

118TH CONGRESS  
2D SESSION

# S. 3568

To amend chapter 3081 of title 54, United States Code, to enhance the protection and preservation of America’s battlefields.

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IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2024

Mr. KAINE (for himself, Mrs. HYDE-SMITH, Mr. WARNER, Mr. CARDIN, Mr. CORNYN, Mr. VAN HOLLEN, Mr. WICKER, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend chapter 3081 of title 54, United States Code, to enhance the protection and preservation of America’s battlefields.

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 “American Battlefield  
5 Protection Program Enhancement Act of 2024”.

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

7 **IMPROVEMENTS.**

8 (a) DEFINITIONS.—Section 308101 of title 54,  
9 United States Code, is amended to read as follows:

1 **“§ 308101. Definitions**

2 “In this chapter:

3 “(1) SECRETARY.—The term ‘Secretary’ means  
4 the Secretary, acting through the American Battle-  
5 field Protection Program.

6 “(2) BATTLEFIELD REPORTS.—The term ‘Bat-  
7 tlefield Reports’ means, collectively—

8 “(A) the document entitled ‘Report on the  
9 Nation’s Civil War Battlefields’, prepared by  
10 the Civil War Sites Advisory Commission, and  
11 dated July 1993; and

12 “(B) the document entitled ‘Report to  
13 Congress on the Historic Preservation of Revo-  
14 lutionary War and War of 1812 Sites in the  
15 United States’, prepared by the National Park  
16 Service, and dated September 2007.’”.

17 (b) PRESERVATION ASSISTANCE.—Section  
18 308102(a) of title 54, United States Code, is amended by  
19 striking “Federal” and all that follows through “organiza-  
20 tions” and inserting “Federal agencies, States, Tribes,  
21 local governments, other public entities, educational insti-  
22 tutions, and nonprofit organizations”.

23 (c) BATTLEFIELD LAND ACQUISITION GRANTS IM-  
24 PROVEMENTS.—Section 308103 of title 54, United States  
25 Code, is amended—

1           (1) by amending subsection (a) to read as fol-  
2           lows:

3           “(a) ELIGIBLE SITE DEFINED.—In this section, the  
4           term ‘eligible site’—

5           “(1) means a site that—

6           “(A) is not within the exterior boundaries  
7           of a unit of the National Park System; and

8           “(B) is identified in the Battlefield Reports  
9           as a battlefield; and

10          “(2) excludes sites identified in the Battlefield  
11          Reports as associated historic sites.”;

12          (2) in subsection (b), by striking “State and  
13          local governments” and inserting “States, Tribes,  
14          local governments, and nonprofit organizations”;

15          (3) in subsection (c), by striking “State or local  
16          government” and inserting “State, Tribe, or local  
17          government”; and

18          (4) in subsection (e), by striking “under this  
19          section” and inserting “under this section, including  
20          by States, Tribes, local governments, and nonprofit  
21          organizations,”.

22          (d) BATTLEFIELD RESTORATION GRANTS IMPROVE-  
23          MENTS.—Section 308105 of title 54, United States Code,  
24          is amended—

1           (1) by amending subsection (a) to read as fol-  
2           lows:

3           “(a) ESTABLISHMENT.—The Secretary shall estab-  
4           lish a battlefield restoration grant program (referred to  
5           in this section as the ‘program’) under which the Secretary  
6           may provide grants to States, Tribes, local governments,  
7           and nonprofit organizations for projects that restore day-  
8           of-battle conditions on—

9                   “(1) land preserved and protected under the  
10           battlefield acquisition grant program established  
11           under section 308103(b); or

12                   “(2) battlefield land that is—

13                           “(A) owned by a State, Tribe, local govern-  
14                           ment, or nonprofit organization; and

15                           “(B) referred to in the Battlefield Re-  
16                           ports.”; and

17           (2) by striking subsection (b) and inserting the  
18           following:

19           “(b) ELIGIBLE SITES.—The Secretary may make  
20           grants under this section for Revolutionary War, War of  
21           1812, and Civil War battlefield sites—

22                   “(1) eligible for assistance under the battlefield  
23           acquisition grant program established under section  
24           308103(b); or

25                   “(2) on battlefield land that is—

1           “(A) owned by a State, Tribe, local govern-  
2           ment, or nonprofit organization; and

3           “(B) referred to in the Battlefield Re-  
4           ports.”.

5           (e) UPDATES AND IMPROVEMENTS.—Chapter 3081  
6 of title 54, United States Code, is amended by adding at  
7 the end the following:

8           **“§ 308106. Updates and improvements to Battlefield**  
9   **Reports**

10           “Not later than 2 years after the date of the enact-  
11 ment of this section, and every 10 years thereafter, the  
12 Secretary shall submit to Congress a report that updates  
13 the Battlefield Reports to reflect—

14           “(1) preservation activities carried out at the  
15           battlefields in the period since the publication of the  
16           most recent Battlefield Reports update;

17           “(2) changes in the condition, including core  
18           and study areas, of the battlefields during that pe-  
19           riod; and

20           “(3) any other relevant developments relating  
21           to the battlefields during that period.”.

22           (f) CLERICAL AMENDMENT.—The table of sections  
23 for chapter 3081 of title 54, United States Code, is  
24 amended as follows:

- 1           (1) By amending the item relating to section
- 2           308101 to read as follows:

“308101. Definitions.”.

- 3           (2) By adding at the end the following:

“308106. Updates and improvements to Battlefield Reports.”.

