fragmented by development and lost as coherent historic sites.

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

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

(2) to create partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance nationally significant Civil War battlefields.

SEC. 3. BATTLEFIELD ACQUISITION GRANT PROGRAM.

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

(1) by redesignating subsection (d) as paragraph (3) of subsection (c), and indenting appropriately;

(2) in paragraph (3) of subsection (c) (as redesignated by paragraph (1))—

(A) by striking “APPROPRIATIONS” and inserting “APPROPRIATIONS”; and

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

(3) by inserting after subsection (c) the following:

“(d) BATTLEFIELD ACQUISITION GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) BATTLEFIELD REPORT.—The term ‘Battlefield Report’ means the document entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993.

“(B) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local government.

“(C) ELIGIBLE SITE.—The term ‘eligible site’ means a site—

“(i) that is not within the exterior boundaries of a unit of the National Park System; and

“(ii) that is identified in the Battlefield Report.

“(D) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the American Battlefield Protection Program.

“(2) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to eligible entities to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

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

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

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

“(6) REPORTS.—

“(A) IN GENERAL.—Not later than 5 years after the date of the enactment of this subparagraph, the Secretary shall submit to Congress a report on the activities carried out under this subsection.

“(B) UPDATE OF BATTLEFIELD REPORT.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report that updates the Battlefield Report to reflect—

“(i) preservation activities carried out at the 384 battlefields during the period between publication of the Battlefield Report and the update;

“(ii) changes in the condition of the battlefields during that period; and

“(iii) any other relevant developments relating to the battlefields during that period.

“(7) AUTHORIZATION 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 2004 through 2008.

“(B) UPDATE OF BATTLEFIELD REPORT.—There are authorized to be appropriated to the Secretary to carry out paragraph (6)(B), \$500,000.”; and

(4) in subsection (e)—

Deadlines.

(A) in paragraph (1), by striking “as of” and all that follows through the period and inserting “on September 30, 2008.”; and

(B) in paragraph (2), by inserting “and provide battlefield acquisition grants” after “studies”.

Approved December 17, 2002.

LEGISLATIVE HISTORY—H.R. 5125:

HOUSE REPORTS: No. 107-710 (Comm. on Resources).
CONGRESSIONAL RECORD, Vol. 148 (2002):
Oct. 1, considered and passed House.
Nov. 20, considered and passed Senate.

