

**SHENANDOAH VALLEY, VIRGINIA, AND CORINTH,
MISSISSIPPI BATTLEFIELDS AND CIVIL WAR
SITES ADVISORY COMMISSION**

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS
AND PUBLIC LANDS

OF THE

COMMITTEE ON
NATURAL RESOURCES
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

ON

H.R. 746 and S. 1033

A BILL TO ESTABLISH THE SHENANDOAH VALLEY NATIONAL BATTLE-
FIELDS AND COMMISSION IN THE COMMONWEALTH OF VIRGINIA,
AND FOR OTHER PURPOSES

H.R. 3714 and S. 986

A BILL TO PROVIDE FOR AN INTERPRETIVE CENTER AT THE CIVIL
WAR BATTLEFIELD OF CORINTH, MISSISSIPPI, AND FOR OTHER PUR-
POSES

JULY 25, 1994—WASHINGTON, DC

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SHENANDOAH VALLEY, VIRGINIA, AND CORINTH, MISSISSIPPI BATTLEFIELDS AND CIVIL WAR SITES ADVISORY COMMISSION

MONDAY, JULY 25, 1994

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS
AND PUBLIC LANDS,
Washington, DC.

The subcommittee met, pursuant to call, at 12:35 p.m. in room 1324, Longworth House Office Building, Hon. Bruce F. Vento [chairman of the subcommittee] presiding.

STATEMENT OF HON. BRUCE F. VENTO, A U.S. REPRESENTATIVE FROM MINNESOTA, AND CHAIRMAN, SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS

Mr. VENTO. The Subcommittee on National Parks, Forest and Public Lands will be in order. This morning we are meeting, as Members and staff have been notified, to consider three separate initiatives.

The first is the Senate-House measure, H.R. 746, introduced by Congressman Wolf and others, and the Senate counterpart S. 1033, which would establish a significant battlefield park to include 12 of the most significant battle sites in the Shenandoah Valley of Virginia. The bills would establish a commission with a unique management scheme that thrives heavily upon the participation of local governments and citizen organizations.

The Shenandoah Valley was the site of the numerous significant events of the Civil War, including Stonewall Jackson's Valley campaign in 1862 and Philip Sheridan's attack on the valley two years later, during which the Union troops destroyed much of the agricultural land in the valley.

The second measure also, of course, deals with the Civil War, H.R. 3714, introduced by Congressman Whitten and others, and S. 986, advanced by Senator Lott. It provides for the construction of an interpretive center at Corinth, Mississippi to be administered through the nearby Shiloh National Military Park.

Of course, Corinth, Mississippi was the site of an extended siege and battle during the Civil War and much of the military fortifications remain in tact. The site has already been designated a national historic landmark and the Civil War Battlefield Commission

has listed it as a Priority 1 threatened battlefield with a high degree of integrity.

Finally, the third matter we will hear is testimony on the report of the Civil War Sites Advisory Commission. As I noted earlier, Congress had in fact developed this Commission in 1990. Congressman Mike Andrews and Congressman Charles Taylor had both worked with the Commission.

In September 1993 the Commission finally issued its report which includes an assessment of the current state of Civil War battlefields and recommendations that would determine the course of battlefield protection efforts by the public and private sector.

So we are going to hear about that this morning, which provides a further backdrop and outlay. The Shenandoah study and the Civil War Battlefield Commission used a similar format to in fact make the assessments. So these were very much a coordinated effort on the part of the Park Service and the Commission.

We are pleased to welcome the Senator from Virginia, Senator Warner, and I see the Senator is present; he can join his colleagues. It should be familiar company, because at the table also is Congressman Frank Wolf who has been a strong advocate for Shenandoah and for other Civil War and park-related issues. And of course the Honorable Bob Goodlatte, a new Member of the House, but one who obviously has an interest in this matter.

Senator, we are pleased that you are present, and I wanted to recognize my colleague, Congressman Markey.

[Text of H.R. 746, S. 1033, and H.R. 3714 follows:]

103D CONGRESS
1ST SESSION

H. R. 746

To establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1993

Mr. WOLF introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia, 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 “Shenandoah Valley
5 National Battlefields Partnership Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) there are situated in the Shenandoah Valley
9 in the Commonwealth of Virginia the sites of Civil
10 War battles;

1 (2) certain sites, battlefields, structures, and
2 districts in the Shenandoah Valley, are collectively of
3 national significance in the history of the American
4 Civil War;

5 (3) the National Park Service has assessed the
6 suitability and feasibility of including Shenandoah
7 Valley battlefield sites in the National Park System,
8 or of affiliating these sites with the National Park
9 System, and has found that these sites possess na-
10 tional significance and a high degree of historical
11 integrity;

12 (4) the preservation and interpretation of these
13 sites, battlefields, structures, and districts can make
14 a vital contribution to the understanding of the her-
15 itage of the United States;

16 (5) popular interest in the Civil War has
17 reached a point not seen since Civil War veterans
18 themselves sought to preserve battlefields they hal-
19 lowed;

20 (6) the historic integrity of these battlefields is
21 imperiled by an accelerated pace of growth in the re-
22 gion;

23 (7) concerned individuals and nonprofit organi-
24 zations have expressed interest in donating land in
25 the Shenandoah Valley to the United States for the

1 purpose of preserving sites of the Nation's vanishing
2 Civil War legacy;

3 (8) as evidenced by studies by Virginia Poly-
4 technic Institute and State University, the preserva-
5 tion of highly significant Civil War battlefield sites
6 within the regional framework of the Shenandoah
7 Valley, together with site improvements, including
8 visitor centers and interpretive programs, would
9 have a positive impact on economic development and
10 employment in the Shenandoah Valley by generating
11 new annual sales of goods and services valued at
12 \$50,000,000 to \$65,000,000, creating 1,300 to
13 1,600 new jobs, and generating \$18,000,000 to
14 \$22,000,000 in new salaries and wages;

15 (9) the goal of preserving Civil War sites within
16 a regional framework is to promote cooperation
17 among local property owners and Federal, State,
18 and local government entities that seek to promote
19 economic development through the preservation of
20 sites and places significant to the history of the
21 Nation; and

22 (10) partnerships between Federal, State, and
23 local governments and their regional entities, and
24 the private sector—

1 (A) offer the most effective opportunities
2 for the enhancement and management of the
3 Civil War battlefields and related sites in the
4 Shenandoah Valley; and

5 (B) are best fostered through establish-
6 ment of a region-wide Commission.

7 **SEC. 3. PURPOSES.**

8 The purposes of this Act are to—

9 (1) preserve, conserve, and interpret the legacy
10 of the Civil War in the Shenandoah Valley of
11 Virginia;

12 (2) recognize and interpret important events
13 and geographic locations in the conduct of the Civil
14 War in the Shenandoah Valley of Virginia, including
15 those battlefields associated with the Thomas J.
16 (Stonewall) Jackson Campaign of 1862 and the de-
17 cisive campaigns of 1864;

18 (3) recognize and interpret the effect of war on
19 the Valley's civilian population during the war and
20 the postwar reconstruction period;

21 (4) create partnerships among Federal, State,
22 and local governments and their regional entities,
23 and the private sector to preserve, conserve, en-
24 hance, and interpret the nationally significant battle-

1 fields and related sites associated with the Civil War
2 in the Shenandoah Valley; and

3 (5) establish and maintain a geographic
4 database and information system that can be used
5 to locate, track, and cross reference significant
6 historical and cultural properties, structures, and
7 markers.

8 **SEC. 4. DEFINITIONS.**

9 For the purposes of this Act:

10 (1) **BATTLEFIELDS.**—The term “Battlefields”
11 means the Shenandoah Valley National Battlefields
12 established under section 101.

13 (2) **COMMISSION.**—The term “Commission”
14 means the Shenandoah Valley National Battlefields
15 Commission established by title II.

16 (3) **CONTRIBUTING BATTLEFIELD.**—The term
17 “contributing battlefield” means those areas identi-
18 fied in the National Park Service study, “Civil War
19 Sites in the Shenandoah Valley of Virginia”, that—

20 (A) encompass all important components
21 of a conflict, including approach routes, areas
22 of troop concentrations, reserve positions, com-
23 mand headquarters, hospitals, signal stations,
24 or other important observation points, picket
25 lines, battle lines, maneuver areas, assault

1 areas, artillery positions, retreat routes, and
2 places where the armies bivouacked before or
3 after the fighting; and

4 (B) provide a strategic context and geo-
5 graphic setting for understanding the conflict.

6 (4) HERITAGE PLAN.—The term “Heritage
7 Plan” means the Shenandoah Valley Civil War Sites
8 Heritage Plan approved pursuant to section 104.

9 (5) HISTORIC CORE.—The term “historic core”
10 means areas identified in the National Park Service
11 study, “Civil War Sites in the Shenandoah Valley of
12 Virginia”, containing sites of confrontational deploy-
13 ment, heaviest fighting, and most severe casualties,
14 and those sites important in shaping the ebb and
15 flow of battle.

16 (6) MAJOR INTERPRETIVE FACILITY.—The
17 term “major interpretive facility” means a year-
18 round staffed visitor center that provides an orienta-
19 tion to the entire park, and, through interpretive ex-
20 hibits and media, communicates to the public the
21 story of the Civil War in the Shenandoah Valley of
22 Virginia.

23 (7) LANDS THAT HAVE LOST THEIR HISTORIC
24 INTEGRITY.—The term “lands that have lost their
25 historic integrity” means those battlefield areas

1 identified on site maps in the National Park Service
2 study, "Civil War Sites in the Shenandoah Valley of
3 Virginia", that are identified as having experienced
4 a significant percentage of land use change from its
5 historic appearance to the extent that the areas no
6 longer retain a unique cultural or historical identity.

7 (8) SECRETARY.—The term "Secretary" means
8 the Secretary of the Interior.

9 **TITLE I—SHENANDOAH VALLEY** 10 **NATIONAL BATTLEFIELDS**

11 **SEC. 101. ESTABLISHMENT OF SHENANDOAH VALLEY NA-** 12 **TIONAL BATTLEFIELDS.**

13 (a) ESTABLISHMENT.—On the approval by the Sec-
14 retary pursuant to section 104 of the Heritage Plan, and
15 on notice published in the Federal Register of the ap-
16 proval, there is established the Shenandoah Valley Na-
17 tional Battlefields as a unit of the National Park System.

18 (b) AREAS INCLUDED.—The Battlefields shall consist
19 only of those lands identified in the Heritage Plan in the
20 counties of Clarke, Frederick, Highland, Rockingham,
21 Shenandoah, and Warren, and in the city of Winchester.
22 The Commission shall identify lands in the historic core,
23 and the contributing battlefield area immediately adjacent
24 to, or in the vicinity of the historic core, that shall com-
25 prise the Shenandoah Valley National Battlefields.

1 (c) BATTLEFIELDS INCLUDED.—The following bat-
2 tlefields shall be included in the Battlefields:

- 3 (1) Cedar Creek.
- 4 (2) Cool Spring.
- 5 (3) Cross Keys.
- 6 (4) Fisher's Hill.
- 7 (5) First Kernstown.
- 8 (6) Second Kernstown.
- 9 (7) McDowell.
- 10 (8) New Market.
- 11 (9) Port Republic.
- 12 (10) Tom's Brook.
- 13 (11) Opequon (Third Winchester).
- 14 (12) Second Winchester.

15 (d) MAP.—The map entitled "Shenandoah Valley Na-
16 tional Battlefields", and dated _____,
17 shall be on file and available for public inspection in the
18 Office of the Director of the National Park Service.

19 **SEC. 102. PROTECTION AND CONSERVATION OF HISTORIC**
20 **PROPERTIES.**

21 (a) HERITAGE PRESERVATION.—The Secretary and
22 the Commission shall take appropriate action to encourage
23 heritage preservation within the regional area of the Bat-
24 tlefields by landowners, local governments, organizations,
25 and businesses.

1 (b) HERITAGE TOURISM.—The Secretary and the
2 Commission shall cooperate to promote appropriate levels
3 of heritage tourism in the Shenandoah Valley of Virginia
4 that are compatible with resource protection.

5 (c) PARTNERSHIPS AND COOPERATIVE AGREE-
6 MENTS.—

7 (1) IN GENERAL.—The Secretary, with the con-
8 sent of the Commission, may establish partnerships
9 and enter into cooperative agreements relating to
10 planning, development, use, management, and inter-
11 pretation of properties within the Battlefields with
12 other Federal agencies, State and local subdivisions,
13 and private persons, to advance the purposes of this
14 Act.

15 (2) AGREEMENTS WITH OWNERS OF PROP-
16 erty.—

17 (A) IN GENERAL.—The Secretary may
18 enter into agreements with the owners of prop-
19 erty in the Battlefields on which historic monu-
20 ments and tablets commemorating the battles
21 have been erected.

22 (B) ACQUISITION.—Within the boundaries
23 of the Battlefields, as provided in the Heritage
24 Plan, the Secretary may, with the consent of
25 the owner, acquire by donation, purchase, or ex-

1 change, lands and interests comprising the
2 monuments and tablets, together with lands
3 and interests in lands necessary to provide ade-
4 quate public access to the monuments and tab-
5 lets.

6 (C) MAINTENANCE.—The Secretary may
7 make funds available, subject to appropriations,
8 for the maintenance, protection, and interpreta-
9 tion of the monuments and tablets pursuant to
10 the agreements.

11 (3) INTERIM AUTHORITY.—During the period
12 Heritage Plan is being prepared, the Secretary, with
13 the approval of the Commission, may enter into
14 agreements described in paragraph (2) to advance
15 the purposes of this Act.

16 (d) RESTORATION OF PROPERTIES.—Notwithstand-
17 ing any other provision of law, the Secretary, with the ad-
18 vice and approval of the Commission, may restore and re-
19 habilitate property within the Battlefields pursuant to
20 partnerships and cooperative agreements without regard
21 to whether title to the property vests with the United
22 States.

23 (e) GRANTS.—Within the Battlefields, the Secretary
24 may award grants to property owners and governmental
25 entities and provide technical assistance, information, and

1 advice under section 101(h) of the National Historic Pres-
2 ervation Act (16 U.S.C. 470a(h)) to promote the use of
3 natural and cultural resources to conserve and maintain
4 the historic character of the Battlefields. The grants shall
5 be made to assist local landowners, businesses, and local
6 governments in cooperative efforts designed to meet herit-
7 age preservation objectives in the historic core and con-
8 tributing battlefield area.

9 (f) PLANNING COSTS.—

10 (1) IN GENERAL.—The Secretary, under such
11 terms and conditions as the Secretary may prescribe,
12 and at the request of any local or county govern-
13 ment entity or a regional entity that encompasses
14 any one or more of the Battlefields, may reimburse
15 up to 90 percent of the planning cost incurred by
16 the entity in the development of comprehensive plans
17 and land use guidelines, regulations, and ordinances
18 that are consistent with conserving the historic char-
19 acter of the Battlefields.

20 (2) CONSULTATION.—The plans shall be pre-
21 pared in consultation with the Secretary and the
22 Commission.

23 (3) IMPLEMENTATION GRANTS.—A plan or
24 strategy that is approved by the Secretary and the

1 Commission shall be eligible for implementation
2 grants under subsection (g).

3 (4) APPROPRIATION DETERMINATE.—Reim-
4 bursement under this subsection may only be made
5 in such amounts as are provided by appropriation.

6 (g) IMPLEMENTATION GRANTS TO GOVERNMENTAL
7 ENTITIES AND THE PRIVATE SECTOR.—

8 (1) IN GENERAL.—The Secretary may provide
9 grants to State, county, or municipal governmental
10 entities or regional entities, based on a matching
11 formula identified in the Heritage Plan to facilitate
12 the implementation of protection plans and strate-
13 gies to further the purposes of this Act. The grants
14 shall be conditioned on the approval by the Sec-
15 retary of commitments from the governmental enti-
16 ties that the entities will assist in the implementa-
17 tion of an approved protection strategy. The Sec-
18 retary shall suspend the provision of grants if the
19 Secretary has withdrawn approval of the strategy
20 under paragraphs (2) and (3).

21 (2) REVIEW.—The Secretary and the Commis-
22 sion shall conduct a regular review of approved
23 strategies for the purpose of ensuring that the strat-
24 egies continue to meet the requirements of sub-
25 sections (e) and (f) and this subsection. If the Sec-

1 retary finds that a strategy or the implementation of
2 a strategy no longer meets the requirements, after
3 consultation with the Commission and the affected
4 governmental entity, the Secretary shall withdraw
5 approval of the strategy.

6 (3) GRANT CONDITIONS.—Grants under this
7 subsection shall be made only on application of the
8 recipient governmental entity and shall be made
9 using funds specifically appropriated for the grants
10 as authorized by this Act. The funds shall be in ad-
11 dition to any other Federal financial assistance for
12 any other program, and shall be subject to such
13 terms and conditions as the Secretary deems nec-
14 essary to carry out the purposes of this subsection.

15 **SEC. 103. ACQUISITION.**

16 (a) GENERAL AUTHORITY.—Within the historic core,
17 subject to the limitations specified in subsection (b), on
18 the adoption of the Heritage Plan by the Secretary and
19 the Commission, the Secretary may acquire lands and in-
20 terests in lands by donation, purchase with donated or ap-
21 propriated funds, or exchange with willing landowners.

22 (b) LIMITATIONS ON AUTHORITY.—

23 (1) STATE OR LOCAL LAND.—Lands, and inter-
24 ests in lands, within the boundaries of the Battle-
25 fields that are owned by a State, county, or munici-

1 pal entity, or any political subdivision of the entity,
2 may be acquired only by donation or exchange.

3 (2) CONDEMNED LAND.—The Secretary may
4 not accept lands acquired by the State through con-
5 demnation for the purposes of battlefield preserva-
6 tion under this Act.

7 (3) EMINENT DOMAIN.—Private property shall
8 not be taken through eminent domain under this
9 Act.

10 (4) LANDS THAT HAVE LOST THEIR HISTORIC
11 INTEGRITY.—Unless recommended by the unani-
12 mous consent of the Commission, in purchasing
13 property the Secretary may not use appropriated
14 funds to acquire lands that have lost their historic
15 integrity.

16 (c) PURCHASE AT FAIR MARKET VALUE.—Lands
17 and interests in land may be acquired under this Act by
18 purchase at a price that is based on the fair market value
19 determined by one or more independent appraisals, con-
20 sistent with the Uniform Relocation Assistance and Real
21 Property Acquisition Policies Act of 1970 (42 U.S.C. 4601
22 et seq.).

23 (d) RIGHT OF FIRST REFUSAL.—

24 (1) IN GENERAL.—Subject to the limitation
25 specified in subsection (b), the Secretary or Commis-

1 sion may acquire the right of first refusal in the ac-
2 quisition of historic core property specified in section
3 101(b).

4 (2) CONSENT.—The Secretary or the Commis-
5 sion may purchase the right of first refusal only
6 from a consenting property owner.

7 (3) TRANSFER OF INTERESTS.—If the owner of
8 the property from whom the Secretary or the Com-
9 mission has purchased a right of first refusal in-
10 tends to transfer any interest in the property by di-
11 rect and exclusive sale and not by gift or donation,
12 the owner shall, as a condition of the purchase of
13 the right of first refusal, notify the Secretary and
14 the Commission in writing of the intention.

15 (4) PERIOD FOR EXERCISING RIGHTS.—The
16 Secretary or the Commission shall have 120 days
17 after notification to exercise a right of first refusal
18 to match any bona fide offer, so long as the offer
19 does not exceed the fair market value of the prop-
20 erty, to obtain the interest under the same terms
21 and conditions as are contained in the offer.

22 (5) NONEXERCISE OF RIGHTS.—If the Sec-
23 retary has not exercised the right within the 120-day
24 period, the right of first refusal shall be considered
25 void and the owner may transfer the interest.

1 (e) ADMINISTRATION.—

2 (1) IN GENERAL.—On the adoption of the Her-
3 itage Plan, the Battlefields shall be administered in
4 accordance with this title and with those provisions
5 of law, rules, and regulations generally applicable to
6 units of the National Park System, including the Act
7 entitled “An Act to establish a National Park Serv-
8 ices, and for other purposes”, approved August 25,
9 1916 (16 U.S.C. 2), the Act entitled, “An Act to
10 provide for the preservation of historic American
11 sites, buildings, objects, and antiquities of national
12 significance, and for other purposes”, approved Au-
13 gust 21, 1935 (16 U.S.C. 461 et seq.), and all other
14 relevant Acts that seek to preserve the heritage of
15 the United States. In the case of a conflict between
16 the provisions of this Act and any generally applica-
17 ble provision of law, the provisions of this Act shall
18 govern.

19 (2) DONATIONS.—Notwithstanding any other
20 provision of law, the Secretary and the Commission
21 may accept donations of funds, property, or services
22 from individuals, foundations, corporations, and
23 other private entities, and from public entities for
24 the purpose of carrying out this Act.

1 (3) PROGRAMS.—The Secretary and the Com-
2 mission may sponsor, or coordinate within the Bat-
3 tlefields and adjacent counties and cities within the
4 Shenandoah Valley, such educational or cultural en-
5 richment programs as the Secretary or the Commis-
6 sion considers appropriate to encourage appreciation
7 and preservation of the resources of the Battlefield.

8 (4) FEES.—The Secretary and the Commission
9 may establish such entrance or other fees as the
10 Secretary and the Commission consider necessary
11 and appropriate. A portion of the revenue generated
12 from the fees shall be placed in a special account es-
13 tablished and administered by the Secretary and the
14 Commission for one or both of the following
15 purposes:

16 (A) Acquisition of lands or interests in
17 lands described in section 101.

18 (B) Direct cash payments to local govern-
19 ments to supplement existing Federal payments
20 in lieu of taxes in accordance with a payment
21 schedule established by the Commission, in con-
22 sultation with the Secretary.

1 **SEC. 104. SHENANDOAH VALLEY CIVIL WAR SITES HERIT-**
2 **AGE PLAN.**

3 (a) **IN GENERAL.**—Not later than 3 years after the
4 date of enactment of this Act, the Commission, with the
5 approval of the Secretary, shall submit to Congress a Her-
6 itage Plan that shall describe the appropriate protection,
7 management, uses, and development of the Battlefields
8 consistent with the purposes of this Act. The plan shall
9 contain the information described in section 12(b) of Pub-
10 lic Law 91-383 (16 U.S.C. 1a-7(b)). The Plan shall be
11 prepared with adequate public involvement, as determined
12 by the Secretary and the Commission.

13 (b) **PREPARATION AND APPROVAL OF THE PLAN.**—

14 (1) **SUBMISSION OF DRAFT PLAN TO THE SEC-**
15 **RETARY.**—Not later than 2 years after the date on
16 which the Commission conducts its first meeting, the
17 Commission shall submit to the Secretary a draft
18 Shenandoah Valley Civil War Sites Heritage Plan,
19 that shall meet the requirements of subsection (c).

20 (2) **REVIEW OF DRAFT PLAN BY THE SEC-**
21 **RETARY.**—The Secretary shall review the draft Plan
22 and, not later than 90 days after the date on which
23 the plan is submitted to the Secretary suggest ap-
24 propriate modifications and forward the modifica-
25 tions to the Commission.

1 (3) NO SUGGESTED MODIFICATIONS.—If no
2 suggestions are submitted by the Secretary within
3 the 90-day period referred to in paragraph (2), the
4 Plan shall be considered approved.

5 (4) REVISED PLAN.—Not later than 90 days
6 after the Secretary submits suggestions, the Com-
7 mission shall submit a revised Heritage Plan to the
8 Secretary. The Secretary shall approve or disapprove
9 any revised plan in accordance with paragraph (1).
10 The Secretary may approve a Heritage Plan only if
11 the Secretary determines that the plan would carry
12 out the purposes of this Act.

13 (c) SPECIFIC PROVISIONS.—The Heritage Plan shall
14 include the following provisions:

15 (1) A description of the boundaries of the
16 Battlefields.

17 (2) Identification of partnerships between the
18 Secretary, the Commission, and other Federal,
19 State, and local governments and regional entities,
20 and the private sector, for the management of prop-
21 erties within the Battlefields.

22 (3) Proposed locations for visitor contact and
23 major interpretive facilities, including at least one
24 major interpretive facility in the upper valley vicinity

1 and one major interpretive facility in the lower valley
2 vicinity.

3 (4) Plans for implementing a continuing pro-
4 gram of interpretation and visitor education concern-
5 ing the resources and values of the Battlefields.

6 (5) Plans for a uniform valley-wide historical
7 marker and wayside exhibit program, including a
8 provision for marking, with the consent of the
9 owner, historic structures and properties contained
10 in the areas identified in section 101(b) that contrib-
11 ute to the understanding of the Civil War heritage
12 of the valley.

13 (6) Plans for the management of natural and
14 cultural resources of the Battlefields, with particular
15 emphasis on the preservation of historic landscapes
16 and scenes, including a reassessment of the historic
17 integrity of lands within the historic core every 5
18 years, or otherwise, as considered necessary by the
19 Secretary and the Commission.

20 (7) Proposals for possible future operation of
21 battlefield concessions by locally owned businesses,
22 certification of battlefield guides, and a Battlefields-
23 wide interpretive training program.

24 (d) PUBLICATION.—On approval of the Heritage
25 Plan, the Secretary shall publish notice of the approval

1 in the Federal Register and the Commission shall forward
2 copies of the approved plan to Congress.

3 (e) REVISIONS.—The Secretary may revise the Herit-
4 age Plan established pursuant to this section, only after
5 consulting with the Commission, and after adequate public
6 involvement.

7 **TITLE II—SHENANDOAH VALLEY**
8 **NATIONAL BATTLEFIELDS**
9 **COMMISSION**

10 **SEC. 201. ESTABLISHMENT, DUTIES, AND ADMINISTRATION**
11 **OF THE COMMISSION.**

12 (a) ESTABLISHMENT.—There is established a com-
13 mission to be known as the Shenandoah Valley National
14 Battlefields Commission.

15 (b) DUTIES.—

16 (1) IN GENERAL.—In addition to the duties au-
17 thorized in other provisions of this Act, the Commis-
18 sion shall—

19 (A) advise and actively participate with the
20 National Park Service in developing the Herit-
21 age Plan for the Battlefields;

22 (B) assist in the implementation, coordina-
23 tion, protection, promotion, and management of
24 the Battlefield resources in the Shenandoah
25 Valley of Virginia; and

1 (C) administer funds donated pursuant to
2 paragraph (2).

3 (2) DONATIONS.—Notwithstanding any other
4 provision of law, the Commission may accept, retain,
5 expend, and dispose of donations of funds for the
6 purpose of carrying out the duties of the Commis-
7 sion authorized by this Act.

8 (c) MEMBERSHIP.—The Commission shall be com-
9 posed of the following members:

10 (1) Sixteen members, of which 2 members (one
11 of which must be a property owner in the historic
12 core) shall represent each of the areas specified in
13 section 101(b). The members shall be appointed by
14 the appropriate local governing body as determined
15 by the Secretary.

16 (2) The executive director of the Lord Fairfax
17 Planning District Commission.

18 (3) The executive director of the Central Shen-
19 andoah Planning District Commission.

20 (4) Two members with demonstrated expertise
21 in historic preservation, appointed by the Secretary.

22 (5) Two members who are recognized historians
23 with expertise in Civil War history, appointed by the
24 Secretary.

1 (6) Two members appointed by the Secretary,
2 one of whom shall be from a chamber of commerce
3 from within a county in which part of the historic
4 core is located and the other of whom shall be a
5 business leader from a county in which part of the
6 historic core is located.

7 (7) The executive director or designee from
8 each of the following nonprofit entities that own
9 Battlefield property within the historic core:

10 (A) The National Trust for Historic Pres-
11 ervation/Belle Grove Incorporated.

12 (B) The Cedar Creek Battlefield Founda-
13 tion.

14 (C) The New Market Battlefield Park.

15 (D) The Association for the Preservation
16 of Civil War Sites.

17 (E) The Lee Jackson Foundation.

18 (F) The Stonewall Brigade Foundation.

19 (G) The Society of Port Republic Preserva-
20 tionists.

21 (H) Preservation of Historic Winchester.

22 (8) The Director of the Department of Historic
23 Resources, Commonwealth of Virginia (SHPC), ap-
24 pointed by the Governor, to serve as an ex officio
25 member of the Commission.

1 (9) The Director of the National Park Service
2 or the designee of the Director, to serve as an ex
3 officio member of the Commission.

4 (d) OPERATIONS OF THE COMMISSION.—

5 (1) APPOINTMENTS.—Members of the Commis-
6 sion shall be appointed for staggered terms of 3
7 years, as designated by the Secretary at the time of
8 initial appointment. Any member of the Commission
9 appointed for a definite term may serve after the ex-
10 piration of the term of the member until the succes-
11 sor of the member is appointed.

12 (2) ELECTION OF OFFICERS.—The Commission
13 shall elect one of the members of the Commission as
14 Chairperson and one as Vice Chairperson. Terms of
15 the Chairperson and Vice Chairperson shall be 2
16 years. The Vice Chairperson shall serve as Chair-
17 person in the absence of the Chairperson.

18 (3) VACANCY.—Any vacancy on the Commis-
19 sion shall be filled in the same manner in which the
20 original appointment was made, except that the Sec-
21 retary if responsible for the appointment, shall fill
22 any vacancy within 30 days after the vacancy oc-
23 curs. If an appointment has not been made 30 days
24 after the vacancy occurs, the Commission may fill

1 the position in the same manner in which the origi-
2 nal appointment was made.

3 (4) QUORUM.—Eleven members of the Commis-
4 sion shall constitute a quorum.

5 (5) MEETINGS.—The Commission shall meet
6 not less than quarterly, or at the call of the Chair-
7 person or a majority of its members. The Director
8 or the designee of the Director shall attend each
9 Commission meeting. Notice of meetings and agenda
10 shall be published in local newspapers that have a
11 distribution throughout the Shenandoah Valley.
12 Commission meetings shall be held at various loca-
13 tions throughout the valley and in such a manner as
14 to ensure adequate public participation.

15 (6) EXPENSES.—Members of the Commission
16 shall serve without compensation, but the Secretary
17 may reimburse members for expenses reasonably in-
18 curred in carrying out the responsibilities of the
19 members under this Act on vouchers signed by the
20 Chairperson.

21 (7) STAFF.—The Commission may hire such
22 staff as is necessary to carry out this Act. The sal-
23 ary of an employee may not be in excess of a rate
24 comparable to a grade GS-14 of the General Sched-
25 ule. On the request of the Commission, the Director

1 of the National Park Service may detail, on a reim-
2 bursable basis, personnel of the service to the Com-
3 mission to assist it in carrying out its duties under
4 this Act.

5 (8) FEDERAL ADVISORY COMMITTEE ACT.—The
6 provisions of section 14 of the Federal Advisory
7 Committee Act (5 U.S.C. App.) are waived with re-
8 spect to the Commission.

9 **TITLE III—AUTHORIZATION OF**
10 **APPROPRIATIONS**

11 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated for each of
13 fiscal years 1993 through 2003 such sums as may be nee-
14 essary to carry out this Act.

○

103^D CONGRESS
2^D SESSION

S. 1033

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 1994

Referred to the Committee on Natural Resources

AN ACT

To establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia, 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 "Shenandoah Valley
5 National Battlefields Partnership Act of 1994".

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) there are situated in the Shenandoah Valley
4 in the Commonwealth of Virginia the sites of several
5 key Civil War battles;

6 (2) certain sites, battlefields, structures, and
7 districts in the Shenandoah Valley are collectively of
8 national significance in the history of the Civil War;

9 (3) in 1990 Congress enacted legislation direct-
10 ing the Secretary of the Interior to prepare a com-
11 prehensive study of significant sites and structures
12 associated with Civil War battles in the Shenandoah
13 Valley;

14 (4) the study, which was completed in 1992,
15 found that many of the sites within the Shenandoah
16 Valley possess national significance and retain a
17 high degree of historical integrity;

18 (5) the preservation and interpretation of these
19 sites will make a vital contribution to the under-
20 standing of the heritage of the United States;

21 (6) the preservation of Civil War sites within a
22 regional framework requires cooperation among local
23 property owners and Federal, State, and local gov-
24 ernment entities; and

25 (7) partnerships between Federal, State, and
26 local governments and their regional entities, and

1 the private sector offer the most effective opportuni-
2 ties for the enhancement and management of the
3 Civil War battlefields and related sites in the Shen-
4 andoah Valley.

5 **SEC. 3. PURPOSES.**

6 The purposes of this Act are to—

7 (1) preserve, conserve, and interpret the legacy
8 of the Civil War in the Shenandoah Valley;

9 (2) recognize and interpret important events
10 and geographic locations representing key Civil War
11 battles in the Shenandoah Valley, including those
12 battlefields associated with the Thomas J. (Stone-
13 wall) Jackson campaign of 1862 and the decisive
14 campaigns of 1864;

15 (3) recognize and interpret the effect of the
16 Civil War on the civilian population of the Shen-
17 andoah Valley during the war and postwar recon-
18 struction period; and

19 (4) create partnerships among Federal, State,
20 and local governments and their regional entities,
21 and the private sector to preserve, conserve, enhance
22 and interpret the nationally significant battlefields
23 and related sites associated with the Civil War in the
24 Shenandoah Valley.

1 **SEC. 4. DEFINITIONS.**

2 As used in this Act, the term—

3 (1) “battlefields” means the Shenandoah Valley
4 National Battlefields established under section 5;

5 (2) “Commission” means the Shenandoah Val-
6 ley National Battlefields Commission established in
7 section 9;

8 (3) “historic core” means the area surrounding
9 each unit of the battlefields as depicted on the map
10 referenced in section 5(a) that encompasses impor-
11 tant components of a conflict and that provides a
12 strategic context and geographic setting for under-
13 standing the conflict;

14 (4) “plan” means the Shenandoah Valley Na-
15 tional Battlefields plan approved by the Secretary
16 pursuant to section 6;

17 (5) “Secretary” means the Secretary of the In-
18 terior; and

19 (6) “Shenandoah Valley” means the Shen-
20 andoah Valley in the Commonwealth of Virginia.

21 **SEC. 5. SHENANDOAH VALLEY NATIONAL BATTLEFIELDS.**

22 (a) ESTABLISHMENT.—(1) To carry out the purposes
23 of this Act, there is hereby established the Shenandoah
24 Valley National Battlefields in the Commonwealth of Vir-
25 ginia. The battlefields shall consist of approximately 1,863
26 acres of lands and interests therein as generally depicted

1 on the map entitled "Shenandoah Valley National Battle-
2 fields", numbered SHVA / 80,000 and dated April 1994,
3 comprising units at Cedar Creek, Cross Keys, Fisher's
4 Hill, McDowell, New Market, Opequan, Port Republic,
5 Second Kernstown, Second Winchester, and Tom's Brook.

6 (2) The map referred to in paragraph (1) shall be
7 on file and available for public inspection in the offices
8 of the Commission and in the appropriate offices of the
9 National Park Service.

10 (3) The Secretary may, with the advice of the Com-
11 mission and following an opportunity for public comment,
12 make minor revisions to the boundaries of the battlefields.

13 (b) ADMINISTRATION.—The Secretary shall admin-
14 ister the battlefields in accordance with this Act and with
15 provisions of law generally applicable to the National Park
16 System, including the Act approved August 25, 1916 (39
17 Stat. 535; 16 U.S.C. 1, 2-4) and the Act approved August
18 21, 1935 (49 Stat. 666). The Secretary shall protect,
19 manage, and administer the battlefields for the purposes
20 of preserving and interpreting their natural, cultural and
21 historic resources and of providing for public understand-
22 ing and appreciation of the battlefields in such a manner
23 as to perpetuate these qualities and values for future gen-
24 erations.

1 (e) LAND ACQUISITION.—(1) Except as otherwise
2 provided in this subsection, the Secretary is authorized to
3 acquire lands and interests therein within the boundaries
4 of the battlefields by donation, purchase with donated or
5 appropriated funds, or exchange: *Provided*, That no lands
6 or interests therein may be acquired except with the con-
7 sent of the owner thereof.

8 (2) Lands or interests therein within the battlefields
9 that are owned by the Commonwealth of Virginia or a po-
10 litical subdivision thereof, may be acquired only by dona-
11 tion or exchange.

12 (3) The Secretary may not accept donations of lands
13 or interests therein acquired through condemnation.

14 **SEC. 6. SHENANDOAH VALLEY NATIONAL BATTLEFIELDS**
15 **PLAN.**

16 (a) IN GENERAL.—The battlefields shall be managed
17 by the Secretary pursuant to this Act and the Shenandoah
18 Valley National Battlefields plan developed by the Com-
19 mission and approved by the Secretary, as provided in this
20 section.

21 (b) SPECIFIC PROVISIONS.—The plan shall include—

22 (1) recommendations of potential boundary
23 modifications to the battlefields, including modifica-
24 tions to the boundaries of the historic core of each
25 unit, and the potential addition of new units;

1 (2) provisions for the management, protection,
2 and interpretation of the natural, cultural, and his-
3 torical resources of the battlefields, consistent with
4 the purposes of this Act;

5 (3) recommendations to the Commonwealth of
6 Virginia (and political subdivisions thereof) for the
7 management, protection, and interpretation of the
8 natural, cultural, and historical resources of the his-
9 toric core areas;

10 (4) the information described in section 12(b)
11 of Public Law 91-383 (16 U.S.C. 1a-7(b)) (pertain-
12 ing to the preparation of general management
13 plans);

14 (5) identification of appropriate partnerships
15 between the Secretary and other Federal, State, and
16 local governments and regional entities, and the pri-
17 vate sector, in furtherance of the purposes of this
18 Act;

19 (6) proposed locations for visitor contact and
20 major interpretive facilities, including proposals for
21 one interpretive facility in the upper Shenandoah
22 Valley and one in the lower Shenandoah Valley;

23 (7) provisions for implementing a continuing
24 program of interpretation and visitor education con-

1 cerning the resources and values of the battlefields
2 and historic core areas; and

3 (8) provisions for a uniform valley-wide histori-
4 cal maker and wayside exhibit program, including a
5 provision for marking, with the consent of the
6 owner, historic structures and properties contained
7 within the historic core areas, as identified on the
8 map referred to in section 5(a), that contribute to
9 the understanding of the battlefields.

10 (c) PREPARATION OF DRAFT PLAN.—(1) Not later
11 than 2 years after the date on which the Commission con-
12 ducts its first meeting, the Commission shall submit to
13 the Secretary a draft plan that meets the requirements
14 of subsection (b).

15 (2) Prior to submitting the draft plan to the Sec-
16 retary, the Commission shall ensure that—

17 (A) the Commonwealth of Virginia, and any po-
18 litical subdivision thereof that would be affected by
19 the plan, receives a copy of the draft plan;

20 (B) adequate notice of the availability of the
21 draft plan is provided through publication in appro-
22 priate local newspapers in the area of the battle-
23 fields; and

24 (C) at least one public hearing in the vicinity of
25 the battlefields in the upper Shenandoah Valley and

1 one public hearing in the vicinity of the battlefields
2 in the lower Shenandoah Valley is conducted by the
3 Commission with respect to the draft plan.

4 (d) REVIEW OF PLAN BY THE SECRETARY.—The
5 Secretary shall review the draft plan, and, not later than
6 90 days after the date on which the draft plan is submit-
7 ted, shall either—

8 (1) approve the plan; or

9 (2) reject the plan and recommend modifica-
10 tions to the Commission that would make the plan
11 acceptable.

12 **SEC. 7. COOPERATIVE AGREEMENTS.**

13 (a) IN GENERAL.—In furtherance of the purposes of
14 this Act, the Secretary may establish partnerships and
15 enter into cooperative agreements concerning lands and
16 interests therein within the battlefields and historic core
17 areas with other Federal, State, or local agencies, and pri-
18 vate persons and organizations.

19 (b) HISTORIC MONUMENTS.—The Secretary may
20 enter into agreements with the owners of property in the
21 battlefields and historic core areas on which historic
22 monuments and tablets commemorating the battles have
23 been erected prior to the date of enactment of this Act.
24 The Secretary may make funds available for the mainte-

1 nance, protection, and interpretation of the monuments
2 and tablets pursuant to such agreements.

3 **SEC. 8. GRANT PROGRAM.**

4 (a) IN GENERAL.—(1) Within the battlefields and
5 historic core areas, the Secretary may award grants and
6 provide technical assistance to property owners to pro-
7 vided for the preservation and interpretation of the natu-
8 ral, cultural, and historical resources within the battle-
9 fields and historic core areas.

10 (2)(A) The Secretary, after consultation with the
11 Commission, may award grants and provide technical as-
12 sistance to governmental entities to assist with the plan-
13 ning, development, and implementation of comprehensive
14 plans, land use guidelines, regulations, ordinances or other
15 appropriate documents that are consistent with and de-
16 signed to protect the historic character of the battlefields
17 and historic core areas.

18 (B) The Commission shall conduct a regular review
19 of approved plans, guidelines, regulations, ordinances, or
20 documents. If the Commission finds that any such plan,
21 guideline, regulation, ordinance, or document or the imple-
22 mentation thereof is no longer consistent with the protec-
23 tion of the historic character of the battlefields and his-
24 toric core areas, after consultation with the affected gov-
25 ernmental entity, the Commission may recommend that

1 the Secretary withdraw approval and suspend any grant
2 authority pursuant to this section.

