



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:
H30(2450)

MAR 15 2010

The Honorable Bob Marshall
Virginia House of Delegates
P.O. Box 421
Manassas, Virginia 20108-0421

Dear Mr. Marshall:

Thank you for your inquiry regarding lifting the ban on battle re-enactments on battlefields administered by the National Park Service (NPS). Your letter in regards to lifting the ban on national park site re-enactments during the sesquicentennials has been forwarded to me for a response.

The National Park Service is the steward for many of America's significant battlefields preserved as memorials to those who fought and died. The National Park Service's policy on re-enactment reflects sensitivity to the human sacrifice that took place on battlefields and prohibits re-enactments that involve simulated warfare characterized by firing at another individual, charging a position while firing, hand-to-hand combat, or feigning death or casualties.

Recognizing the powerful interpretive and commemorative impact of living history programs, the NPS does however actively promote and offer historic weapons demonstrations in national park sites. More than 836,000 visitors attended historic weapons demonstrations at 67 different national park sites in 2008 (2009 figures are not yet available). These demonstrations include the firing of such weapons as flintlocks, muskets, rifles, carbines, and cannon and may incorporate a line of fire or an entire military unit such as a company or a regiment. Demonstrators may not, however, engage in simulated warfare by exchanging fire between opposing lines, or feigning battle injuries or death.

The justification for the NPS policy prohibiting battle re-enactments rests on a threefold foundation: ethical/philosophical considerations; safety concerns; and resource conservation issues.

1. Ethical/Philosophical Considerations

The prohibition against simulated battle re-enactments is primarily based on the strong belief that it is unethical, and disrespectful of those who actually fought and died on a particular piece of land, to pretend to be able to accurately portray their deaths, sacrifices and suffering. No matter how well-meaning or well-performed, a battle re-enactment can never come close to portraying the actual horrors, triumphs, scale, or milieu of an actual battlefield. The battlegrounds administered by the NPS are the actual sites whereupon many deaths occurred and enormous sacrifices were made, and are rightfully considered sacred ground. Indeed, many are actual if undesignated cemeteries, as they contain the unrecovered remains of those whose lives were there lost. It behooves the NPS to ensure that these sites and those who died there are accorded all of the honor and respect they deserve.

The very reason that many re-enactors wish to hold their events on the site of an actual battle - that it is a special, sacred place to them - is the very reason that such an event is inappropriate. However well-intentioned, simulated battles and the holiday atmosphere that often accompanies them due to the

presence of large numbers of participants and the public, is inappropriate on ground hallowed by the very real death of many.

2. Safety Considerations

Even if there were no overwhelming ethical or philosophical reasons for disallowing battle re-enactments on NPS lands, the safety issues they would involve would be sufficient to prohibit them. The media is replete with reports of serious and sometimes fatal injuries suffered during battle re-enactments. Black powder is an inherently dangerous substance, and allowing hundreds, and sometimes thousands of reenactors to indiscriminately fire at each other in close proximity to the public, particularly when running with loaded weapons in their hands, is a situation fraught with peril. Injuries have been documented from exploding cannon, weapon misfires, unauthorized bullets and projectiles being fired, falls, overloaded weapons, and children picking up spent cartridges from the ground. There is simply no way to adequately control and supervise an event involving large numbers of individuals firing weapons at will that would meet even minimal Occupational Safety and Health Administration or NPS safety standards.

For these reasons, the NPS allows historic weapons demonstrations only under very controlled circumstances which must adhere to extremely strict guidelines. Observing the proliferation of injuries associated with non-NPS Bicentennial re-enactment events in the 1970s, the NPS developed a strict set of guidelines in cooperation with the Occupational Safety and Health Administration, the United States Army, and the Bureau of Alcohol, Tobacco and Firearms for the handling and use of black powder, and established a certification program to train NPS employees in how to conduct safe and appropriate historic weapons firing demonstrations for the public.

All demonstrations must occur under the direct supervision of a certified Historic Weapons Supervisor who must attend training and be recertified every 4 years. Stringent requirements regarding the handling of black powder and the protection of the public must be adhered to. It is important to note that in the past 40+ years during which the NPS has presented historic weapons demonstrations to millions of visitors, there have been no serious injuries or mishaps to either demonstrators or visitors. The same cannot be said of non-NPS battle re-enactment events. If historic weapons are to be fired in NPS areas in any context, visitor and demonstrator safety must be paramount over any other consideration.

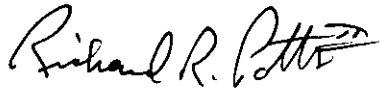
3. Resource Management Considerations

In addition to ethical and safety concerns, allowing battle re-enactments on NPS lands poses dangers to the resource itself. The uncontrolled movement and “fighting” of large numbers of individuals on the battlefield, often accompanied by horses, heavy artillery, campfires, personal vehicles, and other accoutrements can cause significant damage to the battlefield itself, the prime resource the park is meant to preserve and protect. Quite apart from the propriety of allowing such activity to occur on ground which likely contains human remains, the interpretive value of staging a re-enactment on the actual battleground does not outweigh the damage liable to be done to that resource. Major damage to the historic landscape in terms of turf disturbances, vegetation loss, brush fires from errant sparks and trash deposition can occur as a result of a battle re-enactment. Although the NPS strives to provide vivid interpretive experiences at all historic sites, they should never be done at the expense of the resource itself. Preservation of the resource for which the park was first established, which in the case of NPS battlefields means the grounds and contours of the battlefield itself, must be of primary concern to the NPS.

Although it is appropriate that the NPS continue its ban on battle re-enactments at NPS sites, we recognize the power of properly presented living historic programs and weapons demonstrations, and fully embrace the opportunity to offer them to the public. Working with state and local partners, the NPS Civil War Sesquicentennial National Coordination Team has already identified more than 75 special

events planned for the commemoration, many of them at Virginia battlefield parks. We feel confident that the NPS will be able to offer Sesquicentennial programs and events that will excite public interest, promote local sites and economies, and properly honor and respect the sacrifices of the original participants in the events being remembered.

Sincerely,

A handwritten signature in black ink that reads "Richard R. Potts". The signature is fluid and cursive, with a prominent flourish at the end.

for Diane M. Chalfant
Acting Associate Director
Partnerships and Visitor Experience