

# CIVIL WAR PRESERVATION TRUST

*Saving America's Hallowed Ground*

Theodore Sedgwick  
*Chairman*

James Lighthizer  
*President*

## **Testimony of Former Congressman Alex McMillan Trustee, Civil War Preservation Trust**

### **Before the Committee on Natural Resources Subcommittee on National Parks, Recreation, and Public Lands United States House of Representatives**

*Congressional Hearing  
HR 2933, Civil War Battlefield Protection Act of 2007  
July 10, 2008*

#### **Introduction**

Mr. Chairman and members of the subcommittee, thank you for the opportunity to speak to you today. My name is Alex McMillan, and I am a Trustee of the Civil War Preservation Trust (CWPT) and a constituent of Congressman Henry Brown (R-SC). I also had the honor of representing the Ninth Congressional District of North Carolina from 1985 through 1994. I also recently served on faculty The Citadel in Charleston, S.C. – an institution with a tremendous Civil War history. Its students arguably fired the first shot of the Civil War, when a battery manned by Citadel cadets fired on a relief shipped headed for Fort Sumter.

As my colleague Jim Lighthizer stated, CWPT is a 65,000-member nonprofit organization dedicated to preserving America's remaining Civil War battlefields. CWPT has protected more than 25,000 acres of hallowed ground in 18 states, most of it outside National Park Service (NPS) boundaries.

I come before you today to state my views on HR 2933, a bill to amend the American Battlefield Protection Act of 1996 and extend the authorization for that act. HR 2933 would extend the authorization from fiscal years September 30, 2009 through September 30, 2013 for battlefield preservation grants under the Civil War Battlefield Preservation Act of 2002.

#### **Civil War Battlefield Preservation Program**

The Civil War Battlefield Preservation Program, financed through the Land and Water Conservation Fund, is the primary tool used to protect Civil War battlefield land in the United States. It is a matching grants program that encourages partnerships between federal, state and local governments, the private sector and willing sellers. These grants are used to preserve land outside NPS boundaries. In most cases the land remains under the ownership of private or state organizations, thus remaining on the local tax rolls while not contributing to the Park Service's maintenance costs.

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It was Congress that established the Civil War Sites Advisory Commission in 1990 and tasked the Commission with the job of identifying and prioritizing Civil War battlefields according to their historical significance and threats to their integrity. The Commission released its report in 1993, listing 384 priority sites that needed to be preserved. The report also recommended that Congress create a \$10 million per year emergency fund to protect these high priority battlefields.

To date, Civil War Battlefield Preservation Program grants have been used to save nearly 15,000 acres of land in 14 states, including land at Antietam and South Mountain, Md.; Champion Hill, Miss.; Chancellorsville, Fredericksburg, and Manassas, Va.; Chattanooga and Fort Donelson, Tenn.; and Harpers Ferry, W.V.

## **Carolina Accomplishments**

In my home state of South Carolina, the Civil War Battlefield Preservation Program money has yet to be used for land preservation. However, there are 11 sites eligible for funding through this program, including historic Fort Sumter, as well as battlefields at Grimball's Landing Honey Hill, Secessionville and Morris Island. It was, of course at Fort Sumter where the brother versus brother war began on April 12, 1861. And nearby Morris Island witnessed the heroic charge of the 54<sup>th</sup> Massachusetts, an African-American regiment whose assault was depicted in the 1990 movie *Glory*. In my view, these battlefields are not only national treasures, but are key to understanding Charleston's heroic struggle during four brutal years of fratricidal war.

It is also important to remember that, South Carolina troops fought bravely on many battlefields where land has been preserved using the Civil War Battlefield Preservation Program. Take the battle of Fredericksburg, for example. Here, Brigadier General Joseph B. Kershaw's infantry brigade, along with several South Carolina artillery units, demonstrated unquestioned valor. It was at Fredericksburg that Sergeant Richard Kirkland, a young soldier in the 2<sup>nd</sup> South Carolina, earned the sobriquet "the Angel of Marye's Heights" for entering the Federal lines to provide water for wounded and dying Union soldiers. More than \$2 million in grants has been awarded for the preservation of more than 210 acres of battlefield land where South Carolinians served during the Battle of Fredericksburg.