3 (C) The Secretary, after consultation with the Com-
4 mission, shall suspend any grant awarded under this para-
5 graph if the Secretary has determined that such plans,
6 guidelines, regulations, ordinances, or documents are
7 modified in a manner that is inconsistent with the protec-
8 tion of the historic character of the battlefields and his-
9 toric core areas.

10 (b) COST SHARE.—The Federal share of any grant
11 made under this section shall be matched by non-Federal
12 funds on a one-to-one basis.

13 (c) ADDITIONAL CONDITIONS.—The Secretary may
14 require such additional terms and conditions before
15 awarding any grant as the Secretary determines to be nec-
16 essary.

17 **SEC. 9. SHENANDOAH VALLEY NATIONAL BATTLEFIELDS**
18 **COMMISSION.**

19 (a) ESTABLISHMENT.—There is hereby established
20 the Shenandoah Valley National Battlefields Commission.

21 (b) MEMBERSHIP.—The commission shall be com-
22 posed of 19 members, to be appointed by the Secretary
23 as follows:

24 (1) 5 members representing local governments
25 of communities in the vicinity of the battlefields,

1 after considering recommendations made by appropriate local governing bodies.

2 (2) 10 members representing property owners
3 within the battlefields or historic core areas (1 member within each unit).

4 (3) 1 member with demonstrated expertise in
5 historic preservation.

6 (4) 1 member who is a recognized historian
7 with expertise in Civil War history.

8 (5) The Governor of Virginia, or a designee of
9 the Governor, ex officio.

10 (6) The Director of the National Park Service,
11 or a designee of the Director, ex officio.

12 (c) APPOINTMENTS.—Members of the Commission
13 shall be appointed for staggered terms of 3 years, as designated by the Secretary at the time of the initial appointment. Any member of the Commission appointed for a
14 definite term may serve after the expiration of the term
15 until the successor of the member is appointed.

16 (d) ELECTION OF OFFICERS.—The Commission shall
17 elect one of its members as Chairperson and one as Vice
18 Chairperson. Terms of the Chairperson and Vice Chair-
19 person shall be 2 years. The Vice Chairperson shall serve
20 as Chairperson in the absence of the Chairperson.

1 (e) VACANCY.—Any vacancy on the Commission shall
2 be filled in the same manner in which the original appoint-
3 ment was made, except that the Secretary shall fill any
4 vacancy within 30 days after the vacancy occurs.

5 (f) QUORUM.—A majority of the Commission shall
6 constitute a quorum.

7 (g) MEETINGS.—The Commission shall meet not less
8 than quarterly, or at the call of the Chairperson or a ma-
9 jority of the members of the Commission. Notice of meet-
10 ings and agendas shall be published in local newspapers
11 that have a distribution throughout the Shenandoah Val-
12 ley. Commission meetings shall be held at various locations
13 throughout the Shenandoah Valley and in a manner that
14 ensures adequate public participation.

15 (h) STAFF OF THE COMMISSION.—The Commission
16 shall have the power to appoint and fix the compensation
17 of such staff as may be necessary to carry out its duties.

18 (i) ADMINISTRATIVE SUPPORT SERVICES.—The Ad-
19 ministrator of the General Services Administration shall
20 provide to the Commission, on a reimbursable basis, such
21 administrative support services as the Commission may re-
22 quest.

23 (j) FEDERAL AGENCIES.—Upon request of the Com-
24 mission, the head of any Federal agency may detail to the

1 Commission, on a reimbursable basis, personnel of the
2 agency to assist the Commission in carrying out its duties.

3 (k) SUBPOENAS.—The Commission may not issue
4 subpoenas or exercise any subpoena authority.

5 (l) EXPENSES.—Members of the Commission shall
6 serve without compensation, but the Secretary may reim-
7 burse members for expenses reasonably incurred in carry-
8 ing out the responsibilities of the Commission under this
9 Act.

10 (m) MAILS.—The Commission may use the United
11 States mails in the same manner and under the same con-
12 ditions as other departments and agencies of the United
13 States.

14 (n) GIFTS.—The Commission may, for purposes of
15 carrying out the duties of the Commission, seek, accept,
16 and dispose of gifts, bequests, or donations of money, per-
17 sonal property, or services, received from any source.

18 **SEC. 10. DUTIES OF THE COMMISSION.**

19 The Commission shall—

20 (1) develop the plan referred to in section 6, in
21 consultation with the Secretary;

22 (2) advise the Secretary on the administration
23 of the battlefields;

24 (3) assist the Commonwealth of Virginia, or
25 any political subdivision thereof, or any nonprofit or-

1 ganization, in the management, protection, and in-
 2 terpretation of the natural, cultural and historical
 3 resources within the historic core areas: *Provided,*
 4 *however,* That the Commission shall in no way in-
 5 fringe upon the authorities and policies of the Com-
 6 monwealth of Virginia or any political subdivision
 7 thereof; and

8 (4) take appropriate action to encourage protec-
 9 tion of the natural, cultural, and historic resources
 10 within the battlefields and historic core areas by
 11 landowners, local governments, organizations, and
 12 businesses.

13 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) **AUTHORIZATION.**—There are authorized to be ap-
 15 propriated such sums as are necessary to carry out this
 16 Act, except that no more than \$250,000 may be appro-
 17 priated for the establishment and operation of the Com-
 18 mission.

19 (b) **AVAILABILITY OF FUNDS.**—Funds made avail-
 20 able under subsection (a) shall remain available until ex-
 21 pended.

 Passed the Senate June 8 (legislative day, June 7),
 1994.

Attest:

MARTHA S. POPE,

Secretary.

103D CONGRESS
1ST SESSION

H. R. 3714

To provide for an interpretive center at the Civil War Battlefield of Corinth, Mississippi, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 1993

Mr. WHITTEN introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for an interpretive center at the Civil War Battlefield of Corinth, Mississippi, 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 "Corinth, Mississippi,
5 Battlefield Act of 1993".

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the 14 sites located in the vicinity of Cor-
9 inth, Mississippi, that were designated as a National
10 Historic Landmark by the Secretary of the Interior

1 in 1991 represent nationally significant events in the
2 Siege and Battle of Corinth during the Civil War;
3 and

4 (2) the Landmark sites should be preserved and
5 interpreted for the benefit, inspiration, and edu-
6 cation of the people of the United States.

7 (b) PURPOSE.—It is the purpose of this Act to pro-
8 vide for a center for the interpretation of the Siege and
9 Battle of Corinth and other Civil War actions in the region
10 and to enhance public understanding of the significance
11 of the Corinth Campaign in the Civil War relative to the
12 Western theater of operations, in cooperation with State
13 or local governmental entities and private organizations
14 and individuals.

15 **SEC. 3. ACQUISITION OF PROPERTY AT CORINTH, MIS-**
16 **SISSIPPI.**

17 (a) IN GENERAL.—The Secretary of the Interior (re-
18 ferred to in this Act as the “Secretary”) shall acquire by
19 donation, purchase with donated or appropriated funds,
20 or exchange, such lands and interest in lands in the vicin-
21 ity of the Corinth Battlefield, in the State of Mississippi,
22 as the Secretary determines to be necessary for the con-
23 struction of an interpretive center to commemorate and
24 interpret the 1862 Civil War Siege and Battle of Corinth.

1 (b) PUBLICLY OWNED LANDS.—Lands and interests
2 in lands owned by the State of Mississippi or a political
3 subdivision of the State of Mississippi may be acquired
4 only by donation.

5 **SEC. 4. INTERPRETIVE CENTER AND MARKING.**

6 (a) GENERAL AUTHORITY.—

7 (1) CONSTRUCTION OF CENTER.—The Sec-
8 retary shall construct, operate, and maintain on the
9 property acquired under section 3 a center for the
10 interpretation of the Siege and Battle of Corinth
11 and associated historical events for the benefit of the
12 public.

13 (2) DESCRIPTION.—The center shall contain
14 approximately 5,300 square feet, and include inter-
15 preitive exhibits, an auditorium, a parking area, and
16 other features appropriate to public appreciation and
17 understanding of the site.

18 (b) MARKING.—The Secretary may mark sites associ-
19 ated with the Siege and Battle of Corinth National His-
20 toric Landmark, as designated on May 6, 1991, if such
21 sites are determined by the Secretary to be protected by
22 State or local governmental agencies.

23 (c) ADMINISTRATION.—The lands and interests in
24 lands acquired, and the facilities constructed and main-
25 tained pursuant to this Act shall be administered by the

1 Secretary as a part of Shiloh National Military Park, sub-
2 ject to the appropriate laws and regulations applicable to
3 the park, the Act of August 25, 1916 (39 Stat. 535, chap-
4 ter 408; 16 U.S.C. 1 et seq.), and the Act of August 21,
5 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—Subject to subsection (b), there
8 are authorized to be appropriated such sums as are nec-
9 essary to carry out this Act.

10 (b) CONSTRUCTION.—Of the amounts made available
11 to carry out this Act, not more than \$6,000,000 may be
12 used to carry out section 4(a).

○

Union Calendar No. 458

103^D CONGRESS
2^D SESSION

S. 986

[Report No. 103-813]

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1993

Referred to the Committee on Natural Resources

OCTOBER 3, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of Senate passed bill, see copy of bill as printed in the House of Representatives on November 18, 1993]

AN ACT

To provide for an interpretive center at the Civil War Battlefield of Corinth, Mississippi, 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,*

1 **TITLE I—CIVIL WAR BATTLE-**
2 **FIELD OF CORINTH, MIS-**
3 **SISSIPPI**

4 **SEC. 101. SHORT TITLE.**

5 *This title may be cited as the "Corinth, Mississippi,*
6 *Battlefield Act of 1994".*

7 **SEC. 102. FINDINGS AND PURPOSE.**

8 (a) *FINDINGS.—Congress finds that—*

9 *(1) the 14 sites located in the vicinity of Corinth,*
10 *Mississippi, that were designated as a National His-*
11 *toric Landmark by the Secretary of the Interior in*
12 *1991 represent nationally significant events in the*
13 *Siege and Battle of Corinth during the Civil War;*
14 *and*

15 *(2) the Landmark sites should be preserved and*
16 *interpreted for the benefit, inspiration, and education*
17 *of the people of the United States.*

18 (b) *PURPOSE.—It is the purpose of this Act to provide*
19 *for a center for the interpretation of the Siege and Battle*
20 *of Corinth and other Civil War actions in the region and*
21 *to enhance public understanding of the significance of the*
22 *Corinth Campaign in the Civil War relative to the Western*
23 *theater of operations, in cooperation with State or local gov-*
24 *ernmental entities and private organizations and individ-*
25 *uals.*

1 **SEC. 103. AUTHORIZATION FOR THE DEVELOPMENT OF AN**
2 **INTERPRETIVE CENTER.**

3 (a) *AUTHORIZATION.*—*The Secretary of the Interior*
4 *(hereinafter in this title referred to as the “Secretary”)* *is*
5 *authorized to provide for an interpretive center (hereinafter*
6 *in this title referred to as the “center”)* *in the vicinity of*
7 *the Corinth Battlefield in the State of Mississippi for the*
8 *purpose of interpreting the 1862 Civil War Siege and Battle*
9 *of Corinth.*

10 (b) *PLAN AND DESIGN.*—*(1) Within 18 months after*
11 *the date of the enactment of this Act, the Secretary, after*
12 *consultation with the Governor of Mississippi and in co-*
13 *operation with such other public, municipal, and private*
14 *entities as may be necessary and appropriate, shall com-*
15 *plete a plan and design for the center, including the follow-*
16 *ing:*

17 (A) *A detailed description of the design of the fa-*
18 *cility.*

19 (B) *A description of the site.*

20 (C) *The method of acquisition.*

21 (D) *The estimated cost of acquisition, construc-*
22 *tion, operation and maintenance.*

23 (E) *The manner and extent to which non-Fed-*
24 *eral entities shall participate in the acquisition, con-*
25 *struction, operation, and maintenance of the center.*

1 (2) *In the development of the plan and design for the*
2 *center the Secretary shall take into consideration the battle-*
3 *field protection plan prepared for the city of Corinth, Mis-*
4 *issippi and the Siege and Battle of Corinth Task Force,*
5 *and shall provide an opportunity for public comment.*

6 (3) *Upon completion, the Secretary shall submit the*
7 *plan to the Committee on Natural Resources of the House*
8 *of Representatives and the Committee on Energy and Natu-*
9 *ral Resources of the Senate.*

10 (c) *IMPLEMENTATION.—In order to implement the*
11 *plan and design under subsection (b) of this section, the*
12 *Secretary is authorized to acquire lands and interests in*
13 *lands by donation, purchase with donated or appropriated*
14 *funds, or exchange for the construction of the center author-*
15 *ized in subsection (a), provided that such lands or interest*
16 *therein shall only be acquired with the consent of the owner*
17 *thereof. Federal funds to carry out this section may only*
18 *be expended on a two-for-one matching basis with non-Fed-*
19 *eral funds, services, materials, or lands, fairly valued as*
20 *determined by the Secretary, or any combination thereof.*

21 (d) *AGREEMENT FOR THE OPERATION AND MAINTENANCE OF THE CENTER.—Before undertaking the construc-*
22 *tion of the center, the Secretary shall enter into a binding*
23 *agreement with a qualified non-Federal entity for convey-*
24 *ance by deed or lease from the Secretary of any structure*
25

1 *or property acquired and developed as provided for by this*
2 *Act. Any such agreement shall provide that—*

3 *(1) the non-Federal entity agree to operate and*
4 *maintain the center and make no major alteration of*
5 *the structure or grounds without the express written*
6 *authorization of the Secretary;*

7 *(2) a plan of operations shall be submitted that*
8 *is satisfactory to the Secretary;*

9 *(3) the Secretary shall have access to documents*
10 *relating to the operation and maintenance of the cen-*
11 *ter;*

12 *(4) the Secretary shall have the right of access to*
13 *the center; and*

14 *(5) the United States shall be held harmless from*
15 *all events arising from the operation and mainte-*
16 *nance of the center.*

17 *(e) COOPERATIVE AGREEMENTS FOR TECHNICAL AS-*
18 *SISTANCE.—The Secretary may enter into cooperative*
19 *agreements with the State of Mississippi, the city of Cor-*
20 *inth, and other public or private entities to provide tech-*
21 *nical assistance with respect to the center.*

22 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

23 *There is authorized to be appropriated not more than*
24 *\$6,000,000 to carry out this title.*

1 **TITLE II—STONES RIVER**
2 **NATIONAL BATTLEFIELD**

3 **SEC. 201. EXPANSION OF BATTLEFIELD.**

4 *Section 1(a) of the Act entitled “An Act to amend the*
5 *boundaries of Stones River National Battlefield, Tennessee,*
6 *and for other purposes”, approved December 23, 1987 (101*
7 *Stat. 1433; 16 U.S.C. 426a) is amended by striking “num-*
8 *bered 327/80,004B, and dated November 1991” and insert-*
9 *ing “, numbered 327/80,011, and dated May 1994”.*

 Passed the Senate November 17 (legislative day, No-
vember 2), 1993.

Attest:

WALTER J. STEWART,

Secretary.

**STATEMENT OF HON. EDWARD J. MARKEY, A U.S.
REPRESENTATIVE FROM MASSACHUSETTS**

Mr. MARKEY. Thank you, Mr. Chairman, very much. I appreciate the opportunity to speak today. I am here today as an original co-sponsor of H.R. 746, the bipartisan legislation that would preserve the Civil War battlefields in the Shenandoah Valley.

One hundred thirty years ago the Shenandoah Valley was one of the most fiercely contested regions of the Civil War. Today, our Civil War heritage is an integral part of our national history and it must be preserved.

Historians have long referred to the Shenandoah battles in the same breath as those famous battles that took place in Gettysburg, Antietam, and Chattanooga. The legislation before us is truly unique. The bill calls for tourism, preservation, and interpretation of these historic sites.

In addition, funds would be allocated to establish grants for property owners and local governments to preserve battlefield sites in the context of a regional heritage plan. As a Massachusetts resident, I have had the opportunity to witness the preservation of some of America's greatest historical treasures, from the battlefield of Lexington Green to the Freedom Trail in Boston and, as a vibrant part of our history, I believe the Shenandoah Valley battlefields fall into the same category.

Fortuitously, there is absolutely no geographic proximity between that and the proposed Disney site, so I don't see why it would not be possible for us to deal with this issue in a way that would ensure that there would be proper recognition for the site, and I yield back the balance of my time.

Mr. VENTO. Thank you. Without objection, our complete statements and those of witnesses will be made part of the record in their entirety. Hearing no objection, so ordered.

Let me then turn back to our witnesses, Senator Warner, Congressman Wolf, and Congressman Goodlatte.

We are pleased to welcome you, Senator. Why don't you proceed with your statement?

**STATEMENT OF HON. JOHN WARNER, A U.S. SENATOR FROM
VIRGINIA**

Senator WARNER. Thank you, Mr. Chairman. I shall be very brief. We will vote momentarily in the Senate. I am pleased to say that this legislation has been accepted by the Senate, and I am hopeful that the House will accord it likewise an acceptance.

I have here with me on my right and my left two eminently qualified individuals to address this issue, and therefore, my brief remarks will be limited to first some of the reasons the Park Service has indicated to us that the integrity of these battlefields in many ways, as Mr. Markey referred to it, has been permanently lost. Others are threatened, and it has only been through the dedication of private organizations and a commitment by local governments, and that the majority of the battlefields are much like they were when Stonewall Jackson and Phil Sheridan took control of the valley.

I have walked over a number of these fields and visited also with the landowners, and I want to pay a special commendation to the

landowners. So many of these places are still in the hands of families who were present, their forebears were there at the time of that historic struggle.

As an example of why we must protect these battlefields, since I introduced this legislation in May of 1993, the local governments of Winchester and Frederick County have taken extraordinary steps to protect 342 acres of the Battle of Kernstown. This property was to be auctioned for residential housing until these local governments secured an option to buy this property, thus temporarily delaying the possible development of the property.

Mr. Chairman, reacting to crisis situations is no way to permanently protect these treasured sites. It is time for the Federal Government to step forward and become a partner with private organizations and local governments and the property owners to preserve this heritage. This is a struggle, as you well know, Members of this committee and others. This is being studied today as intensely as it was 100 years ago, and we have visitors from all over the United States and indeed many from far-flung parts of the world have come and quietly tread the paths and the roads where this historic combat took place.

These battlefields are deserving of the designation of a national park and nothing less. The Park Service has stated based on their analysis that, and I quote, "Because of their size and unprotected status, the battles of Shenandoah Valley, where it is most important, most neglected and most threatened resource," quite a sentence, end quote.

There is no question about the value of these lands. They are essentially undisturbed and continue to tell an important story of the military strategy employed during the battles of the Stonewall Jackson Valley Campaign in 1862, and the battles associated with the Union General Sheridan's burning of the valley in 1864.

It is critical that the responsibilities of the Shenandoah Battlefield Commission remain a central feature of this legislation. I know there are those who are concerned about the Commission, but my views are as follows: the history of the Park Service relationship with the citizens in the valley is well-known and in some instances not a favorable recollection. The Commission provides an important opportunity to foster an atmosphere of partnership, underline partnership between the local government, private landowners, charitable organizations, and the Federal Government. The Park Service's own report indicates that a cooperative approach which employs a variety of preservation options would produce the most successful results.

Mr. Chairman and Members of the committee, I am confident that these battlefields will make a very positive contribution to the Park Service preservation of this tragic chapter of our American history.

I thank the Chair, and the distinguished Member, and I yield the floor, as we say, to my distinguished colleagues.

Mr. VENTO. I know that you will probably have to leave and I don't want to delay you. But I think it is significant that you are here this morning to advocate this. You have been a good friend of historic and cultural preservation in your State, and for that I am grateful, as are many other Americans I'm sure.

You have played that role well.

Senator WARNER. Thank you, Mr. Chairman. I like to do my small part along with other Members of this delegation.

Mr. VENTO. You have done much.

Senator WARNER. Since the Members have been in it for 16 years now, there has been quite a change.

Mr. VENTO. You have done more than your small part and especially as it relates to this aspect of cultural history. But in Virginia, as you know, there is hardly a place that you can touch that hasn't been impacted by this awful Civil War.

The concern about the government structure is one of more than passing interest to me. I would like to find some way to deal with the concern that you have raised, and I have listened very carefully to your comments with regard to that.

We have written some models for that that apply to what we call the Heritage Partnership. I would like to share that with you to see if that particular format would work for some of the sites, if not all, and then perhaps yield to the Park Service with whatever type of qualifications would be workable.

Senator WARNER. We would be happy to do that and provide you comments, Mr. Chairman.

Mr. VENTO. I would appreciate that if you would, and I will be working closely with your colleagues here at the table. That is the only comment that I have. We could exchange a number of questions, but I don't think it is necessary, considering your schedule.

Congressman Markey, did you have any questions of the Senator?

Mr. MARKEY. No, thank you. Excellent job, Senator Warner.

Senator WARNER. If I might just conclude, I do recollect having been in this hearing room for many years with Congressman Robinson, Congressman Jack Marsh, Congressman French Slaughter, all of whom came from that basic area of Virginia and who, through their energy and wisdom, did a lot to make what we are seeking possible, what we are seeking today.

I thank the Chair.

Mr. VENTO. Thank you, Senator.

Senator WARNER. I wish my colleagues well.

Mr. VENTO. Thank you. Let's proceed with the other members present. Frank, if you want to go ahead with your statement, I have a copy of it, and it will be made a part of the record. You can summarize or read the relevant portions.

STATEMENT OF HON. FRANK WOLF, A U.S. REPRESENTATIVE FROM VIRGINIA

Mr. WOLF. Thank you, Mr. Chairman, and thank you for holding the hearing. I appreciate it very much.

In response to a congressional directive, PL 101-628, the National Park Service undertook the task of studying the Civil War sites in the Shenandoah Valley, and concluded that the battlefields where the Stonewall Jackson Valley Campaign of 1862 and its decisive Sheridan Campaign of 1864 were waged and should be preserved.

However, the National Park Service did not recommend a specific preservation strategy. Therefore, some local valley residents accept-

ed a challenge by the Park Service staff to devise a plan to preserve these historic lands, and their efforts were remarkable grass-roots effort. Local residents began to meet and discuss how these hallowed lands could be preserved for future generations to learn from and enjoy, and they are eager, Mr. Chairman, to share the stories of the valley, not just battle maneuvers and formations, but the stories of people dislocated by a brutal war.

They want to share the story of how the City of Winchester, Virginia changed hands between the north and the south at least 73 times and how the turmoil affected local residents. After countless meetings and telephone conversations, a consensus began to form around a partnership concept with Federal, State, and local governments, private landowners, and preservation groups working together to preserve these lands.

After a draft bill was ready, there were a number of discussions and meetings held in the Shenandoah Valley on the proposed legislation. These meetings provided an opportunity for thorough review and comment by valley residents and officials on the legislation. These meetings were attended by local government officials, landowners, business people, and preservationists to serve as a vehicle to refine, modify, and improve the legislation with the input and advice of the citizens throughout the Shenandoah Valley.

What I found in these public hearings and meetings was unprecedented unanimous support for this legislation. Having worked, Mr. Chairman, for 5 years at the Department of Interior under Secretary Roger Morton from 1970 to 1975, I can honestly say I have never seen a bill whereby everybody involved was in support of the bill.

The legislation has been endorsed by every local government where core battlefield properties are located. Moreover, we have a broad bipartisan coalition of interest united to preserve these treasures, bipartisan in the valley and bipartisan here in Congress with Senator Warner, Senator Robb, Senator Bumpers and others.

This subcommittee should know that the work of the valley residents did not end with the drafting and introduction of the bill. As Mr. Bob Watkins, Director of Planning and Development for Frederick County will tell you, there has been great activity in the past year to preserve these properties. Local governments alone can't preserve these valuable resources.

They need a partnership, and as Senator Warner said, I think that is the key word—a partnership with the Federal Government to preserve these lands. Even the most well-intentioned friends of battlefield preservation will find it difficult to keep the threats of residential construction, commercial developments, highway construction and industrial development at bay.

Interstate 66 and 81 bring increasing pressure on this rural landscape and threaten to consume more battlefield land. As the Park Service study indicates, some critical properties have already been lost. Since the Civil War, most of the Shenandoah Valley has remained in the same type of agricultural use, but as the Park Service has reported, increasing development threatens key battlefield sites.

S. 1033 and the other legislation would protect many of these through designation as a unit of the national park system, while

encouraging partnerships with local governments and private landowners to protect the natural cultural and historical resources or an adjacent land within the historic core areas of the key battlefield sites.

Partnership is the key ingredient. The bill capitalizes on the cooperation and hard work, which would create a sturdy foundation upon which to build this park. I would encourage the subcommittee to utilize the experience, dedication, and knowledge base that exists in the valley in preparing a plan for park management advice facilities and educational programs and historical markers and exhibits throughout the valley. The Park Service should work and I know will work hand in glove with the local people.

Another important component in the legislation is that it provides incentives for local governments to preserve historic land by including battlefield protection and original planning. Grants and technical assistance provide the necessary incentives that local governments need to ward off development pressures.

We are not getting involved into a situation, as Mr. Markey talked about, in the Manassas battlefield and the controversy that the Congress went through three and four years ago. The planning and the local people are prepared to work in a much different way than we really had then.

Another key ingredient which I would like to stress is the grants of the private battlefield owners. Because of the fiscal constraints and Federal discretionary spending, we can't expect the National Park Service to purchase thousands and thousands of acres of land. This is much too expensive.

We can, however, provide incentives to local landowners to assist in the preservation of historic lands. In exchange for these economic incentives, private landowners could provide the Park Service needed scenic or preservation easements or could contractually agree to maintain open space lands with historic viewsheds. This will ensure that the comprehensive overall interpretation of the resources is attained.

Mr. Chairman, this innovative partnership concept will be the least costly and disruptive strategy to protect the lands forever, and I believe the time is right to make these hallowed grounds part of the national park system, and as Mr. Markey also said and Mr. McFearson was quoted just the other day again saying that they are on the level or comparable with Antietam and with Gettysburg.

Lastly, I think it is important for the Park Service to be involved. When I was at the Department of Interior for five years, the Park Service was sort of viewed as the Marine Corps of the Department of Interior. Their interpretive abilities at different places such as Independence Hall in Jamestown is really so important.

Again, in closing, Mr. Chairman, thank you for holding the hearing. I would also like to acknowledge and thank the witnesses and the many residents of the Valley who have worked so hard for so many years on this legislation and who have come to participate in the hearings.

And I ask that my statement be included in the record.

Mr. VENTO. Thanks, Frank.

[Prepared statement of Mr. Wolf follows:]

PREPARED STATEMENT OF CONGRESSMAN FRANK R. WOLF

Chairman Vento, thank you for holding this hearing. I appreciate the opportunity to testify before you and the subcommittee on S. 1033/H.R. 746, the "Shenandoah Valley National Battlefields Partnership Act," not only because we have an excellent opportunity to preserve an integral piece of American history, but because this slice of history is in the Shenandoah Valley of Virginia which I represent.

The residents of the Valley appreciate their surroundings and are filled with a sense of history. It is easy to find someone from the Valley willing to recount a story from one of the two great Civil War campaigns this legislation seeks to preserve. It was this sense of history that unified the residents of the Valley behind this proposal.

In response to a congressional directive (P.L. 101-628), the National Park Service ("NPS") undertook the task of studying the Civil War sites in the Shenandoah Valley. The NPS identified significant Civil War sites and determined their condition, established their relative importance, assessed short- and long-term threats to their integrity, and provided general alternatives for their preservation.

The Park Service discovered that 15 of the 326 documented armed conflicts in the Valley between 1861 and 1865 were of particularly high significance. Because many portions of the Valley retain a high degree of historic, rural and scenic integrity, the NPS concluded that they should be preserved. The two major Valley campaigns—the Thomas J. "Stonewall" Jackson Valley campaign of 1862 and the decisive Philip Sheridan campaign of 1864—are the major Civil War battlefields not yet preserved. This Congress has a historic opportunity to capitalize on the overwhelming momentum of support for this legislation.

Unfortunately, the NPS did not recommend a specific preservation strategy. Therefore, some local Valley residents accepted a challenge by Park Service staff to devise a plan to preserve these historic lands. Their efforts were remarkable. Their dedication and perseverance unflappable. This was truly a grass roots effort.

Local residents began to meet and discuss how these hallowed lands could be preserved for future generations to learn from and enjoy. They are eager to share the stories of the Valley—not just battle maneuvers and formations, but the stores of people dislocated by a brutal war. They want to share the story of how the City of Winchester, Virginia, changed hands between North and South at least 73 times, and how that turmoil affected local residents. Even today, one can sense the effect the war had on the Valley.

After countless meetings and telephone conversations, in which the National Park Service was consulted, a consensus began to form around a partnership concept where Federal, State, and local governments, private landowners and preservation groups could work together to preserve these lands. After a draft bill was ready, we held discussion meetings in the Shenandoah Valley on the proposed legislation. These meetings provided an opportunity for thorough review and comment by Valley residents and officials on this legislation. These meetings, attended by local government officials, landowners, business people, and preservationists, served as a vehicle to refine, modify, and improve the legislation with the input and advice of citizens from throughout the Shenandoah Valley.

What I found during those public meetings was unprecedented unanimous support for this legislation. I served at the Department of the Interior in the 70's under Secretary Morton, and I can't recall ever gaining such widespread support for a park bill. The legislation before this subcommittee has been endorsed by every local government where core battlefield properties are located. Moreover, we have a broad, bipartisan coalition of interests united to preserve these treasures of history. The list that follows my statement, compiled over a year and a half ago, comprises those persons and entities who endorsed this partnership approach to preservation. There have been many others since this list was put together.

This subcommittee should know that the work of Valley residents did not end with the drafting and introduction of this legislation. As Mr. Bob Watkins, director of Planning and Development for Frederick County, will tell you, there has been great activity in the past year. The Frederick County Board of Supervisors and Winchester City Council have appointed a Battlefield Task Force whose responsibility it is to prepare a strategic plan for the protection and use of the battlefield sites. Your staff has been provided the Task Force's interim action plan which designates the most critical and significant sites and recommends immediate actions to be taken. Frederick County and the City of Winchester have also successfully convinced a trustee of a battlefield property at Kernstown to postpone a planned auction. Moreover, they have purchased a \$500,000 two-year option to buy the land. Not only have the local governments dedicated time and personnel to planning the preservation of the battlefields, they have committed scarce resources to protect

these lands. This is an overwhelming demonstration of their commitment to the successful implementation of a preservation plan.

Local governments alone can't preserve these valuable resources; they need a partnership with the Federal Government to preserve these lands. Even the most well intentioned friends of battlefield preservation will find it difficult to keep the threats of residential construction, commercial development, highway construction, and industrial development at bay. Interstates 66 and 81 bring increasing pressure on this rural landscape and threaten to consume more battlefield land. As the NPS study indicates, some critical properties have already been lost.

Since the Civil War, most of the Shenandoah Valley has remained in the same type of agricultural use, but, as the Park Service has reported, increasing development threatens key battlefield sites. S. 1033 would protect many of these through designation as a unit of the National Park System, while encouraging partnerships with local governments and private landowners to protect the natural cultural and historical resources on adjacent lands within the historic core areas of the key battlefield sites. Partnership is the key ingredient in this bill. It was borne of cooperation and will succeed by bringing all interested parties into the planning, development, and implementation of this novel preservation scheme.

This bill capitalizes on the cooperation and hard work which have created a sturdy foundation upon which to build this park. Much of the groundwork has been laid by residents of the Valley and specialists knowledgeable about land use planning, environmental impact studies etc. I encourage this subcommittee to utilize the experience, dedication, and knowledge base that exists in the Valley in preparing a plan for park management, visitor facilities, educational programs, and historical markers and exhibits throughout the Shenandoah Valley. The NPS should work hand-in-glove with the local community.

The second important component of the legislation is that it provides incentives for local governments to preserve historic land by including battlefield protection in regional planning. As the Park Service study observed, local governments are under increasing pressure to allow residential construction, commercial development, highway construction, and industrial development. Grants and technical assistance provide the necessary incentives that local governments need to ward off development pressures.

The third key ingredient which I would like so stress is the grants to private battlefield landowners. Because of the tight fiscal constraints of Federal discretionary spending, we can't expect the National Park Service to purchase thousands and thousands of acres of land. This is much too expensive. We can, however, provide incentives to local landowners to assist in the preservation of historic lands. In exchange for these economic incentives, private landowners could provide the Park Service needed scenic or preservation easements or could contractually agree to maintain open-space lands with historic viewsheds. This will ensure that a comprehensive overall interpretation of the resource is attained.

Mr. Chairman, the time is upon us for Federal action to preserve the historic Civil War battlefields of the Shenandoah Valley, in partnership with State and local governments, local landowners and preservation groups. This innovative concept will be the least costly and disruptive strategy to protect the lands forever.

Again, I would like to thank you for holding this hearing. I would also like to acknowledge and thank the witnesses and many residents of the Valley who have worked so hard on this legislation and came to participate in this hearing. As you can surmise, there is great interest and support for this legislation.

Mr. Chairman, I ask that the following articles that describe the efforts to create a Civil War National Battlefield Park in the Shenandoah Valley of Virginia be included in the record following my statement.

Mr. VENTO. Let me, before I call on Congressman Goodlatte, ask unanimous consent to put in the record Senator Charles Robb's statement in support of the bill, and I have a statement from Congressman Whitten in support of the Corinth matter.

And finally, as members of the Commission, Mike Andrews, Michael Andrews from Texas, a member of the Civil War Battlefield Commission, and ask that he be allowed to put his statement in the record. So I will place those in the record before I forget, and then call on Congressman Goodlatte. Welcome.

[Prepared statements of Messrs. Robb & Whitten follow:]

PREPARED STATEMENT BY SENATOR CHARLES S. ROBB

Mr. Chairman, I appreciate the opportunity to submit testimony on behalf of S. 1033, a bill to establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia.

It has been a long and arduous road to get to this stage in the legislative process, and both Senator Warner and I are indebted to those local concerned citizens who have devoted a significant portion of their time to making the Shenandoah Valley into a historical park. Their effort and participation is truly commendable and I would just like to add a few words about why I believe this bill is important and unique.

While there is no doubt that the Shenandoah Valley is rich in Civil War history—it is the site of both General "Stonewall" Jackson's 1862 valley campaign and General Sheridan's 1864 Union campaign—this area has been the subject of a complex public debate between preservationists and private property owners. I'm pleased to point out, however, that this legislation before us today is about cooperation and compromise.

S. 1033 is the product of a grass roots effort of preservationists, local government officials, local residents and private property owners, who came together to find a way to preserve our national heritage without unduly infringing on the rights of property owners. It is not often that you find a legislative effort that enjoys such a wide range of participants and supporters. This is S. 1033's strength and its backbone.

We believe that this bill will set a new standard for the way in which national parks will be established. It's the test case, and so far, we have experienced success in moving this project forward. I urge you to listen to this testimony closely so that you can determine the merits of this project.

Aside from establishing boundaries for the Shenandoah Valley National Battlefields in Virginia and the creation of a Commission, made up of local landowners, officials, Civil War historians, and preservationists, this bill encourages cooperative agreements between the Federal Government and private individuals. In essence, this bill is indeed about "partnership" and is named accordingly.

I should point out, however, that all of this cooperation and hard work can be lost if a federal presence is not associated with this area. The pressures on local government for development can be overwhelming. We are not talking about a place with only some historical significance. We are talking about a living, breathing part of our national heritage. The preservation and interpretation of these sites will make a vital contribution to the understanding of the heritage of the United States. The events that occurred at New Market, Belle Grove, the Piedmont, Cedar Creek, and Third Winchester are as important to the residents of Harrisonburg, Virginia as they are to the residents of Fulton County, Georgia or Houston, Texas. That is why we are here today and why the Park Service is behind this unique project.

I cannot overemphasize how these battlefields need the expertise of the National Park Service to ensure their preservation. The preservation of Civil War sites within a regional area requires the assistance of local property owners and Federal, State and local government entities. Fortunately, this bill sets up the framework necessary to manage such a special place, and we have secured the assurances of cooperation from all of these parties. From the National Park Service to the local County Boards, we have a unified voice on the establishment of this in the National Park System.

In conclusion, I am a strong supporter of this legislation and I urge you to join me and all of these folks who have dedicated themselves to preserving for future generation the many significant Civil War battlefields in the Shenandoah Valley.

Thank you.

PREPARED STATEMENT BY CONGRESSMAN JAMIE L. WHITTEN

Mr. Chairman, my fellow colleagues of the Subcommittee, I appreciate this opportunity to testify on behalf of my bill, H.R. 3714 providing for an interpretive center at the Civil War Battlefield of Corinth, Mississippi. This legislation, which has already passed the Senate, recognizes the historical importance of the Battle of Corinth in our nation's Civil War.

It is my firmly held belief that the preservation of our historical sites by your subcommittee is indeed noble work which serves to educate, enlighten, and inspire generations to come and no such historical site can make a more just and legitimate claim to your favorable consideration than Corinth.

Why Corinth?

It was Corinth that was one of the most important transportation centers of the South from which troops from the Deep South were transported by rail to fight and die on the battlegrounds of the eastern seaboard, and it was through Corinth that supplies flowed back from the Confederate manufacturing centers in the east.

It was Corinth that the Union Armies, under Grant, saw as their principal objective and whose march to capture the city was interrupted by the bloody battle of Shiloh, Tennessee.

It was Corinth which was the site of one of the greatest sieges of the Civil War where over 200,000 troops were involved, resulting in a brilliantly executed withdrawal by the Confederate General Beauregard and the occupation by the Union Army.

It was Corinth where the Union Armies constructed a comprehensive network of fortifications to prevent its recapture which were some of the most advanced that the military world had seen up to that time—fortifications that were studied and copied for use in future wars.

It was Corinth where a bloody battle was fought by a determined Confederate Army to regain the hub of their western transportation and an equally determined Union Army to prevent this recapture from happening.

It was the Battle of Corinth which saw some of the most gallant and heroic actions of the Civil War. It was here at Corinth where Colonel W.P. Rogers fell leading his men of the 2nd Texas in a dramatic and desperate attempt to capture the Robinette Battery—one of the key components of the Union defense. The equally brave and heroic Union soldiers were so moved by Rogers' gallant death that they paid battlefield tribute to him and his courageous comrades.

The importance of Corinth to the Confederacy could best be illustrated by Colonel Rogers' action and the severe losses the Confederate Army suffered that day in their desperate attempt to recapture the city. Their losses were on an equal percentage scale as those suffered by the Confederate Army in the battle of Antietam. They, like the fallen Union soldiers, payed the ultimate price of their devotion to their cause.

After President Abraham Lincoln issued the Emancipation Proclamation, it was Corinth where incredible numbers of freed slaves were able to fully embrace their first flush of freedom. A camp was established at Corinth for freeman throughout the Deep South. By March, 1863 the model camp at Corinth housed nearly 4,000 former slaves and it was at this camp that one of the first black regiments was raised.

Why Corinth?

In 1990, the Department of Interior named the Battle of Corinth to a list of the 25 most significant and endangered battlefields in America. Sixteen separate Civil War sites around Corinth have been designated as national historic landmarks.

Mr. Chairman, the siege and battle of Corinth was no backwater occurrence, but actually a series of watershed events which played prominent roles in the outcome of the Civil War and have for far too long been deprived of their just recognition and proper place in history.

Mr. Chairman, I submit to you that you will find no other locale outside of Corinth, Mississippi where the community is more united and devoted in their support of a deserving historical project. Evidence of this fact is the two fine civic leaders of Corinth who have appeared before you today: Mayor Edward Bishop and Mrs. Rosemary Williams. For many years they and countless others have worked diligently towards making the proper recognition of Corinth a reality.

Mr. Chairman, fellow colleagues of the Subcommittee, I thank you again for this opportunity to urge your favorable consideration of H.R. 3714, establishing an interpretive center to properly recognize and preserve the historic Civil War sites of Corinth, Mississippi.

I ask you this in honor of the many brave souls—both North and South—who fell there forever honorably and tragically staining Corinth's soil with their lives' blood.

Mr. Chairman, fellow colleagues of the Subcommittee, the day is late in saving this prominent place in our nation's history. If action is not taken soon, the window of historic opportunity will be forever closed.

Again, thank you.

STATEMENT OF HON. BOB GOODLATTE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Mr. GOODLATTE. Thank you, Mr. Chairman. I will submit my statement, in fact, I think it has already been submitted for the record, and I will just speak briefly about it.

First I would like to thank Congressman Wolf for his leadership on this issue. This is something that is of vital interest to virtually the entire Shenandoah Valley, because these battlefield sites string across the entire valley.

One of the first things that he did when I came to the Congress last year was to come to me and ask me to cosponsor this legislation because three of these battlefield sites are in my congressional district, Fort Republic, Cross Keys, and the McDonald battlefield site. The first two are in Rockingham County and the last in Highland County.

Being a cautious new Member, the first thing I wanted to do was to meet with the local government officials and my constituents, and with the Rockingham County Board of Supervisors. I held a joint public hearing at which we had citizens from across Rockingham County and from Highland County come and hear about this legislation and give us their comments, and we did have some opposition in Rockingham County, particularly when this bill was first produced, because of the great suspicion on the part of some of the residents of that county of the National Park Service stemming from the unfortunate way in which the Shenandoah National Park was created in the 1930s.

