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SENATE

{ REPORT
106-186

CORINTH BATTLEFIELD PRESERVATION ACT OF 1999

OCTOBER 14, 1999.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1117]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1117) to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 4, line 8 strike “Corinth Unit” and insert “Park Boundary—Corinth Unit”.

2. On page 4, strike line 23 and all that follows through page 5, line 5 and insert:

“(1) the tract consisting of approximately 20 acres generally depicted as ‘Battery Robinett Boundary’ on the Map; and ”.

PURPOSE OF THE MEASURE

The purpose of S. 1117, as ordered reported, is to establish the Corinth Unit of Shiloh National Military Park in Mississippi and Tennessee and to authorize a special resources study to identify other sites in and around Corinth for possible inclusion in the park.

BACKGROUND AND NEED

During the Civil War the town of Corinth, Mississippi, located at junction of the Memphis and Charleston and the Mobile and Ohio Railroads, was recognized by both Confederate and Union commanders as being of such importance that the town was occupied by one or the other of the forces from 1861 and 1865. Historians indicate that the Battle of Shiloh, in nearby Tennessee, was “sup-

posed to have taken place in Corinth.” Instead, Confederate General Johnston decided to strike the Federal forces at Pittsburgh Landing (Shiloh) rather than let them attack Corinth. A two day battle on April 7 and 8, 1862 ensued and on day two the Confederate troops retreated to Corinth. Of the 65,000 Union and 24,000 Confederate troops involved, about 24,000 were killed, wounded or reported missing.

A 30-day siege of Corinth began on April 30, 1862. On May 30th Union troops arrived to find a deserted village. In late September a Confederate effort to retake the town began and on October 3 and 4 the Battle of Corinth took place. However, the Confederate forces were forced to retreat. Thereafter Union forces occupied the town until May 1864.

Another chapter in the history of Corinth began in late 1862 when a “contraband camp” was established. For just over a year, this camp housed recently freed slaves from Mississippi, Tennessee and Alabama. Estimates of the number of freedmen at Corinth at any one time range from 1,500 to 6,000 with numbers fluctuating widely on a regular basis. The camp was considered a model, but not a typical camp. It contained homes, gardens, small cotton fields, schools, churches and a hospital. From this camp came some of the first black recruits for the Union Army including the First Alabama Infantry of African Descent, which later became the “55th Colored Infantry”. In early 1864 the evacuation and eventual destruction of the camp took place.

Although a National Cemetery was established in 1866, most efforts over the years to commemorate the Civil War in Corinth were coordinated on a local basis. However, in 1991 a Siege and Battle of Corinth National Historic Landmark Study was completed and included 16 sites that are identified with the proposed Unit. Private land has been purchased by the Friends of the Siege and Battle of Corinth, in most cases using funds from the Civil War Trust which were raised from the sale of Civil War commemorative coins.

Recent mapping and documentation projects have involved a number of organizations including the National Park Service’s Battlefield Protection Program, the Siege and Battle of Corinth Commission, the Mississippi Department of Archives and History, Alcorn County, the city of Corinth and the Tennessee Division of Archaeology. Local support for adding a Corinth Unit to Shiloh NMP has been described as very high.

Section 602 of Title VI of Public Law 104-333, the Omnibus Parks and Public Lands Management Act of 1996, authorized a visitor center to interpret the Siege and Battle of Corinth. The Secretary of the Interior was directed to acquire a site for the construction of a center and was directed to operate and maintain the property and center as part of Shiloh National Military Park. The FY 1999 budget for the National Park Service included \$1 million for planning and design of the center.

LEGISLATIVE HISTORY

S. 1117 was introduced by Senators Lott, Cochran, Robb and Jeffords on May 25, 1999. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on S. 1117 on July 29, 1999.

At its business meeting on September 22, 1999, the Committee on Energy and Natural Resources ordered S. 1117, favorably reported, as amended.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 22, 1999, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 1117, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration S. 1117, the Committee adopted two technical and clarifying amendments which correct the map reference and clarify that the 20-acre Battery Robinett site is to be the location of the interpretive center.