You may be familiar with the name Wade Hampton. When South Carolina seceded from the Union, Hampton personally raised a force known as the Hampton Legion and rose to the rank of Lieutenant General over the course of the conflict. After the war, Hampton served two terms as the governor of South Carolina and was elected to the United States Senate, where he served until 1891. In June of 1863, Hampton, then a Brigadier General, led 1,894 men into battle at Battle of Brandy Station, the largest cavalry battle of the war. To date, Brandy Station has benefitted from four grants totaling \$3.1 million, resulting in the preservation of 888 acres of battlefield land.

During my tenure in the U.S. House of Representatives, I represented the Ninth Congressional District of North Carolina. There are 20 Tar Heel State sites eligible for funding through the Civil War Battlefield Preservation Program. Grants have already been used to preserve land at the Averasboro, Bentonville, and Wyse Fork battlefields. Bentonville was the site of a three-day battle in March 1865 that ended in a costly Union victory that resulted in more than 4,700 casualties on both sides. Many South Carolina regiments fought in the Battle of Bentonville including the 10th and 19th South Carolina infantry of Brigadier General Arthur Middleton Manigault's Brigade and the 11th, 21st, 25th, and 27th South Carolina regiments of Brigadier

General Johnson Hagood's Brigade. Bentonville has benefitted from grants totaling more than \$2.1 million for the preservation of 994 acres of core battlefield land.

These are just a few examples of how Civil War Battlefield Preservation Program grant money has helped save hallowed ground where South Carolinians fought and gave their lives. South Carolina regiments also fought at Antietam, First Manassas, and Harper's Ferry — all sites where Civil War Battlefield Preservation Program grants have been used to preserve land.

Since FY1999, Congress has appropriated \$34.5 million for the Civil War Battlefield Preservation Program, all of which has been used strictly for the purchase of battlefield land. Although the program was designed to be a one to one matching grant, in many cases the private sector and states end up matching two or three to one on the federal grant.

## **Land Transactions**

Nearly all the land protected through this program is owned by nonprofit groups and state and local governments. The Civil War Preservation Trust is the primary nonprofit landowner. Sellers receive full market price for their land. Transactions are negotiated between private sector parties, not government interests. There is no bullying or strong-arming involved, and there is no federal eminent domain associated with this program. If a landowner does not want to sell to us, we move on to another piece of property. There is just too much historic property out there and not enough time to save it all. We estimate that in high-growth areas of the country, places like Central Virginia, Middle Tennessee and the Atlanta suburbs, we have less than a decade to complete our work.

## **Importance of Preservation**

The Civil War was a defining moment in U.S. history. Over the years, I have come to realize that preserved battlefields are outdoor classrooms – places where students both young and old learn about the sacrifices made for the freedoms we enjoy today. Further, preserved battlefields help teach our youth about our nation and the meaning of citizenship – in ways that cannot be learned from textbooks alone. It is breathtaking and awe-inspiring to stand on an open field and envision what the troops who fought would have seen and experienced.

In my opinion, the Civil War Battlefield Preservation Program is a model for public-private land conservation partnerships. Since its authorization in 2002, this bipartisan program has done exactly what it was intended to do. Driven by private sector groups like the Civil War Preservation Trust, thousands of acres have been saved at an extremely low cost per acre to the federal government. The matching grants formula has attracted millions of dollars in state, local, and nonprofit monies that otherwise would not have been available for preservation.

## **Conclusion**

Mr. Chairman, I hope that I have demonstrated how important I believe the Civil War Battlefield Preservation Program to be in preserving America's history.

These battlefield lands are memorials honoring not only those who fought during the Civil War, but to all men and women who have given their lives in the service of our nation. As we prepare for the Sesquicentennial commemoration of the Civil War, I can think of no better tribute than to

reauthorize this program that helps protect the hallowed ground that saw such desperate combat nearly 150 years ago. Thank you for the opportunity to address your committee.