Many of these citizens have recollections of their family members being bodily removed from their homes, some of them standing by and watching while their homes were burned to the ground as condemnation took that land to create that park. It is a very beautiful park, a very wonderful asset for our area, but it has left behind great suspicion of the Federal Government taking lands.

So one of the things that has sold the people of that community, and I am speaking not only of the preservation groups who have played such a key role in creating this, but also the local government officials who are right there on the front lines, the local business community, the general public and perhaps most importantly, the property owners whose land is affected is the fact that this bill creates tremendous local involvement in the creation of these parks through the commissions that will be involved in determining the core areas, as well as the fact that condemnation is not allowed in this legislation.

I think that is critical, in fact, the bottom line to support the creating of these battlefields. The reason it is important is we are really in a battle against time here. As Congressman Wolf indicated, there is dramatic development, particularly in an area like Rockingham County, which is one of the faster growing parts of the State of Virginia. This land will be threatened over time. We are talking about tens of thousands of acres of land at these dozen different sites, and there is simply not the money for the Federal Government to purchase these lands in their entirety, and so local cooperation with the landowners is the unique way that this bill establishes it to have a farmer, for example, continue to farm his land, but perhaps indicate a corner acre for an interpretive site to have some explanation of what occurred there, some cannons and other things to set the area, but still allow the land to be farmed, which in fact was what it was used for during these battles in the 1860's is, I think, an important way to begin to preserve this area to get some of the land purchased and donated, but others of it

simply protected from future development and made available to the general public through this park which will interpret the area, I think, is a very unique and very important way to preserve an area that I don't think could be preserved by the conventional means that we have created battlefield parks in the past.

So for those reasons, I am a very strong proponent of this bill, as is the vast majority of the people in my congressional district who are very interested in the benefits that we will derive from this protection to the area, but also the opportunity to continue to use it as farmland and to continue to have the opportunity to recognize local property owner's rights.

Mr. VENTO. Thanks for your testimony, Congressman Goodlatte. [Prepared statement of Mr. Goodlatte follows:]

PREPARED STATEMENT OF REPRESENTATIVE BOB GOODLATTE

Mr. Chairman and members of the subcommittee, thank you for holding today's hearing and your interest in the Shenandoah Valley National Battlefields Partnership Act of 1993.

As you know the 101st Congress directed the National Park Service to study the significance and condition of Civil War battlefield sites in the Shenandoah Valley and report back to Congress its findings. Those findings pointed out the national significance of the battlefields and related areas in the Shenandoah Valley and the danger they face if left unprotected. This study spurred the drafting of the Shenandoah Valley National Battlefields Preservation Act and is the reason we are here today.

I am pleased that I was asked by my colleague and fellow Virginia delegation member, Frank Wolf, to join him in introducing this important legislation which would establish a battlefield park throughout both of our congressional districts. Representative Wolf has put a tremendous amount of time and effort into honing balanced legislation to preserve the historic significance of the Shenandoah Valley's Civil War battlefields. Our Senators, John Warner and Chuck Robb, have already seen their hard work in the Senate come to fruition, for as you know the Senate has passed this legislation.

I called this *balanced* legislation. A point that cannot be overemphasized is the amount of local input that was sought and provided before the Shenandoah Valley National Battlefields Partnership Act was introduced. Representative Wolf and I both felt it was imperative that valley residents and property owners have the final say in determining the future of these historic sites.

Residents of the Shenandoah Valley are fiercely proud of their heritage and the role that their Valley played in the American Civil War, and for very good reason. In its battlefield study the National Park Service documented that 326 significant armed conflicts took place in the Valley between 1861 and 1865 and fifteen of those are of high significance. Not only did the battles fought in the Valley play a pivotal role in the Civil War and have national importance, but the ravages from these battles on the lives of local citizens and their property were great and remain an important part of our local history. Many of the descendants of the native Valley families who farmed the land where these battles were fought some 130 years ago still reside on those same family farms today.

This tremendous pride in the Valley's rich heritage is the key to why public participation in the drafting of this legislation was overwhelming. More than two dozen public hearings were held throughout the Valley and support has been widespread.

For example, prior to the introduction of the bill, I participated in a public meeting held in my Congressional District by the Rockingham County Board of Supervisors to find out if support for the proposal to create the Shenandoah Valley National Battlefields Park was as widespread as we anticipated. This meeting provided a forum where all voices in the area could be heard.

The community's support for the legislation at this meeting was overwhelming. The vast majority of area property owners, preservation groups, and local government officials and businesses voiced their support for the bill and the Rockingham County Board of Supervisors subsequently endorsed it. I know that Representative Wolf organized and participated in many meetings in his congressional district as well.

This type of support has been universal. Every Chamber of Commerce and Economic Development Council in the five counties affected have endorsed this bill.

In fact the proposal itself is a local proposal. It was drafted by a coalition of citizens from the area, including property owners, who worked long and hard to reach a sound approach to historic preservation. You will hear from several of them today. Local preservation groups and historians have played an important role in crafting this bill. James Madison University in my district has done a tremendous amount of groundwork in its preparation.

As local residents, these groups and individuals have the most vested in the development and management of the park. They best know their communities' needs and how their daily lives will be affected by the park's operation. That is why their approach is most successful in striking the proper chord of federal and local participation.

Not only does the bill protect the irreplaceable resources of these battle sites, it also protects property rights through its entirely voluntary approach and provides opportunity for continued economic development for the region. This is achieved in a cost-efficient manner.

This legislation does not involve acquisition of thousands of acres of land by the Federal Government. There will be no federal "taking" of local property. That approach would be antithetical to the residents of the Valley who as I mentioned earlier are fiercely proud of their heritage, yet deeply suspicious of big Government.

Rather, this legislation is built on providing incentives designed to encourage local governments and landowners to voluntarily manage their communities and property in ways best to further the preservation of these sites and park objectives. It respects private property rights and recognizes federal budgetary limitations resulting from the federal budget deficit. It creates a model, partnership between the local communities and the Federal Government to protect our Valley's rich historic resources for future generations.

If our legislation is not enacted the stories of fifteen battles of major historical significance will remain untold and undocumented in our National Park System, although these battles hold tremendous national importance in our Civil War story. They belong in the annals of history right alongside Gettysburg and Antietam.

The rich heritage of the battles that took place in western Virginia should be remembered and studied by students of history. The sacrifices that men, women and children throughout the Valley made during this pivotal time must not be forgotten.

I urge you to favorable report the Shenandoah Valley National Battlefields Partnership Act. Thank you.

Mr. VENTO. Obviously, I am mindful of the fact that the Senate bill also has provisions in it dealing with the issue of partnership and cooperation. It is a question of how we can achieve that, if we are going to. One of the concerns I have always had when we designate something, if we are going to designate it, is that you need to give the Park Service the tools that are necessary in order to carry out the responsibility. You referred to them as the Marine Corps of the Department of Interior. I think that often when we deny them the tools, it becomes very difficult to do.

But you know, you look at the various sites that have been designated, like Gettysburg versus the Antietam and here you have a rural setting in one case while the other has been completely modified by a lot of development around it. Both sites are very important.

The scene at one has been significantly affected by the development that has occurred around it, probably before—or at least the seeds were sown before—the Park Service was even created in 1916. But since then a lot of problems have developed.

So the question is to avoid this sort of confrontation at these sites. Now, the Civil War Battlefield Commission has gone through a whole series of sites at which they point to certain responsibilities for the Federal Government, and some that would be best for the State. Some of these responsibilities that will evolve or devolve fall to the private landowners in terms of what can be done, what they want to do. There is a whole series of issues that we have to get moving on.

Obviously you are in the forefront here in Virginia with Shenandoah. I mean it is a credit to the delegation and to the fact that there was a study done that was along the same lines of the Civil War Battlefield Commission that you have this before us. I know that you had sought hearings on this really early in the session, and here we are now in the last months, but I am pleased that I was at least able to respond, if not in a more timely manner, and have a chance to do something with regard to this. Perhaps we can set a pattern of what we might do eventually, or what might be done eventually with regards to the Civil War battlefields in general.

But I think that as I look at this, I have to think of it in the context of how are we going to address the problems in the other sites. That is one of the reasons I have tried to bring this hearing together today, both in the nature of oversight and specifically with regards to some legislative proposals.

We have two additional legislative proposals, one in Oklahoma, and the other in Murfreesboro, which is the site of Civil War activity which Members want to see some action on in this session. But I hope that insofar as they relate to this partnership, that we would end up setting up a model that could be useful, both in Virginia and in Oklahoma and/or in Murfreesboro, as it is appropriate.

So I don't really have any questions, Frank, unless you do. We will be visiting about this, but I am concerned about the government structure that is in here, obviously the types of limitations. I understand why they were in there.

There are some sites that have been left out obviously that were in the study, as near as I can see, but we will try to iron out those differences as we go through the specifics with the panel that follows. Unless you have further comments—Congressman Markey, did you have any questions of our colleagues?

Mr. MARKEY. No. Thank you.

Mr. VENTO. If not, let me invite you to join me at the dais.

We will hear, I think, next from Mr. Rogers, and I will ask him to testify specifically on the issue of Shenandoah first, and then we will go into the panel that is going to testify on the issue of Shenandoah, perhaps talking about a number of issues that are related to it.

But join us if you have the time, if you don't, we understand.

Mr. WOLF. Thank you very much.

Mr. VENTO. Thank you very much. We are pleased to welcome the representative from the Department of the Interior, Mr. Jerry Rogers, the Associate Director for Cultural Resources with the National Park Service.

Mr. Rogers, I think if your schedule permits today, we might have you give the testimony on Shenandoah now and then withhold the testimony on Corinth until just before that panel appears, and then do it at that time, and then finally wait until just before the last panel to respond to the Civil War Commission, if your schedule would permit. We will see how it goes.

If you have a problem, please signal such to me, either now or later.

**STATEMENT OF JERRY L. ROGERS, ASSOCIATE DIRECTOR,
CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

Mr. ROGERS. I am pleased to be at your service, Mr. Chairman. It is a pleasure to come before the subcommittee as always, and I will deliver the Department's testimony in the order that you just requested.

Mr. VENTO. Thank you. You may proceed.

Mr. ROGERS. Let me say that I hope that Mr. Wolf's complimentary remarks about the National Park Service and especially in comparison to the Marine Corps refers to high standards.

I am aware that there are at least some people sitting behind me who think that it is because we tend to charge beachheads a little too frequently. I would like to say that I agree with the emphasis on partnerships in all of the early testimony, and that we don't want to be thought of in terms of anything other than willing partners who share values with the landowners and local officials and citizens whose history this is.

On the subject of S. 1033 and H.R. 736 dealing with the Shenandoah Valley battlefields, I will be very brief, because I know you have a heavy agenda today. As you know, the Senate has already passed S. 1033. We support enactment if it is amended in conformance with this testimony.

The recommendations for amendment are very few. I think everyone is aware that the President has given general guidance that he wants us to show restraint in creating new statutory committees and commissions, and in conformance with that general guidance, we recommend that the bill be amended to delete the section establishing the Shenandoah Valley National Battlefields Commission, and in lieu of that, we recommend that the National Park Service be charged with conducting a locally-based planning process to develop the Shenandoah Valley National Battlefields Plan. My personal view is that that would have to be an ongoing process, because a level of communication is needed that must never stop.

Our other recommendations are that we must make sure that sufficient acreage is preserved, either under National Park Service ownership or through other agreements that are reliable to make sure that an interpretive core can be preserved, and that the historic setting of the battlefields can be preserved.

We also ask, in conformance to that, that the bill be amended in a manner that does not restrict our ability to acquire land for resource protection purposes. I frankly cannot imagine employing a process that is adverse, but these laws create National Park Service obligations in perpetuity, and that is a very long time, and we believe that we ought not to be restricted.

We recommend that the Secretary of the Interior, rather than the Commission, be charged with preparing the Shenandoah Valley National Battlefields Plan, and that the National Park Service should administer only those resources whose integrity has been ensured by adequate local preservation mechanisms. Other sites ought to be managed by partners in State and local government and the private sector, and the National Park Service must play a sufficient role in this process to determine which resources are ap-

propriate for National Park Service management and how they should be administered.

We recommend further that the bill provide for a feasibility study to determine the eligibility of the Shenandoah Valley as an historic area, consistent with the Heritage Areas bill on which you have worked, because we know that the Shenandoah Valley has many wonderful assets that are not directly tied to the Civil War.

Mr. Chairman, that is it in a nutshell and I would be happy to answer questions if you wish.

Mr. VENTO. Thank you, Mr. Rogers.

[Prepared statement of Mr. Rogers follows:]

STATEMENT OF JERRY L. ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING S. 1033 AND H.R. 746 TO ESTABLISH THE SHENANDOAH VALLEY NATIONAL BATTLEFIELDS AND COMMISSION IN THE COMMONWEALTH OF VIRGINIA.

July 25, 1994

Mr. Chairman, thank you for the opportunity to present the Department of Interior's views on S. 1033 and H. R. 746, bills that would establish the Shenandoah Valley National Battlefields and Commission in Virginia. As the Senate has already passed S. 1033, we will direct our remarks to S. 1033.

We support S. 1033 if amended in conformance with this testimony

This legislation would establish the Shenandoah Valley National Battlefields as a unit of the National Park System to be administered by the National Park Service. The Secretary of the Interior would be authorized to acquire lands and interests for the Battlefield park by donation or purchase from willing sellers. In addition, the bill would establish the Shenandoah Valley National Battlefields Commission and require the Commission, in consultation with the Secretary, to prepare a Shenandoah Valley National Battlefields Plan.

The Shenandoah Valley is a special place. Many portions of the valley retain a high degree of historic, rural, and scenic integrity. The survival of this cultural landscape, as representative of the social history, is a critical reason that the Shenandoah Valley is an important geographic and historic resource. In its current condition the valley possesses remarkable scenic beauty and exceptional potential for interpreting aspects of the Civil War which are not currently represented in the National Park System.

The National Park Service has evaluated the battlefields in the Shenandoah Valley, including those battlefields associated with the Thomas J. "Stonewall" Jackson Campaign of 1862 and the decisive campaigns of 1864, and has determined that they are of national significance.

The National Park Service supports the initial designation of the proposed 1,863 acres as the Shenandoah Valley National Battlefields. However, we have several concerns with S. 1033 as currently written and request that changes be made to improve the bill.

First, as you may know, the President has requested that Congress show restraint in creating new statutory committees or extending existing ones beyond their stated time frame. This request applies to both advisory committees subject to the Federal

Advisory Committee Act and operational committees. As such, we recommend that the bill be amended to delete the section establishing the Shenandoah Valley National Battlefields Commission. In lieu of establishing a Commission, we recommend that the National Park Service be charged with conducting a locally-based planning process to develop the Shenandoah Valley National Battlefields Plan.

As a means to support this planning process, we endorse the use of grants, as authorized in the bill, to facilitate the development of local preservation and interpretation programs. In fact, the National Park Service's American Battlefield Protection Program has already funded grants in excess of \$220,000 to assist local groups to initiate resource conservation planning and develop interpretative materials for Shenandoah Valley battlefield resources.

Second, an understanding of the individual battles within the valley is best achieved by viewing the battlefields together, in their interaction with one another within a campaign context. Furthermore, the true significance lies in the relationship of the battlefields and campaigns to the resources of the Shenandoah Valley. The Shenandoah Valley's geography, agricultural productivity, and transportation network are the reason there were Civil War campaigns in the Shenandoah Valley. As such, we believe that sufficient acreage must be preserved under ownership

or through cooperative agreements, by the National Park Service or other conservation partners, to provide an interpretive core and preserve the historic setting of the battlefields. As such, the bill should be amended in a manner that does not restrict our ability to acquire lands important for resource protection purposes.

Finally, the bill would authorize the Commission to prepare a Shenandoah Valley National Battlefields plan, in consultation with the Secretary. We recommend that the Secretary be charged with preparing this plan. The National Park Service should administer only those resources, whose integrity has been insured by adequate local preservation mechanisms. Other supporting sites could be managed by partners in state and local government and the private sector. The National Park Service must be in charge of this process to determine which resources are appropriate for National Park Service management, and how they should be administered.

The National Park Service is interested in being a partner in resource conservation in the valley. However, the resources of the Shenandoah Valley will not be protected solely through acquisition by the United States or other groups. The valley will only be protected by local commitment and acceptance of a broad range of preservation techniques. The National Park Service encourages the continuation of public education campaigns

as a means to continue building a local constituency for preservation.

To facilitate public participation in the protection of the valley and its resources, we recommend that the bill provide for a feasibility study to determine the eligibility of the Shenandoah Valley as an historic area, consistent with the Heritage Areas bill.

Again, Mr. Chairman, we support S. 1033 with the recommended changes.

If S. 1033 is enacted, funding for the park would be contingent upon Federal budgetary constraints and Administration funding priorities.

This concludes my prepared remarks, Mr. Chairman. I would be pleased to respond to questions at this time.

Mr. VENTO. I was just talking to Helen Hooper of my staff, and we noticed in the executive summary of the study that was put together, which is along the same format as the Civil War Battlefield Commission study, that they point out 15 battles that were fought. But some of those sites have actually been lost; is that correct?

Mr. ROGERS. Some have been lost, Mr. Chairman, and if you need details on any of those, I—

Mr. VENTO. Well, what I really am concerned about, is in essence, in the Warner bill and in the Wolf bill, are there sites that are out there that we ought to be addressing now, or are we missing something?

Mr. ROGERS. I believe we have the essence.

Mr. VENTO. OK. That is what I am after. I want to do this and I don't want to have to be visiting this in a few years because of the integrity in this. They talked about the 82 percent, so that the integrity is pretty high in most of these sites right now; is that correct?

Mr. ROGERS. That is correct, Mr. Chairman. And otherwise the National Park Service would not be able to designate them as landmarks and ascribe national significance to them.

Mr. VENTO. But the concern is of course that if there is not some action, even though something has been designated, it doesn't necessarily mean that it isn't a problem in terms of threats to it; is that correct?

Mr. ROGERS. Absolutely correct. The Shenandoah Valley is certainly an area of a great deal of development activity and potential development activity, and we hope that that development will occur in a manner that will accentuate, not threaten the historic—but the threat is real.

Mr. VENTO. Dealing with Antietam, as we look at the site, it looks great right now, but the fact is residential or urban sprawl is threatening that particular site even as we sit here.

Mr. ROGERS. That is exactly correct. And the short answer to your question is yes, sir, they are threatened.

Mr. VENTO. But it speaks to me of the degree of urgency. I know Frank wants to move this bill; he has been very patient, the Senator's measure is here. But the issue is, of course, that we need to get an overall format in some of this, and we will talk about that further.

Let me just explore. Is there sufficient significance and characteristics to meet the suitability and feasibility of the national park system in these sites proposed by Congressman Wolf and Senator Warner?

Mr. ROGERS. Mr. Chairman, what we can testify to is that the significance exists, but we have not yet done all of the evaluations we think we need to do for suitability and feasibility. That is our problem right now.

Mr. VENTO. Well, I think there are two issues here that come up that, you know, just to get to the nub of this. One is, you say you can support the bill if it is amended to delete the Commission and to provide acquisition authority, so that you have a tool, whether or not you have the money, I don't know. But you would have the tools.

Well, these are obviously two of the key provisions, as we talked to the sponsors. I mean they raised a few specifics, and those were two of them that were in my mind that stuck out. What we need is some sort of fix in terms of addressing those that will permit some action on this.

Now, can you think of another. I mean obviously the heritage area designation and the format that we have worked on with Director Kennedy and his staff in this heritage bill sort of fits this, doesn't it, in terms of trying to suggest that you develop a compact with the local governments, and with the State governments. In fact, they want to be involved here and make a commitment to, in fact, do something with regards to this.

I mean I don't think you just need that kind of approach here, I think you may need it in some of your other Civil War sites as well. That is a broader question.

Mr. ROGERS. Well, I think you are exactly right. I frankly could not think of an area that is more compatible with what I view to be a potential heritage area than the Shenandoah Valley, and you are right, we do need an ongoing mechanism for interaction with the citizens, the landowners, and the local governments.

Mr. VENTO. I don't know if it should lapse. I mean there may be some aspects of that that have to be picked up because you want to have a theme. I guess we have to start some place with this. We might want to customize that a little bit.

I don't know of any other mechanism to deal with the issue concerning the eminent domain limitations and the other types of requirements. If you don't have the State and local government involved in terms of deciding what they are going to do in their planning, one of the problems you get into is that you make a decision to designate where there is some land, in fact, like Manassas that is important, and then along comes Prince William County and decides that is a place to put down a mega mall.

Mr. ROGERS. Well, sir, it is certainly correct that we need to be able to work with citizens and local governments in a spirit of consensus. Whether it is a commission or some other device to formalize that consensus, we need something, and with regard to the use of eminent domain, it certainly would not be a pragmatic exercise in the present environment out there. We are going to have to work with people who are willing and eager to preserve things.

Mr. VENTO. There are, of course, numerous national park units that have a similar pattern of ownership and management problems, as exist right here, are there not?

Mr. ROGERS. Well, there are some. I would say that there is some comparability between what might be done at Shenandoah and what might have been done at Richmond National Battlefield if we could go back a few decades and start over. Richmond is comparable in that it has many small components.

Mr. VENTO. And why don't you, just for the record, state what the problem has been in Richmond.

Mr. ROGERS. Well, I think the principal problem in Richmond has been the inability to assure the preservation of the historical environment, because what we wound up getting inside the national park unit was a series of isolated features that represented parts of the battle, but we weren't able to preserve sufficient envi-

ronment to totally tell the story the way we would prefer to have it told.

So frankly there is development that diminishes historical integrity immediately adjacent to an important feature. That is not unusual. That is why I said if we could go back a few decades, we might be able to develop more friends, moralize, and do a broader preservation job there. And if we can start in that spirit in Shenandoah, I believe, we can be more successful.

Mr. VENTO. One of the phenomenons here is that the American Battlefield Protection Program at the National Park Service fostered a number of trusts and stewardship of battlefields. They have awarded a couple hundred thousand to organizations for sites proposed in this legislation.

And the reason I am bringing this up, is that the fact is the Senate bill would authorize immediate acquisition of these particular sites. Can you comment on the relationship between the objectives of the Commission now and the fact that there are some 1,800 acres here that we are proposing on a willing seller, willing buyer to authorize to purchase?

Mr. ROGERS. Yes, Mr. Chairman, we don't oppose that, but I think that it is important to—it is important not to send the wrong message. The American Battlefield Protection Program has indeed spent \$200,000 for the precise purpose of fostering partnerships, getting partners to preserve these specific places, and I think it would be a mistake if there is an assumption that that funding is always just a first step to National Park Service assumption of ownership.

We need partners who are there with us for the long haul, who will help to preserve things in perpetuity and not just buy it in the short run with the assumption that sooner or later the National Park Service will take it over.

Mr. VENTO. Most of the trusts, the National Trust, the Nature Conservancy, the Trust for Public Lands, in fact, do turn over a lot of land. I don't object to that.

I am just suggesting how realistic is it for us to assume that with a down payment or an option to buy when they do the negotiating—I mean with \$220,000 you aren't going to be able to protect much, even within these areas. Some sites that are articulated in the Civil War battlefield studies will not be protected; is that correct, Mr. Rogers?

Mr. ROGERS. Well, that is correct. The American Battlefield Protection Program functions at a level of about \$2 million per annum, but I think with regard to the Shenandoah Valley sites, the answer lies in the plan that we must all do together, and to which all of the partners must subscribe.

Mr. VENTO. If, for instance, there are certain sites that come into public ownership and are purchased from them, whatever the cost is, obviously fair market value is what you have to pay and you can't pay any more or less than that.

Mr. ROGERS. That is correct.

Mr. VENTO. The point is the \$220,000 then will be recycled into further activities; is that correct?

Mr. ROGERS. That would be the normal way the trust works and certainly a noble undertaking. We are grateful for that type of

work. But we don't think that it ought to always be assumed that the Park Service would acquire it.

Mr. VENTO. I agree that it shouldn't be assumed, and in fact the land trusts don't always do that, but they do a significant amount of it. They have been around for a long time. I don't know the whole history, but it seems to me that they must have been around for 40 or 50 years, as I recall.

Mr. ROGERS. That is correct, and these particular partners dealing in Shenandoah have been wonderful.

Mr. VENTO. Yes. It has obviously heightened awareness, and so it has caused a great leveraging. But you say that on an annual basis we appropriate \$2 million for that purpose each year?

Mr. ROGERS. For the overall Civil War sites, the overall American Battlefield Protection Program.

Mr. VENTO. Yes. So that actually goes to all of the priority sites that they identified?

Mr. ROGERS. Nationwide, not just Shenandoah.

Mr. VENTO. I understand. But the \$220,000 was spent just in Virginia; is that correct?

Mr. ROGERS. Just in Shenandoah.

Mr. VENTO. Do you know what the contract arrangements are, absolutely fee simple purchase or some easement, or just options, much of it is just options?

Mr. ROGERS. Most of it is in fact not land acquisition opportunities at all, in fact, many are not direct land acquisition. They are planning undertakings that we do together. I can submit for the record the nature of every one of them if you would like, Mr. Chairman.

Mr. VENTO. Well, I think it might be useful for the record. We won't force you to go through it now.

[The information follows:]



16-REFUN REFER TO

H32(413)

United States Department of the Interior

NATIONAL PARK SERVICE
P.O. Box 37127
Washington, D.C. 20013-7127



AUG 9 1994

AUG 12 1994

Honorable Bruce F. Vento
Chairman, Subcommittee on National Parks,
Forests, and Public Lands
House Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515-6201

Dear Mr. Chairman:

Enclosed, please find information on the grant award activities of the National Park Service's American Battlefield Protection Program in the Shenandoah Valley, Virginia. These data were requested by the Subcommittee on National Parks, Forests, and Public Lands on July 25, 1994, during testimony of the National Park Service on the matter of H.R. 746 and S. 1033 to create a unit of the National Park Service in the Shenandoah Valley. The enclosed information has been prepared for insertion in the record.

Additionally, we believe that misunderstandings concerning the nature of the American Battlefield Protection Program and its award of funding to local communities may have contributed to confused impressions of the program by the Subcommittee during the hearing. We offer the following information as a point of clarification.

The National Park Service's American Battlefield Protection Program is an administrative initiative established in July 1990 by the U.S. Department of the Interior and the National Park Service. It is the only regularly-funded, federal program targeted to protect our nation's endangered historic battlefield sites. The American Battlefield Protection Program is supported by annual Congressional appropriations of \$2 million and was endorsed by the Civil War Sites Advisory Commission's July 1993 report to Congress.

The American Battlefield Protection Program provides cost-effective support, technical assistance, and small awards of monies to local governments, battlefield friends groups, public and private entities, State governments, and academic institutions to protect and build local consensus to preserve these important resources without the necessity of federal acquisition. Funds are awarded competitively through cooperative agreements with the National Park Service. Matching share is not a requirement per se, but one factor that makes proposals more competitive. Awards are direct and do not revolve. Funds cannot be used for land acquisition in fee or in interest. Development and construction activities are also unallowable costs. Since its inception, the Program has awarded over 70 projects at the Priority I battlefield sites identified in the Civil War Sites Advisory Commission Report.

The draft legislation attached to the testimony of National Park Service Associate Director Jerry L. Rogers before the Subcommittee on July 25 proposes to establish the American Battlefield Protection Program in statute, a status it does not now enjoy.

We appreciate the opportunity to supplement our testimony to the Subcommittee.

Sincerely,



Roger G. Kennedy
Director

ST

Enclosure

National Park Service
Interagency Resources Division
Preservation Planning Branch
American Battlefield Protection Program

Partnership Funding Activities in the Shenandoah Valley of Virginia

Site/ ■ Cooperator	FY	Funding	Project Description
Shenandoah Valley, VA ■ Shenandoah Valley Travel Association	1992	\$20,000	Brochure of Valley Civil War battlefields
	1993	\$20,000	Brochure on Jackson's 1862 Valley campaign
■ Lord Fairfax Planning District Commission	1992	\$20,000	Multi-county planning for preservation and resource protection of Civil War sites in the Valley
	1993	\$20,000	
	1994	\$20,000	
■ Winchester-Frederick County Economic Development Commission	1992	\$24,500	Museum exhibits on Civil War in the Valley
■ Rappahannock Valley Civil War Round Table	1993	\$ 3,400	Civil War conference
<i>Cool Spring</i> ■ Clarke County Board of Supervisors	1994	\$18,050	National Register nomination
<i>Fisher's Hill</i> ■ Association for the Preservation of Civil War Sites	1994	\$ 5,000	Management and interpretive plan
<i>McDowell</i> ■ Association for the Preservation of Civil War Sites	1993	\$10,300	Master preservation and site plan
	■ Valley Conservation Council	1993	\$20,140
1994		\$ 5,000	Interpretive brochure
<i>Port Republic/Toms Brook</i> ■ Society of Port Republic Preservationists	1993	\$16,000	Interpretation plan for the Kemper House
	■ Association for the Preservation of Civil War Sites	1994	\$ 9,000
<i>Sites in Frederick County and City of Winchester</i> ■ Frederick County Department of Planning and Development	1993	\$21,000	Countywide battlefield protection plan and public outreach

Mr. VENTO. Just one last question the Senate testimony prior to the modification of the bill had expressed concerns about the purchase of something less than 1,200 acres. This bill now has 50 percent more land than that. The Park Service is testifying in favor of it today, so there is less conflict. Is that because of some key amendments made in the measure?

Mr. ROGERS. Yes, it is, Mr. Chairman, and also that our principal point in the Senate, I am happy to have the chance to emphasize this, was then and our point here today is that we need a plan that we know is going to enable the National Park Service to be there on a perpetual basis with something that will be workable, and that after continuing development in 20 or 50 years, that we will all still be proud of it. We don't want an isolated little fragment and have the rest of the partnership change its mind and do something different later.

Mr. VENTO. You don't want another Richmond and you certainly don't need another Gettysburg I guess in terms of the type of development. But that is a long, sad history. Part of it probably reflects a different view of what ought to be done in terms of historic and cultural fabric preservation.

Mr. ROGERS. That is correct, sir.

Mr. VENTO. We continue to be reminded of certain mistakes that some people think we made with regards to Gettysburg, in any case. We won't get into that.

It is amazing to me that one of the insights here is that there is so much concern about the theme park, but you know we have got so much to do in Virginia. And if you really put your mind to it, these decisions are going to have potentially much more of an impact on the resources in terms of what should go there and on what the nature of that cultural story is going to be based. Mr. Eisner's view, that is another matter. There is a lot of interest in it though, I will say.

Mr. VENTO. Well, listen, I would yield to my colleagues without objection, Congressman Wolf or Congressman Goodlatte, if you had a question or two of Mr. Rogers or of me.

Mr. WOLF. No, Mr. Chairman, I just would want to make a couple of comments. One, I was at Interior when that whole tower issue came up, and believe me, the difference between the local citizens and the governmental authority in the Shenandoah Valley and the Town of Gettysburg and your county are black and white, 180 degrees. It is not just even a comparison.

Second, the local government has put in a lot of effort and a lot of resources.

Third, just to correct you or take issue, you know Jean Travers in the Park Service did a lot of work studying this issue. You talked about the feasibility. It is already there. Jean Travers' study, of course, God bless her, she died, as you know, recently but the study can tell you precisely.

Fourth, I think the record should show the 1,863 acres are not to be purchased. Mr. Chairman, they are going to be donated.

There will not be one dollar from the United States Government or the Park Service. I think it is important for the Park Service to understand that no appropriated money will be used to acquire

land because it will all be given to the National Park Service. Thus not one dollar will go for that.

And last, Mr. Chairman, and this may be the way to address the issue with regard to the Commission, this is just a thought, it is that whether you call it a Commission or an advisory group, or whatever, I know OMB has this concern, but perhaps the chairmanship of the Commission could be given to the Director of the National Park Service or his appointee, whoever that may be, because I think much of the staffing and different ideas will come from the Park Service, they will have to provide the staff.

So I think for the Commission or if the committee wants to call it a task force in order to meet the OMB regs, the Director of the National Park Service could be, Mr. Kennedy could be the Chairman or ex officio Chairman which will get the Park Service directly involved.

I did want the record to show there will be no money. This land will be donated. And again, I just wanted—the attitude, I can remember Mr. Morton was so frustrated with the tower and the people there wanting—there are no towers down in the Shenandoah Valley. The people there are not the same way, and you went through that. You must have been at the Park Service during those years.

The people in the Valley have been involved in the planning, they have pursued it without the government being involved. If you look at Jean Travers' study, everything is laid out. This fits in perfectly. This is a perfect match. I just wanted to make that clear for the record.

You would acknowledge, would you not, sir, that this land is being donated to the Park Service?

Mr. ROGERS. Certainly.

Mr. Wolf, I think your suggestion is a very constructive one. And with regard to the studies that we have done before, that was done by Jean Travers under my direction or close association, and we do still believe that there are suitability and feasibility questions that we need to answer, but certainly she did a great job.

Mr. WOLF. I have no further questions.

Mr. VENTO. Thank you.

Congressman Goodlatte, did you have any comments at this time?

I was just going to mention that, obviously, I think the concern that Associate Director Rogers has is helpful to know. I wasn't aware that all of it was being donated. The 220,000 went that far to purchase most of it, or at least whatever price they can get it at fair market value we cannot. But if somebody donates, I guess it is reasonable.

But the issue, of course, is surrounding areas. I don't think the correlation is so much Gettysburg, except to point out the obvious conflicts that you wrestled with and others have wrestled with since then, Frank, and is simply the issue.

It is more of the Richmond-type of problem, where you have got the historical cultural resource in a sea of development. And I think that much of what they are talking about deals with agriculture and other types of uses that could and would be satisfactory. But, obviously, as soon as someone sees an opportunity, it is

pretty hard to tell a landowner that he can't subdivide or do something; it becomes a very difficult issue.

Certainly, the Park Service is forced into that position to protect the resource or the context in which it resides, it is a very difficult matter. Obviously, for Manassas, we got a \$100 million lesson over there in terms of what is paid and what happens after the fact. And I don't want to have to push the taxpayers into that type of thing. None of the 220,000, of course, that was used to buy land, I guess it was all paid for privately by donations.

Mr. GOODLATTE. Mr. Chairman, I would suggest that there may well be additional donations under the format that this bill provides and, frankly, involving the local governments in making those kind of tough decisions on zoning which would be a major aspect of this, I think is very important in garnering their support for going forward with this.

And the other point I would go back to is we are talking about so many different battlefield sites and literally tens of thousands of acres of land, the development around it is coming and I think this is a unique approach to deal with a massive amount of land that the Federal Government is certainly not going to come up with the money to pay for, but still provide protection and the interpretation that is needed, that the National Park Service does so well with, but is going to require, because we are in a fight against time, that is going to require that local support and local cooperation, and that is what this bill is.

Mr. VENTO. I agree with that and I think the format that we used in terms of a compact or an agreement would perhaps fit. Now, if there are key sites that ought to be in Federal ownership and fee simple, then we have got the sort of the situation with an Antietam or a Gettysburg. A conflict that takes on and should be part of the Park Service, managed and interpreted, but obviously their stewardship of that meets the same sorts of problems that anyone else would.

In fact, some of them have been notoriously a problem, if I can at least put that gently. The problem sometimes is not having the money. Sometimes it is an errant view, but from 1916 to 1944, it is hard to be consistent. Some of us haven't lived that long yet, much less been consistent in the short lives we have had.

Well, listen, I think this is helpful, Mr. Rogers. Let me ask you to yield now and I will call up the panel of witnesses we have on this topic, then we will learn more about it. Then we will proceed to you and then to the panel or Corinth.

Mr. ROGERS. Very well.

Mr. VENTO. Thank you for your patience.

I assume some of this may spill over into Civil War.

PANEL CONSISTING OF A. WILSON GREENE, EXECUTIVE DIRECTOR, ASSOCIATION FOR THE PRESERVATION OF CIVIL WAR SITES, INC.; ROBERT WATKINS, DIRECTOR OF PLANNING AND DEVELOPMENT, FREDERICK COUNTY, VA; JOHN MONAHAN, III, PRESIDENT, STONEWALL BRIGADE FOUNDATION, MAURERTOWN, VA; WILL CALLAWAY, WASHINGTON REPRESENTATIVE, NATIONAL PARKS AND CONSERVATION ASSOCIATION; AND, STEVE MCINTYRE, DAYTON, VA

Mr. VENTO. Mr. A. Wilson Greene, Executive Director, Association for the Preservation of Civil War Sites; Mr. Robert Watkins, Director of Planning and Development, Frederick County, Virginia; John Monahan, III, President of the Stonewall Brigade Foundation, Maurertown, Virginia; Mr. Will Callaway, the Washington Representative, National Parks and Conservation Association; and finally Steve McIntyre from Dayton, Virginia.

Well, it is quite a lineup.

What I would like you to do, even if you didn't plan on doing this, is to summarize your statements in about five minutes, and then I will come back with some questions, perhaps insight.

Congressman Wolf or Goodlatte, if their schedules permit, to ask questions or to clarify your testimony for the record.

Welcome.

All of your statements are in the record.

Mr. Greene.

STATEMENT OF A. WILSON GREENE

Mr. GREENE. Thank you, Mr. Chairman.

It is good to be back with you in front of this committee.

I will dispense with these prepared remarks and just be responsive, I hope, to some of the issues that have already been raised thus far in the hearing.

First, a little bit about our organization and what role we have in this legislation. The Association for the Preservation of Civil War sites is a private land trust of the type you were referring to.

We own 410 acres of the land that is under consideration in this bill. We have also contributed more than \$450,000 to the acquisition of the properties under consideration here, so this is money not acquired from the Federal Government through the American Battlefield Protection Program, but money raised through our own efforts through private donations.

We have also discussed the three criteria that you consider whenever you establish a new unit of the National Park System. I don't think we need to talk about the significance of these battlefields.

You have sufficiently covered those. I just want to say that one unique niche of this legislation that is not represented elsewhere in the National Park System is the story of the impact of the Civil War on the civilian population of an entire region.

We talk a little bit about that with Vicksburg, with the citizens of Vicksburg, perhaps a little bit about it at Atlanta, the Kennesaw Mountain, but we really don't talk about it in the context of an entire region. The City of Winchester changed hands 73 times during the American Civil War.

I think it is important that Americans understand that what is going on in places like Bosnia and places in Africa with Civil War and the impact it has on combatants, it is not something that is foreign entirely in the American experience. It happened in the Shenandoah Valley as well.

We also talked about the resource integrity. You have a couple of questions about the sites that were not included in the study. There were 2 of the 15 major battlefields that were not included in this legislation because of lost integrity, one at first Winchester, one at Front Royal.

The other missing battlefields are there because of other reasons not related to integrity. As far as feasibility is concerned, you raised a question about—Mr. Rogers did about the Park Service's ability to manage discontinuous units of the national park.

There are a number of examples in the National Park System. I just was jotting down a couple: Salinas National Historic Park, John Day Fossil Park, Nez Perce National Historical Park in the West and in Civil War units like Chickamauga, Chattanooga, Fredericksburg, Petersburg. These are very valuable, successfully managed parks that have discontinuous units in them. I have no doubt the Park Service could apply its management expertise in the Shenandoah Valley.

We also talk feasibility in fiscal times about adding new units to the National Park Service. There are two extremes, of course. That is to go out of business as a people in the national park-building business or the old-fashioned way of plopping down large amounts of Federal money to buy land in fee simple; and the bill in front of you this afternoon provides an alternative in the middle of those two extremes. It incorporates, as you know, a substantial land base to be donated by private interests to local government or managed by the National Park Service through cooperative agreements with the private landowners.

I think an important point that I want to make here, Mr. Chairman, is the influence that this park bill would have on our ability as a private sector land trust to contribute the land base that Mr. Rogers is concerned about. We all are.

The first question a potential donor asks me when I approach them about contributing to the acquisition of a Civil War battlefield is the question what will happen to that battlefield once we acquire it: Will it be available to the public? Will it be an educational resource for the people? And our facilities simply are inadequate to provide a firm answer yes, but we do not do that sort of thing. Nobody does it better than the Park Service. The ability to answer that question in the affirmative—yes, there will be public access and educational resource managed by the premier national historic site manager in the world, the National Park Service will facilitate just the sort of private sector contributions that we need in order to preserve this partnership.

Also, the provisions of the bill provide independent activities for citizens to preserve their own property without Federal ownership. I think that is a very unique and innovative approach.

There are existing visitor facilities, Mr. Chairman, that can be easily translated into visitor facilities for initial park places like New Market, Winchester, and Cedar Creek and also will obviate

the need for any large construction at least initially in this bill and much of the visitor transportation network already exists in the public road system of Virginia.

I think a national park finally is important as the only vehicle to accomplish these goals as opposed to a heritage area or a heritage corridor or some of these other options. Because it provides a level of government protection and a permanent protection that will encourage private sector and local governments to continue making the investment in these resources. That is lacking in any other vehicle that I can think of. And it brings to bear the incomparable skills of the National Park Service in telling the complex stories of soldiers and civilians who struggled in the Valley between 1861 and 1865.