SECTION-BY-SECTION ANALYSIS

Section 1 designates the bill's short title as the "Corinth Battlefield Preservation Act of 1999".

Section 2(a) contains Congressional findings. In 1996, Congress authorized the establishment and construction of a center to facilitate the interpretation of the Siege and Battle of Corinth as well as to enhance public understanding of the Corinth campaign. These efforts are to be in cooperation with State and local entities, private organizations and individuals. The Civil War Sites Advisory Commission ranked the Corinth Battlefield as a priority 1 site having a need for coordinated nationwide action by the year 2000. There is national interest in protecting and preserving Civil War sites and the states of Mississippi and Tennessee have the authority to prevent or minimize adverse uses. Both states can play significant roles in protection efforts.

Subsection (b)(1) defines the purposes of the Act, which are: (1) To establish the Corinth Unit of Shiloh National Military Park in Corinth, Mississippi and in Tennessee; (2) to direct the Secretary of the Interior, in cooperation with the States of Mississippi and Tennessee, the city of Corinth, other public entities and members of the private sector, to manage, protect and interpret the resources associated with the Civil War Siege and Battle of Corinth; and (3) to direct the Secretary of the Interior to prepare a special resource study to identify other Civil War sites in and around Corinth that are consistent with the themes of the Siege and Battle of Corinth.

Section 3 defines "Map" as to be the one entitled "Park Boundary—Corinth Unit," numbered 304/80,007 and dated October 1998; "Park" as Shiloh National Military Park; "Secretary" as the Secretary of the Interior; and "Unit" as the Corinth Unit of Shiloh Military Park.

Section 4(a) establishes the Corinth Unit of Shiloh National Military Park in Mississippi and Tennessee.

Subsection (b) describes the Unit to be made up of a tract of approximately 20 acres that contains the Battery Robinett that is to be the site of the interpretive center authorized in 1996. Other land may be included if determined suitable for inclusion in the Unit, provided that it is owned by a public entity or a nonprofit organiza-

tion and was included in the January 8, 1991 Siege and Battle of Corinth National Historic Landmark Study.

Subsection (c) directs that the map is to be on file and available for public inspection, in the office of the Director of the National Park Service.

Section 5 allows the Secretary to acquire land and interests in land within the boundary of the Park, as shown on the map. It may be obtained by donation, purchase with donated or appropriated funds or exchange. However, land owned by the States of Mississippi or Tennessee or the “Friends of the Siege and Battle of Corinth” may only be acquired by donation.

Section 6(a) directs the Secretary to administer the Unit in accordance with laws generally applicable to the National Park System, including the National Park Service Organic Act and the Historic Sites Act.

Subsection (b) requires the Secretary, in accordance with section 602 of Public Law 104–333, the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–5) to: (1) Commemorate and interpret the Siege and Battle of Corinth and other area Civil War actions, within the larger context of the War and American History, including the role of the siege and battle in the western theater of the War; and (2) identify and preserve features from the era in and around the city of Corinth. Specific categories include: the role of railroads in the War; the story of the Corinth contraband camp; and the development of field fortifications as a tactic of war.

Subsection (c)(1) authorizes the Secretary to enter into cooperative agreements with public and private sector entities including colleges and universities, historical societies, State and local agencies and nonprofit organizations.

Paragraph (2) allows for technical assistance to develop cooperative land use strategies and conduct activities that facilitate the conservation of historic, cultural, natural, and scenic resources of the Unit. The list of potential recipients includes the States of Mississippi and Tennessee, governmental entities, nonprofit organizations and private property owners.

Subsection (d) prohibits the Secretary from owning or managing resources outside of the Unit.

Section 7(a) directs the Secretary to conduct a special resources study to determine if additional properties in Mississippi and Tennessee are appropriate for inclusion in the Unit. They may be currently owned by the States, nonprofit organizations or private property owners.