As you heard, Mr. Chairman, these resources are threatened. The time is not now for study. We began this process more than four years ago. With the National Park Service study, we know what we need to know and if we sit back and do nothing, we are simply going to watch the very resources that we are here to protect disappear.

Thank you.

Mr. VENTO. Thank you, Mr. Greene. We appreciate your participation and the work you have done. We will get back with a question or two on the isolated sites, noncontiguous sites.

[The prepared statement of Mr. Greene follows:]

TESTIMONY OF A. WILSON GREENE, PRESIDENT , ASSOCIATION FOR THE PRESERVATION OF CIVIL
WAR SITES, INC.
JULY 25, 1994

HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS
S1033 SHENANDOAH VALLEY NATIONAL BATTLEFIELDS PARTNERSHIP ACT OF 1993

I am pleased to represent the Association for the Preservation of Civil War Sites and the Association's colleagues in the Shenandoah Valley and elsewhere across the nation to speak on behalf of the Shenandoah Valley National Battlefields Partnership Act of 1993. This is the best opportunity confronting this Congress to protect and interpret resources associated with the most important chapter of our nation's history.

The events that occurred during the American Civil War in Virginia's Shenandoah Valley played a pivotal role in the outcome of that bloody and tragic contest. The National Park Service has documented 326 notable armed conflicts in the Valley between 1861 and 1865, fifteen of which were of particularly high significance. Major operations in 1862 and 1864 and a portion of the 1863 Gettysburg Campaign raged across the Valley landscape. Few American communities have suffered such severe disruption as did the citizens of the Valley as the armies occupied, consumed, and destroyed the area's resources. The effects of warfare on American civilians living in the path of major military action is a poignant and relevant story not currently told in the National Park system. Thomas J. "Stonewall" Jackson's campaign in 1862 remains a masterpiece of American generalship studied around the world for its use of initiative and innovation to bring victory to a numerically inferior force. The reelection of Abraham Lincoln in 1864 rested substantially on the shoulders of Philip Sheridan whose series of triumphs that autumn helped persuade northern voters that military conquest of the Confederacy was indeed a possibility.

The national significance of the battlefields and related areas in the Shenandoah Valley as they pertain to the conduct and outcome of the Civil War is unquestioned. The Valley's story belongs in the same volume with those of Vicksburg, Atlanta, Antietam, and Richmond. Yet none of the fifteen most important Valley battlefields is protected and interpreted within our National Park system. Nowhere in the publicly accessible story of the Civil War and our nation's "new birth of freedom" is the void so glaring.

Public Law 101-628 directed the National Park Service to evaluate the Valley's battlefields in terms of their history and condition and to assess the threats faced by these irreplaceable resources. The Service's study confirmed what students of American history and residents of the Valley already knew: the Valley's Civil War story is crucial to an understanding of this period of our past. Moreover, it documented an escalating loss of these battlefields to incompatible development that portended the very real possibility that without positive action the Valley's Civil War story would disappear under a carpet of concrete and asphalt.

In response to the draft of this report, a variety of groups and individuals volunteered to accept the Service's invitation to comment on its contents. The result of that effort is the subject of this hearing: The Shenandoah Valley National Battlefields Partnership Act of 1993. This legislation is literally the product of the best thinking of local governments, property owners, historians, preservationists, planning commissions and tourism experts in the Shenandoah Valley as expressed through their Congressional representatives. Our democracy is designed to work in this way and it has been rewarding to participate in a process wherein citizens advocate their ideas through their elected officials. The fact that at Manassas, Brandy Station, and elsewhere in Virginia the subject of battlefield preservation has been a divisive and polarizing experience, the consensus and cooperation resulting in this legislation renders it even more remarkable.

The creation of a Shenandoah Valley National Battlefields and Commission as envisioned in this legislation will accomplish several things. First it will establish the nucleus for a unit of the National Park system that will tell a fascinating and complex story of unquestioned significance in American history. It will do so with the direct involvement and cooperation of citizens who have the highest stake in the creation and management of the park: the people who live in the Valley. The park will evolve over time with the support of partners including the National Park Service, non-profit agencies concerned with battlefield preservation, local governments, and landowners. Most importantly, it will achieve what all national historical parks strive to accomplish: the preservation of key portions of a surviving historical landscape through which a nationally significant story may be shared with all Americans.

We all recognize that our government's work must be done as efficiently and with the least cost to taxpayers as possible. In that regard, this legislation anticipates the creation of a unit of the National Park system whose initial landbase is a gift to the American people. My organization alone, the Association for the Preservation of Civil War Sites, has acquired property at Fisher's Hill, Tom's Brook, Port Republic, and McDowell battlefields and has contributed to the purchase of lands at New Market and Cedar Creek battlefields. As partners in this undertaking, we intend to donate to the National Park Service all our holdings at these nationally significant sites or enter into cooperative management agreements at the Service's discretion. Our friends at New Market Battlefield Historical Park, the Cedar Creek Battlefield Foundation, and the Lee-Jackson Foundation are similarly prepared to cooperate with the Service to share their land with all our citizens.

We anticipate that the park will mature over time to include more land--some purchased from willing sellers by the Service; some managed cooperatively with local landowners; more donated by the private sector or local government, but none acquired without owner consent. The ultimate park configuration will result from the recommendations of the Commission as approved by the Secretary and be guided by the resources themselves. We do not endorse, nor does this legislation recommend the acquisition of tens of thousands of acres in fee by the federal government. Such action is unpalatable to the local community and unnecessary to achieve the preservation, access, and interpretive goals of the park. In fact, one of the bill's strengths is the menu of incentives designed to encourage local government and landowners to voluntarily manage their communities and property in a way that is compatible with park objectives.

But such incentives alone are not enough. The federal government's primary role is to contribute the element of permanency that is synonymous with the National Park system. A Shenandoah Valley National Battlefields will ensure that the Valley's story is preserved in perpetuity--an outcome less certain with any other mechanism. The National Park Service, moreover, has demonstrated its unparalleled competence as an historic site manager at hundreds of sites across the country and nothing envisioned in this legislation presents the Service with an unprecedented management challenge.

The establishment of a Shenandoah Valley National Battlefields is the critical factor in the continuation of the partnership approach already adopted by property owners, local governments, and private-sector preservation groups in the Valley. For example, a large landowner has deferred development on an important portion of one of the Valley battlefields pending the outcome of this legislation. Local government has deferred the upzoning of equally important adjacent lands pending the outcome of this legislation. Our Association has deferred the purchase of these properties pending the outcome of this legislation.

Absent the existence of a National Battlefield Park, the incentives for us to undertake a fundraising campaign to purchase the land diminish considerably. Our potential donors want to know that the hallowed ground they help to buy will result in a publicly accessible educational resource, not merely be warehoused. Sympathetic landowners welcome a battlefield market for their historically significant properties, but without that market they will seek alternative forms of development--forms destructive of historic values. Local governments have a rationale to exercise their land use prerogatives to enhance battlefield preservation if they know that by doing so they will contribute to a tangible educational and economic benefit for their citizens. Without those advantages, the pressure against landscape preservation at the local government level is often irresistible. The Shenandoah Valley National Battlefields Partnership Act is the best vehicle to perpetuate the involvement of just the sorts of partners that our National Park system needs in these fiscally and politically difficult times.

Finally, this legislation is timely--we only wish it had been introduced 20 years ago. During the past generation, several of the Valley's most important sites have been destroyed and others compromised. Today Interstates 66 and 81 point like twin sabres at the heart of nearly every one of the Valley's historic places. If we are to protect a slice of our nation's history that ranks in importance with some of the classic names from our collective past, the time to do so is now.

Speaking for our 7,200 members in all fifty states and the millions of other Americans who care about their Civil War heritage, I am proud to endorse the Shenandoah Valley National Battlefields Partnership Act of 1993, a real and all too rare example of a true partnership designed to benefit all Americans--in this and future generations.

A. Wilson Greene
President
Association for the Preservation of Civil War Sites

STATEMENT OF ROBERT WATKINS

Mr. VENTO. We are pleased to welcome Mr. Robert Watkins from Frederick, Virginia.

Mr. Watkins, you want to take one of those microphones for the recorder.

Thank you.

Mr. WATKINS. Thank you very much, Mr. Chairman.

Before I begin, I would like to ask if we could enter into the record a letter from my Chairman of the Board, Richard Dick, in support of this legislation.

Mr. VENTO. Yes, without objection, the Chairman's letter will be made part of the record in support of the legislation.

Please proceed with your statement, Mr. Watkins.

[Letter from Mr. Dick follows:]



COUNTY OF FREDERICK

Board of Supervisors

Richard G. Dick - Chairman
703/665-5666
W. Harrington Smith, Jr. - Vice Chairman
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Back Creek District

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Gainesboro District
Charles W. Orndoff, Sr.
Stonewall District

July 22, 1994

The Honorable Bruce Vento
Chairman of the Subcommittee on National Parks,
Forests, and Public Lands
H1-812 O'Neill
HOB, Washington, D.C. 20515-6207

Dear Chairman Vento:

I am writing to express Frederick County's support for the Shenandoah Valley National Battlefields Partnership Act of 1994. There is complete and unanimous support for the legislation from the governing bodies in our community. In addition, I believe that there is also broad, strong support among the citizens of Frederick County and Winchester.

The battlefields in the Shenandoah Valley are of great national significance. Battlefields in the Valley need to be available to people so that they can experience and understand this important part of our Nation's history.

In our community, we are already doing a great deal to bring about this result. This year, Frederick County and the City of Winchester took a major step when we acted to purchase a major portion of the Kernstown Battlefield. We are also undertaking a major planning effort to develop a local strategy to address all of our important battlefields.

We understand that the legislation would put into place a partnership approach and that we would need to continue our efforts. However, we believe that the Federal Government also needs to play a strong role in this effort. The designation of a

9 Court Square
Winchester, VA 22601

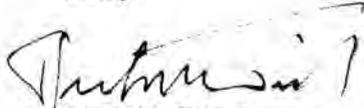
P.O. Box 601
Winchester, VA 22604

Page 2
Chairman Bruce Vento
July 22, 1994

Shenandoah Valley National Battlefield Park would give everyone involved the additional incentives and support needed to do justice to this important part of our national history.

We appreciate your work on this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Dick", written over a horizontal line.

Richard Dick, Chairman
Frederick County Board of Supervisors

RWW/rsa

Mr. WATKINS. Thank you very much.

You have heard from a number of different people about the significance of these sites in the Shenandoah Valley. What I want to tell you about this morning is how we are contributing to this effort in local government and why we need your help.

We are a rapidly growing community in the Valley and in the northern Shenandoah Valley in Frederick County. This is for a number of reasons probably the most important of the battlefield sites, and we are located on the Interstate 81 corridor which is a business corridor traditionally in Virginia and in other States.

Because of the economic value in this corridor, the sites are threatened. There is an exception on the part of landowners that they gain certain levels of economic return from their land.

Because of this tradition, local planning efforts by themselves, and without any other tools or any additional help, will not necessarily be totally effective. Instead, what we need is a cooperative approach of the kind we have been talking today.

The threats in the Valley because of the growth are immediate and they are occurring on a regular basis. Because of that, we have proceeded to take action ourselves in local government in Frederick County and Winchester. We recognize the need to set priorities and to develop specific strategies.

Because of that, the board of supervisors and city council have appointed a battlefield task force which is a group composed of battlefield property owners, business people, historians, and preservationists. This group is charged with preparing the strategic plan for the protection of battlefield sites in Frederick County and Winchester. That group has already published an interim action plan which designates the number of sites of particular importance in our community, as seen on the map behind me.

In addition to that, they are charged with preparing an overall plan that will describe the kinds of methods that need to be used to protect sites.

The planning department has done a great deal of work in terms of developing information of the kind reflected in the maps that we have brought. In addition, we have hired a consultant that will be evaluating the sites in terms of visual quality, in terms of the public access, in terms of historic interpretation.

We also have an effort going on in terms of community education and involvement, the purpose of which will be to create a community vision of what the battlefield sites could be. And these have been supported by the battlefield protection program that was referred to previously.

We hope to have an overall plan describing the sites and the methods for adoption by the local governments early in 1995.

The threats to the battlefields in our area have arisen on a regular basis. This year, an owner of a large pristine portion of the first and second battles of Kernstown, as reflected on this map, decided to divide his tract into about seven tracts of land to auction these portions to the highest bidder.

In a rather bold step, Frederick County and the City of Winchester together intervened and negotiated with the owner to purchase for \$500,000, a two-year option to buy the land. The total purchase price of the property will be \$2.7 million.

The next thing we did after we got the option was to proceed to apply to the Commonwealth of Virginia for an ISTEIA Enhancement Grant to purchase the tract as a part of what we call an "overall battlefield tour network." In June, it was announced that a grant had been awarded for \$1 million and we are now seeking sources for the additional funding. This represents a substantial commitment on our part and I think a great success.

We are continuing to work on other sites as well. One in particular that is being talked about a lot right now is the small, more urban setting of a very well-preserved Civil War fort called Star Fort, and we are working with developers in this case.

You can see on the map that there is a lot of urban development around it. In this case, we are working with development and landowners around it to find measures to mitigate possible impacts to preserve views and do other things that will enhance the site.

And by the way, this site is owned by a group that is quite willing to turn over the land to the Park Service and in the case of Kernstown Battlefield our intention is to turn over the land to the Park Service without any cost.

We are working on a lot of sites and are doing a lot of things, so why do we need a national battlefield park?

First of all, with all that we have been able to do, there are large undeveloped portions of the core areas that remain unprotected. In particular, the Battle of Opequon from 1864 and the Battle of Cedar Creek, there are large pristine portions of the core areas that are unprotected and are threatened and because of their location work needs to be done to accomplish their protection.

Local and private resources are limited, so we need your help. Obviously, we will continue to do our share. We expect to do a lot. However, we feel that the Nation needs to pitch in and help.

We support all of the ideas that Mr. Greene has talked about, about why the National Park Service is needed. Added incentive, added expertise.

We think all of those things will help our efforts. We understand the Park Service can't be expected to do everything, and we do plan to continue our efforts and we will hope that you will also contribute to these efforts.

I thank you very much.

Mr. VENTO. Thank you, Mr. Watkins, for your testimony.

[Prepared statement of Mr. Watkins follows:]



COUNTY of FREDERICK

Department of Planning and Development

703 / 665-5651

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**TESTIMONY TO THE SUBCOMMITTEE ON NATIONAL PARKS,
FORESTS AND PUBLIC LANDS OF THE UNITED STATES HOUSE OF
REPRESENTATIVES COMMITTEE ON NATURAL RESOURCES**

**CONCERNING THE SHENANDOAH VALLEY NATIONAL BATTLEFIELDS
PARTNERSHIP ACT OF 1994 (S. 1033)**

By Robert Watkins, Director of Planning and Development

Frederick County, Virginia

July 25, 1994

9 North Loudoun Street
Winchester, VA 22601

P.O. Box 601
Winchester, VA 22604

Testimony by Robert Watkins

During the Civil War, several important campaigns occurred in what is one of the most beautiful landscapes in the Nation. In Frederick County and Winchester alone, there were over 26,000 battle casualties in six major battles. These battles had a major impact on the outcome of the war. You have heard from others why we need to act to recognize the significance of these historic events. I would like to tell you about how we are contributing to this effort in local government. I would also like to tell you why we need your help.

Frederick County is a rapidly growing community. This growth has been caused by the location of the community in relation to the interstate highway system and by the western movement of development in the Washington metropolitan area. In Frederick County, we pride ourselves on our innovative approaches to growth management. However, even with our efforts, the battlefield sites are threatened by growth because they are located along the Interstate 81 corridor. They are threatened because of the economic value associated with this corridor. Property owners in this traditional business corridor expect to gain certain levels of economic return from their land. As a result, traditional local planning efforts will not be totally effective, by themselves, in preserving the important battlefields. Instead, a new kind of cooperative approach is needed to accomplish what needs to be done.

Our Board of Supervisors and City Council have unanimously supported this legislation. Also, because the threats to the Battlefield sites are immediate, we are proceeding to take action locally. It has become obvious that there is a need to set priorities and to develop specific strategies. Therefore, the Frederick County Board of Supervisors and the Winchester City Council have appointed a Battlefield Task Force. The Frederick County - Winchester Battlefield Task Force is composed of battlefield property owners, business people, historians and preservationists. It is charged with preparing a strategic plan for the protection and use of battlefield sites in the community.

The Task Force has begun its work by publishing an interim action plan that designates the most critical and significant sites and recommends immediate actions to be taken. The Frederick County Planning Department has developed detailed information on these and other sites in a geographic information system. A nationally known park planning consultant has been hired to evaluate the sites in terms of visual qualities, public access, and historic interpretation. Another consultant has been hired to conduct a community education and involvement process, the purpose of which will be to develop a community vision of what a battlefield park system could mean for the community. Funding from the National Park Service, Battlefield Protection Program is being used to support this effort. The Task Force is now working to complete a detailed plan describing actions to be taken and particular preservation methods to be used. This plan will be submitted to the local governing bodies early in 1995 for adoption.

In Frederick County, threats to battlefield sites seem to arise on a regular basis. This year, the owner of a large, pristine portion of the first and second battles of Kernstown decided to divide his tract of land into seven portions and to auction each portion to the highest bidder. In a bold step, Frederick County and the City of Winchester successfully intervened and purchased for

\$500,000 a two year option to buy the land. The total purchase price of the property will be \$2.7 million. The local governments next proceeded to apply to the Commonwealth of Virginia for an ISTEAA enhancement grant to purchase the tract as part of a battlefield tour network. In June, it was announced that the a grant of \$1 million had been awarded. We are now seeking sources for the additional \$1.2 million. This represents a substantial commitment and success for our community.

We also continue to work on other sites. We are, for instance, working with the developer of land around Star Fort. Star Fort is a Civil War fortification in good condition that played an important role in several of the battles. We are working to provide development that will not detract from and will even enhance this urban battlefield site.

So, with all that we have been able to accomplish, why do we need a National Battlefield Park? The work that remains to be done, just to address the six priority sites in the battlefield core areas, is enormous. Large, undeveloped portions of core areas remain unprotected. The pristine portions of the Battle of Opequon, where major infantry actions occurred that resulted in thousands of casualties, are immediately threatened. Cedar Creek is perhaps our most important battlefield. The Cedar Creek Foundation has done a great deal to memorialize that major Civil War battle. However, I think they will tell you that they are struggling and finding it difficult to do what needs to be done. It is obvious that we cannot accomplish all that is needed by ourselves. Local and private resources are limited, and we need your help. We will continue to do our share, following the plans we are preparing. However, the Nation needs to pitch in and help.

Possible involvement by the National Park Service provides added incentive for people to get involved. People are much more willing to be involved in battlefield preservation if they know the result will be a national park. The Park Service can provide the special expertise in planning, management, interpretation and promotion that private and local groups cannot provide. It would improve efforts greatly to know there will be a National Battlefield Park in the Shenandoah Valley. We understand that the Park Service cannot be expected to do everything. We certainly plan to continue our efforts. We hope that you too will contribute to these efforts as befits the significance of the Civil War history in the Shenandoah Valley.

STATEMENT OF JOHN P. MONAHAN

Mr. VENTO. And let me invite the next witness, Mr. Monahan, the President of the Stonewall Brigade Foundation to offer his statement.

Mr. Monahan.

Mr. MONAHAN. Thank you Mr. Vento.

My name is John Monahan. I am an attorney with the firm of Hunton & Williams, and President of the Stonewall Brigade Foundation, based in Shenandoah County in the heart of the Shenandoah Valley. I am also a trustee of Belle Grove, the National Trust's property in the Valley's Frederick County which served as Stonewall Jackson's headquarters during the 1862 Valley campaign and as Phil Sheridan's during the battle of Cedar Creek in 1864.

The Stonewall Brigade Foundation's board members own some 4,200 acres of 4 of the 15 battlefields that were identified in the Park Service Valley Study. Those being at Cedar Creek, Fisher's Hill, Tom's Brook and New Market. Several of our board members are descendants of native Valley farmers who owned these properties long before the battles and during the battles and several are descendants of Union and Confederate veterans.

I appear on behalf of the Valley's people today, several of whom are with me. They have driven many hours. They are seated behind me. And we have spoken in a loud unanimous voice in favor of this national interest legislation.

I don't make this statement lightly, because the people of the Valley literally wrote this bipartisan bill.

I would like to go through my statement and then I will, if there is time, I would like to address several points directly that Mr. Rogers made in the discourse he had with you, if that is okay.

Since November 1991 when the Park Service first issued its draft study on the Valley's battlefields, more than 200 elected officials, private landowners, historians, business men and women, and non-profit groups have devoted thousands of volunteer hours to, and have held more than two dozen public hearings on this model legislation. In short, this bill expresses the will of the people.

Why is it that preservation efforts always seem to be made in response to emergency situations? Why does it always have to come down to a desperate 11th-hour fight that generates acrimony and seldom saves historic sites?

For example, Senator Bumper's subcommittee conducted its hearing on this bill last September. But by the end of October, the Kernstown Battlefield, which is one of the 10 sites named in the legislation, was in immediate danger of being auctioned off for a subdivision.

Had this bill been affirmed into law the Kernstown site would have been an ideal candidate for S. 1033's "willing seller" scenario. Nevertheless, exhibiting their confidence that this bill would become law, the Winchester and Frederick County Board of Supervisors stepped up to the plate and purchased an option on the site at the last minute.

Likewise, earlier this year, a 200-acre portion of the Tom's Brook Battlefield, another site in the bill, was rezoned for development as an industrial park. During the public hearings on that zoning application, I was repeatedly asked by the land-use decision-makers

about the status of this legislation; had the bill been affirmative law? At the time those county officials advised me strongly that they would have had a viable alternative through the bill's "land-use planning" scenario. Nevertheless, threatened with a lawsuit, the county ultimately capitulated reluctantly. Thus, as we speak these two and other sites named in the legislation are already being nibbled away at.

Thirty-two months after we first embarked on this Herculean task, the bill which the Senate has already passed, faces this final legislative hurdle here in the House of Representatives. On behalf of the private landowners at each of the sites, on behalf of the Tom's Brook, Strasburg, and New Market Town Councils, the Winchester and Harrisonburg City Councils, Clarke, Frederick, Shenandoah, Rockingham, and Highland County Board of Supervisors, all of which have unanimously endorsed this bill; on behalf of State Senator Ross Potts, State Delegates Clinton Miller and Andy Guest, Governor George Allen, Senators John Warner and Chuck Robb, and on behalf of Congressman Frank Wolf and Bob Goodlatte, all of the Virginia and Federal legislators in whose districts the sites lie, and, most importantly, on behalf of all Americans, I implore you to do everything in your power to pass this bill.

Can you imagine that in 1994 in the Commonwealth of Virginia, every local, State and Federal official in whose jurisdiction the plots are located has endorsed a historic preservation bill, that would be in the wake of the turmoil over saving the second Manassas site and out of the ashes of Brandy Station debacle. We have come up here with innovative road-map that will prove that historic preservation and economic growth can have a symbiotic, as opposed to an acrimonious relationship.

We cannot drop the ball on the one-yard line. It is not by accident that the National Parks and Conservation Association the National Trust for Historic Preservation, the Civil War Sites Advisory Commission appointed by Congress and the Civil War Trust have all endorsed this bill, and now we even have a qualified endorsement from the Park Service.

In closing, I would like to point out that just last month this Nation and the rest of the free world celebrated the 50th Anniversary of D-Day. Every television in America was tuned into the ceremonies and every viewer was deeply moved by the imaging of aging veterans reunited in the cemeteries where so many of their youthful, fallen comrades are buried.

At the close of each day's events, I received an overseas phone call from one of the journalists who was covering the D-Day commemoration. That reporter was my wife, Katie Couric, of NBC News and the Today Show.

Each time she called, Katie found it more difficult to express the depth of her emotions and the pride she felt for our veterans and the mission they had accomplished. In fact, she remarked several times that simple comradeship, dignity, and humility exhibited by the many veterans she interviewed.

During her last call from France, my wife emphasized that she was "shaken" literally by the imposing geography and topography of Normandy's battlefields, concluding that those sacred beaches, cliffs, farms, and villages must always be preserved as a period of

time perpetual memorial and symbol of our liberty. I say confidently that all Americans who attended or watched the ceremonies would agree with her conclusions.

I responded to Katie that veterans' reunions were not a new thing for Americans. I noted that thousands of Civil War veterans held annual battlefield reunions, in fact, some of them were held over 75 times.

In fact, Union and Confederate veterans reunited in the Valley battlefields well into this century, as evidenced by several commemorative ribbons, some of which are 50th anniversaries from troops, to Massachusetts and Connecticut, not to mention annual reunions of New Market, VMI cadets and veterans from Harrisonburg who welcomed veterans from Massachusetts and the rest of New England.

In 1860, there were 30-odd States. And during the Valley campaigns, 40,000 American soldiers from each of those States were killed or wounded, and more than 300 armed engagements and 15 major battles. At Cedar Creek alone, nearly 9,000 soldiers from 23 States fell.

Why would we not express the same respect for those veterans and war-dead as we as a Nation recently expressed for the heroes of D-Day? And why would we not express the same reverence for the geography and topography on which the great battles of Shenandoah were fought.

After all, in the Valley there were nearly seven times the number of American soldier who fell as compared to those who fell in Normandy. And one of the Valley survivors, Mr. Vento, General Thomas Rosser, who commanded the Confederate Cavalry in the Valley, would even make his way out to Minnesota, which he developed the railroad system that would further our western expansion; while another Captain Miles Keough, would make his way via Minnesota to the Little Big Horn where he and the rest of the Seventh Cavalry who also bivouacked and trained in Minnesota, perished under the command of General Armstrong Custer, who himself commanded a Union division during the 1864 Valley Campaign.

For the Civil War dead and veterans from New Jersey, New York, Pennsylvania, Massachusetts, Rhode Island, Wisconsin, Vermont, Maine, Maryland, Rhode Island, Connecticut, New Hampshire, Indiana, Illinois, West Virginia, Michigan, Georgia, Virginia, Louisiana, South Carolina, Mississippi, North Carolina and Alabama, and for future American generations, please ensure that this bill is passed.

Thank you.

Mr. VENTO. Thanks, we will get back.

You will be able to respond to further questions.

It is obvious that you have a deep interest in this matter and you have done a lot of work as a student of the process.

[Prepared statement of Mr. Monahan follows.]

STATEMENT OF JOHN P. MONAHAN, III, PRESIDENT, STONEWALL BRIGADE FOUNDATION (SHENANDOAH COUNTY, VIRGINIA), IN SUPPORT OF SHENANDOAH VALLEY NATIONAL BATTLEFIELDS PARTNERSHIP ACT OF 1994 (S. 1033) BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE HOUSE COMMITTEE ON NATIONAL RESOURCES (JULY 25, 1994):

I am an attorney with the law firm of Hunton & Williams and President of the Stonewall Brigade Foundation, a non-profit organization dedicated to historic preservation, which is based in Shenandoah County in the heart of Virginia's Shenandoah Valley. I am also a Trustee of Belle Grove, the National Trust's property in the Valley's Frederick County, which served as Stonewall Jackson's Headquarters during his 1862 Valley Campaign and as Phil Sheridan's during the Battle of Cedar Creek in 1864.

The Stonewall Brigade Foundation's Board members collectively own some 4,200 acres of four of the fifteen battlefields included in the National Park Service's Valley Study: (1) Cedar Creek; (2) Fisher's Hill; (3) Tom's Brook; and (4) New Market. Several of our Board members are descendants of native Valley farmers who owned these respective properties long before and during the respective battles; and several are descendants of Union and Confederate veterans. Our Advisory Board includes: Mrs. Norman Schwarzkopf (a Valley native); several noted historians; Robert E. Lee, IV; J.E.B. Stuart, IV; and America's second-favorite Virginian--Willard Scott of NBC's TODAY Show. I say "second" because of my natural prejudice toward my wife, Katie Couric, who works with Willard. She is a Virginia native, a board member of the Stonewall Brigade

Foundation, and an advisory board member of the Association for the Preservation of Civil War Sites.

I appear today on behalf of the Valley's people, who have spoken in a loud, unanimous voice in favor of this national interest legislation. I do not make this statement lightly, for the people of the Valley literally wrote this bipartisan bill.

Since November 1991, when the Park Service issued its Draft Study on the Valley's Civil War Battlefields, more than 200 elected officials, private land-owners, historians, business men and women, and non-profit preservationists have devoted thousands of volunteer hours to--and have held more than two dozen public hearings on--this model legislation. S-1033 promotes the preservation of national landmark sites in a cost-efficient manner, while respecting the rights of private property owners and encouraging local governments to promote the cultural and economic well-being of their communities. In short, this legislation expresses "the Will of the People," by which this body is supposed to abide.

We must ask ourselves: Why is it that battlefield preservation efforts always seem to be made in response to emergent situations? Why does it always have to come down to a desperate eleventh-hour effort that generates controversy and acrimony and seldom saves historic sites? On the other hand, S-1033 prescribes a preventative planning process that will take the painful sting out of historic preservation.

For example, Senator Bumper's subcommittee conducted its hearing on S-1033 last September. By the end of October,

however, the Kernstown Battlefield--which is named in the legislation--was in immediate danger of being auctioned off for subdivision. Had this bill been affirmative law, the Kernstown site would have been a perfect candidate for S-1033's "willing seller" scenario. Exhibiting their confidence that this bill would become federal law, the Winchester City Council and Frederick County Board of Supervisors stepped up to the plate, and purchased an option on the site.

Earlier this year, a 200 acre portion of the Tom's Brook Battlefield--which is also named in the bill--was rezoned for development as an industrial park. During public hearings on that rezoning, I was repeatedly asked by the relevant land-use decisionmakers about the status of this legislation. Had S-1033 been affirmative law, those County officials advised me that they would have had a viable alternative through the bill's "land-use planning" scenario.

Thus, as we speak, these two and other sites named in this legislation are being nibbled away by commercial, industrial, and high-density residential pressures.

In early 1992, some of my board members and I met personally with the Park Service's Chief Historian, Ed Bearrs, and the staff of his Valley study team. During that meeting, we expressed our interest in designating core portions of the Tom's Brook Battlefield--which were owned by those Board members--as National Register properties. We also expressed our concern over the fact that the Park Service's Draft study on the Valley had failed to

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make a preservation plan recommendation. Mr. Bearrs recommended a strategy for us to pursue. He and his staff advised us to meet with local government officials, other battlefield landowners, and local business concerns, to discuss preservation options, and to propose legislative ideas. We then did precisely what Mr. Bearrs and his people recommended, and the result is S. 1033.

Dozens of individuals from five Valley counties spent hundreds of hours meeting with dozens of land owners, public officials, and commercial representatives. We embarked on a mission to draft a bill that would promote and develop "heritage tourism" as a viable alternative to traditional forms of economic development (i.e., high-density commercial, industrial, and residential construction).

Virtually everyone with whom we spoke announced his or her strong interest in--and firm support for--developing heritage tourism as an alternative form of economic development in the Valley. The clear majority's perception was that tourism based on our battlefields was an untapped source of commercial opportunity, which would produce a vibrant new industry, create new jobs, and generate substantial local tax dollars. In short, Valley inhabitants recognized that heritage tourism would provide solutions for many of the Valley's socio-economic woes while preserving irreplaceable historic resources. The Valley counties had been looking for a clean industry, a commercial venture that would cure many public welfare ailments. Now they have found such an alternative industry. Valley officials, land owners, and

business people are anxious to be re-educated on their own local history and educated for the first time on the dollars and cents of heritage tourism.

Valley residents are, therefore, looking for commitment by and guidance from the federal government. Indeed, every Chamber of Commerce, Public Service organization, Economic Development Council, and American Legion and VFW post in the five counties has endorsed the bill.

Thirty-two months after we first embarked on this Herculean task, S-1033--which the Senate has already passed--faces its final legislative hurdle, here in the House of Representatives. On behalf of private landowners at each of the battlefield sites named in the bill, on behalf of the Tom's Brook, Strasburg, and New Market Town Councils, the Winchester and Harrisonburg City Councils, the Clarke, Frederick, Shenandoah, Rockingham, and Highland County Boards of Supervisors--all of which unanimously endorsed this bill, on behalf of State Senator Ross Potts, State Delegates Clinton Miller and Andy Guest, Governor George Allen, Senators John Warner and Chuck Robb, and Congressman Frank Wolf and Bob Goodlatte--all of the Virginia and federal legislators in whose districts the sites lie, and, most importantly, on behalf of all Americans, I implore you to do everything in your power to pass S-1033.

Can you imagine that in 1994, in the Commonwealth of Virginia, every local, state, and federal official in whose jurisdiction the properties are located has endorsed a historic

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preservation bill? This is a consensus bill. I emphasize "consensus" because, in the wake of the turmoil over saving the Second Manassas site and out of the ashes of the Brandy Station debacle, we have come up with an innovative road-map that will prove that historic preservation and economic growth can have a symbiotic, as opposed to an acrimonious relationship. It is not by accident that the National Parks and Conservation Association, the National Trust for Historic Preservation, the Civil War Sites Advisory Commission, and the Civil War Trust have all endorsed S-1033.

Because this is consensus legislation, the bill makes the loud and clear pronouncement that "there will be no federal taking" of Valley land. The federal government could only purchase battlefield acreage from willing sellers and/or accept land donations and easements from willing private land owners and/or preservation organizations.

The Park Service is certainly not advocating that the 86,000 acre study area--or even the 34,000 acre core area--be taken by the federal government through eminent domain. Moreover, given the budget deficit, spending cuts, and national economic concerns, Congress is not going to advocate a taking either. Indeed, given the deep-rooted private property sensitivities of the Valley's people, any eminent domain pronouncement would undoubtedly ignite a second Civil War and yet another Valley campaign.

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The point is that, because the federal government will never--and, as a practical matter, cannot ever--buy the bulk of this geography, we need this innovative legislation which allows for a combination of preservation strategies and techniques. Indeed, the mechanisms prescribed in the bill are consistent with the preservation mechanisms recommended in the Park Service's Final Study, which calls for:

2. Enhanced public funding and technical assistance to State and local governments and to private owners for site preservation and interpretation.
3. Creat[ion] of one or more affiliated areas of the National Park System.
4. Acqui[sition of] one or two sites for the National Park System as interpretative, technical assistance, and management focal points in conjunction with other battlefields under non-federal management.

* * *

A balance must be achieved between preservation, the Valley lifestyle, and economic development.... [S]ome combinations of 2,3, and 4 would be appropriate if developed through a regional mechanism emphasizing: (a) stewardship through continued private ownership when current land-use practices are compatible with battlefield preservation and interpretation; and (b) wide participation of local governments and property owners together with State and federal agencies.

Study of Civil War Sites in the Shenandoah Valley of Virginia
(National Park Service, (September, 1992) at pp. iv-v.

In short, S-1033 constitutes the most cost-effective and the least acrimonious means to preserve the Valley's key battlefield

sites. The bill encourages the rural landowner to retain, and maintain his or her historic property. It encourages localities to plan and zone responsibly, with a focus on preservation through the development of heritage tourism. Although the federal government's imprimatur is necessary to get this craft properly christened, launched, and headed on the proper course, in the long-run federal involvement will be relatively limited, and private citizens and local and state officials will reap the economic benefits of their own responsible stewardship. In other words, this legislation represents "a new way of doing business."

This is not to say, however, that a federal commitment to preserving the Valley battlefields is not required. Indeed the federal government must demonstrate to the people of the Shenandoah Valley its dedication to preserving the battlefields through the promotion and development of heritage tourism on a regional scale and at the local level. Moreover, the federal government must announce that, instead of seeking to "take" land from farmers, it will in fact reward with those battlefield owners who agree to preserve their properties. Unless the federal government articulates its unequivocal commitment to helping local officials, land owners, preservation organizations, and business persons in the Valley, eventually the integrity of all of the battlefield, will be severely degraded if not completely lost.

Accordingly, the bill prescribes cooperative efforts among federal, state, and local governments to promote and develop

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heritage tourism, and provides for the establishment of two National Park interpretive centers and the acceptance by the Park Service of some 1,863 acres of donated land spread among ten of the battlefield sites. The legislation also authorizes the Department of the Interior to make grant incentives available to local officials and land owners, to preserve the Valley's battlefields.

In these regards, S-1033 represents the perfect embodiment of the model legislation skeleton discussed by John Reynolds, Deputy Director of the National Park Service, in his September 21, 1993 statement to Senator Bumper's subcommittee:

JOHN REYNOLD'S REMARKS

The National Park Service supports the concept of a locally based planning process to develop a partnership preservation plan for conservation of important resource values. This planning process ought of explore, with the assistance of the National Park Service, appropriate structures to administer the preservation plan including a determination of what resources, if any, should be included within a Shenandoah Valley Civil War Battlefields Park. No effort to preserve the resources of the valley can succeed without formal, intense involvement of local and state officials and interests. As a means to support this effort, we endorse the use of grants to facilitate the development of local preservation and interpretation programs. The National Park Service supports the declaration of the national significance of this area.

* * *

The National Park Service is in the business of resource protection. Therefore, it is our opinion that sufficient acreage must be preserved under ownership or easement, by the National Park Service or other conversation

partner, to provide an interpretive core and preserve the historic setting of the battlefields. The National Park Service should be involved in managing only those resources whose integrity has been insured by adequate local preservation mechanisms. In this way the public can be assured that the National Park Service is only involved in managing resources of the highest standards of quality. Other supporting sites could be managed by partners in state and local government and the private sector.

A. Congress Should Provide Grant Opportunities To Local Governments.

Because Shenandoah Valley governments are under severe pressure to generate tax dollars to provide police, fire, education, and other public services to citizens, and because unemployment is a foremost socio-economic concern, local officials are invariably exposed to the tremendous temptation to permit commercial, industrial, and high-density residential construction on battlefields. These sites are, for the most part, located near existing roads, public utilities, and water supplies.

However, the Valley's limited geographic parameters, fragile soil and limestone infrastructure, and delicate ground water systems can only handle so much traditional development. Responsible Valley officials, business interests, and citizens--many of whom have deep-rooted, personal interests in the War Between the States--are thus receptive to the concept of an alternative form of development--one that would generate substantial local tax dollars and provide employment to the

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Valley's work-force, but which would not require the degradation of historic resources.

Accordingly, modest grants that will provide preservation incentives must be made available to counter corresponding incentives to authorize traditional development. Grant opportunities would encourage local officials to make responsible land-use decisions that protect battlefields. In the long-run, such opportunities would be the most cost-effective means to preserving historic sites.

B. Congress Should Provide Economic Incentives To Battlefield Land Owners.

Many battlefield owners represent the eighth or ninth generation of original Shenandoah Valley settlers. Thus, a significant majority of farmers have a natural disposition against traditional development and have no immediate intention of subdividing their properties. However, although preservation for preservation's sake is a noble concept, there are economic realities. Recent real property reassessments, the national recession, local unemployment figures, family emergencies, and growing public sentiment against various forms of farming (e.g., dairy products, beef cattle, and chickens) have left many Valley battlefield owners with no economic alternative but to subdivide.

In short, farmers must be given direct incentives not to develop. This too would be cost-effective, because the traditional stewards of the properties in question would simply retain and continue to maintain them.

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C. Congress Should Establish A Commission Of Valley Citizens To Work With The National Park Service On A Regional Plan To Promote "Heritage Tourism" And Thereby Preserve Battlefields.

It is imperative that there continue to be unified support among Shenandoah Valley land owners and political, civil, and business leaders for the promotion and development of heritage tourism. Congress should, therefore, appoint a Commission of responsible Valley citizens to work with the Park Service on a Regional Plan that will call for Federal/State/local coordination. The Commission should be made up of battlefield land owners, public officials, business persons, preservation organization representatives, historians, and other concerned Valley residents. Valley people must know and feel that they are integrally involved in the preservation of their own battlefields. If not, any federal effort will simply be perceived as "government intrusion."

D. Congress Should Authorize The Establishment Of Two National Park Interpretive Centers In The Valley.

As stated, the federal government must exhibit its unequivocal commitment to the people of the Shenandoah Valley that it will assist them in preserving the battlefields through heritage tourism. It is, quite frankly, disgraceful that to date, despite the facts that there were no fewer than fifteen major Civil War battles and more than 300 armed engagements in the Shenandoah Valley (as the Park Service Report states) resulting in 40,000 casualties, there is not a single National Park facility for the Valley's battlefields.

Recognizing the financial, logistical, political, and social impossibilities that any attempt to purchase all or even most of the 86,000 acres covered in the draft Report (or even the 34,000 core area acres) would face, we nevertheless believe that there should be two National Park interpretive centers in the Valley. Such an undertaking would be feasible and would go a long way toward demonstrating the federal government's commitment.

Because there were two primary "Valley" campaigns, there should be two interpretive centers in the Valley: One center should serve as a tourist base for each campaign. It would make historical sense to have one facility in the Upper Valley (to serve as a tourism nucleus for Stonewall Jackson's 1862 campaign) and one in the Lower Valley (to serve as a nucleus for Phillip Sheridan's 1864 campaign). Such a plan would also make logistical sense, in that tourists would enter the Valley from both above and below the Massahutten Range (a geographic key to both military campaigns)--i.e., from the northern and southern ends of the Valley. Starting at each such base of operation, tourists would take their own driving tours through the affiliated area battlefields on their way to the other interpretive center.

As discussed, there would be no federal "taking" of land. However, there is currently a lot of private battlefield acreage for sale in the Valley and land prices are fairly reasonable in some cases. For example, there are several hundred acres within the Cedar Creek core area currently for sale, which are adjacent

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to (or near) the Cedar Creek Battlefield Foundation's present acreage. That organization would be willing to donate its current land holdings to the National Park Service to serve as a nucleus for an interpretive center in the Lower Valley.

E. Affiliated Areas (With Public Access) Should Be Established At Each Of The Remaining Sites.

In addition to two interpretive centers, affiliated areas (with public access) should be established at each of the Report's remaining battlefield sites. For example, the Lee-Jackson Foundation currently owns 100 acres at Cross Keys; and that property could provide some public access to a core engagement site in the Upper Valley. In short, private organizations are willing to donate their battlefield acreage to the National Park Service which, in turn, could make additional acquisitions of adjacent battlefield land from willing sellers. Such areas would be incorporated into an overall partnership plan involving the Park Service, the Commonwealth of Virginia, local governments, private land owners, preservation organizations, and local business interests.

F. Congress Should Authorize Grant Opportunities To Local Governments To Promote And Develop "Heritage Tourism."

Local governments need an incentive to get the concept of heritage tourism underway as a legitimate economic alternative to traditional development. Local officials frequently make the argument that, because they must generate substantial tax dollars to pay for police, fire, education, and other public services and because citizens need employment opportunities, local governments

have no choice but to permit construction on battlefields sites-- i.e., open space that "perks" and is near existing road networks, utilities, and water supplies. In short, the economic incentives to permit traditional forms of development must be countered by land-use planning and implementation grants to develop and promote heritage tourism. Modest grants would serve as a powerful impetus for local officials to make responsible land-use decisions that would steer traditional development away from battlefield sites. In the end, the benefits of such a program would greatly outweigh the costs.

G. Congress Should Authorize Economic Incentives To Land Owners To Preserve Battlefield Lands.

As stated, many Valley battlefield land owners are predisposed against traditional development. They nevertheless face harsh economic realities and should thus be rewarded for agreeing to preserve their acreage. Although it would not be feasible from an economic standpoint for the Park Service to buy all battlefield land (even if, hypothetically, all battlefield owners wanted to sell their properties), it would still be feasible to make incentives (e.g., subsidies, and/or purchase of easement rights) available to battlefield owners who agree contractually not to engage in traditional development. After all, Congress has frequently authorized agricultural subsidies. Land owners who own battlefield acreage adjacent to our proposed interpretive centers and affiliated areas (above) would be fairly compensated for preserving their properties, thus maintaining open-space lands and historic view-sheds. Farmers would

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therefore continue to maintain their properties and continue their agricultural heritage. This would be cost-effective.

If such incentives are not made available, land owners will eventually succumb to economic pressures. They will sell out to traditional development interests, because they will have no alternative. In sum, the battlefields will be lost and the concept of heritage tourism rendered meaningless in the Valley.

H. The National Park Service Should Provide Staff, Expertise, And Other Resources To Local Governments, Land Owners, Preservation Organizations, and Businesses.

The time has come for the National Park Service to take affirmative steps to eradicate whatever vestige remains of its negative perception in the Shenandoah Valley. The Park Service should therefore make its staff, expertise, and other resources available to help local governments, land owners, preservation organizations, and business interests identify and interpret battlefields. For starters, interpretive battlefield maps, plaques, and signs should be prepared, so that driving tours can be established.

CONCLUSION

Just last month, this Nation and the rest of the Free World celebrated the 50th Anniversary of D-Day. Every television in America was tuned in to the ceremonies, and every viewer was deeply moved by the images of aging veterans reunited in the cemeteries where so many of their youthful, fallen comrades are buried.

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At the close of each day's events, I received an overseas phone-call report from one of the journalists who was covering the D-Day commemoration. That reporter was my wife, Katie Couric, of NBC News and the TODAY Show. Each time she called, Katie found it more difficult to express the depth of her emotions and reflections and the pride she felt for our veterans and the mission they had accomplished. In fact, she remarked that several times the simple comradeship, dignity, and humility exhibited by the many veterans she met and interviewed reduced her to tears.

During her last call from France, Katie emphasized that she was literally "shaken" by the imposing geography and topography of Normandy's battlefields, concluding that those sacred beaches, cliffs, farms, and villages must always be preserved as a perpetual memorial and as a symbol of liberty. I say confidently that all Americans who attended or watched the ceremonies would agree with her conclusion.

I responded to Katie that veterans' reunions were not a new thing for Americans. I noted that thousands of Civil War veterans held annual battlefield reunions--indeed, several reunions commemorated 75 or more anniversaries. In fact, Union and Confederate veterans reunited on the Valley battlefields well into this century, as evidenced by these commemorative ribbons for Opequon, New Market, and Harrisonburg.

In 1860, there were 30-odd states. During the Valley campaigns, almost 40,000 soldiers from each of those states were

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killed or wounded in more than 300 armed engagements and 15 major battles. At Cedar Creek alone, nearly 9,000 soldiers from 23 states fell. Why would we not express the same respect for those veterans and war-dead as we--as a nation--recently expressed for the heroes of D-Day? Why would we not express the same reverence for the geography and topography on which the great battles of the Shenandoah were fought? After all, nearly seven times the number of American soldiers who fell in Normandy fell in the Shenandoah Valley.

And one of the Valley's survivors, General Thomas Rosser, who commanded the Confederate cavalry, would even make his way out to Minnesota, where he developed the railroad system that furthered Westward expansion; while another Valley survivor, Captain Miles Keough, would make his way via Minnesota to the Little Big Horn, where he and the rest of the Seventh Cavalry perished under the command of George Armstrong Custer, who himself had commanded a Union division during the 1864 Valley Campaign.

STATEMENT OF WILL CALLAWAY

Mr. VENTO. We have Mr. Will Callaway, Washington Representative of the National Parks and Conservation Association.

We welcome you.

Your statement has been made part of the record. If you want to summarize.

Mr. CALLAWAY. Yes, I also have some comments on the Corinth legislation.

Mr. VENTO. You can do it at this time, I think.

Mr. CALLAWAY. Thank you very much.

I would try to be as brief as possible in the interest of time.

The National Parks and Conservation Association, NPCA also represents Citizens Protecting America's Parks. We now have 450,000 members, I testify today on their behalf.

I would like to read a quote from Bruce Catton from the book the "Civil War."

"A Federal Army trying to take Richmond could never be entirely secure until the Confederates were deprived of all use of Shenandoah Valley."

I think that speaks very well to the significance of the Shenandoah Valley. The significance of campaigns, primarily 1862, the Gettysburg Campaign of 1863, and finally the Sheridan Campaign of 1864. Many Americans might not recognize this campaign period in the significance of the Shenandoah Valley during 1862 to 1864.

Most might realize that Stonewall Jackson received his nickname at Manassas. They might not realize that his importance to the Confederacy was probably foremost in protecting the Valley and subsequently protecting Richmond.

Gettysburg, I think due to the recent movie, is familiar to all Americans. However, not many would realize that Confederates marched up through the Valley on their way to Pennsylvania and into battle.

Finally, I think most southerners specifically are very familiar with the activities of Sherman marching through Georgia. However, not many would be familiar with "The Burn" Phil Sheridan met marching down the Shenandoah Valley.

I raise these points because there is a lack of familiarity due to a lack of education. The National Park Service has noted that their Park Service Civil War repertoire does not include the Shenandoah Valley campaigns.

The Civil War Sites Advisory Commission also noted specifically that the report released in September and submitted to Congress in January of 1993, raised the issue of protecting the Shenandoah Valley as a separate campaign as something that was lacking in the National Park Service representation and interpretation.

Like yourself, this committee and the full committee, NPCA struggles with designation of any type of new park units. My testimony in Corinth will relate to that and I think give you that concern.

In looking at the Shenandoah Valley, however, we feel like we have a nationally significant unit that does deserve protection. And two issues have come up in the report that I think are very significant.

Again to quote, this time from the Civil War Sites Advisory Commission related to Shenandoah Valley and its protection: "This opportunity will only remain for a relatively short period of time."

The opportunity they refer to is the cooperative work between the locals and the National Park Service.

Unlike a large number of national park sites, we have had a ground effort at the local level that has worked cooperatively with private citizens, local government, NPCA and I know other environmental organizations in looking to protect the area. I feel like that is unique, and it moves this bill forward much more quickly than might otherwise have occurred. And for those reasons, I think this subcommittee and the full committee should give a lot of thought to the efforts that have been put in and also give that a lot of weight.

Finally, the issue of time. As noted, a large number of these sites still have good to fair integrity. However, we have already lost two sites. I believe the Front Royal and first Winchester sites have been shown to either be poor quality or lost full integrity.

As time passes on, we will lose more of those sites, unfortunately. Therefore, we would encourage the subcommittee to try to move forward on this bill, potentially during this Congress. I realize time is short, but it would be significant for the people who have put the time and effort in as well as for the resource, which again NPCA does feel deserves the protection of a full park designation.

If you don't mind, now I will turn very quickly to Corinth and try to be brief. NPCA does not in any way question the integrity of the Corinth site. I was in Corinth, Mississippi, in January of this year visiting with Woody Harrell the Superintendent of Shiloh, we spent a greater part of the morning traveling around Corinth looking at a variety of sites.

Corinth deserves and needs improved interpretation and also needs improved assistance from the Park Service. We don't feel that building a visitors center before any type of protection plan in place is the right approach.

We feel that is a little bit backwards. If the Park Service were given some additional resources and time to look at the Corinth site to provide alternatives to Congress as to how they might protect Corinth and provide interpretation, we feel that would be a more wise approach.

Simply directing the Park Service to spend \$6 million on a specified visitors center is the wrong approach. You may have heard Mr. Babbitt say very recently that no new roads and no new construction will be occurring in park units that are not already authorized. This goes directly against that type of policy.

It is a policy that NPCA has not adopted but one that we do support in that resources need to be protected; the backlogs need to be addressed before we move to construction of new visitors centers. As you know, Mr. Chairman, there are a large number of parks that have been around for a long number of time, that have visitor centers in their General Management Plan.

However, those visitor centers have not been built either. We would like to see something happen at Corinth. We don't want to specify what that will be.

I did add in my testimony today a photograph of the rail depot in Corinth. As you well know, the significance of Corinth is that the East-West/North-South train intersection that is still present there was part of the battle of Shiloh, the reason for the battle of Shiloh, and the reason for the siege on Corinth.

It is very important to the North to take that rail line, to cut off communications to the West, and also to seize a large number of trains that were moving through with Confederate supplies.

If you have any other questions about Corinth, I would also be willing to answer those at this time or later, and I appreciate this opportunity to testify.

Mr. VENTO. Yes.

Thank you, Mr. Callaway,

[Prepared statement of Mr. Callaway follows:]



National Parks and Conservation Association



TESTIMONY PRESENTED BY WILL CALLAWAY,
WASHINGTON REPRESENTATIVE FOR THE
NATIONAL PARKS AND CONSERVATION ASSOCIATION

BEFORE THE U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS

REGARDING S. 1033 and H.R. 746, THE SHENANDOAH VALLEY NATIONAL
BATTLEFIELDS PARTNERSHIP ACT, AND S. 986 and H.R. 3714, THE
CORINTH, MISSISSIPPI, BATTLEFIELD ACT

JULY 25, 1994

Mr. Chairman and members of the subcommittee, my name is Will Callaway, and I am a representative for the National Parks and Conservation Association (NPCA). On behalf of NPCA and its 450,000 members I appreciate this opportunity to testify in support of the Shenandoah Valley National Battlefields Partnership Act, S. 1033 and H.R. 746. I also have comments regarding the construction of an interpretive center at Civil War battlefield sites in Corinth, Mississippi, as called for in S. 986 and H.R. 3714.

NPCA strongly supports the National Park Service's (NPS) efforts to protect the remaining, viable historical sites associated with the Civil War. Much like the country's natural resources, these vestiges of the country's struggle for democracy are threatened by uncontrolled growth and development. It is imperative that the Congress acts to protect the remaining nationally significant sites that retain their integrity. As the Civil War Sites Advisory Committee (CWSAC) report stated, and as will be reiterated here today, "this nation's Civil War Heritage is in mortal danger; it is being bulldozed and is disappearing under buildings, parking lots, and highways."

SHENANDOAH

"This valley, running southwest from the Potomac behind the shield of the Blue Ridge, had been of great strategic value to the Confederacy ever since Stonewall Jackson had demonstrated its possibilities. . . . All in all, a Federal army trying to take Richmond could never be entirely secure until the Confederates were deprived of all use of the Shenandoah Valley." from The Civil War by Bruce Catton

Certain battles of the Civil War continue to be defining moments in the United States' history. I don't believe anyone would question the significance of that time, so it is unnecessary to summarize the

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importance of the era. The battles of the Shenandoah Valley are recognized as integral to the success of the Confederacy in preventing early victory by the Union. "Stonewall" Jackson's men were able to hold the Valley as a southern stronghold for most of the war until Sheridan's troops overwhelmed the Confederate troops in 1864 and marched southward.

What remains in question is our ability to appreciate that history and protect the sites on which strategic battles occurred. Once rural farmland, many of these sites are now in the path of residential and commercial development. Three of the sites, Cedar Creek, First Kernstown and Fisher's Hill, are listed by the Civil War Sites Advisory Commission among the fifty priority one battlefields that deserve immediate protection, and three other sites: Cross Keys, Port Republic and Piedmont, are listed as battlefields that are experiencing threats.

The battlefield sites of the Shenandoah Valley deserve full status as units of the National Park System. The report produced by the Interagency Resources Division of the NPS noted that of "the 85,909 acres of battlefield study areas 82 percent were determined to have generally good integrity." However, the study team also indicated that growth in the area will lead to "four principal sources of changing land use that will damage or destroy key historic sites: residential, commercial, highway, and industrial development." The report goes on to conclude that "[e]ffective retention of most of these remains is an opportunity that still is available but one that must be handled by governments and the community working together in order to be successful, for this opportunity will only remain for a relatively short time."

I would like to focus today on two concerns of the study: cooperation and time. The bill is the result of cooperation between local land owners, local and federal government and the conservation community, including NPCA and the Association for the Preservation of Civil War Sites. At every stage of the process, efforts have been made to include all those involved and to work cooperatively toward the goal of protecting these sites, as well as property rights. The legislation before you today is derived from an atmosphere of using the best tools available to achieve these ends, whether that be local zoning, easements, private or public ownership, or local or federal management.

S. 1033 calls for a heritage plan to be developed and implemented by a Shenandoah Valley National Battlefields Commission, established by this act and to be appointed under the auspices of the Secretary of the Department of the Interior. The Commission is to draft the plan within two years and send to Congress a final plan within three years. We agree with the concept of establishing the commission, but like you we are concerned about the role it will play in management of the park.

The legislation needs to be clear that designation as a battlefield park transfers authority over all federal lands to the NPS. Additionally, we disagree with action by the Senate that eliminated provisions for study areas. The core areas do not include many of the sites that are suitable for inclusion in the park. Authority should be in place for the NPS to work for future expansions. NPCA understands the rationale of starting with only the 1,863 acres identified by S. 1033, but this must be recognized as only a starting point. NPCA agrees with NPS that a failure to expand these boundaries will mean the loss of the battlefields of the Shenandoah Valley campaign.

Time is critical. It is unfortunate that several of the 15 battlefields studied cannot be included for recommendation in this bill. The battlefields of First Winchester and Front Royal already have been lost to development. Local development threats are considered a high to moderate risk at five other sites.

Delays in passage of this legislation or in implementing a heritage plan could lead to more sites being rated as poor or lost, as are First Winchester and Front Royal. The cooperative effort put forth by local groups, many of which will be represented on the Commission, should provide a sufficient base to prepare the management plan more quickly than a new unit might otherwise require.

I believe that most individuals and groups that come before you today will be supportive of this act. They are supportive because they know that to fully understand the Civil War one must have a comprehensive view of the period and the actions during that period. Many Americans are aware that Thomas "Stonewall" Jackson received his nickname at Manassas, but they are not aware that his leadership was most valuable to the Confederacy in controlling the Shenandoah Valley and consequently protecting Richmond during the early years of the war. Gettysburg is familiar to most Americans, but the 1863 Shenandoah campaign that led to the confrontation in Pennsylvania remains just a footnote. And few southerners are unaware of the significance of Sherman's march through Georgia, but the importance of "The Burn" of the valley by Sheridan's troops does not register the same type of emotion with most citizens. Why are most people unfamiliar with these events? In part because the Shenandoah Valley campaign is not represented in the NPS Civil War repertoire.

Passage of this legislation will help not only to protect these sites, but also to educate individuals about the significance of the Shenandoah Valley campaigns during the Civil War and to bring a more comprehensive view to that defining moment in U.S. history.

Finally, it is worth noting that the NPS has expressed its reservations about passage of this legislation, even though the sites have been identified as nationally significant and suitable for designation as units of the National Park System. I understand that these concerns still are a factor for the NPS. There are some points that need to be worked out by all parties involved, but delay in protecting sites in the Shenandoah Valley may mean loss of those sites. Other means of protection are not currently available, and the battlefield sites of the Shenandoah deserve full park protection.

CORINTH

"General William T. Sherman was sent forth on the so-called Yellow Creek Expedition for the purpose of destroying railroad communications to the west of Corinth, Mississippi, the objective of the campaign." from Shiloh, Historical Handbook #10 by Albert Dillahunt

Mr. Chairman, unfortunately we must continue the theme of threatened resources when we discuss the battlefields of Corinth. These battlefield sites are widely dispersed and many are surrounded completely by commercial or residential development.

However, local preservation groups have strived to maintain many of the sites and provide some interpretive services. Examples of bunkers employed by Confederate troops and the junction of two major rail lines in Corinth give this area historic significance worth recognition and protection. Corinth is listed as one of the Class B battlefields (sites having a major influence on the Civil War) by the Civil

War Sites Advisory Commission. Interpretation and preservation efforts should be undertaken by the NPS for the 14 sites identified in this act; however, it appears insufficient thought has been given as to how these efforts can be achieved.

The battle of Corinth is closely associated with a more well known battle: Shiloh, which occurred some 20 miles to the north. The NPS maintains and operates a headquarters and interpretive center at Shiloh National Military Park (NMP). Section 4(c) of S. 986 stipulates that Shiloh NMP will serve as the administrative unit for interpretive services at Corinth. However, the bill does not authorize official

designation or provide for any type of protection plan for the lands that represent the siege and battles of Corinth. These bills ask the NPS to spend \$6 million for a visitors center and then provide interpretive services for a site that is not a unit of the National Park System. This approach is not the best way to achieve the preservation needs identified at Corinth.

NPCA does not believe the available NPS staff at Shiloh can serve the daily interpretive needs of Corinth, but they appear to be sufficient to handle the administrative function, assuming additional resources would be made available. To provide proper interpretive services, the NPS should be directed to report to Congress on the alternatives for management of the Corinth battlefield sites.

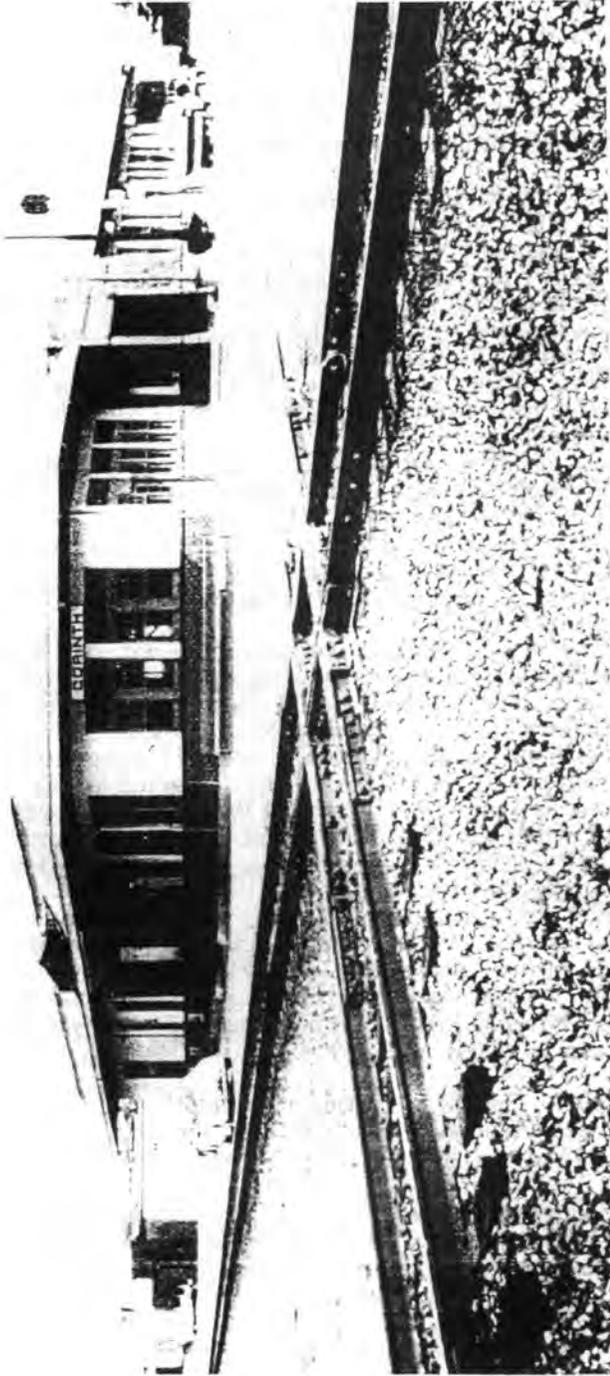
While interpretation is a necessary element for the Corinth sites, the construction of a new center at a cost of some \$6 million is not feasible in light of current budgetary constraints faced by the NPS, nor is it necessarily the best alternative.

Attached with this testimony is a copy of a photograph of the railroad junction where the Memphis and Charleston railway (east-west transit) crossed the Mobile and Ohio railway (north-south transit). The significance of controlling this juncture led to the battles at Corinth and Shiloh. The importance of this crossing can be lost in the greater attention paid to the individuals and battles that mark the Civil War. In the background of the photo is the Corinth Rail Depot, currently vacant for the most part. In order to focus interpretive efforts on the significance of the railroad junction, it would make sense to place an interpretive center in this building. Visitors could then travel to other sites around Corinth with a better understanding of why those battles were fought.

NPCA is not suggesting that this is the only alternative for an interpretive center. However, we are suggesting that suitable sites can be found without constructing a new, federally funded visitor center.

The legislation before you today should be amended to address immediate needs at Corinth. Additional resources should be made available to provide for a federal role in protecting sites around Corinth and to provide for improved interpretation. Adequate staffing and interpretation will provide the type of presentation that currently is lacking at so many park units and the Corinth battlefields.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions from you or other members of the subcommittee.



Corinth, Mississippi's critical position as a railroad junction led to the siege and battle in 1862. The city also housed a major "contraband camp" of escaped slaves during the war. (NPS)

STATEMENT OF STEVE McINTYRE

Mr. VENTO. We probably will have a few questions on that and we will try to first deal with the issue of Shenandoah.

But finally on this panel, I want to invite Mr. McIntyre from Dayton, Virginia. His statement has been made a part of the record.

You can summarize in five minutes or less.

Welcome.

Mr. McINTYRE. It shouldn't take very long.

Thank you, Mr. Chairman.

I am a lifelong resident of the Shenandoah Valley, born in Winchester and currently residing in Rockingham County. Even though my property is not within any of the proposed battlefield areas, I do have some particular interests in the legislation at hand.

Having grown up in Winchester, you can imagine that I was exposed to Civil War history at a very early age. There is a fascination about the idea that a country as great as ours could have ever been divided over any issue.

After moving from Winchester, Rockingham County, I earned a Bachelor of Science in Psychology and History at James Madison University; more proof of my love of history.

To sum up that educational experience, I learned that free thinking in free society is what makes our country so great.

With that free thinking in mind, I would like to offer some concerns regarding this legislation.

I am an insurance professional, working daily with individuals, businesses and farmers to make sure they are properly protected. Two years ago, a number of clients posed questions to me regarding their estate property which is synonymous, and how it would be impacted by the historical designation, battlefield designation and possible expansion of the Shenandoah Valley National Park.

Their questions and mine simply put is: What happens to the estate or property which would normally pass from one generation to the next? Does the property owner have a right to protect his or her equity and appreciation of value?

Since that question was presented many times, I became more involved in the issue of preserving the rights of private property owners for their future generations. In my community of Dayton, I served as spokesman for an area citizens group testifying in public hearings and offering factual input regarding a very offensive historical ordinance which was presented and subsequently defeated.

It became evident that preservation was not the actual agenda, and when the local residents were educated on the real issue, of approximately 350 of the 464 registered voters signed their names stating "no way."

In defense of our local governing body, they thought they were on a noble crusade to preserve things, but the misinformation and inflated promises of tourism dollars and free money couldn't stand a realistic scrutiny. It was actually a case of a few people trying to benefit at the cost of many.

Since then, I have testified at hearings in Rockingham County regarding their proposed comprehensive plan for the Shenandoah

Valley Park Related Land Use Study, the Virginia National Resources Board regarding citizen input and now today. In past two years, I have witnessed by their actions and comments considerable contempt on the part of the National Park Service and related departments toward private property owners and their rights of ownership.

I have a passion for history, and in particular the Civil War. It is exhilarating to go ponder the commemoration of valor and battlefields. There is nothing wrong with new jobs and revenue from people enjoying the historical interest.

I find it necessary to resist that emotion and be realistic and consider how this may affect property owners in a negative. U.S. legislators have labored to create a happy medium; I would like to call it a safety net for property owners.

It is an absolute that the National Park Service not be permitted the right of condemnation. In addition, that shouldn't be permitted through any local governing body either. The local commission is a must.

However, it would be preferable for those on the Commission to be selected from backgrounds less prone to act on emotions. The National Park Service should not be permitted to own the land.

Since our Civil War ancestors were fighting for their respective freedoms and property, it would hardly be reverent to hand over the right of ownership with a stroke of a pen; enhance, the "safety net" by creating a "self preservation amendment." This would allow any disgruntled property owner to opt out of any preservation easement or other encumbrances.

In closing, you need to get to know real Shenandoah Valley people. I found that a lot of the hearings that were conducted, the people that I talked to they were—they were working, they didn't go. So I am here to represent their interests.

They worked hard for their land and are proud of it. They are tough and not easily intimidated. They are intelligent. And if deceived or oppressed, will fight back with tenacity. It is a heritage we have enjoyed for some time.

I and many others feel relatively sure that the National Park Service will press you for condemnation rights, and most likely try to disband the local commission before it ever gets started. But our greatest concern would be that they attempt to lay the groundwork for the future exploitation of the Shenandoah Valley through some unknown designation through this legislation.

Many residents of the Valley would consider this as an invasion, we might have to solicit of our reenactment friends to repel the oppressor.

Mr. VENTO. Thank you.

I paid special attention Mr. Greene on the fact that there are noncontiguous units that are successful. The question is, is it de facto or by design.

Mr. GREENE. Well, the Civil War armies that fought in the Shenandoah Valley had the lack of consideration to fight them in scattered places rather than in a way they will be contiguous. We have a set of circumstances that require us to manage them in this way, connected by a system of public roads. I visited all of those sites

that I mentioned to you, and as a visitor, I found them very satisfactory.

Mr. VENTO. I am not concerned. I mean, obviously, we could assume that there would be sort of a continued development pressure here and there. In fact, one of the witnesses, I think Mr. Monahan indicated that even during the consideration of this bill, a couple of the sites have already been impacted.

Mr. Monahan, you testified to that particular?

Mr. MONAHAN. One was salvaged at the last moment by the City of Winchester and Frederick County. And the other a portion of the battlefield will be impacted by an industrial site.

Mr. VENTO. Mr. Watkins, I am very impressed with the testimony from the county, because the county is at the grassroots and you are elected. You are representing the elected commissioners. I don't know if you, yourself, are elected—you are probably an administrator. But that is really where the activity has to take place. You have to find a way to integrate the concepts of preserving these areas with the development that takes place in Frederick County. And so far, you have tried to do that. I guess you could probably point to some successes and some failures.

Mr. WATKINS. Yes, we have had some failures in the past. I think the whole activity of the Park Service, with the study they did in the Shenandoah Valley, helped wake us up to our resources. And I think before that time, we had some failures. Since then, I think we have been successful, but we see real problems looming ahead if we don't get some sort of help.

Mr. VENTO. You have to integrate a lot of factors like economic development, and other types of natural environments, as well as cultural development and the needs of the areas in terms of residential development and so forth. So these decisions are always controversial. And, of course, they are adding in some new factors now. I mean, you normally have the view, we have the transportation, the other utilities, whether you are going to go there.

Mr. WATKINS. That is correct, yes, sir.

Mr. VENTO. This is obviously an issue on which not everybody in the community or the county is in sync; is that correct?

Mr. WATKINS. Yes, sir. I think one of the big needs in our community is for public education, that is why we are going to undertake that effort in terms of what is there. But we very much support the approach of a "willing seller" or donator, and that sort of fits in with our whole attitude.

Mr. VENTO. We always like it when everyone cooperates, but sometimes they don't. Sometimes you have to pass an ordinance or a plan.

Mr. McIntyre, you are concerned about an individual property owner always agreeing with the decisions made by the Park Service; is that correct? That they make a decision to preserve something or to limit some development. And you are proposing that that individual landowner ought to be able to opt out; isn't that correct?

Mr. MCINTYRE. Yes, sir. They have some preservation.

Mr. VENTO. You call it a preservation, a safety net of "self-preservation amendment," preserving yourself.

Now, do you have the same option with regard to, for instance, the county or the State? Laws governing land use?

Mr. WATKINS. I am sorry.

Mr. VENTO. Do you, Mr. McIntyre, do you have the same option? Do you have some sort of an optional "self-preservation amendment" that governs the development rights that the county or that the State limits you to?

Mr. MCINTYRE. Well, that is not a voluntary situation.

Mr. VENTO. It is not voluntary. I would say it is not voluntary. I know. But you are suggesting for the Park—for the preservation of cultural resources, it ought to be voluntary?

Mr. MCINTYRE. Perhaps.

Mr. VENTO. Well, if it is locally put in place, I mean they have to say you can't put up a 10-story building or you can't build something else.

Mr. Monahan.

Mr. MONAHAN. Well, the way that—you have two players of local regulation. You have the county which has a comprehensive plan—actually three layers, because you may have a town council. Some of the battlefield sites in my county are affected by town council zoning decisions. So you have the very local historic districting, and you have county-wide districting, and then you have Virginia code or Statewide historic districting; all three layers require public hearings, all three—well, the State level requires a majority of property owners to sign on to historic districting, but there is no opt-out provision.

Mr. VENTO. Well, that is unique to your State, I might add.

Mr. MONAHAN. Yes. Unfortunately.

Mr. VENTO. I won't mention the genesis of it; it is a little painful.

Mr. MONAHAN. I was on the losing side of that genesis, too.

There were several points that Mr. Rogers was raising, and I think that this bill really handles all of them. So if I could—just have a checklist.

Mr. VENTO. Sure, if you want to go through it quickly.

Mr. MONAHAN. He said as a policy matter, because of the administration that there was going to be a problem having a commission per se. I don't really care what you call it. He talked Mr. Rogers about a quote, "locally based planning process." That is the gist of this bill.

I said that there are these layers of public hearings that are required by Virginia law before you can engage in protective zoning. This bill recognizes those expressly.

There is a question about whether there would be sufficient acreage preserved in fee simple, and that raised the condemnation issue. I have to say emphatically that the one thing that really sold this bill through five unanimous boards of supervisors in Virginia, was the fact that it prohibited condemnation.

We think that the way the bill is drafted, with the various layers of protection we have enough protection. If you have a willing property owner who wants to donate or sell his land, he can, for fair market value. If he didn't want to sell, he can't be forced to sell. So they say, well, if you have somebody who wants to protect, somebody who doesn't want to protect, that is when the local zon-

ing process comes and that is when the grant incentive program to those localities do come in.

But in order for the localities to enter in a memorandum with the Secretary of Interior in what we call an "Improved Preservation Plan," there has to be a meeting of minds between the Department of Interior and the local planning process, after public hearings at the local level, so all that due process is built in. So on the one hand, if the Park Service is concerned about coming in and taking over and starting to administer something that is not going to work, they are going to know that up front, because the bill calls for a year planning process.

And if we don't have the plan that the localities sign on to in terms of protective zoning after public hearings on impacted landowners, they are not going to be a party to an agreement to begin with. We may end up saving 3 or 4 sites instead of 10 sites, but at least all the localities will have their say.

Mr. Rogers said that the Secretary of the Interior should prepare the plan. We think that the way the bill is drafted, it gives the Secretary of the Interior a veto power over any plan; that Department of the Interior is intimately involved with the localities that would be on the Commission because we have representatives from each of the five local jurisdictions who would be in negotiations sessions with the Secretary of the Interior's designee. Once again, if there is no meeting of minds, then you don't have a plan.

Mr. Rogers mentioned a feasibility study. Well, we had a four-year study on the Valley, it went through two or three drafts. We have a final study, and I might add, that the very preservation recommendations from the final Park Service study sound like they are describing our bill. They said they are calling in, the Park Service is calling for enhanced public funding and technical assistance to State and local governments and to private owners for site preservation and interpretation.

Point three, was creation of one or more affiliated areas of the National Park System.

And point four, was acquisition of one or more sites for the National Park System's interpretive technical assistance and management focal point, in conjunction with battlefields under non-Federal management. It sounds like our bill to me. So I don't understand—

Mr. VENTO. I think the feasibility and suitability are sort of words of art. I am not an attorney, but they are words that the Park Service deals with that I suppose could be very confusing. But they are really talking about their ability to administer and to use it and there are a number of criteria. So that really is sort of inside the park system as talk, but it is really not talking about a feasibility/suitability study, with their ability to administer. It isn't a feasibility study as to—

Mr. MONAHAN. I understand that, but I might add that when the Deputy Director, Mr. Reynolds, testified before the Senate, he talked about what would go into a feasibility concept for managing the bill. And this is what he said, again it sounds like he is describing our bill:

The Park Service supports the concept of a locally based planning process to develop a partnership preservation plan for conservation of important resource values.

This planning process ought to explore, with the assistance of the National Park Service, appropriate structures to administer the preservation plan, including the determination of what resources, if any, should be included within the Shenandoah Valley Civil War Battlefields Park. No efforts to preserve the resources of the Valley can succeed without formal intense involvement of the local and State officials and interests. And as a means to support this effort, we endorse the use of grants to facilitate the development of local preservation and interpretation programs. The National Park Service supports the declaration of the national significance of the areas.

John, what else do you need? We have heard from Mr. Rogers, we have heard from Mr. Reynolds, and we heard from the Park Service's final study in terms of a feasibility. I am not here to argue, I am just here to—

Mr. VENTO. I think they are trying to look at how you tie it all together in terms of interpretation. I don't know, you can talk Mr. Rogers individually about it.

I think just moving to another point, Mr. Monahan, and other witnesses, the issue, of course, is whether or not we want to set up a commission and sort of have another subdivision of local government here. In other words, create a new box, albeit one that is clearly intended to tie together the—how many counties are involved Mr. Watkins?

Mr. MONAHAN. Five.

Mr. VENTO. Five counties. The point, they can have a compact or an agreement between them and with the Park Service, in terms of what the plan would be for development and the purchase or the grants that they would be seeking and/or the donation of land from the trust. And so that could occur, but maybe that should all take place in conjunction—whether or not we need a commission to do that, I don't know.

In fact, I think what the Park Service is suggesting is they would just as soon have a compact like that, where the agreements would be set down in black and white, not that they couldn't be modified or amended, but the counties should all be making commitments up front. Right now, everybody tends to be in agreement. But these things have a way of unraveling as they go forward 10, 20 30 years. And what was said and in the enthusiasm of the support for the Shenandoah areas in 1994, tends to get lost as proposals come forth which would provide great benefits to a local community or county in the future. And it would be nice to have that sort of agreement in place and the continuity.

If you have a commission, you got a commission for 10 years, it gets set up, it gets lost. I think people sometimes get frustrated because they have to run around to different commissions, whereas if you had the county which has the responsibility—or I guess in Virginia, it is the county that has the zoning responsibility, or has the power to make those types of agreements, that then they would, in fact, be the working entity. Albeit that the Park Service has to keep its end of the bargain in a sense, in terms of suggesting what type of technical assistance or grants, if any, could be made to empower and help these decisions down the road.

The irony, of course, is a lot of people like to live around parks whether they are cultural parks or natural parks. In fact, it enhances the value of the land around them. Obviously, if you yield to one landowner to in fact put up his McDonald's restaurant or

other type of restaurant, they can do quite well, especially when everybody else is limited to an agricultural setting or passive setting. So some agreement here is paramount.

And I think the Park Service is fighting or dealing with the problems represented by units that have been designated, and perhaps looking for a better way in the future with the type of magnitude. We are not just talking about these 14 sites, but some 500-plus sites nationwide that have similar characteristics related to this particular theme. And so we have got to come up with something that will work, not just in Shenandoah, but will work in other sites where we have the same opportunity. I would hope we could do that. I think it can be done, but it is problematic, as you can imagine, for the Park Service to do.

Mr. Callaway, just on the Corinth site, a different topic, what is the age of the train station there; do you know?

Mr. CALLAWAY. I don't know, and I am remiss in not—I was trying to get that information last week and I have been a little bit busy, unfortunately.

Mr. VENTO. Do you know what are the present plans for where the visitor center site ought to be built?

Are you suggesting that this site ought to be used?

Mr. CALLAWAY. There is a site where one of the major battles was fought, and at one point was due for some commercial development, I believe they were putting in some townhouses there. Since that time, I believe it was the county or the city has retained the land and have even gone to the point of having a scale model of the visitors center drawn up. And I think the representatives from Corinth here will testify on that.

Again, we do not argue the point that Corinth was a significant site or that interpretive services need to be provided there. It is just that there seems to be other facilities around the area, and we have noted the rail depot most specifically because it is currently vacant and the focus of Corinth is on the rail crossing there.

I think it might serve as a beginning point for anyone who wished to visit the area. You could potentially place Park Service personnel at the site without construction of an entirely new facility.

And I think the administrative function as the bill calls for, can be taken care of through the Shiloh headquarters some 20 miles away, but you would need additional resources and Park Service staff I think on site in Corinth.

Mr. VENTO. Well, thank you all very much for your testimony. I know that you put a lot of effort into it and we are kind of moving along quickly here today. But I think we have it available, staff members will study it.

I will read your statements again and I hope that the discussion and my feedback has been of some help to you as to the concerns I might have and the direction that I think we need to go to successfully conclude this in this session.

Thank you very much for your testimony.

Mr. GREENE. Mr. Chairman, I neglected to introduce a list of several hundred people who have endorsed this bill; may I introduce this?

Mr. VENTO. Yes, without objection.