Subsection (b) provides that the study shall: (1) Identify the full range of resources and themes associated with the Siege and Battle of Corinth; (2) identify alternatives for preserving features that represent both military and civilian themes involving the roles of the railroad, the contraband camp and the development of field fortifications as a tactic of war; (3) identify a wide range of potential partners to support efforts to carry out this Act; (4) identify alternatives to avoid land use conflicts; and (5) include cost estimates for actions associated with the alternatives, specifically acquisition, development, interpretation, operation, and maintenance.

Subsection (c) requires that the study be submitted to the Senate Committee on Energy and Natural Resources and the House of Representatives Committee on Resources within 18 months after the date funds are made available for the study.

Section 8 authorizes funds necessary to carry out this Act, including \$3 million for the construction of an interpretive center that was authorized under section 602(d) of title VI of Public Law 104-333, the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f-5(d)).

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 29, 1999.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1117, the Corinth Battlefield Preservation Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 1117—Corinth Battlefield Preservation Act of 1999

Assuming appropriation of the necessary amounts, CBO estimates that the federal government would spend about \$4 million to implement S. 1117 over the next five years. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 1117 contains no private-sector or inter-governmental mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

S. 1117 would establish the Corinth Unit of the Shiloh National Military Park. The site of the new unit is currently within the Siege and Battle of Corinth National Historic Landmark in Mississippi and Tennessee. Initially, the unit would consist of about 20 acres known as the Battery Robinett, which is already owned by the National Park Service (NPS). In addition, the NPS would be authorized to acquire other land by donation provided that such property is owned by either a public agency or a nonprofit organization and that it has been identified in the Siege and Battle of Corinth National Historic Landmark Study of 1991.

Section 7 of the bill would direct the NPS to conduct a special resource study of land around the city of Corinth and nearby parts of Tennessee to identify other significant resources associated with the Civil War and recommend alternatives for preserving them. Finally, section 8 would authorize the appropriation of whatever

amounts are necessary to carry out the legislation, including an additional \$3 million for the construction of an interpretive center authorized by the Congress in 1996. This amount would supplement an existing authorization for NPS to spend \$6 million at the Corinth Unit.

We estimate that the agency would incur additional expenses of about \$1 million to prepare a special resource study over the next 18 months, and implement other provisions of the bill.

The CBO staff contact is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1117. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities of private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 1117, as ordered reported.

EXECUTIVE COMMUNICATIONS

On July 29, 1999, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 1117. These reports had not been received at the time the report on S. 1117 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF DENIS P. GALVIN, DEPUTY DIRECTOR, NATIONAL PARK SERVICE

Mr. Chairman, thank you for the opportunity to testify on S. 1117, to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of Corinth, Mississippi, and in the State of Tennessee. The Department supports this legislation.

S. 1117 would build on legislation Congress approved three years ago to establish a National Park Service interpretive center at Corinth Battlefield. The legislation would enable the National Park Service to take the next step toward ensuring permanent protection and recognition of Corinth's rich Civil War heritage by acquiring, protecting, and interpreting nationally significant resources associated with the city's 1862 siege and battle.

The city of Corinth, located in Mississippi near the border of Tennessee, was the junction of the Confederacy's main north-south and east-west railroads and, as such, its

control was key to control of the Confederacy's movement of troops and supplies. Because of this strategic crossing, numerous fortifications were constructed and battles were waged. Scattered through the surrounding hills of Corinth are intact military fortifications that attest to the crossing's importance.

For six months in 1862, Corinth was second only to Richmond in strategic importance. It is said that the Battle of Shiloh, 23 miles to the north, where General Johnston's Confederate army surprised General Grant's Union army in April 1862, was fought for control of the 22 square feet where the rail lines met.

Following the Union victory at Shiloh, the Confederate army retreated to its base in Corinth. Not wishing to be surprised again, Union forces next planned a much more cautious advance on Corinth. These maneuvers began in early May and constitute the "Siege of Corinth." Several weeks later, after numerous skirmishes, rather than risk capture, the outnumbered Confederate army abandoned Corinth. An abortive Confederate attempt to retake the city in October resulted in the "Battle of Corinth." Union armies then resumed an occupation that featured construction of some of the most advanced fortifications of the time to prevent the recapture of Corinth.