[The information follows:]

THE FOLLOWING INDIVIDUALS AND GROUPS HAVE CONTRIBUTED WRITTEN
ENDORSEMENTS OF THE SHENANDOAH VALLEY NATIONAL BATTLEFIELDS
PARTNERSHIP ACT OF 1993

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NAME	LOCATION
Assocn For The Preservation Of Civil War Sites	Regional
Brenda H. Schwarzkopf (Mrs. H. Norman)	Regional
James McPherson / Princeton Univ, Dept Of History	Regional
The Civil War Trust	Regional
Lee-Jackson Foundation	Valleywide
Shenandoah Valley Travel Association	Valleywide
Mr. Henry E. Simpson	Birmingham AL
Mr. Joe D. Smith, Jr.	Alexandria LA
Mr. N. Wayne Cosby	Denham Springs LA
Mr. Sterling W. LeJeune	Lafayette LA
Dr. Richard C. Datzman	New Orleans LA
Mr. Peter T. Middleton	Arlington MA
Mr. Charles Bowie Lanford	Vicksburg MS
Mr. & Mrs. James J. Genovese & Family	Jamesburg NJ
Mr. & Mrs. Joseph A. Callahan, Jr.	Neptune City NJ
Mr. Mark Rothert	Portland OR
Mr. William J. Buchanan	Broomall PA
Mr. David W. Charles, Jr.	Havertown PA
Mr. Ralph D. Conrad	Jeannette PA
Mr. Ronald S. Lenox	Lancaster PA
Mr. I. B. Sinclair	Media PA
Mr. & Mrs. C. Charles Smith	Newtown Square PA
Mr. Remy I. Djerassi	Philadelphia PA
Mrs. Lois C. Miller	Reading PA
Mr. Bradley J. Bean	Shillington PA
Harris D. Riley, Jr., MD	Nashville TN
Mr. & Mrs. Edward T. Cotham, Jr.	Houston TX
Brian C. Pohanka	Alexandria VA
Preservation Alliance Of Virginia	Augusta VA
Winston B. Wine	Augusta VA
Dr. Daniel J. Beattie	Charlottesville VA
Clarke County Board Of Supervisors	Clarke VA
Clarke County Historic Preservation Commission	Clarke VA
C. Michael Schneider	Falls Church VA
Belle Grove Plantation	Frederick VA
County Of Frederick	Frederick VA
Frederick County Board Of Supervisors	Frederick VA
Stewart Bell, Jr.	Frederick VA
The Glass-Glen Burnie Foundation	Frederick VA
Town Of Middletown	Frederick VA

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NAME	LOCATION
Town Of Stephens City	Frederick VA
Winchester-Frederick Chamber Of Commerce	Frederick VA
Winchester-Frederick Cnty. Economic Dev. Comm.	Frederick VA
Annie Snyder	Gainesville VA
Highland County Chamber Of Commerce	Highland VA
Industrial Development Authority Of Highland Cnty	Highland VA
The Board Of Supervisors For Highland County	Highland VA
The Recorder	Highland VA
Virginia's Western Highlands Travel Council	Highland VA
Mr. Carrington Williams	McLean VA
Maj. Robert L. Hanafin	Montclair VA
Luray Caverns Corporation	Page VA
Mr. Edward V. O'Connor, Jr.	Reston VA
Mr. Daniel T. Balfour	Richmond VA
Mr. John P. Ackerly III	Richmond VA
10th Virginia Volunteer Infantry / J. P. Mann IV	Rockingham VA
Arthur J. Hamilton	Rockingham VA
Barbara Moore	Rockingham VA
Barbara Paulson	Rockingham VA
Bob Wade/Bob Wade Lincoln Mercury Isuzu Subaru Inc	Rockingham VA
Cherry Grove Farm / Mrs. George K. Harnsberger	Rockingham VA
Cross Keys Antiques / John B. Woodyard	Rockingham VA
Daniel M. Downey, Ph.D	Rockingham VA
Elkton Downtown Revitalization Corp.	Rockingham VA
F & M Bank - Massanutten	Rockingham VA
Graham C. Lilly / Professor Of Law, UVA	Rockingham VA
Harrisonburg-Rockingham Chamber Of Commerce	Rockingham VA
Harrisonburg-Rockingham Historical Society	Rockingham VA
Harry L. Chandler	Rockingham VA
James J. Geary, Former Dir. New Market Battlefield	Rockingham VA
Lawrence D. Bowers, Jr. / Wilson & Bowers	Rockingham VA
Martha B. Caldwell / Professor Of Art History, JMU	Rockingham VA
Mary C. & Warren S. Jarrels	Rockingham VA
Mr. & Mrs. Brownie A. Cummins	Rockingham VA
Mr. & Mrs. Steve Zapton	Rockingham VA
Mr. & Mrs. Thomas F. Tutwiler	Rockingham VA
Nancy Hight	Rockingham VA
Peter Svenson	Rockingham VA
Rockingham County Board Of Supervisors	Rockingham VA

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NAME	LOCATION
Ronald E. Carrier, President, James Madison Univ.	Rockingham VA
Sharon Metcalfe	Rockingham VA
Shenandoah Valley Civil War Roundtable	Rockingham VA
Steve Saufley	Rockingham VA
The Inn At Keezletown Road Bed & Breakfast	Rockingham VA
The Society Of Port Republic Preservationists	Rockingham VA
Town Of Dayton	Rockingham VA
W. Allen & Phoebe Sherwood	Rockingham VA
W. C. Bedall, Jr.	Rockingham VA
Wilmer Diehl Family	Rockingham VA
C. M. Mike Hunt	Shenandoah VA
Charlotte S. Downey / Stickley House	Shenandoah VA
Clifton M. Franklin	Shenandoah VA
Country Homes / Nancy R. Sullivan	Shenandoah VA
David E. Smith	Shenandoah VA
Elwood Long	Shenandoah VA
Friends Of The North Fork Of The Shenandoah River	Shenandoah VA
Garland Hudgins	Shenandoah VA
Gary L. Casteel	Shenandoah VA
Harold Walter	Shenandoah VA
History Unlimited	Shenandoah VA
Holtzman Oil Corp.	Shenandoah VA
Hupp's Hill Battlefield Park And Study Center	Shenandoah VA
J. Thomas Foster	Shenandoah VA
J. W. Troxell	Shenandoah VA
James H. Faulconer	Shenandoah VA
Jim L. Craun	Shenandoah VA
Jo Ann Owens	Shenandoah VA
John W. Roller	Shenandoah VA
Keith Rocco	Shenandoah VA
Linda Hathaway	Shenandoah VA
Marie M. Long	Shenandoah VA
Mark & Susan Hardy	Shenandoah VA
Mary H. Alexander	Shenandoah VA
Mr. & Mrs. James E. Barrett	Shenandoah VA
Mr. & Mrs. James T. Gallagher	Shenandoah VA
New Market Area Chamber Of Commerce	Shenandoah VA
New Market Battlefield Historical Park	Shenandoah VA
Patricia K. Marie	Shenandoah VA
Ralph Stickley	Shenandoah VA

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NAME	LOCATION
Reformation Lutheran Church	Shenandoah VA
Roberta W. Hinkins	Shenandoah VA
Sager Associates, Inc.	Shenandoah VA
Sarah P. Faulconer	Shenandoah VA
Shenandoah Caverns	Shenandoah VA
Shenandoah County Board Of Supervisors	Shenandoah VA
Shenandoah Valley Quality Inn	Shenandoah VA
Spengler Hall Farm / Virginia Hinkins Cadden	Shenandoah VA
Strasburg Guards/Sons Of Confederate Veterans	Shenandoah VA
Strasburg Museum	Shenandoah VA
Strasburg Rotary Club	Shenandoah VA
Suzanne S. Estep	Shenandoah VA
Tom's Brook Farm /Rodney A. Bankson. CDR. USN Ret	Shenandoah VA
Town Of Edinburg	Shenandoah VA
Town Of Mt. Jackson	Shenandoah VA
Town Of New Market	Shenandoah VA
Town Of Strasburg	Shenandoah VA
Town Of Tom's Brook	Shenandoah VA
Town Of Woodstock	Shenandoah VA
United Daughters Of The Confederacy, Breckenridge	Shenandoah VA
VMI Museum Programs	Shenandoah VA
William D. Lucas	Shenandoah VA
William F. Baussem	Shenandoah VA
William J. Baussem	Shenandoah VA
Women's Memorial Society	Shenandoah VA
Woodstock Chamber Of Commerce	Shenandoah VA
Woodstock Museum Board Of Directors	Shenandoah VA
Mr. Frank R. Pancake	Staunton VA
City Of Winchester	Winchester VA
Downtown Development Board	Winchester VA
Elizabeth G. Helm / Former Mayor	Winchester VA
Preservation Of Historic Winchester	Winchester VA
The Common Council Of The City Of Winchester	Winchester VA
Mr. Donald A. Trausneck	Woodlawn VA

Mr. VENTO. Congressman Wolf or Goodlatte, do you have any questions of these witnesses?

Pardon me for not—

Mr. WOLF. No, we don't.

Mr. VENTO. Without objection.

Thank you gentlemen.

Thank you all.

We would like to invite Mr. Rogers, Director of Cultural Resources to offer some comments on Corinth. Then to have the witnesses from Corinth, Mississippi, to testify.

Thanks.

I think we can start with Mr. Rogers and the others can join you at the table if they choose to. I don't think that they will.

I think we will question you separately, gentlemen, if we can get organized there.

I see Ed Bearss is here.

It is good to see you sitting behind the Director in your unofficial role of former Chief Historian of the Park Service. And someone whose name was actually referred to in testimony today.

Mr. Rogers, please proceed with your statement on Corinth.

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY ED BEARSS, FORMER CHIEF HISTORIAN, NATIONAL PARK SERVICE

Mr. ROGERS. Thank you, Mr. Chairman, you have already stated that all of these formal statements are in the record, so I will again only hit the high points.

With regard to H.R. 3714 and S. 986, to provide for an interpretive center in Corinth, Mississippi. The administration recommends against enactment as being unnecessary given the presence of the National Park Service Visitor Center at Shiloh National Military Park. You have already heard that Shiloh is intimately related to the battle and siege of Corinth. The rationale is that the story can be told in that visitors center at Shiloh. Several sites associated with the siege and battle have been recognized as a discontinuous National Historic Landmark.

The National Park Service has worked extensively with the citizens of Corinth to develop a strategy for conserving and interpreting and promoting the resources associated with that siege and that battle, and we certainly support and encourage those efforts and will continue to do so.

However, the involvement of the National Park Service and local preservation efforts through technical assistance should not be viewed as endorsing the establishment of new units of the park system or assuming additional management responsibilities. On the contrary, they are intended to help develop local preservation and interpretive programs. In Corinth, in this case, we believe that responsibility more appropriately rests at the local level.

Mr. Chairman, that is my summary.

[Prepared statement of Mr. Rogers follows:]

STATEMENT OF JERRY L. ROGERS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 3714 AND S. 986, BILLS TO PROVIDE FOR AN INTERPRETIVE CENTER AT THE CIVIL WAR BATTLEFIELD OF CORINTH, MISSISSIPPI.

JULY 25, 1994

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 3714 and S. 986, bills to provide for an interpretive center at the Civil War Battlefield of Corinth, Mississippi.

We oppose enactment of H.R. 3714 and S. 986 as being unnecessary given the presence of the National Park Service visitor center at Shiloh Military Park which tells some of the same story as is proposed for the Corinth facility.

H.R. 3714 and S. 986 would provide for the construction of an interpretive center at Corinth, Mississippi, to be administered by the National Park Service as a part of Shiloh National Military Park. The bills also authorize the Secretary of the Interior to mark 14 sites associated with the siege and battle of Corinth, if such are determined by the Secretary to be protected by State or local governmental agencies. Finally, the bills authorize \$6 million for construction of the interpretive facility.

The town of Corinth, Mississippi, was named the "Crossroads to the South" because of the crossing of the Memphis & Charleston and the Mobile & Ohio Railroads. This crossing was of prime importance

during the Civil War. Because of this strategic crossing, numerous fortifications were constructed and battles were waged. Scattered throughout the hills surrounding Corinth are intact military fortifications that attest to the crossing's importance. Several sites associated with the Siege and Battle of Corinth have been recognized as a National Historic Landmark.

The National Park Service has worked extensively with the citizens of Corinth to develop a strategy for conserving, interpreting and promoting the resources associated with the Siege and Battle of Corinth. We support and encourage these preservation efforts through technical assistance programs. However, the involvement of the National Park Service in local preservation efforts through its technical assistance programs should not be viewed as endorsing the establishment of new units of the National Park System or assuming additional management responsibilities for the National Park Service. On the contrary, these efforts are intended to help develop local preservation and interpretive programs.

These bills would give the National Park Service the primary responsibility for interpreting the story of Corinth. A role which we believe more appropriately rests at the local level. It is not fiscally possible for the National Park Service to have interpretive centers, such as the one envisioned in these bills, at every significant site associated with the Civil War. We believe that we can appropriately tell the story of the Civil War in this

part of Mississippi from our current facilities at the Shiloh National Military Park.

Thank you for the opportunity to appear before this subcommittee. I will be pleased to answer any questions.

Mr. VENTO. Well, thank you. Thank you for your statements on this matter.

I think the issue here, of course, is about this station that the former witness brought to our attention, Mr. Callaway.

Have you had any type of evaluation of it? For instance, he also mentioned the fact that there wasn't an overall plan and he thought that planning ought to proceed to construction of the site of a visitors center here, if, in fact, we were to decide to do so.

Mr. ROGERS. My own view about the significance of Corinth is that even after all of the attention it has had, that there is still not really enough known about it to understand what the full story is.

One of the things that has surprised me and, in fact, pleases me, is that almost every time we go there, we discover something new and significant, more miles of earthworks, or the evidence that there had been a contraband camp there, or other things that are important, so I certainly don't want to downplay Corinth. But I would agree that all of this reflects an incomplete understanding and that usually suggests more planning.

Mr. VENTO. Didn't the Civil War Commission do any substantive evaluation here that contributed to this thing?

Mr. ROGERS. It did, indeed. In fact, I would say that many of the exciting discoveries that I just cited happened as a result of the work of the Civil War Sites Advisory Commission, and it seems to be still happening. The Commission did terrific work, but it had a nationwide charge and it couldn't go and do detailed work on every single site.

Mr. VENTO. This bill does not call for any local or State participation in the construction of the site; is that correct?

Mr. ROGERS. That is my understanding, Mr. Chairman.

Mr. VENTO. It does not.

So you think more evaluation is necessary at the site simply to understand it more specifically?

What is the nature and the distance of this from the Shiloh?

Mr. ROGERS. It is not very far; I believe about 20 miles.

Mr. VENTO. What type of visitation do we have at the Shiloh site?

Mr. ROGERS. Could I ask, perhaps, Mr. Bearss, or somebody knowledgeable.

Mr. VENTO. The Chief Historian.

Why don't you join him at the table.

Mr. BEARSS. I would be delighted, Mr. Congressman.

Mr. VENTO. What about the visitation at Shiloh?

Mr. BEARSS. Shiloh visitation, I have always been astounded by the site visitation at Shiloh. Shiloh, you have to want to go to Shiloh to be there, because it is not on an interstate. In the days when I was familiar with it, it had a visitation of 500,000. And that was a legitimate visitation that comes into the visitors center. And I am sure it has increased at least between 750,000 and 800,000.

Mr. VENTO. Do you have any idea what the participation of visitation is at Corinth, Mr. Bearss?

Mr. BEARSS. The Corinth is—since it does not have an interpretive center focusing on Corinth, it would have people that arrived at Shiloh to visit Shiloh and stopped there and see several of the—

Curlee House, which is associated with the earthworks there. So I think Corinth's visitation would increase three- or four-fold if it had a visitors center linking it with Shiloh.

Mr. VENTO. It is amazing, a half a million people go to Shiloh. I was not aware of that.

This is a historical landmark; isn't it, Corinth?

Mr. BEARSS. Corinth was designated a National Historic Landmark three years ago. It consists of a number of discontinuous sites, ranging from headquarters, houses inside the town, to the intersection of the railroad, which for argument's purposes, for about three months was the most important place in all of the Confederacy, where those two railroads came together, and about 10 discontinuous areas of the earthworks.

Mr. VENTO. So in other words, it is an historic landmark, but is it unique? Is it still the entire site?

Is it a community that is still there? Is it contiguous with the community, what is the nature of the site? I have no idea.

Mr. BEARSS. The earthworks are generally out from the core area of the city. Then you have the headquarters areas in the town where the various, like General Bragg and the different officers had headquarters. And then you had this key point of where the two railroads crossed, which are near the center of the town, and rather interesting from the railroad station, as you know, down at Plains, Georgia. I think one of the most interesting things about Plains is you can go to the depot there in Plains where Jimmy Carter had his headquarters, as you know, and you can see that block of buildings, that core area, that one block of buildings in Plains.

Now, granted, the core area that you see from the depot in Corinth was not there at the time of the battle, but it reflects that the battle, when the Confederates attacked, they charged into the town and fought right into the streets of the town and reached to the area of the depot. So while the core area of the town is not 1862, it is late 19th Century, and it gives a special feeling that you have a feeling of town and place there associated with its historic sites and the earthworks outside.

Mr. VENTO. So that was the second, the Confederates failed in the second; is that right, Mr. Bearss?

Mr. BEARSS. Yes, that was the second attack.

Mr. VENTO. They actually abandoned the site earlier that year; is that correct?

Mr. BEARSS. Yes. It was besieged from the Federals from the 29th of April to the 29th of May when they ran a terrific scam, as you would say it. General Beauregard ran the trains all night, the Confederates would cheer, but they were pulling the men out of town and when the Confederates moved in the next morning, they were gone.

Mr. VENTO. Well, anyway, the point is the railroad station that is there is late 19th Century as well, I take it?

Mr. BEARSS. The railroad is early, late 19th, early 20th Century. It is not the railroad station that was there at the time, although the intersection is.

Mr. VENTO. Well, it seems to me if it is a landmark, Mr. Rogers, that then would mean the significance of it would be there, plus

of course we are discovering more, the earthworks. Is most of this in public ownership? What is the ownership of the earthworks and other parts of the landmark?

Mr. ROGERS. It is definitely a National Historic Landmark and that means that it has been found to be significant to the Nation at large. I am not familiar with the ownership; I would guess that it is mostly private.

Mr. BEARSS. Mr. Congressman, most of the land is in private ownership, the earthworks, our friends—my friends from Corinth can probably identify whether the Curlee House is in private or public ownership.

Mr. VENTO. Sure. But I think the point here, Mr. Rogers, is if we are going down this path, and in fact construct an interpretive site, we should first of all be certain that there are going to be people that are going to be visiting there. If it would get half of the half million, that would be a quarter of a million people, and I think some assurances as to what happens with the surrounding area down the road would be appropriate, and of course whatever adaptive use of the facilities and public participation.

So I guess we have kind of a list here, about four or five different questions as to how we can get more miles per gallon, so to speak, out of the Federal dollars that we spend.

Wouldn't you say that if we were to proceed this way, that these are the questions that I should get answered?

Mr. ROGERS. Mr. Chairman, you are right on target, that if there is to be an additional Federal commitment, especially something as substantial as a visitors center, there really ought to be a good, sound irrevocable commitment by the local community not only government, but private citizens and organizations to assure that the resource there will be preserved in a manner commensurate with that Federal commitment.

Mr. VENTO. Well, I think of course the concern beyond that is the regular operation and maintenance costs that would be associated with a visitors center, whether it be the adaptive use of the rail station or some other type of a site there, keeping personnel there. I don't know what the limitations are. I expect that Shiloh doesn't have a big FTE presence.

Mr. ROGERS. There is no park that I know of that has spare FTE, and I would think that some cooperative participation in the visitors center activity would be very healthy.

Mr. VENTO. Well, I mean the point is there is some synergy between the activities at this site and Shiloh. You say these are close together. What do you mean by close; ten miles apart, five miles apart?

Mr. BEARSS. It is 22 miles from Corinth to Pittsburgh Landing, which was the key point at Shiloh, so 22 miles between the two.

Mr. VENTO. The point here, of course, is that people are driving specifically, if it is a destination type of park at Shiloh—and you know, I don't know if this is on the way or if it is out of the way another 22 miles.

Is it 22 miles further into the hinterlands of Mississippi?

You don't know, Mr. Bearss?

Mr. BEARSS. Oh, yes. Corinth, you go generally through Corinth if you are going to Shiloh.

Mr. VENTO. So you do go through it. In other words, if we can get a half a million out of Shiloh, it would work pretty compatibly. It isn't asking for a 22-mile, one-way drive to Shiloh.

Mr. BEARSS. If you are going to Shiloh, you are going to Shiloh. It is out in the country. It is unspoiled. It is not a drive you are taking on Sunday if you go to Shiloh.

Mr. VENTO. In other words, you are taking it intentionally; it isn't just an accidental sort of visitation on the way to someplace else?

Mr. BEARSS. It is a destination park.

Mr. VENTO. Well, this is very helpful. I mean, we are being asked to respond; the Senate has acted upon this, and we have advocates here, Congressman Whitten specifically mentioned to me on the Floor his interest in this, and his interest in trying to conclude it. And I know others, Gene Taylor and others are also interested in it.

So I am interested to see what can possibly be done, Senator Lott mentioned it to me.

So unless there are further questions, I guess I don't have anything further. So let me then thank you, Mr. Rogers.

Thank you, Mr. Bearss.

PANEL CONSISTING OF HON. EDWARD BISHOP, MAYOR, CITY OF CORINTH, MS; AND, ROSEMARY WILLIAMS, CHAIRPERSON, CORINTH SIEGE AND BATTLE OF CORINTH COMMISSION

Mr. VENTO. Now I invite to the dais the witnesses from the second panel, Edward Bishop who is the Mayor of Corinth, and Rosemary Williams, the chairperson of the Corinth Siege and Battle of Corinth, and she is on the Commission, apparently, so we are very pleased to welcome you.

And thank you for your patience this afternoon.

And I think you have prepared some material for me and that will all be a part of the record, Mayor, and Commissioner.

Mayor Bishop, it is a pleasure to welcome you to the Natural Resources Subcommittee. And as I said, your Congressman personally commented to me about his interest in this matter, Chairman Whitten, and your United States Senator, Mr. Lott similarly.

So I would invite you to begin your statement. You can read it or you can give a brief statement, and you have heard some of the discussion I have had with the previous witnesses concerning Corinth, and so we will probably ask some of the same questions.

Welcome.

Mayor, please proceed.

STATEMENT OF HON. EDWARD BISHOP

Mr. BISHOP. Thank you, Mr. Chairman.

To my left is Mrs. Rosemary Williams, who is Chairperson of our Siege and Battle of Corinth Commission, who has done an extraordinarily good job in focusing on the importance of that—the siege and battle of Corinth during the war between the States, or the Civil War.

She also will respond to a statement made by Mr. Will Callaway, who was here just a short time ago.

We will give you a brief statement as to Corinth's relationship to the war between the States, and its importance.

We are certainly pleased with the support which is being given to us by Senator Lott and by Congressman Whitten, because we feel that their knowledge of our need for an interpretive center there at Corinth is most important. Corinth certainly if we had an interpretive center there would attract at least 300,000 of the 600,000 visitors to Shiloh annually.

The national significance of the siege and battle of Corinth during the Civil War is defined by the interrelationship between the railroad crossover, the military events of the spring and fall of 1862, and the contraband of freedmen's camp, a model camp which housed 3,657 former slaves.

Corinth, at the junction of the two longest railroads in the Nation in 1861, was recognized by both Confederate and Union commanders as being of such strategic importance that the town was occupied by one or the other forces from 1861 through 1865. Of course, the battle of Shiloh, the largest battle of the Corinth campaign, was fought over the railroads in Corinth.

At Corinth, the Gulf, Mobile and Ohio Railroad and the Memphis and Charleston Railroad crossed paths. These two railroads connected the Confederate States of America from the Mississippi River to the Atlantic Ocean and to the Gulf of Mexico. They transported troops and supplies, as well as guns and ammunition. These railroads were the key to victory during the Civil War.

The battle of Corinth was one of the largest Civil War battles in the State of Mississippi; and the siege of Corinth was, in terms of aggregate number of troops involved, one of the largest of the Western Hemisphere. The battle of Corinth was one of the fiercest and bloodiest of the war. Analysts consider it the beginning of the end of the war in the West.

A conservative estimate of troops stationed in Corinth numbered over 300,000 during the war. At least 200 top Confederate or Union generals were stationed in Corinth and over 100 skirmishes and/or raids occurred in the areas.

In Corinth, our ancestors fought in the Civil War for some of America's closest-held ideals: freedom and human rights. Our citizens across the United States of America, our school children, and visitors from all over the world need to see the story interpreted in order to comprehend the significance of the siege and battle of Corinth and to learn of the sacrifices of our forefathers, of course.

These people need to see these historic sites in order to gain an understanding of those struggles in our history which made possible our freedom today and transformed our States into a confident Nation that launched into the 20th century as the world's leading economic producer and foremost democratic Nation.

Our community and State are working diligently to preserve and share these historic treasures. As limited as our resources are in Alcorn County and in Corinth, we are going to share, to the best of our ability, those resources to help preserve these treasures which we cherish growing out of the Civil War.

The Department of the Interior designated sixteen of our sites as National Historic Landmarks in 1991. These represent just a small portion of the battleground.

Fortunately, many sites have been spared by encroachment since 1861, and we feel a responsibility to protect and interpret these resources for our Nation. We need the help and support of Congress, of course. Therefore, we urge you to support House Bill 3714 in your report to the House of Representatives and to Congress.

We certainly appreciate this opportunity to appear before you in the interests of an interpretive center for Corinth and Alcorn County, Mississippi.

Mr. VENTO. Thank you, Mayor Bishop, for your testimony.

Let me invite your Chairperson of the Corinth Siege and Battle of Corinth Commission, Rosemary Williams, to present her testimony, and then I will have maybe a question for you.

STATEMENT OF ROSEMARY WILLIAMS

Mrs. WILLIAMS. Thank you, Mr. Chairman.

My name is Rosemary Williams, I am Chairperson of the Siege and Battle of Corinth Commission, which is a Commission jointly formed by our city and county for the purpose of preserving and interpreting our Civil War battle sites.

The citizens of Corinth, Mississippi, have long shown interest in preserving these resources and our local efforts date back as far as 1890. Due to a lack of funds, many, many sites have been lost; nevertheless, the area offers a vast virgin territory of some of the best preserved and most undisturbed battle sites in the South, and perhaps even in the United States, according to studying authorities.

In their 1993 report to Congress, the Civil War Sites Advisory Commission ranked the siege and battle of Corinth battlefields in Class B, although they were not able to visit the Corinth in their visit through Mississippi.

Class A and B battlefields represent the principal strategic operations of the war. The siege and battle of Corinth battlefields are also listed in Priority 1, which means that these are battlefields with critical need for coordinated nationwide action by the year 2000.

Priority 1—Class B battlefields have good to fair integrity and high to moderate threats, according to the Sites Commission Report.

The most recent effort for preservation and interpretation was started in 1990 when the siege and battle of Corinth was named by the Department of the Interior to a list of 25 of the most significant and endangered battlefields in the Nation. At that time, the American Battlefield Protection Program was implemented and it has reawakened the interest in Corinth's Civil War resources.

The Department of the Interior's surveys and studies have uncovered so much of our history long hidden away in undeveloped forests. The Siege and Battle of Corinth Task Force was created by the Department of the Interior and its American Battlefield Protection Program in 1991. In April of this year, sixteen sites in Corinth and Alcorn County, Mississippi, were designated National Historic Landmarks.

Many additional sites now have since been studied and stand ready for nomination. In fact, several miles of previously undocumented earthworks in pristine condition were discovered just this

summer by the National Park Service Historian; he reports that we just uncovered the tip of the iceberg.

Also, in the spring of 1991, the National Park Service at the request of Senator Trent Lott provided technical assistance to the community in producing two documents: one a preservation and interpretation plan, and the other a proposed interpretation center.

At this point, a master plan was developed based upon community consensus and generated through a thorough planning process and a number of public meetings. Many elements of this highly professional and comprehensive plan are now being implemented by our community and State.

The item of highest priority to evolve from this plan is an interpretation and visitors center. And this due to the great expanse of land covered by these earthworks and fortifications between the City of Corinth and the Shiloh area.

An interpretive center is mandatory to provide students of the conflict with a knowledge and a feel for the strategies involved in both the siege of Corinth and the battle of Corinth. With Shiloh being the largest battle of the Corinth campaign, naturally the two need to be linked through interpretation.

As with the railroads of the past, Corinth now finds itself at the crossroads of two major four-lane highways which can provide a gateway to Shiloh National Military Park, since it is in an out-of-the-way location. And can certainly serve to enhance one's visit there.

With new technology presently being developed, needed synergies can be derived from the joint efforts of Corinth and Shiloh. Computerization of war records, computerized reenactments and laser-video presentations are only a few examples of interpretation possibilities for Corinth and Shiloh.

In the spring of 1993, the City of Corinth and Alcorn County created a Joint Commission to develop and carry out a master plan for battlefield protection and interpretation. A steering committee of over 100 citizens representing diverse groups from throughout the Nation has been formed and this has become a nonprofit group.

Significant contributions to the effort have been made by the Mississippi Department of Archives and History, the Mississippi Civil War Commission, the National Park Service, personnel from Shiloh National Military Park, Office of the Governor of Mississippi, the Mississippi Department of Economic and Community Development, the Northeast Mississippi Planning and Development District, and the Conservation Fund, and also we are working toward an ISTEA grant for this year as well as some other opportunities, and we have other community area groups working with us to form a large partnership for this area.

So, as you can see, this effort has a tremendous base of support. We, though, as laymen, are trying to do our part to preserve this vital part of America's heritage while at the same time providing education, recreation, pride in our country and economic development.

But, Mr. Chairman, we must have your help. We need this interpretive facility in order to share with others this portion of our history which reflects a time of great conflict and resulting unification into this great Nation of ours.

Mr. VENTO. Thank you for your testimony, Mrs. Williams.

We received this document from you that apparently had been prepared by the commissioner of the community. I should look at it more closely.

Mrs. WILLIAMS. That is correct.

Mr. VENTO. And in the back of it, my staff was pointing out to me that there is a proposed Corinth Interpretive Visitors Center in Corinth, Mississippi, Alternative A. You have a number of other alternatives here?

I haven't had a chance to look this over at this point, because I have just received it.

Mrs. WILLIAMS. That just gives you some example of how it might be implemented on the ground that we have available at this time, which will be contributed by the City of Corinth.

Mr. VENTO. Okay. So it is publicly owned, this land is publicly owned?

Mrs. WILLIAMS. Yes.

Mr. VENTO. Is this adjacent to the freeways?

Mrs. WILLIAMS. It is adjacent to the Battery Robinnett, which is where the main battle of Corinth took place.

Mr. VENTO. What about this discussion, Mayor, or Mrs. Williams, that was discussed about the use of the old depot at the site?

Mrs. WILLIAMS. Well, the depot, while being a quaint building, is still at the original crossroads, which the battle of Shiloh and the battle of Corinth was about.

But today, even as the mayor spoke with me at dinner last night, those railroads are tremendously busy, thank goodness, due to the large amount of blue chip industry, we are fortunate to have in our community, they depend on the railroads.

The railroads cross and the depot is right at the crossing in that intersection, so that any entrance into the depot area would have to cross over these two railroads which are without an overpass or an underpass at that site, and we personally feel that it would be a great liability for tourists, and of course we would like to have school groups in there for educational purposes.

Another thing, we just don't feel that it is big enough for the type of facility. We still have one railway office in there, as well as our local tourism offices. So there is not a large enough space in there, we feel, to do an adequate job. The building needs replumbing and rewiring and a new roof and a number of—a great deal of work done. But the major objection would be the liability and trying to get the traffic and buses across the—

Mr. VENTO. So your point was that this simply would not be feasible or suitable. There would be some shortcomings in terms of traffic patterns.

Mrs. WILLIAMS. And liability with the busy railroads.

Mr. VENTO. Okay. I just think it is important. Obviously, the building isn't an original building. It wasn't there.

Mrs. WILLIAMS. It was built in 1917, I believe.

Mr. VENTO. So it wasn't an original building, although it perhaps emphasizes that particular theme about the crossroads or the transportation, critical transportation site.

Mrs. WILLIAMS. I might add, if you will excuse me—

Mr. VENTO. Yes, please do.

Mrs. WILLIAMS [continuing]. The proposed area for the proposed interpretive center would just be a few blocks from this depot in the downtown area, and we would propose a walking path, so that it would be easy access. It also offers easy access off of the two major highways I described to you in my statement. Also, easy access to the highway leading directly to Shiloh, and it is adjacent to the main battlefield.

Mr. VENTO. And so the probability of the utility of the other sites, at least as you have proposed them, you think is higher, is your point. One of the problems here, of course, is how does the Park Service relate to and work with you on this, the National Park Service; could you speak to that?

Mrs. WILLIAMS. On this particular publication?

Mr. VENTO. Yes. On this documentation.

Mrs. WILLIAMS. I compiled this publication myself with some information that I took from the master plan.

Mr. VENTO. Well, let me ask the mayor a question.

Mayor, you are prepared to cooperate with the Park Service if, in fact, legislation were to be enacted so that they could find a suitable site. Is there a significant amount of publicly owned land here?

Mr. BISHOP. Yes. The city is ready to cooperate with the Park Service in any way possible. We have given—we are donating this piece of land on which the interpretive center would be located.

It is just adjacent to Fort Robinnett, as Mrs. Williams has already pointed out. And this acreage is of course a beautiful place, very beautiful there just east of the Fort Robinnett. And we would cooperate in any way possible, you know, to work with the Commission on the siege and battle of Corinth. Whatever resources that we could make available, most assuredly the city would do that.

Mr. VENTO. Does the city have other public facilities in Corinth that are related to the preservation work that has taken place here?

Mrs. WILLIAMS. We have a city-owned antebellum home, the Curlee House, which is near downtown, it is located on some narrow streets. That is the only other building that is publicly owned. The depot is not publicly owned.

Mr. VENTO. No, I understand that.

Mrs. WILLIAMS. But the Curlee House is publicly owned. But it has served the community well through the years as a house museum.

Mr. VENTO. I think Mr. Bearss referred to that home.

Mrs. WILLIAMS. That is correct.

Mr. VENTO. What is the landownership pattern or the ownership pattern of the other lands that make up the historic resource or the cultural resource, the earthen works and other areas?

Mrs. WILLIAMS. For the 16 National Historic Landmarks, Battery Robinnett is publicly-owned. With the help of the Conservation Fund, we are purchasing Battery F. We are now beginning to work on easements for some of the other properties, and while some other properties are for sale, we are working with our State; there is an historic bond bill that will be up before the legislature this next term and we hope to be able to receive some financial help to purchase some of that land.

Mr. VENTO. What is the existing situation now? Are they part of the historic district? Have you designated this area an historic district.

Mrs. WILLIAMS. In the downtown area and the downtown residential area, we do have historic districts.

Mr. VENTO. So that is a commitment on the part of the city insofar as the city or the community of Corinth can make a commitment.

Mrs. WILLIAMS. Certainly. The city is a certified local government and we do have an active Preservation Commission and we do have two historic districts, one for the downtown commercial area and one for the residential area.

Mr. VENTO. What is the population of Corinth?

Mrs. WILLIAMS. Approximately 15,000 people.

Mr. VENTO. Could you characterize or explain to the committee and staff what the pressures have been, if any pressures, to develop or to modify or to change these buildings, and how long has it been an historic district?

Mrs. WILLIAMS. The downtown has been an historic district for approximately two years, the residential district perhaps about one year.

Mr. BISHOP. That is correct, yes.

Mr. VENTO. So these are recent.

Mrs. WILLIAMS. Yes, they are recent.

Mr. VENTO. So there really hasn't been much pressure to date, I guess, to develop in these areas; is that correct?

Mrs. WILLIAMS. No. It is beginning, but slowly beginning.

Mr. VENTO. What is the character of the district? Is it as it was in the latter part of the 19th Century?

Mrs. WILLIAMS. Yes, yes, the character is, although we have some 20th Century buildings and some—

Mr. VENTO. But there are still a significant number of buildings that—

Mrs. WILLIAMS. But we have enough significant number of buildings that you do get the character of that time period.

Mr. VENTO. Of that era.

Mrs. WILLIAMS. Certainly.

Mr. VENTO. And what about the cross-section of history here? Do we have just the homes and structures of the wealthy and the white, or do we have a full cross-section of different types of dwellings?

Mrs. WILLIAMS. I think we have a full cross-section.

Mr. VENTO. So it has everything. Sometimes you know, some of the spectacular homes get preserved and some of the less than spectacular do not.

Mrs. WILLIAMS. I think some of the smaller homes are well preserved, too.

Mr. VENTO. And so they reflect a total recognition. I think so often, of course, the Civil War history almost by definition focuses on the conflict and not the vernacular history.

Mrs. WILLIAMS. Exactly.

Mr. VENTO. Well, you heard my proposal in terms of going through about four points. Do any of those sound like they are

nonstarters for the mayor or did you want to comment on them, Mrs. Williams?

Mayor Bishop, I talked about the participation aspect, local government not just donating the land perhaps, but also participating in the construction costs of a site. I suppose we could consider the donation of land really a down payment on that.

But in any case that is a difficult issue. I understand that for a small community like your own, unless the State of Mississippi or the county or the Commission all of a sudden comes in to a large inheritance, it is hard to do. But what about the other descriptions that I had?

It seems to me that the zoning or maintaining of the compatible areas would be your historic areas? Of course, the adaptive use of the train station, I think we heard some discussion about that, might not be feasible or practical. Obviously, I think one of the things that needs to be done here is the Park Service's suggestion of the need for a better evaluation or a better plan.

Even though they had discovered significant insights during the Civil War Battlefield Commission work, there is a suggestion that there is much more here that needs to be brought to the forefront. And perhaps that ought to be done, if planning and the further evaluation are necessary before a visitors center is actually constructed. That is to say we can still authorize it, we could just set this up as part of a process.

I didn't want that to be contingent. In other words, I think they may say we want to do a study first and then decide what we are going to do after. They have got more time than I have. You know, I am only here for two years at a time.

Mrs. WILLIAMS. Partially I feel that we do need more studies, particularly archeological studies to identify some of the entrenchments we have. We continue to find more and more resources in the undeveloped forest, as we have some professionals to come help us. But at the same time, we would never be able to tell the story of what happened because of the discontinuous sites and relate it to the battle of Shiloh.

And in relation to trying to tell the story at Shiloh, that facility is very out-of-date and very small out there, and we feel that we could do a much better job with new technologies in interpreting both the battle of Shiloh, which is a part of the Corinth campaign, as I said, and Shiloh as well. And with the intersection—intersecting highways in Corinth, we believe we could really have a good cooperative effort and help Shiloh, too. And we certainly have been working together through the years.

Mr. VENTO. Well, I think that is very helpful.

Mayor Bishop, did you want to add anything to the statement that you have made or in response to my questions on further reflection?

Mr. BISHOP. The city will give its resources, limited though they may be, in every way possible to the Commission, which is working so diligently on the siege and battle of Corinth's history.

We heard the statement made by, I believe, Mr. Callaway that it needed further evaluation. However, we are in the process of giving every type of evaluation we can now presently to the situation.

And we are continuously giving much study and evaluation to this situation.

But we believe that we are presently in a position to accept a center, an interpretive center, for Corinth and Alcorn County now, and hopefully the Congress will give some consideration to your request.

Mr. VENTO. Well, I am most interested. The Shiloh general management plan; I don't know how they treat this. Obviously, they reference it in terms of their interpretation. But I mean, it is a question of how we could tie this together with the Shiloh site.

Obviously, they are related. But it is a question of whether they have what they call a "general management plan" for that particular unit. So it is a question of how it references or what the expectations are, if they need an additional visitors center or how they would enhance or detract from the visitors center they have at Shiloh. But they have to obviously work together.

So I don't know what the nature of it is, but I am very impressed with the number of people that stop in Corinth. It is not very high, is this correct?

Mrs. WILLIAMS. It is very low. Very low.

Mr. VENTO. And so obviously, there are two ways to go. I suppose that if this site is important and has significance, it is a landmark, you are working in terms of the historic districts. If you don't pay any attention to it, obviously it becomes less important in terms of what happens with the development.

So it is, I think, sort of fortuitous that you would say much of it remains as it was, the earthworks and some of the other areas; is that correct, Mayor Bishop?

Mrs. WILLIAMS. Certainly, we have been told that some of the landscape is the same as it was after the battle. That a soldier could wake up in one of the fields today and know exactly where he is. So it has virtually been unchanged and we don't have many battlefields with this type of integrity in the United States.

Mr. VENTO. So Corinth isn't undergoing a big growth right now, a big growth spurt; is that correct? Not that you don't want it to.

Mrs. WILLIAMS. Not at the present time.

Mr. BISHOP. It is growing, not as rapidly as we would like.

Mr. VENTO. But it doesn't represent the threats. But there are threats I guess to some of these sites.

Mrs. WILLIAMS. We do have several housing projects being developed, and just this summer a privately developed golf course has taken part of the earthworks.

Mr. VENTO. Another one?

Mrs. WILLIAMS. Another one, yes.

Mr. VENTO. Well, okay.

We appreciate your coming up here. And again, Congressman Whitten had specifically told me that he wanted to attend, but he wanted to extend a warm welcome to you all, and wish that he could be here. But as I said, he had spoken with me as well as Senator Lott about this matter.

So thank you very much, mayor.

Mrs. WILLIAMS. Thank you for hearing us.

Mr. VENTO. And Mrs. Williams, thank you.

Mr. BISHOP. We appreciate the opportunity of being with you.

Mr. VENTO. Thank you.

Finally we want Mr. Rogers to come back and talk a little bit about the oversight issue of the Civil War Battlefield Commission which now after we have dealt with some specifics, we will deal with the overall challenge that we face.

And your statement, of course, Mr. Rogers has been made a part of the record as I indicated some 2½ hours ago, and you can proceed to summarize it.

**STATEMENT OF JERRY L. ROGERS, ASSOCIATE DIRECTOR,
CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

Mr. ROGERS. Thank you very much, Mr. Chairman.

I would like to thank you for altering the order of presentation today in order to allow me to testify in closer conjunction with several outstanding citizen public servants who have done such a great thing for the United States, the Members of the Civil War Sites Advisory Commission, Dr. Holly Robinson the Chairman, who will testify in a moment; Rod Heller, who will testify in a moment, and also take note of the fact that Congressman Taylor who had intended to testify was a member, Ed Bearss, my dear and respected colleague was a member, Hyde Murray, who is in the room, was vice-chair. These people did a wonderful thing for the National Park Service and for the United States.

The Commission accomplished an exemplary study in a very short time. The overall findings of the Commission were no great surprise, but some interesting details did come out.

The future of our Nation's significant Civil War battlefields is bleak. That is not a surprise. Our Nation stands in threat of losing fully two-thirds of the surviving principal Civil War battlefields unless effective action is quickly taken.

The National Park Service endorses the two broad recommendations of the Commission report, those being that key significant battlefield land must be set aside for future generations, and the modifications of certain U.S. Tax Code provisions are necessary to encourage the protection of these irreplaceable historic sites by, for the most part, their private owners.

One thing is clear; the job of protecting these sites has to be shared. Some land has to be preserved by the Federal Government, but some must also be set aside by State and local governments and by the private sector. For that, we are grateful for the stewardship of private owners that has been referred to by earlier witnesses on other bills.

For the majority of surviving Civil War battle sites are and should remain in private ownership. The Commission took note of more than 10,500 armed conflicts in the Civil War and identified from that 384 battlefield sites that deserve every effort we can make to assure their long-term survival. But we further refined that list to 50 sites that are the most historically significant and that have the greatest integrity and are the most threatened.

The case of many battlefields, much of the historic acreage is farmed today just as it was during the mid-19th Century. However, the owners of these properties are faced with the rapid encroachment of urban growth that you referred to before.

They face the dilemma of whether to sell their lands for substantial profit or to try to hold it for their descendants, and in doing so, to hold it in a state of historical integrity. There are provisions, unfortunately, in the U.S. Tax Code that are unfavorable to owners retaining property and that encourage the selling and subdivision of lands containing historic sites.

We hope these provisions can be modified to encourage private owners to preserve significant rural historic battlefield lands without significant loss of revenue to the United States Treasury. And we have made reference before to the continuing American Battlefield Protection Program, which is something that happened in tandem to and in support of the work of the Commission in its report.

We seek continued support from the Congress for the American Battlefield Protection Program, and attached to our formal testimony is proposed draft legislation to authorize assistance for planning and interpretation and protection of battlefields, including federally assisted land acquisition by partners and participation in development and pre-development activities.

Mr. Chairman, I would be happy to answer any questions.

Mr. VENTO. You say you had something attached to your testimony? Apparently I didn't receive it.

Mr. ROGERS. I apologize, Mr. Chairman. But we will—it is supposed to be attached to our official testimony, and we will provide it to you if it is not.

Mr. VENTO. So it is—what was it that was attached?

Mr. ROGERS. It is a draft bill.

Mr. VENTO. Oh, okay.

Mr. ROGERS. That we would propose be cited as the American Battlefield Protection Act of 1994 that would specifically authorize studies and technical assistance and financial assistance through cooperative agreements to the owners of battlefields.

Mr. VENTO. So, the policy focus would be on trying to assist further the privately owned or held battlefields; is that correct, Mr. Rogers?

Mr. ROGERS. Indeed it would.

Mr. VENTO. If I can summarize in a sentence what the commitments are. This obviously is a tough test to come up with a response to this, but we had thought that there would be a little better work done here.

On the Commission, there are a number of Members of Congress, as you mentioned, Charles Taylor and Congressman Michael Andrews. Congressman Andrews has submitted a statement.

[Prepared statement of Mr. Andrews follows:]

PREPARED STATEMENT OF CONGRESSMAN MICHAEL A. ANDREWS

Mr. Chairman, I would like to thank you for giving me the opportunity to address the Subcommittee on National Parks, Forests, and Public Lands on what I believe is a serious issue: the preservation of our nation's rich history, specifically that which is related to the Civil War. Our history as a nation is short, relative to the entire world's, but it is a full and proud one which has served to strengthen our democratic ideals. The significant struggles that mark our history remind us of what others have endured to preserve and maintain those ideals, and they charge us with the same task. The Civil War is the most important of these struggles, for the Nation's very existence hinged on its outcome. It is a time and experience that we will never forget, for it not only proved that the United States was strong enough to withstand its ultimate test, but it literally shaped our political and economic future,

fueling the civil rights and women's rights debates that continue today, and providing the basis for our economic and trade policies throughout this century. It is no wonder that scholars divide American history into two parts, with the Civil War as the turning point of that history.

Mr. Chairman, our generation is charged to preserve that history for our children and grandchildren. We must ensure that the lessons learned from the Civil War are as strongly instilled in those who follow us as they were to those who lived during that conflict. Often, however, grasping the significance of events more than 125 years ago is difficult, especially when these events are explained in the context of abstract political theories. There is, however, one tangible legacy of the Civil War—its battlefields. Antietam, Chancellorsville, The Wilderness, Glorietta Pass, and hundreds of others remain today, as tangible reminders and lessons of who we are. Our generation's obligation is to protect these important sites from destruction or permanent change. Which brings us here today.

As you know, Mr. Chairman, I have a significant interest in this hearing. I am an original cosponsor of H.R. 746, the Shenandoah Valley National Battlefields Partnership Act, and I applaud Congressman Frank Wolf on his efforts to craft this legislation and bring it to your Subcommittee for its consideration. It is clear that the Federal Government simply does not have the resources to purchase all historically significant lands when development threatens to destroy them. Indeed, one would most likely find this activity close to the bottom on a list of federal budgetary priorities. But, that does not mean that we should turn a blind eye and allow unfettered development. H.R. 746 is an example of what we can do. By encouraging partnerships with State and local organizations, this bill attempts to build support among all parties, taking away the prospect of a heavy-handed Federal Government while still maintaining its duty to preserve our natural heritage, and giving local and State organizations a vested interest in preserving this heritage. It is a visionary piece of legislation, and I believe a model of how we must continue our efforts in this area. I am pleased with the Senate's passage of this legislation, and I hope that the Subcommittee will see fit to hold a markup session on it and recommend its passage to the entire House of Representatives.

I was also an original cosponsor of the 1990 legislation that established the Civil War Sites Advisory Commission, whose report is evidence of its extraordinary and untiring efforts. When the House passed this legislation, a comprehensive, quality report on the state of our nation's Civil War battlefields was little more than a preservationist's dream. The work of the Commission since then, however, is real: its painstaking attention to detail and far-reaching recommendations are a tribute to all of those who spent their time working on the report. All of us interested and involved in Civil War battlefield preservation should applaud the Commission for a job well done.

Now, the difficult part begins: implementing the Commission's recommendations. I will leave the details of the report to those who are more well-versed in the Commission's work, but I would like to highlight some important points. I agree with the Commission that the Federal Government should examine all appropriate angles in working to preserve our battlefields. It is not just simply a question of how much funding can be devoted to help preserve these lands, but rather what other avenues the Federal Government can pursue to accomplish this objective. Are there lands which the Federal Government already owns that can simply be transferred? Are there acceptable ways of encouraging landowners to voluntarily preserve historically significant lands, rather than mandate the preservation or outright purchase the land? Are partnerships, such as contained in H.R. 746, the most productive and cost-efficient way to preserve the battlefields? These are questions that we should ask ourselves, Mr. Chairman.

Since the Commission issued its report last year, I have been especially interested in its recommendations to change the tax code to encourage battlefield preservation. Today I am introducing the Civil War Battlefield Preservation Tax Incentives Act of 1994. This legislation would codify the recommendations the Commission made in its report. By providing tax incentives for preservation purposes, we would promote voluntary, private preservation efforts that might otherwise not occur. This is yet another means of reaching our final objective.

Mr. Chairman, again, I believe that the issue here before us is very important. If we are to pass down our nation's rich heritage to our children and their children after them, we must strive to improve our preservation efforts and evaluate the many alternatives before us that will aid us in this task. We must look forward and anticipate potential problems and conflicts and work to resolve them early on, not waiting until it is almost too late, much like what happened just a few years ago with the battlefield of Second Manassas. Certainly, appropriate economic develop-

ment is meritorious, and I support it. But, as I have said before, we can always build shopping malls—we can never rebuild battlefields.

I hope that through the work of the Commission and through legislative efforts like H.R. 746 we will ensure that we never face the possibility of "rebuilding battlefields." I believe this can happen. Today marks a positive step in our efforts to preserve the history which the Civil War left us. I hope that it will spark a renewed interest in this cause in Congress, in the historic areas themselves, and among the American people as a whole.

Thank you, Mr. Chairman.

Mr. VENTO. The Commission's report showed nearly half of the priorities of the battle were battlefields of those with high significance and high risk, ready units of the National Park Service.

Mr. ROGERS. Yes, sir, that is correct. And of course that has been the occasion of a certain amount of remark.

I know, Mr. Chairman, you are very familiar with the issue from the numbers of times you have had to deal with park units whose initial authorization had failed to adequately encompass and therefore protect the core and most historically significant land. And you have adjusted various boundaries from time to time because of that. The Commission's report shows that problem is more widespread than we might have guessed.

Mr. VENTO. Yes. Of course, we asked for boundary studies on much of it.

Does the Park Service have a plan in terms of how it is attacking that particular issue. I think earlier I had said something about 500 sites, I guess I was referring to the 384, so I was off about 100 there.

Mr. ROGERS. The National Park Service expects to suggest further legislative possibilities. As I have said, we believe that—

Mr. VENTO. Do you think it is just a lack of authority that exists in most instances here? Do you think it is mostly limitations that have been placed on you by law?

Mr. ROGERS. I don't think it is just a lack of authority. I think authority is needed, but specifically in the tax code we need to make some changes that will make the tax code friendly to preservation rather than hostile to it.

Mr. VENTO. There is some discussion of that.

I thought maybe the Park Service now doesn't have the funding that it needs to carry out and exercise some of the responsibility as well.

Mr. ROGERS. Beyond our American Battlefield Protection program which continues, we have not established a total, no.

Mr. VENTO. Well, I think if half of the high-priority sites—I guess that is half of the 50, 25 or so—are Park Service sites, it points up a concern, obviously, that goes beyond simply the designation or offering some other types of alternatives to deal with the 50 or so, or the other 25 sites that are high priority that are outside of the area.

But I thought part of it we didn't appropriate the money to, or you have inholdings that are problems, or the other tax code problems, obviously, are something that can be dealt with. But that is all of dependent on what the lowest common denominator is.

There aren't a lot of tax breaks. But if you give a break for historic preservation it helps a lot more than if you are swimming in

a sea of tax breaks, as was the case in early points in 1980s. But I wouldn't pretend to know all the answers to that.

I know that Congressman Andrews has finally introduced a bill on that. Along that vein, Congresswoman Kennelly had one that dealt with the alternative minimum tax that some have worked very hard on.

Only one of the battlefields included in the Shenandoah legislation is included in the Commission on Civil War Sites highest priority, that is 1 of those in the top 50; while four of the sites in the Shenandoah area that appear there are in the last rating. The Commission went through quite a rating system here and identified the priorities for action on the basis of significance, integrity and risk.

Is there any inconsistency and focus on moving on the legislation on Shenandoah at the same time we have the different set of priorities set forth by the Commission and generally endorsed by the Park Service?

Mr. ROGERS. Mr. Chairman, I am glad you brought that up because it is merely a technicality that the Shenandoah sites were studied separately and under direction of the statute. Their lack of attention in the Civil War Sites Advisory Commission report does not reflect insignificance or that problems aren't there.

Mr. VENTO. I think the staff is pointing out to me that they are all included in here, but are you suggesting they are rated on a different scale or there are some events that have occurred that are unusual here?

I am suggesting you know your testimony, but I am just suggesting also, of course, there are offers here to move this, so I think the staff points out to me that they are included in the public documents with regard to the Civil War. I can understand we don't want redundancy here.

Mr. ROGERS. They were not studied in the same manner that the other battlefield sites were studied because they were not a part of the Commission mandate.

Mr. VENTO. And so trying to fit them into this is not a good fit, is that what you are suggesting or at least it is one that leaves questions open that aren't answered?

Mr. ROGERS. I guess what I am suggesting is that the Shenandoah Sites Study itself is a more important guide to the subcommittee for those sites than the Advisory Commission report.

Mr. VENTO. Well, there are others here from the Commission that can respond to that, too. We are just trying to meld these things together to see how it will work if it can be an absolute guide or how it should be evaluated against the other study. It is sort of an unusual circumstance here.

Mr. ROGERS. Mr. Chairman, Mr. Bearss reminds me that the Shenandoah sites are important collectively rather than as individual battles, and I think that is a very significant distinction.

Mr. VENTO. Would that hold true for some of the other sites that are also in there, the 384 other sites, or 50 sites, whatever priority they happen to be in, whether it is 1st, 2nd, 3rd or 4th priority?

Mr. ROGERS. If they are related to a single campaign, then they may be collectively important.

Mr. VENTO. So that changes again the dynamics of this in terms of how we add this up and in terms of their sequence?

Mr. ROGERS. It could.

Mr. VENTO. Well, do you agree with the statement that Mr. Monahan made about the concerns that some of the sites in, for instance, Shenandoah, are actually being lost?

Mr. ROGERS. Oh, yes. They are being lost. I didn't—

Mr. VENTO. Well, that was one of the criteria that they used here in terms of rating the sites, was their potential for being lost or being impacted. So if you have something off in Corinth that isn't being modified or seems to be protected, then it would get a very low mark in terms of that. Whereas something around Richmond probably gets a much higher mark in spite of the fact that it may have different characteristics.

Mr. ROGERS. That could happen. The Corinth site, as I recall, the siege of Corinth sites are Priority 1 listing, so they have a high priority. And the note I am just handed lists the Shenandoah sites as all but two being Class A or B sites. And two of those are Priority 2, they are certainly sites that have high significance and high threat.

Mr. VENTO. Most of the sites that are listed, if you look at the publication that was put out, most of the sites are in Priority 4 fragmented battlefields, all classes for poor integrity Class 4.

Then you go through that and then you get quite a few different sites, some in second Kernstown, second Winchester, I see just a few of them as I am looking through—I don't want to mark Helen's book here—so there seems to be some difference based on the way we are interpreting this. But you can't at this time—after further study of it, perhaps you will be able to augment your response to me in terms of this issue. But maybe we get the Commission here that can also explain themselves.

I think the issue here, of course, is it is very hard when we get down to a specific proposal and we have to come forth with a response in something like Shenandoah. Obviously when you get some information, especially since these were done in tandem, it would make things easier. Do you have an assistant?

Mr. ROGERS. Mr. Chairman, Mr. Bob Campbell is the National Park Service official who is most specifically familiar with Shenandoah sites, if you would like.

Mr. VENTO. Sure, Mr. Campbell, you are probably more conversant with the specific table here than myself and Mr. Rogers. Can you guide me through my—

Mr. CAMPBELL. Yes, sir. I think one point that is important to understand is that the priority listing in there has as much to do with the time frame for action so Priority 1 sites are the ones where they were recommending that there be an action within the time frame between now and the year 2000. Whereas there is also another Class 6 that breaks down the battlefields in terms of whether they are rated as Class A or Class B, and that has to do with their significance or their impact on the outcome of campaigns, or the outcome of the war.

And the Class A and Class B sites are all sites that are recommended being of such high significance, high national significance that there should be some level of Federal involvement in the

protection of those battlefields in concert with State and local preservation efforts.

So that is why I passed the note, just to say that when you are looking at assemblage of battlefield sites that are included in the Shenandoah battlefield bill, it is misleading to say that there are only two of them that are in—that are in Priority 1. They do break down into two class circumstances, but far and away, they are Class A and B.

Mr. VENTO. The site I am looking at, Priority 4, is a fragmented site, Opequon. Second Kernstown, is that one of those sites? Second Frederick, to best of your knowledge, is that one? Second Winchester, is that one?

I may get some of these wrong, but I see at least three or four of them right off just doing a perusal here. New Market is in there, is that one? She gave me the only list that was typed up here. Somewhere. But I did something else with it.

Mr. CAMPBELL. Again, I think those are all good points and go to again our concern about whether or not—you know, you start with an assumption of significance of sites, but then you have to look at issues of integrity, remaining integrity and whether or not there is the ability to put together a sufficient core to be able to interpret the historic significance of the site.

Mr. VENTO. Yes. Well, we had typed up the list, but I seem to not be able to find it right now. It is probably just as well for you I don't find it.

Oh, I found it. No, that is not it.

Here it is.

Shenandoah Valley Battlefield Priority 1. Priority 4, New Market. Opequon. Second Winchester, second Kernstown, Priority 3. Of course, I don't have A or B in here. The one statement does it all; it classes poor integrity. That is murder. You are better off with a "D."

So we will put this in the record, and by priority identified Commission Civil War Battlefields. Battlefields with critical need for coordinated action are Cedar Creek and Fisher's Hill and first Kernstown. Priority 2 battlefields with opportunities for comprehensive preservation, Cross Keys, Port Republic. And 2, 3, it is Cool Spring and Tom's Brook.

Priority 3 battlefields with some additional protection, McDowell. I am not reading all of this—so that is the work.

I am just trying to point out as we look through that in terms of how you hold it up against the light. I got Shenandoah here and I am trying to tell these guys there are some problems with it. But collectively, as Mr. Bearss has pointed out, that is something that has to be dealt with in a different way. We can do it. It is a question of when we bring it in, how we are going to end up doing it.

Well, I thank you for your testimony. We are going to hear from the Commission.

And, obviously, Mr. Rogers, if there is anything you wanted to add about Corinth, we had this discussion you heard prior to this and we will be back in touch with you. We will be looking forward to that legislative proposal that was apparently left behind in the rush to get the testimony up here today.

Mr. ROGERS. I certainly apologize for that, Mr. Chairman. I can only imagine that is a clerical accident and—

Mr. VENTO. Maybe they had it delivered to the Speaker first or something.

Mr. ROGERS. I hope not.

Mr. VENTO. We will get it, I am sure. I don't know that we are going to be ready to put that one up on the "T" right away in any case. We did want to I think in the context of Shenandoah hearing, to do the Civil War Commission.

PANEL CONSISTING OF HOLLY ROBINSON, CHAIR, CIVIL WAR SITES ADVISORY COMMISSION; J. RODERICK HELLER, CHAIRMAN, CIVIL WAR TRUST; AND, JIM DONATI, CHAIRMAN, BOARD OF SUPERVISORS, HENRICO COUNTY, VIRGINIA

Mr. VENTO. I am pleased to welcome Dr. Holly Robinson, who is the Chair of the Civil War Sites Advisory Commission, Mr. J. Roderick Heller, the Chairman of the Civil War Trust, and finally Jim Donati, the Chairman of the Board of Supervisors Henrico County, Virginia.

We have, I think, the statements from all of you and they have been made part of the record. And so please feel free to summarize your statements this afternoon. And then we will get to a few of the sort of impossible questions which are all the fault of my staff not me.

Dr. Robinson welcome. Please proceed.

STATEMENT OF HOLLY ROBINSON

Ms. ROBINSON. Thank you, it is good to see you.

As has been very clear to you today, our Nations Civil War heritage is in mortal danger. A lot of it is being bulldozed, it is disappearing under parking lots, buildings, highways.

The Civil War Sites Advisory Commission is here today to appeal to Congress and implore the American people to honor and preserve what remains of this important heritage. The Civil War Sites Advisory Commission was asked by Congress to do very specific things. We were asked to identify historically significant Civil War sites, establish their relative importance, determine their current condition, assess threats to their integrity and provide alternatives for preservation. We have faithfully discharged these duties.

The Civil War, as you have heard already, was fought on more than 10,500 sites in small towns, on humble farms, at unnamed fords and crossroads. Our Commission mobilized more than 100 volunteers to survey and determine what we came up with as 384 principal military events of the war.

The way we came up with this number of 384 was those sites deemed by their participants and by later historians to have had the greatest effect on the war's direction and outcome. Through the efforts of the Commission's volunteers, we have constructed what I would call a snapshot of what remains of these sites today.

This is the first comprehensive look at Civil War battle sites since the studies that were conducted between 1926 and 1930, and you can well imagine how many of these sites, particularly around

the more urban areas, for example, where I live in Atlanta, have changed dramatically.

Of these 384 battlefields, located in 26 States, already one third or 135 are lost or extremely fragmented. And I might add here, just because they are fragmented or not telling the whole story, it doesn't mean that they were not significant as military historical importance. Those are two different categories.

Of 235 battlefields that remain in good or fair condition, nearly half of them are experiencing high or moderate threats. The Commission established a priority list of sites based on relative military importance, high integrity, and current level of threat. These are the sites that require immediate attention if they are to survive.

What impressed the Commission about the Civil War during its travels was the scale of its carnage, the immensity of its impact on soldiers and civilians alike and the frightening intimacy of its combat. It took a very special courage to face death eye-to-eye with opposing lines separated by a mere 100 yards of open field, where the foe was often recognized or remembered from previous encounters and taunted by name.

Yet this courage was displayed by ordinary citizens, by farmers, shopkeepers, mill workers, coal miners, free blacks, former slaves and Native Americans. It is difficult to place a dollar and cents value on these national treasures, this spiritual resource of our Nation, but the value is real nonetheless.

As we all know, history is most often recorded in books, books that collect dust in some library shelves. Events that are compressed. They are oversimplified in textbooks and in classrooms and they compete with a very exciting blaring television/video world today.

But there is a reason why 1.3 million Americans visit Gettysburg. It is simply because the Gettysburg of history books does not become real until you have stood in person on Little Round Top or retraced the steps of Pickett's and Pettigrew's very historic but futile charge. The place makes the event come alive.

We must preserve what history is made of, if we are to inspire future generations. We cannot continue to treat the loss of our Civil War heritage lightly. It is a serious national problem. Every bit as serious as the loss of open space and wetlands, the loss of plant and animal habitats, declining air and water quality.

The report that we have prepared at the behest of the Congress outlines and enthusiastic well-researched agenda for historic landscape preservation. It requests commitments on the part of Federal, State, and local governments, private groups and private citizens to save our past.

We do not ask the Federal Government to step in and buy every acre where blood was shed, but that American people open their eyes to the significance of this ground for their present and future well-being.

This ground is simply too valuable to our Nation to be unthinkingly conceded to strip malls and housing subdivisions. As a first step, recognizing the current climate of fiscal restraint, the Civil War Sites Advisory Commission asks that Congress declare a national policy that historically significant Civil War sites structures and other artifacts in the United States should be preserved

as a living part of our community life. And that the preservation of battlefield landscapes and other tangible remains of the American Civil War is in the public interest as an investment in our national identity.

The Commission believes that such a declaration would open the eyes of many communities to the value of historic resources under their jurisdiction and encourage the activity of private preservation groups across the country.

In addition, we ask that Congress provide resources for existing national battlefield parks commensurate with their tasks and responsibilities, that incentives be offered to State, local, and private entities to initiate more ambitious commemoration and landscape preservation activities. And finally, that resources be found to address the immediate needs of the Priority 1 battlefield sites.

Thank you very much, Congressman, for your particular support and commitment to this the Civil War Commission.

Mr. VENTO. Thanks.

Thanks for your testimony. We will be back with a question in a moment or two.

STATEMENT OF J. RODERICK HELLER

Mr. VENTO. We want to hear from the other two panelists.

We are pleased to welcome Mr. Heller.

Please proceed, Mr. Heller. Welcome.

Mr. HELLER. Thank you, Mr. Chairman.

My name is Roderick Heller, I am a member of Civil War Advisory Commission. I am also here today as the Chairman of the Civil War Trust and as Vice Chairman of the National Trust for Historic Preservation.

I have provided some remarks. I would like to deviate from the written text previously presented and present some supplemental views with respect to the work of the Commission.

Obviously, I fully support the recommendations of the Commission and the comments just made by the chairperson. I would also, though, like to pay tribute in what is not always the case in this or other rooms, to the National Park Service which served as the staff support for the work of the Civil War Sites Advisory Commission. And as one who has practiced law a bit in the business world and not in government, I found the work of the highest quality and worthy of the kind of activity that I would expect in our company and elsewhere.

In particular, the recent Executive Director Lawrence Attin, who since retired from the Park Service, did a superb job and his staff equally supported him.

I start with that tribute because I think it is appropriate to note that this report differs from the usual Commission, which is intended as a report which often sits and gathers dust. This report has to I think be analyzed in three components and I would like to summarize those briefly:

First, is the identification and prioritization of the sites. Dr. Robinson referred to that, there has been some comment earlier provided. But I don't think sufficient recognition has been given to the high quality of work and the importance of that work to future historians and those attempting to deal with issues of prioritization.

The body of knowledge that was accumulated was impressive and that alone I think makes this report valuable. We, the Civil War Trust, for example, hope, and given the work of the staff of the Trust thus far, we have some reason to believe it will come to fruition, is that we will raise a significant percentage of the \$21.5 million next year from the sale of commemorative coins under the Civil War Commemorative Coin Act. We have to make judgments as to use of those funds which as leveraged could be quite significant indeed, in a fashion that represents effective prioritization.

This is funding that would be provided for willing sales by landowners. We expect working with the National Park Service to use the prioritization established by this Commission which by giving us a national guideline to what is important, what is under siege and the like, gives us APCWS, the Conservation Fund, other preservation groups a guide mark for the future.

The second component relates to the legislative initiatives we are seeking. One of the astonishing things that I suspect is apparent to anybody who looks at government is how many programs are already available, which if properly used could make a difference in various activities. Recently, the use of ISTEA funds for Civil War preservation, is an example.

But we discovered others, and we urge Congress to reflect on innovative uses of Federal programs in a way that would enhance preservation without requiring specific funding, and I refer obviously to the RTC, which despite various efforts on the Commission's behalf, has not fully used its authority to help preserve battlefields.

We refer to the tax laws where I think it is quite clear that fairly modest and not very costly changes, which I suspect the Joint Committee on Taxation would endorse, could result in major donations of easements, if not outright fees. Equally due to the work of our Vice Chairman Mr. Murray and others, the idea of agricultural conservation set-asides, where landowners would receive payment from existing Department of Agriculture funds in a way that would enhance preservation of the existing lands, to me is a remarkably innovative use of existing authority.

The last category is, which obviously has received some attention in the press, which is preservation funding. That proposal which we have set forth, which obviously is not news, has not thus far been fully adopted by the Department of Interior, is modest at best, and we are setting it forth only as an example of what could be accomplished with effective use of private-public partnerships.

I think the private sector is trying to step up to the task. It is not easy, but clearly Federal leadership, particularly in the modest way we have suggested, would be appropriate.

Thank you, Mr. Chairman.

Mr. VENTO. Thank you, for your testimony, Mr. Heller.

We will be back in a moment.

Mr. VENTO. We have one further witness we want to hear from, Mr. Donati, Supervisor from Henrico County.

STATEMENT OF JIM DONATI

Mr. DONATI. Mr. Chairman.

I am Jim Donati, I am Chairman of Board of Supervisors of Henrico County, Virginia.

First of all, I want to thank you for the opportunity to address this subcommittee and to share with you some of our observations and concerns relative to the Civil War Sites Advisory Commission report.

By way of explanation as to who I represent, according to the 1990 U.S. Census, Henrico County is the second largest county in Virginia. Our county is comprised of 245 square miles bordering the city of Richmond on east, north and west.

We are 1 of only 14 localities in the country to have a Triple A rating from both of the two major bond services and have been ranked second in the Nation by City and State Magazine for the past two years for our fiscal strength and sound management. Some 30 or more years ago, we were one of the first counties in the State and in the Nation to develop a comprehensive land-use plan, a plan which we are now updating for the year 2010.

What does all this have to do with the Civil War Sites report? Well, we now have the distinction of being number one in the Nation in Civil War sites. Henrico County has more Civil War sites identified in the Civil War Sites Advisory Committee report than any other jurisdiction included in the 17 of the States that were studied.

This report and its accompanying unofficial maps identify 16 Civil War battlefields which encompass one-third of the land mass in Henrico County. The 16 battlefields cited cover land surrounding the Richmond International Airport, a large portion of this land is adjacent to two major interstate highways, and area identified on our comprehensive land-use plan for economic development, an extensive amount of privately owned residential plots, and land currently owned by the county and designated as public parks areas or for further infrastructure use.

As a supervisor, this accounts for almost 50 percent of the district I represent, directly or indirectly impacts 42,000 citizens and the counties 230,000 residents. The real travesty of the Civil War Sites report, however, is the damage which has already been caused by the release of unofficial maps of the 16 battlefields.

In developing these maps, without any regard for economic or environmental impact, the Commission has cast a cloud of uncertainty over property and development rights of one-third of Henrico County. These maps now enable an entity to call into question or invoke Federal intervention in the land-use plans of the county and the property rights of private citizens.

There has been no advance consideration or study of the economic impact of these maps. And also there has been no advance consideration or study of environmental impact of these maps.

What is lacking here is a clear policy on the intended use of Civil War Sites report and its accompanying maps. As a as scholarly research document, they may have value. As a Federal regulatory tool, however, their impact is devastating.

I urge you to establish a policy that these maps and this report will not be used to usurp local land-use planning authority. And further, I urge you to establish a policy that the National Park Service will not initiate condemnation proceedings for any of the

battlefields identified in this report. We have never opposed the concept of a "willing seller/willing buyer" for the purposes of protecting historic resources.

We do, however, have serious objections to any attempt to remove land from local control by Federal intervention or to revoke the right of local governments to make local land-use decisions.

In conclusion, I urge you to look closely at what the report really does. In the case of Henrico County, it has clouded our vision for the future of one-third of our land, it has clouded the vision of the future of private landowners and it has clouded the vision of the future of our ability to provide for our citizens' needs.

Again, I thank you for the opportunity to speak to you today.

Thank you.

Mr. VENTO. Mr. Donati, Supervisor Chairman Donati, do you think that the Commission or others that develop information should make it proprietary information?

Mr. DONATI. I don't quite follow you, sir.

Mr. VENTO. That they should keep it to themselves, that is the information should not be shared with the public?

Mr. DONATI. Well, I think—

Mr. VENTO. Use maps if they have the—

Mr. DONATI. Well, when you start disclosing this information to the public, I think it is an opportunity that even though there is a fear of condemnation—

Mr. VENTO. I mean, your position is that they shouldn't disclose it, that they should keep the information private information for the Commission or for the Park Service.

Mr. DONATI. I think the citizens need to know.

Mr. VENTO. Well, I mean, I am in a dilemma. That is what my view was. I thought if they had not made this information available and the citizens didn't know, but you are suggesting that the maps are putting out—how would you put the information out if the citizens had to know? If you wouldn't do it with the maps, how would you do it?

Mr. DONATI. I don't know if the report is made available to everyone, either. The action report itself.

Mr. VENTO. I don't know either, but that sort of begs the question. My point you think it ought to be made public, but yet your testimony says they shouldn't share it on the basis of these maps because it has clouded the views or something of people by giving them information.

Mr. DONATI. I think these maps have clouded the vision of the citizens of our county. They are quite fearful of the National Park Service and condemnation rights.

Mr. VENTO. Well, how would you deal with making the information public? You said you thought it ought to be made public, so you are telling me on one hand it ought to be made public, and on at other hand, that it shouldn't be given to the people. So should it be given to everyone else but the people in your county?

Mr. DONATI. No.

Mr. VENTO. I don't think that is what you mean. In terms of the studies that were done, was there any violation of anyone's property rights?

Mr. DONATI. No, but it is the fear of those property rights, sir.

Mr. VENTO. Yes, well there are probably fears the sky is going to fall this morning but the point is that—

Mr. DONATI. When these designate these areas in their report—

Mr. VENTO. Designated them? Identified them or referred to them?

Mr. DONATI. They have identified them.

Mr. VENTO. Identified them.

Mr. DONATI. Okay. There is a fear of condemnation in which in 1936 there was an Act enabling legislation—

Mr. VENTO. So I think you are arguing for better communication here? Are you arguing for better communication of what is going on here? I mean, the Commission put out the report the papers put out—they publicized it. Did someone misinterpret what the Commission report was?

Mr. DONATI. No.

Mr. VENTO. They did not.

Mr. DONATI. I think what you are failing to understand is that—let me try this one more time. In 1936, Congress had enabling legislation to condemn properties in the Richmond National Battlefield Park area. And when these battle sites are listed in this report, people have a fear, the property owners in this district have a fear that these properties are going to be condemned by the National Park Service which has the right to do that under the Act of 1936.

Mr. VENTO. Well, I don't know what law that was in—I guess it had to do with the designation of Richmond sites or the battlefield sites today.

Mr. DONATI. That is basically why we are here today is because of that Act and the fear that that Act brings to the citizens of our county.

Mr. VENTO. This is different, all we are talking about here is a study or a view of this, at this point, obviously, if there is a designation of it. Do you have any concerns about the Shenandoah legislation? Do you know anything about it?

Mr. DONATI. When it comes to property rights, I do, yes. Whether they are going to be condemned or not.

Mr. VENTO. Well, the idea, of course—you say you want to reserve to your county; Henrico County is it?

Mr. DONATI. Henrico.

Mr. VENTO. Henrico, pardon me. The responsibility to make decisions with regard to land use; is that correct?

Mr. DONATI. That is right, at the local level.

Mr. VENTO. You don't want the government to take that decision away from you over land use unless they purchase the land, but you would object to them purchasing it. You object to the government purchasing the land for a highway right-of-way.

Mr. DONATI. Not unless absolutely necessary. We have to do this in our county because we own and maintain our own road system and we have to do that occasionally, but we don't like to do that. It is not a pleasant experience.

Mr. VENTO. I think most of the time when we are purchasing something we would rather do it voluntary with a willing seller or willing buyer, but sometimes people don't agree.

Mr. DONATI. Whether there is a necessity or not, that seems to be the question.

Mr. VENTO. Well, it is the same thing with regard to the road, I guess you could argue whether or not you need to widen it or whether you need to go through that particular corn field, is always an argument. But there are all sorts of examples where you have to yourself exercise, and the Federal Government on occasion has had to exercise, such power; isn't that correct?

Mr. DONATI. Yes.

Mr. VENTO. Well, let me get back to the main topic. I think you have presented dilemma, because we thought—the issue would be that the Federal Government or commissioner wasn't sharing information. Now if people misunderstand that information is shared, that is regrettable and we hope that more communication, more understanding would let people make decisions on that basis.

It is quite possible that someone in the future may come back and propose that one of those sites that are identified become a national park, and if people don't want to sell it willingly, that they take it or buy it unwillingly, but that isn't the case we are in, before us here today. Obviously, the Commission in sharing information is almost saying we ought to control the knowledge or the information in that particular sense. And many would argue that we really have a responsibility and that many people have a right, an absolute right to have the information concerning these cultural resources rather than to have the information somewhere stowed away where it is never to see the light of day.

I guess we are getting off having more information and having it available than having someone controlling it. But in any case, the Commission report called for redefining of the boundaries of battlefields.

Dr. Robinson, can you give us some examples of prominent battlefields in need of boundary adjusts that come to mind?

Ms. ROBINSON. Ones that are already in the National Park Service?

Mr. VENTO. Ones that are designated. I guess if you say they are boundaries that need to be notified, I guess they could be controlled by a State. They don't need to be a national park, but they're transboundary problems I think you are saying here.

Ms. ROBINSON. Certainly, as we traveled, for example, when we were at Kennesaw in Georgia, they had been offered some land contiguous with their property and they were not able to accept it because of the legislation under which Kennesaw had been established. That would be a very specific example of the idea that we need to have some kind of emergency action that can take place when land is available that they can take the land.

Mr. VENTO. Your report calls for a uniform recreation-use statute that would limit the tort liabilities so that private owners could allow public use of battlefields. This is something that had come up before in a context. Do you want to shed a little more light on this?

I don't know if you recall this in your report, but it is inevitably where somebody gets injured on private property because they have provided an easement, I assume they provided some easement for public—for a path going through the property, perhaps.

Ms. ROBINSON. And this is something that we learned from testimony from private citizens that own Civil War battle sites, that they would like to open their land more very often and allow more people to see the significant sites, but they are afraid that if Sam Jones comes walking across their property and steps in a pot hole and twists his ankle and falls, that there would be a lawsuit and that they would not be able to stand up against this lawsuit as far as cost. And it was really something that we heard over and over again in testimony for private ownership from not opening their lands to opening their lands more to the public with some help from the Government.

Mr. VENTO. Well, there are probably a number of ways to solve that particular problem, in the sense that you indemnify where there are legitimate incidences, where there is non-negligence. I am not an attorney, I am just a science teacher, but I can tell you that flows to a little different problem.

Mr. Heller, your organization, the Civil War Trust, acquires land in order to donate it to the Federal Government in many instances. How long has your organization been in existence Mr. Heller?

Mr. HELLER. We were founded in 1991 at the insistence of Secretary Lujan.

Mr. VENTO. So you have been making some pretty dramatic progress. I don't know if you want to take credit for everything that we talked about in terms of Shenandoah just recently there, but can you give us some idea of the scope of your success so far?

Mr. HELLER. Unfortunately, when one assesses any task one probably looks at what hasn't been done far more than what has been done. I think the Civil War Trust has done a fine job from an entrepreneurial standard in the last two-and-a-half years and moving forward, but the task is so large that I think we at the Trust measure it in terms of what has to be done. The most significant accomplishment of the Civil War Trust was the enactment with the aid of our President Grae Baxter and Dick Moe, now President of the National Trust and others working, with Congress of the Civil War Commemorative Coin Act. That will lead, if we are successful, in supplementing the Mint's efforts to selling all the coins to \$21.5 million available for Civil War land purchase and preservation which would obviously be by far the largest private sector funding use, albeit coming in this means.

We also have a national membership program and a joint venture with Forbes which in its first year garnered approximately 6,000 members. We have raised about a million and a half dollars, a good portion of it which has gone, obviously, to build the infrastructure, but some has gone to the six or eight sites where we have been active.

We were instrumental in helping preserve Grover Farm in Antietam. Harpers Ferry, with 56 acres, were acquired, and the like, those were set out in the earlier statement. I would, however, stress while I would be delighted to give President Baxter and all the others in the Trust all the credit, and she will be pleased to hear from you about that success, we tend to look at this and how much more has to be done. And we look forward to working with the other preservation groups to try to make sure we go as far as

we can by the year 2000 in protecting those Priority 1 sites set out in the Commission's report.

Mr. VENTO. There is, of course, the suggestion that the Civil War Trust, and other trusts, tend to skew the acquisition priorities of the National Park Service, or for that matter, other land management agencies. It is the same sort of problem in that it creates pressure in Congress to authorize the inclusion of such lands within a park or battlefield.

Do any comments on that?

Mr. HELLER. Yes.

Mr. VENTO. Maybe Congress will have to appropriate a little more money for this, which I hope it does, frankly.

Mr. HELLER. I would say that would be a great outcome indeed, but, in fact, in your earlier comment where you said we bought land for subsequent inclusion into the National Park System, that is, of course, one way in which we would proceed but in addition, there are organizations that manage. The Association for the Preservation of Civil War Sites, Mr. Greene testified earlier, does a fine job in management. And we can certainly envision the acquisition of lands either in fee or by easement through our funding which we would then donate or turn over for APCWS for management.

We have no intention of being in the management business. I think it is fairly clear given the constraints that have been placed on the National Park Service, that there may well be a need for the expansion of the kind of activity that Mr. Greene and others at APCWS have initiated.

Mr. VENTO. I think also, of course, the operation and maintenance in what are key sites need to be interpreted and need to be preserved. Somebody was talking about Opequon earlier in Corinth, and once you dig something up, then you have got a problem. So sometimes you are just better off leaving it and making certain that someone isn't necessarily destroying it in the process of a subdivision or some other activity. So I have learned a little in the process of working and doing what I am doing.

Let me just ask one more question that I have. It is late in the afternoon, and I have another appointment, but of all the threats to the Civil War battlefields, Dr. Robinson, what are the most significant?

You know we heard from the Department of the Interior Director, he talked about the need for tax incentives as well as the lack of authority in terms of law.

Of course, dollars, not having programs funded, is a third one. Local zoning and lack of local planning or technical assistance needed is another. In other words, the willpower at the local level and awareness to do this is low. Apparently, too much awareness is a bad thing according to some.

In any case, why don't we go on to what you think are the threats. You talked a little bit about the transboundary problem. Can you give us any further insights, if I haven't taken all your thunder away by reciting these.

Ms. ROBINSON. No. What do I think are the most important?

Well, I would say that certainly one of the key things that needs to be done, and this is really a combination of threat and preach, is to look very carefully at these priority sites and see that the land

use in and around these priority sites is changing dramatically. And in some instances, you need a change in tax code for this.

Some cases, you need to permit executors or heirs of a particular property to make a postmortem easement definition within two years so they don't have to sell the land immediately to get the money to pay the estate taxes and whatever.

I think another problem and another thing that we need to all work on very, very hard is the education of the local zoning boards and the local communities to see and understand the great import of the historical treasures that they have in their jurisdictions. And I think you will note that was one of our first things that we asked for was the Civil War Heritage Preservation Law and to make a commitment that it is in the public interest to preserve these sites.

There are only so many of them and they are shrinking literally as we speak. And I think it is critically important that we continue to make it a priority, that not only the Federal Government but the State and the local government and the private organizations all become as active as possible in preserving these lands.

Mr. VENTO. Well, apparently the Park Service is going to transmit to us further legislation on that as well as yours, and we will be able to compare them. Then we will compare them for the Vento bill or heritage bill or park protection type of activity. But, of course, that assumes that things are designated and they may not be—Mr. Heller, did you want to augment your colleague's, your chairperson's statement?

Mr. HELLER. I live in Washington, DC, and the development pressures within a 100 miles of Washington I think are critical. And I think in terms of the greatest threat we confront to Civil War battlefield is exactly the kind of drive for massive suburban development, the kind of threat represented throughout this country by urban sprawl that really confronts the Civil War battlefields.

Professor Bearss has stressed that most battles of the Civil War were fought along transportation lines, railroads and road systems, and most of our development today tends to occur along those same railroads and roads. And I think it is important that we move now through a willing purchaser, Mr. Donati, to try to preserve as many of those lands as we can. We need more tools.

Mr. VENTO. We do have the bill now from the Park Service. Apparently, it has been delivered, so the record is almost as complete.

Supervisor Donati, what do you do when you confront a problem in your county. You have all these historic resources, do you have a special plan to deal with them.