After the Union secured Corinth, newly emancipated slaves from Mississippi, Tennessee and Alabama sought refuge there. By March 1863, over 3,500 former slaves were housed at a camp in Corinth. Two of the first African-American Union infantry regiments were raised there.

The Civil War Sites Advisory Commission identified the 1862 Corinth battle site as a "priority 1" battlefield, one with critical need for coordinated nationwide action by the year 2000. Although the Commission reported that the sites represent an area that had a decisive impact on a military campaign, and a direct impact on the course of the war, the Corinth siege sites were rated a "priority 4" battlefield more because of their linear, fragmented nature than because of the integrity of their individual components. An important step toward recognition and protection of Corinth occurred in 1991, when areas associated with the Siege and Battle of Corinth were designated as a National Historic Landmark. Another important move occurred in 1996, when Congress authorized the interpretive center as part of the Omnibus Parks and Public Lands Management Act (Public Law 104-333). We agree with Senator Lott that it is time to take a further step to provide protection and interpretation for the significant historical events and resources at Corinth.

S. 1117 would establish a unit of Shiloh National Military Park comprised of the 20 acres containing the Battery Robinett, which will also be the site of the National Park Service interpretive center for Corinth, currently in the early stages of planning. The Corinth Unit could also contain other areas that the Secretary of the Interior deter-

mines to be suitable for inclusion, but only if they are already owned by a public entity or nonprofit organization and have been identified by the Siege and Battle of Corinth National Historic Landmark Study (January 8, 1991).

Normally, the Department would be reluctant to support authorizing the addition of a new area to the National Park System without first conducting a special resource study. In this case, however, Congress in a sense has already authorized this unit by authorizing the National Park Service to construct and manage an interpretive site there and to acquire the property necessary for the site. Linking the two sites for interpretive as well as management purposes would enable the National Park Service to more fully tell a story that goes beyond the battle tactics that are interpreted so well as Shiloh Battlefield—the broader story of the Civil War’s causes and its impacts on civilian life.

We anticipate that there would be no land acquisition costs to the Federal government associated with the establishment of the Corinth Unit. The 20-acre Battery Robinett has already been donated to the National Park Service by the City of Corinth under authority of the 1996 law establishing the center. S. 1117 specifies that land can be added to the unit only if it is already owned by a public or nonprofit entity and can be acquired only by donation if it is owned by state and local governments or by the organization called the Friends of the Siege and Battle of Corinth. The Siege and Battle of Corinth National Historic Landmark Study identified about 448 acres of land in 15 non-contiguous sites, in addition to the 20-acre Battery Robinett site already owned by the National Park Service, for National Historic Landmark status. The “Friends” organization currently owns about 210 acres that would be eligible for donation to the unit. If the local government and the “Friends” organization were to acquire and donate all of the eligible land—not likely, but possible—the Corinth Unit would be about 468 acres.

S. 1117 would also authorize a study of land in and around the city of Corinth and nearby areas in Tennessee that have a relationship to the Siege and Battle of Corinth in 1862 to determine whether additional lands, beyond those included in the unit by this bill, are appropriate for inclusion in the unit. This would enable the National Park Service to recommend the inclusion of lands that are significant to the site but that do not meet the criteria for inclusion to the Corinth Unit under this legislation.

Also, in an acknowledgement of the important role that organizations and individuals outside of the National Park Service have had and will continue to have in assisting in the protection and interpretation of Corinth, S. 1117 allows the Secretary to enter into cooperative agreements for such work with colleges and universities, historical societies and other nonprofit organizations, and State and local agencies. It also allows the Secretary to provide tech-

nical assistance for protection, interpretation, or commemoration.

Mr. Chairman, that concludes my remarks. I will be pleased to answer any questions you or other members of the Subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 1117, as ordered reported.