Mr. DONATI. We have an excellent planning staff with historians on board, and we also have a Historic Preservation Advisory Committee that was appointed by our board quite a number of years ago, and we are constantly looking at that.

We have tremendous amount of park land of our own in which some of these core sites are in and will be preserved.

But I had one question. I would like to know, we have had a couple of meetings with some of our Congressmen and we would like to know, where does this report go from here? What will happen to this report? We haven't been able to get a clearance.

Mr. VENTO. Well, you propose and we dispose. Congress will have to deal with it. I think it probably will serve as a guide to specific proposals like Shenandoah.

There may be overall legislation that deals with the gift sites or the 45 sites, or probably about 50 people behind you that are dying to listen to my answer. But I think the thing is the Commission has to come up with a guide but obviously there are all these types of limitations, so some of them deal with existing units some deal with proposed, and some deal with undiscovered and, of course, obviously, we think that the information is itself important to local decision-makers like you.

Obviously, it creates some anxiety on the part of local land-owners. But you know, that is part of the equation today to be living in a more and more complex area, where we learn about the environment or the ecosystem and/or the cultural and natural resources that are present there, and so it doesn't make your job any easier. I understand that.

I started out as a State legislator and worked a lot in local government issues, but nevertheless, it is there and we hope the information will be used by you and others. But I understand implicit in your statement, short of sharing the information, I think we get into bigger trouble, and that is all I was trying to point out to you, Supervisor Donati. So we hoped you would do a good job.

I think much of what is predicated in the report is relying on people like you and the citizens you represent at the grassroots level, where the rubber meets the road, to in fact take this information and be able to work with it. Because we aren't going to designate it all and control it all in terms of Federal level, especially some of these sites.

There have been a number that have been like the Gettysburg and the Antietam. Most of the major sites are recognized, but the others have not been and probably are not going to be in public ownership other than what you already have. So it is a question of trying to limit the development and take that information and put it into the planning process that you have as you go forward in terms of development.

Now your county is going to be key. But hopefully—because we can't go around and keep buying areas like in Manassas, but on occasions if we don't adequately plan—that is what we are going to face, confrontation. At least this committee still deals with confrontation.

Some seem to avoid the issues, but so far they haven't been quite that immobilized here yet. Well, that being said is probably enough for the day. I have got to go to my appointment.

Thank you all for your efforts and contributions today.

The meeting stands adjourned.

[Whereupon, at 12:11 p.m., the subcommittee was adjourned.]

APPENDIX

JULY 25, 1994

ADDITIONAL MATERIAL, SUBMITTED FOR THE HEARING RECORD

Shenandoah Valley Battlefields included in H.R. 746

By priority identified in Commission on Civil War
Battlefields report

- Priority I:** Battlefields with critical need for coordinated nationwide action by the year 2000.
- I.1: Site of battle having decisive influence on a campaign and a direct impact on the course of the war; good or fair integrity; high or moderate threats; less than 20% of core area protected: Cedar Creek
 - I.3: Site of battle having observable influence on the outcome of a campaign; good or fair integrity; and high or moderate threats: Fisher's Hill; First Kernstown
- Priority II:** Battlefields with opportunities for comprehensive preservation.
- II.2: Site of battle having a direct and decisive influence on a campaign; good or fair integrity; low threats; less than 20% of area protected: Cross Keys; Port Republic.
 - II.3: Site of battle having observable influence on the outcome of a campaign; good or fair integrity; high or moderate threats: Cool Spring; Tom's Brook.
- Priority III:** Battlefields needing some additional protection.
- III.3: Site of battle having observable influence on the outcome of a campaign; good or fair integrity; low threats: McDowell.
- Priority IV:** Fragmented Battlefields
- IV.1: All classes of significance, poor integrity: New Market; Opequon; 2nd Kernstown; 2nd Winchester.

ENDORSEMENTS FOR
SHENANDOAH VALLEY NATIONAL BATTLEFIELDS AND COMMISSION

BY COUNTY

FREDERICK

The Glass-Glen Burnie Foundation	Landowner/Individual
Town of Middletown	Government
Town of Stephens City	Government
Winchester-Frederick Chamber of Commerce	Business
Winchester-Frederick County Econ. Dev. Comm.	Business
County of Frederick	Government

SHENANDOAH

10th Virginia Infantry/John P. Mann	Landowner/Individual
Belle Grove Plantation	Historic Group
C. M. Mike Hunt	Landowner/Individual
Charlotte S. Downey/Stickley House	Landowner/Individual
Cross Keys Antiques/John B. Woodyard	Landowner/Individual
David E. Smith	Landowner/Individual
Friends of the North Fork of the Shenandoah River	Civic Group
Carland Huggins	Landowner/Individual
Harold Walter	Landowner/Individual
Hupp's Hill Battlefield Park and Study Center	Historic Group/Business
J.W. Troxell	Landowner/Individual
James H. Faulconer	Landowner/Individual
Jim L. Craun	Landowner/Individual
Keith Roco	Landowner/Individual
New Market Area Chamber of Commerce	Business
New Market Battlefield Historical Park	Historic Group
Patricia K. Marie	Landowner/Individual
Ralph Stickley	Landowner/Individual
Reformation Lutheran Church	Civic Group
Robert D. Flu	Landowner/Individual
Sarah P. Falconer	Landowner/Individual
Shenandoah Caverns	Business
Shenandoah County Board of Supervisors	Government
Shenandoah Valley Civil War Roundtable	Historic Group
Shenandoah Valley Quality Inn/Lois Moomaw, Gen. Man	Business
Strasburg Guards/Sons of the Confederate Veterans	Historic Group
Strasburg Rotary Club	Civic Group
Town of Mt. Jackson	Government
Town of New Market	Government
Town of Strasburg	Government
Town of Tom's Brook	Government
Town of Woodstock	Government
United Daughters of the Confederacy, Breckenridge	Historic Group
VMI Museum Programs	Historic Group
William F. Baussem	Landowner/Individual
William J. Baussem	Landowner/Individual
Women's Memorial Society	Civic Group
Woodstock Museum	Historic Group

ALEXANDRIA

Brian C. Pohanka	Landowner
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VALLEY WIDE

Shenandoah Valley Travel Association	Business
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ROCKINGHAM

Arthur J. Hamilton	Landowner/Individual
Association for the Preservation of Civil War Sites	Landowner/Individual
Barbara Paulson	Landowner/Individual
Cherry Grove Farm/George K. Harnsberger	Landowner/Individual
F & M Bank-Massanutten	Business
Graham C. Lilly/Professor of Law UVA	Landowner/Individual
Harrisonburg-Rockingham Historical Society	Historic Group
Harry L. Chandler	Landowner/Individual
Lawrence D. Bowers/Wilson & Bowers	Landowner/Individual
Martha B. Caldwell/Professor of Art History JMU	Landowner/Individual
Mr. & Mrs. Brownie A. Cummins	Landowner/Individual
Mr. & Mrs. Thomas F. Tutwiler	Landowner/Individual
Peter Svenson	Landowner/Individual
The Inn at Keezletown Road Bed & Breakfast	Business
The Society of Port Republic Preservationists	Historic Group
The Town of Dayton, Virginia	Government
James J. Geary, Former Dir. New Market Battle.	Landowner/Individual
Ronald E. Carrier, President, James Madison Univ.	Educational
Barbara Moore	Landowner/Individual
Daniel M. Downey, Ph.D	Landowner/Individual
Tom's Brook Farm/Rodney A. Bankson, CDR, USN-Ret.	Landowner/Individual
W. Allen & Phoebe Sherwood	Landowner/Individual
W. C. Bedall, Jr.	Landowner/Individual
Wilmer Diehl Family	Landowner/Individual

HIGHLAND

Association for the Preservation of Civil War Sites	Landowner/Individual
The Board of Supervisors for Highland County	Government
The Recorder	Business/Press
Virginia's Western Highlands Travel Council	Business

WINCHESTER

City of Winchester	Government
Elizabeth G. Helm/Former Mayor	Government
Downtown Development Board	Government
The Common Council of the City of Winchester	Government
Preservation of Historic Winchester	Historic Group

AUGUSTA

Winston Wine	Landowner/Individual
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PAGE

Lunay Caverns Corporation	Business
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PORT REPUBLIC

Mark & Susan Hardy	Landowner/Individual
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REGIONAL

The Civil War Trust	Historic Group
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The Last Valley Campaign

As development marches across Virginia's Shenandoah Valley, residents, historians, and preservationists are mounting a defense of Civil War battlefields.

By Charles Feigenoff

Modern-day "soldiers" re-enact the battle of New Market, one of many Civil War battles fought in Virginia's Shenandoah Valley.

PHOTO BY SAM ABELL

National Parks, "The Last Valley Campaign"

STANDING ON THE BRIDGE over Interstate 81 at the New Market battlefield, it's hard to imagine that North and South ever fought bitterly in the Shenandoah Valley. The steady drone of tractor trailers has long since replaced the sputter of muskets and the flash and roar of cannon, and the uninterrupted stream of commerce and the passage of time have muted the partisan feelings that set these regions against each other.

Now, residential, industrial, and commercial development in the valley—nurtured by major thoroughfares such as I-81—threatens to obscure the tangible evidence of the conflict entirely. There is a real danger that if we don't act soon, the forests and fields where frightened, desperate men fought for a cause they believed in will be overrun one last and final time.

One hundred and thirty years ago, the Shenandoah Valley was one of the most fiercely contested regions in the country. In 1862 Maj. Gen. Thomas J. "Stonewall" Jackson entered the valley with 17,000 men and outmaneuvered three Union armies twice his size, forcing the North to divert troops from Richmond and setting the stage for Gen. Robert E. Lee's invasion of Maryland.

Two years later, Maj. Gen. Philip H. Sheridan struck hard from the north, crushed Confederate armies sent to stop him, and burned the farms that blanketed the valley. He brought the Southern capital to its knees by depriving it of the livestock and grain that its citizens and their defenders needed to survive.

Both campaigns were "as crucial in shaping the course and ultimate outcome of the war as were Antietam, Vicksburg, Chickamauga and Chattanooga—yes, even as important as Gettysburg itself," says James M. McPherson, the Princeton historian who won a Pulitzer Prize for his Civil War study, *Battle Cry of Freedom*. Yet, except for a few private efforts, the Shenandoah Valley battlefields are completely unprotected.

New Market, site of a decisive 1864 battle, is one of the few Shenandoah Valley battlefields that is privately protected.



In February 1993, Rep. Frank R. Wolf, whose congressional district was recently rewritten to include the northern half of the valley, introduced a bill to establish the Shenandoah Valley National Park System as a unit of the National Park System. Similar legislation followed in May, sponsored by senators John Warner and Charles Robb of Virginia and Sen. James Jeffords of Vermont.

These bills are noteworthy not simply because they aim to protect a crucial part of our national heritage. They reflect a grassroots philosophy that, from the very start, involves local governments, citizen groups, and preservationists in creating national parks. And they are based on the understanding that national parks need not be large blocks of contiguous land, but can embrace scattered sites. NPCA and like-minded groups played a decisive role in drafting this legislation.

THERE IS LITTLE QUESTION about the importance of the Shenandoah Valley in Civil War history. The average American may have a hard time placing Front Royal and First Winchester, Cross Keys and Port Republic, but mention Jackson's valley campaign, and eyes light up. Jackson understood the strategic importance of the valley. It angles east as the Shenandoah River flows north, making it an ideal corridor for advancing Confeder-

Graves of Confederate soldiers fill Stonewall Cemetery near Opequon Creek, site of the battle known as Third Winchester.

ate troops to launch an attack on Washington. It even served Jackson's purposes in retreat, forcing pursuing Union troops farther and farther away from Washington as they marched south.

In 1862, the professor-turned-general defeated three Northern armies in a single month, not merely because he appreciated the valley's strategic potential but because he mastered its topography. He used the Blue Ridge Mountains that form the valley's eastern wall to screen his troop movements from the Union command, and he made a practice of keeping Massanutten Mountain, a high ridge that divides its northern portion into two smaller valleys, between his troops and his opponents. Jackson also knew every back road, river crossing, and bridge between Staunton and Winchester and turned them to his advantage as his "foot cavalry" covered more than 650 miles in five weeks.

One of the keys to Jackson's success was the map he ordered from Jedediah Hotchkiss. In the spring of 1862, Jackson asked Hotchkiss to "make me a map of the Valley." The resulting map, measuring three by eight feet, served as the blueprint for Jackson's campaign. It traces more than 4,500 roads, pro-

vides 230 historic place names, locates 260 mills, forges, schools, churches, and tollhouses, and identifies more than 1,000 farms by the name of the resident, in addition to providing topographical and watershed information.

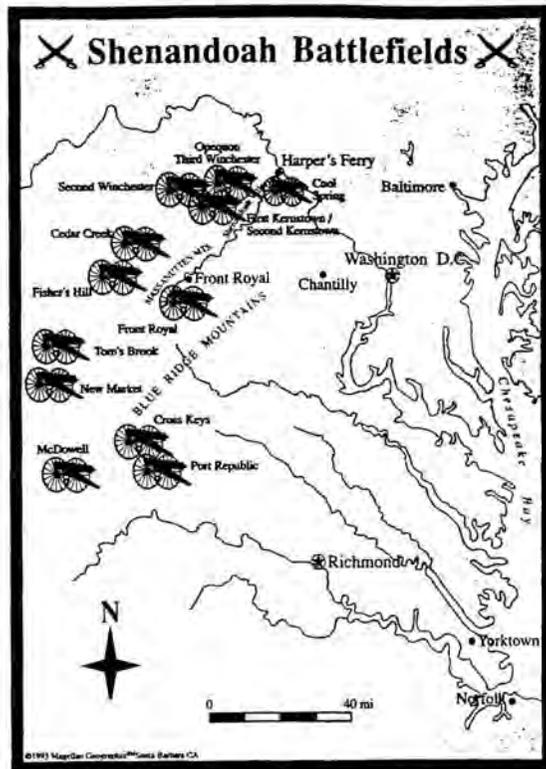
Between May 8 and June 9, Jackson defeated Union forces at McDowell, in the rugged mountains just west of the valley, overran a detached Union force at Front Royal, routed Union defenders at Winchester, and stopped two Union columns before they could unite below Massanutten Mountain by attacking them individually at Cross Keys and Port Republic.

His campaign demonstrates how an inferior force can, through fast movement, surprise attack, and intelligent use of the terrain, mount a successful campaign against much larger armies. In five weeks, he inflicted more than 7,000 casualties at a cost of only 2,500. Gen. Norman Schwarzkopf recently credited Jackson's campaign as a model for his strategy in Iraq.

The valley campaigns of 1864, though not as well known as Jackson's valley campaign, also provided a foretaste of what future wars would be like. In March 1864, Lt. Gen. Ulysses S. Grant made a priority of breaking the Confederate hold on the valley. During the summer, the valley changed hands several times, with battles fought at New Market, Piedmont, Cool Spring, and Second Kernstown.

In October, after a series of pitched battles with the Confederate army of Lt. Gen. Jubal A. Early at Opequan and Fisher's Hill, Sheridan introduced the concept of total war. Sheridan reported, "I have destroyed over 2,000 barns, filled with wheat, hay, and farming implements; over 70 mills, filled with flour and wheat.... When this is completed the Valley from Winchester up to Staunton, 92 miles, will have but little in it for man or beast." Sheridan finally took control of the valley by routing Early's cavalry at Tom's Brook and turning the tide of battle at Cedar Creek.

Sheridan's string of victories in 1864 had political as well as strategic importance. After taking 100,000 casualties, Union assaults on Richmond and At-



lanta had bogged down, and growing antiwar sentiment jeopardized Lincoln's re-election. The success of Sheridan's campaign proved a tremendous morale booster for the North and restored confidence in the administration.

A CIVIL WAR VETERAN returning to the battlefield at Cross Keys or Port Republic would have little trouble recognizing it even today, for the valley has retained much of its rural character. Peter Svenson, author of *Battlefield, Farming a Civil War Battlefield*, an account of building a home on 40 acres at the site of the Battle of Cross

Keys, writes that after the war, scores of German and Swiss carpenters fanned out across the valley and made a living replacing the barns that Sheridan had razed. Their handiwork still stands and, in fact, farming is almost as important to the valley economy now as it was during the Civil War. William Veno, director of planning for Rockingham County, points out that Augusta, Rockingham, and Shenandoah counties, the site of seven major battles, are among the top five agricultural counties in Virginia.

But development has not sidestepped the Shenandoah Valley. In many areas,

particularly around Winchester, the conditions that drew armies to clash at a specific spot—the intersection of major highways, a rail head, or a hill with a panoramic view—are just the conditions that encourage development. The population density of Frederick County, which surrounds Winchester, grew from 69 people per square mile in 1970 to 110 in 1990. This growth has been accompanied by a decline in acreage under cultivation. Between 1964 and 1987, farm acreage in Frederick County dropped 27 percent, and the battlefields of First Winchester and Opequon (or Third Winchester) were almost entirely overwhelmed. Although most of the other battlefields retain at least a fair amount of integrity, nearly all are subject to some form of threat, either from residential, commercial, or industrial development, or from highway construction.

The interstate highway system, built in the 1960s, stimulated much of the change that the valley has witnessed in the last 25 years and in itself has been particularly unsparing of the battlefields. The Park Service calls this highway program "the single most destructive event in the history of these battlefields." Interstate 81, which runs the length of the Valley parallel to the old Valley Turnpike, cuts across eight battlefields, and I-66 intersects two.

WHILE THE EFFORT to save the Civil War battlefields in the Shenandoah Valley has been a top agenda item for several preservation groups, the legislative drive to preserve the battlefields owes much to a senator from Vermont. In 1989, the 125th anniversary of the Battle of Cedar Creek, Sen. James Jeffords visited the Shenandoah Valley spot where the Vermont Brigade had made a heroic stand during that battle. "The Vermont legislature had passed a resolution asking its congressional delegation to do what it could to maintain the monument that veterans of the brigade had placed there after the war," says Jeffords. He found the monument overgrown and much of the battlefield unprotected.

Returning to Washington, Jeffords—working with Virginia senators John Warner and Charles Robb—proposed legislation that resulted in the National Park Service (NPS) undertaking a study of Civil War sites in the Shenandoah Valley in 1990. "It became apparent to me," Jeffords remarks, "that if we didn't act soon, we would lose part of our heritage forever."

NPS issued a first draft of the report in October 1991. As a historic treatment of the major events of the Civil War in the valley, it is an impressive piece of work. Official Civil War records document 326 armed clashes in the Shenandoah Valley; of these, the Park Service identified 15 battles of major significance. Wherever possible, researchers walked the battlefields, locating such remains as earthworks and burial sites and assessing their condition. They determined the boundary of the study area and defined each battlefield's core area—the amount of land considered crucial to understanding and interpreting the conflict. NPS also provided a detailed assessment of the threats to each battlefield and ranked them by condition and current risk to preservation.

But for all the effort that went into producing it, the report did not contain strong enough recommendations for battlefield preservation, a circumstance that led landowners, preservation groups, officials from local government, representatives of the tourism industry, and economic development councils to form their own working group. The purpose of the group was to develop a bill for a battlefield national park that would be acceptable to landowners and preservationists—a bill that the Virginia delegation could introduce in Congress.

"This was really a grassroots effort," comments NPCA Northeast Regional Director Bruce Craig. "Our role was to first help the grassroots organizations determine objectives and then gather all their ideas, offer our experience in creating new parks, and finally help them craft a doable bill."

The groups began meeting in January 1992, and each brought a different perspective to the discussions. NPCA's

New Market: A Model



Development surrounds the New Market Battlefield Historical Park.

THE EXPERIENCE OF THE New Market Battlefield Historical Park provides a model of how Shenandoah battlefields might be preserved. The Virginia Military Institute created the park in 1967 to commemorate the role of VMI cadets at New Market. Ed Merrell, director of the 280-acre facility, notes that 45,000 visitors stop each year to visit the Hall of Valor and walk the battlefield.

"We've learned how to encourage visitors to visit each of our three separate parcels of land, and we've learned the importance of working closely with the surrounding communities, issues the Park Service will have to master if the battlefield preservation bill is passed," he says.

But the park has felt pressures of development. "Just in the last year, the town of New Market has annexed properties on its north and south borders," Merrell notes. "They've created major new subdivisions, and Main Street has lost several historic structures. The passage of a bill might encourage localities to do better planning. As an organization, we don't consider it restrictive. It opens up possibilities for us to share our expertise and form partnerships with the Park Service."

The bill is endorsed by the New Market Battlefield Historical Park, the New Market Area Chamber of Commerce, and the Shenandoah County Board of Supervisors.



partner in the effort to preserve the Shenandoah battlefields is the Association for the Preservation of Civil War Sites. For A. Wilson Greene, APCWS executive director, the battlefields are irreplaceable for those who hope to take a full measure of our history. "Only by walking the actual ground where men fought and died," he insists, "do you gain an emotional appreciation of their ordeal, something that can't be gained from sitting in your armchair reading a book."

James McPherson seconds Greene's view. He recalls the experience of a student of his who spent her senior year studying the Union defense of Little Round Top at Gettysburg. "As we walked across the field toward the hill," he recalls, "she began to weep."

Greene and McPherson also stress the substantial economic benefits that a park would bring to the region. Ac-

cording to June Wilmot, executive director of the Winchester/Frederick County Economic Development Commission, most of the economic benefit from the proposed park will come from support services such as restaurants and motels rather than from federal spending on the park itself. And these are benefits, she points out, that can be gained without local governments' investment in infrastructure like schools, water lines, and sewage treatment plants.

In McDowell, a quiet town some 30 mountainous miles west of the valley, these benefits seem particularly attractive. Richard Hevener, a member of the Highland County Board of Supervisors, admits that "most of the McDowell battlefield land is already in the hands of preservationists and it's too rugged to farm, so we have nothing to lose. We're too far out of the mainstream to

attract much industry, so we think we can benefit from tourism."

Bill Veno, the planner from Rockingham County, takes a more cautious approach. "Because we're an agricultural area, our battlefields are much better preserved than those in the northern end of the valley," he notes. "As a result, there is less support for intervention. So far, we've been successful in using local regulations to limit development around Port Republic, but there is no guarantee that the battlefields will be protected in the future. We are looking for a way to preserve farmland and battlefields at the same time."

One thing all parties agree on, however, is that the proposed national battlefield will help preserve the valley's distinctive character and heritage not only for the people who live there but for citizens of other states as well. "Our

Port Republic (left) has changed little since Civil War days. While most of the battlefields retain a fair amount of integrity, the site of the first battle of Kernstown (right) is among those now surrounded by strip development.



Civil War history is part of the way we think about ourselves," declares Wilmot. "It would be a tragedy if we forgot it."

In May 1992, a first draft of the proposed legislation was readied and circulated for comments. In September, NPCA played a key role in crafting a second draft incorporating these comments. When the second draft was issued and sent out for endorsements, "every local jurisdiction signed off on it," says Craig. "No landowners objected, as they helped fashion the bill." With the help of NPCA and APCWS, the citizen group was able to present the Virginia delegation with the text of a bill that already had gained solid support among its constituents.

"In creating a Shenandoah battlefields park," says Congressman Wolf, the bill's sponsor in the House, "we are moving in the spirit of reconciliation and trying to avoid the acrimony that has developed from land takings in the past." Under the proposed legislation, the Park Service would purchase lands within a "historic core" area and acquire property in the surrounding study area through donation or land swap. No property would be seized through eminent domain; land would be purchased only from willing sellers. In preserving lands, the Park Service would pursue such nonadversarial tactics as purchasing development easements from farmers, which would preserve the land without restricting their ability to farm, and acquiring the right of first refusal, so that core lands could be tagged for acquisition at some future date. The bill also authorized federal grants to local governments and regional entities to cover the cost of developing plans for conserving the battlefields' historic character.

The cooperative spirit that infuses land preservation and planning would

also infuse the governing structure of the park itself. The House bill calls for a commission—composed of local landowners and officials as well as historians and preservationists—to prepare a framework for establishing the park within three years. The Senate bill calls for the immediate creation of the park from 1,140 acres already in the hands of preservation groups and the establishment of a similar commission to guide additional purchases. Despite these differences, both the House and Senate bills agree that community involvement is instrumental in creating the park unit free of the controversy that has surrounded preservation at such Civil War battlefields as Manassas and Brandy Station.

One reason that it has taken so long to include the Shenandoah battlefields in the park system is that the scattered events of a military campaign do not conform to the traditional concept of a national park as a contiguous block of land. The bills, in providing for the preservation of the Shenandoah battlefields, offer a model "partnership park" for other groups attempting to preserve sites of historic significance. For example, "the idea of creating a historic corridor [has] application to the Lake Champlain area," comments Sen. Jeffords, "which witnessed the major campaigns of the French and Indian War."

The bills do more, however, than preserve battlefields. Both bills call for a major interpretive focus on the expe-

rience of the people living in the valley, not just the soldiers who fought there. The lives of civilians were disrupted—Winchester, for instance, changed hands 72 times—and their livelihood was deliberately destroyed, yet little is understood about the experience of everyday people who suddenly found themselves in the midst of a battlefield, their crops ruined and their homes converted to field hospitals. "When people come to visit us," observes Ed Merrell, director of the New Market Historical Battlefield Park, "they are often as interested in the families who lived here as they are in the soldiers who fought here." Under similar provisions in both bills, educational and interpretive programs would be conducted at two NPS visitor centers—one in the upper valley and one in the lower.

PERHAPS THE BEST—and simplest—argument for the bills comes from author Peter Svenson, owner of a 40-acre portion of Cross Keys. "Civil War battlefields are our roots," he says. "If we let them be destroyed, we lose our connection with the past. I look out my window and see 40 acres that are still relatively untouched, but it is in an area that is being increasingly encroached upon. The next 130 years won't treat this landscape as kindly as the last 130. We must think about the future."

Charles Feigenoff is a free-lance writer based in Greenwood, Virginia.



Unsung Soldiers

The case for saving Shenandoah's Civil War battlegrounds.

Many Americans recognize the significance of such Civil War battles and campaigns as Antietam, Gettysburg, Chickamauga, Chattanooga and Petersburg. All of these battlefields are now national parks that attract millions of visitors each year.

More than 125 years after the guns went silent, tourists can walk the ground near Sharpsburg, Md., where more Americans died in one day—Sept. 17, 1862—than any other day in our history. They can scan the fields at Gettysburg, where 13,000 Confederate soldiers launched an assault of futile courage on July 3, 1863. And they can see where Grant's legions put their siege lines at Vicksburg, forcing that city's defenders to eat mules and rats before surrendering.

No one can truly comprehend the tragic but triumphant traumas of the American Civil War without visiting such battlefields. But there are two large gaps in our commemoration of the engagements of the Civil War—Stonewall Jackson's Shenandoah Valley campaign in 1862 and Phil Sheridan's Shenandoah Valley campaign in 1864. No national park—or state or local park—marks any of the eight battles and numerous important skirmishes involved in these campaigns, even though they were as crucial in shaping the course and outcome of the war as were Antietam, Vicksburg and Chattanooga—yes, even as important as Gettysburg itself. The two Shenandoah Valley campaigns produced two of the four major turning points of the war (the other two were Antietam and Gettysburg—Vicksburg).

Jackson's string of victories in the valley from May 8, 1862, to June 9, 1862, reversed a tide of Northern triumphs during the preceding three months that had threatened to sink the Confederacy.

The Union had captured Roanoke Island and New Bern in North Carolina, forts Henry and Donelson, Nashville and New Orleans and the lower Mississippi valley. Union victories in the bloody battles of Shiloh and Pea Ridge and the advance of the largest Union army to within six

miles of Richmond in the spring of 1862 had caused panic and depression in the South.

In mid-May 1862, the Confederate government was prepared to evacuate Richmond. Then came Jackson's extraordinary victories in the Shenandoah Valley—at McDowell on May 8, Front Royal on May 23, Winchester on May 25 and Cross Keys and Port Republic on June 8 and 9.

These victories proved to be a strategic shot in the arm for the Confederacy. They changed the momentum of the war and launched a year of Southern victories in the Virginia theater that culminated in the Confederacy's high tide at Gettysburg.

The tide receded, but by the late summer of 1864 Confederate prospects again seemed promising. The two largest Northern military efforts of the war, to capture Richmond and Atlanta, had bogged down in apparent stalemate after 100,000 Union casualties. The shock of death and failure staggered the Union, threatened Lincoln's reelection and spawned a peace movement in the North.

In July a small Confederate army commanded by Jubal Early cleared Union forces out of the Shenandoah Valley and marched all the way to the outskirts of Washington before pulling back. During this crisis, Gen. Ulysses S. Grant sent one of his favorite subordinates, Philip Sheridan, to the valley to take command of a composite "Army of the Shenandoah" and crush Early. In three battles—among the most one-sided Union victories of the war—Sheridan did precisely that: at Third Winchester (or Open Run Creek) on Sept. 19, Fisher's Hill on Sept. 22 and Cedar Creek on Oct. 19. These battles ensured Lincoln's reelection on a platform of unconditional victory and marked the final turn of the tide toward Appomattox.

The absence of a national park for any of these Shenandoah Valley battlefields has always been a mystery to me. But there is now a chance to remedy this omission—maybe the last chance.

The expansion of development along I-66 to its intersection with I-81 a few miles from five of the Shenandoah Valley battlefield sites threatens these sites with extinction. That fate could be avoided by the creation of a Shenandoah Valley national battlefields park.

Many residents of this area recognize that preservation of these sites would produce more than the obvious historical and cultural benefits. It would also yield the economic benefits of tourism at a much lower cost than residential development, with its inevitable byproducts of congestion, noise and pollution.

Most of the battlefield sites in the valley still possess a high degree of historical integrity, that is, the topography—the fields and forests, the hills and valleys and viewsheds—has changed little since the Civil War. At surprisingly low cost to taxpayers, much of the battlefield acreage could be saved for posterity, with sites linked by already existing state and local roads. Several parcels of battlefield lands already are owned by private preservation groups that are ready to turn them over to the National Park Service.

Congress should authorize a Shenandoah Valley National Battlefield Park as envisioned in legislation introduced by Rep. Frank Wolf (R-Va.) in the House and Sen. John Warner (R) and Chuck Robb (D) of Virginia and Sen. James Jefferson (R) of Vermont.

Creation of such a park would make it possible for millions of Americans to visit these battlefields, where thousands gave their last full measure of devotion just as surely as did those who died at Gettysburg.

—James M. McPherson
a historian, is president of the Association for the Preservation of Civil War Sites Inc. His book, "Bully Cry of Freedom," won the Pulitzer Prize for history in 1980

Washington Post, 6-13-93

SPECIAL REPORT

NATION

Shenandoah Valley battlefields' new fight: Preservation

By Jody Powell
SPECIAL TO THE WASHINGTON TIMES

Just north of Strasburg, in the Shenandoah Valley, a sleepy stream called Cedar Creek sits a farm owned and worked — by Charlotte Stuckley Downey. The farm has been in the Stuckley family without interruption for 150 years. The most of the farm is owned by the Stuckley family. The farm has been a remote and peaceful place.

But on a brutal, bloody day in the fall of 1864, the Stuckley Farm was the scene of some of the Civil War's most spirited fighting. During the war, the farm was used as a "struck farm" house, which stands today — became a field hospital. Union and Confederate surgeons shared an informal truce to perform their grisly work side by side. Unlike other members of farm families, Stuckley's family did not provide services as field hospitals. Mrs. Downey says she hears no ghostly footsteps at night.

Mrs. Downey's driveway is literally the number of the original Valley PNC, the highway from Lynch-

burg, Va., to Martinsburg, W. Va., and a primary avenue of troop movements throughout the war. A few yards from the road, the Graysons owned what is known by the name of Philip Sheridan — gray remnants of his 1864 orders to make the valley a "barren waste."

Behind the house rest the remains of a Georgia soldier mortally wounded at Cedar Creek. It was only by chance that the Stuckleys later learned the soldier's name — John Helms, a private from Atlanta.

The Stuckley Farm is part of the Shenandoah Valley, precious Civil War legacy. A Department of Interior study counted more than 300 sites of armed engagement in the Shenandoah Valley, including Confederate Gen. "Old Jeb" Stuart's remarkable "Valley Campaign" in 1862.

Exploring the Valley's complex topography, the Stuckley family's 17,000-acre farm was counter-marched until his army of three separate federal forces in seven major battles — all in the span of a few weeks.

Despite its rich history, the Valley has been something of a stepchild in

ers, these lands can and should be preserved for future generations. But the pressure for commercial development in the Valley grows every month. Valley residents are aware — but they also take seriously their rights as property owners. At the same time, the federal government to take their land by eminent domain would be met with the same resistance. Pvt. Helms gave Sheridan's troops.

Owners of historic property have been based with preservationists, businesspeople and local governments to craft an innovative approach to historic preservation and interpretation. This enlightened compromise is embodied in bipartisan legislation introduced in the House of Representatives by Rep. Bill Wroblewski, D-Va., and in the Senate by the state's U.S. senators, Republican John Warner and Democrat Chuck Robb, and by Republican Sen. James Jeffords of Vermont.

Under this new approach, the federal government would create a Shenandoah Valley Battlefields

Commission with membership from all sectors of local society. The commission would identify 12 of the 15 major battlefields in the Shenandoah Valley. The commission would establish driving tours, make plans for signage and interpretive displays, and negotiate access with landowners. As funding became available, the interior department would begin to purchase land from owners to keep the most historic land in agricultural use through modest subsidies and payments for use of portions of their property.

Federal funds would also be made available in a number of ways. While the federal government would be allowed to receive donated land, negotiate rights of first refusal, or purchase land from willing sellers at fair market value, it would be prohibited from exercising the power of eminent domain against the wishes of the owners.

All county, city and town governments in the affected areas have endorsed the bill. In marked contrast to other preservation contracts — usually Massachusetts and Brady

Station — there is virtually no local opposition.

As a veteran of battlefield preservation fights, I can take with authority that they can be done. The beauty of this legislation is that it accomplishes the goal of preservation — while requiring little direct action. Federal seed money for a regional party would help foster a new generation of preservationists. The bill also would eventually repay the federal investment many times over.

A 1991 study by Virginia Tech indicates that heritage tourism in the Valley would generate \$30 million to \$60 million in annual sales of goods and services, create up to 1,000 jobs, and increase the local tax base. The proposed Shenandoah Valley National Battlefield Park would be a worthy beginning to a new era of private-public cooperation in preserving our nation's heritage.

We owe that much to Pvt. Helms, CSA, and to his tens of thousands of comrades — from the 49th and down to the Shenandoah Valley.



Jody Powell, who has spent several years writing the book "The Shenandoah Valley Battlefields" for the Shenandoah Valley Battlefields Commission, is chairman and CEO of Powell Dale, a firm that specializes in historic preservation.

historic preservation. Only a few hundred acres of two major battlefields are officially preserved — the site of Cedar Creek and New Market. The Shenandoah Valley Battlefields Commission, a private foundation and New Market, Virginia Military Institute, a few battle sites are barely acknowledged by obscure roadside markers erected decades ago.

Fortunately, however, much of the battlefields' history has been preserved in the Stuckley family farm. In the Shenandoah Valley, it is often in the hands of the same families who owned it then. Many of the battle sites enjoy 80 or 90 percent historic integrity, with the willing cooperation of the own-

Dear Congressman:

The Shenandoah Valley of Virginia contains some of the most important remnants of our nation's Civil War heritage. In a recent Congressionally mandated study, the National Park Service determined that many of these sites are of national significance. Although threatened by development pressures these sites retain a high degree of historic integrity. The study concluded that action needs to be taken now if the most significant battlefields in the Shenandoah Valley are to be preserved.

H.R. 746 establishes partnerships between the federal, state, and local governments and the private sector and sets forth a framework for the preservation and conservation of these nationally significant historic sites. Under the provisions of the legislation introduced by Congressman Frank Wolf, the preservation of the battlefields and associated sites within the Shenandoah Valley will be accomplished without infringing on the rights of private property owners. The legislation provides incentives for individuals who voluntarily agree to preserve historic land and for governments that establish mechanisms for battlefield protection in a regional context. In sum, the legislation achieves a cooperative approach to battlefield preservation.

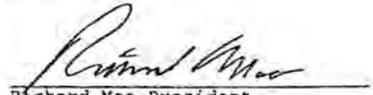
We urge you to please join with Representatives Andrews, Goodlatte, Traficant, Ravenel, Bateman, Frost, Gilman, Shaw, Hobson, Gingrich, Payne, Leach, Ballenger, Meyers, Kasich, Beilenson, Pickett, Boucher, Crane, Oberstar, Byrne, Faleomavaega, Green, Dingell, Ramstad, McMillan, Martinez, Hughes, Horn, Moran, and Wolf and co-sponsor HR 746. Through this cooperative effort the Civil War battlefields in the Shenandoah Valley of Virginia will be preserved.

To become a co-sponsor please contact William Mochshella at Congressman Frank Wolf's office 225-5136.

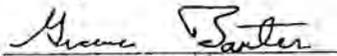
Sincerely,



Paul Pritchard-President
Nat'l Parks and Conservation
Association



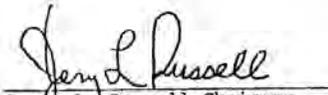
Richard Moe-President
Nat't Trust for Historic
Preservation



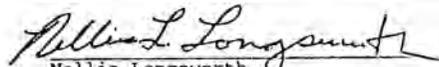
Grae Baxter-President
The Civil War Trust



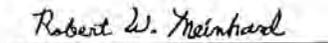
Wilson Greene-Executive Director
The Association for the
Preservation of Civil War Sites



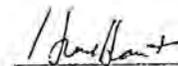
Jerry L. Russell-Chairman
Civil War Round Table
Associates



Nellie Longworth
Preservation Action



Robert W. Meinhard
Battlefield Preservation



Col. Herbert M. Hart USMC (Ret.)
Council on America's Military

RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES
DEPARTMENT OF VIRGINIA



STATEMENT OF THE AMERICAN HERITAGE COMMITTEE
DEPARTMENT OF VIRGINIA
RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES
TO THE
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS
HOUSE NATURAL RESOURCES COMMITTEE
FOR
H.R. 746
THE SHENANDOAH VALLEY NATIONAL BATTLEFIELDS PARTNERSHIP ACT
JULY 25, 1994

Submitted by:

Kenneth A. Bako
Chairman, American Heritage Committee

The Object of the Reserve Officers Association shall be " to support a military policy for the United States that will provide adequate National Security and to promote the development and execution thereof" (Public Law 81-595)

I am Kenneth Bako. My address is 14363 Clearview Avenue, Gainesville, Virginia. I am submitting this written statement on H.R. 746, the Shenandoah Valley National Battlefields Partnership Act, as the Chairman of the American Heritage Committee, Virginia Department, Reserve Officers Association. It is important that Virginia's battlefield heritage be preserved for future generations. I wish to bring the views of reservists who have served this country on active duty with the military services, and in the peacetime supporting forces, to the attention of this subcommittee.

The Reserve Officers Association (ROA) is a national organization of some 100,000 reserve officers, on active duty and in reserve status, as well as retired veterans, representing all branches of the armed forces. The primary objective of the ROA is to promote policies and support measures that will provide adequate national security for the United States. ROA recognizes that national security is, in a basic sense, dependent upon maintaining national pride, loyalty, and patriotism. For this reason the ROA, at its national conventions, has adopted resolutions supporting preservation of historic military sites.

The ROA resolutions specifically support legislative and administrative action at the federal, state, and local levels of government to protect historic military sites from encroachment and conversion and encourage efforts by ROA's departments and chapters to protect these sites.

Historic military sites, such as those identified in H.R. 746, are a vital part of our national heritage and provide tangible evidence to present and future generations of past sacrifices. As such, historic military sites serve as a positive reminder to all citizens of today's duties and responsibilities in maintaining a free democracy.

I therefore urge the members of the Subcommittee to take all measures necessary to protect the Civil War Battlefields identified in H.R. 746, the land, associated structures, and approaches for the inspiration and rededication of the generations to come. Further, as a veteran with the United States armed forces, I ask the Subcommittee to ensure that proper action will be taken to identify and protect those areas within, and adjacent to, these battlefields which may be the final resting place of the honored fallen who are missing in action.

Resolution No. 91-53
(National Security)

RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES

Preservation of Historic Military Sites

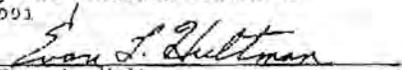
WHEREAS, the preservation and commemoration of war memorials are an important part of our national heritage; and

WHEREAS, the encroachment on historic military sites in the United States and its possessions and their conversion to industrial, commercial, residential, transportation, and other uses are detrimental to the promotion and maintenance of the principles of loyalty and patriotism;

NOW, THEREFORE, BE IT RESOLVED, that the Reserve Officers Association of the United States, chartered by Congress, support legislative and administrative action at the federal, state, and local levels of government to protect historic military sites from encroachment and conversion and support efforts by departments, chapters, and other recognized organizations to protect historic military sites.

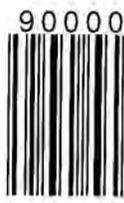
(This renews expiring Resolution 88-19)
Adopted by the National Convention
15 June 1991

Attest:


Evan L. Hultman
Major General, AUS (Ret.)
National Executive Director



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