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National Park Service Affiliated Areas: An Overview

In addition to managing the 419 units of the National Park System, the National Park Service (NPS) manages or assists other areas that are linked in importance and purpose to the larger system. These *related areas* may be recognized by Congress and may receive assistance from NPS but are typically owned and administered primarily by nonfederal entities. Among these related areas are 25 sites that NPS has classified under the title of *affiliated areas*. NPS defines affiliated areas as locations that “preserve significant properties outside the National Park System ... [and that] draw on technical or financial aid from the National Park Service” (*National Parks: Index 2012-2016*, p. 118).

History of Affiliated Status

The standard by which NPS defines and categorizes “affiliated areas” has evolved and changed over the years. At times, Congress has attempted to clarify which areas fall within this status. In 1970, Congress passed legislation that defined units of the National Park System as “any area of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational or other purposes” (P.L. 91-383). The 1970 law specifically excludes from this definition “miscellaneous areas administered in connection therewith,” that is, properties and sites that are neither federally owned nor directly administered by the NPS but that receive some federal assistance. In 1975, NPS issued the *National Parks: Index* (an occasional publication from NPS that serves as the official list of National Park System areas), in which the agency classified nine units for the first time under the new title of *affiliated areas*.

Despite this new definition, affiliated status continued to shift in the years following 1970. At times, the status included designations such as national heritage areas, rivers in the National Wild and Scenic Rivers System, and trails in the National Trails System, while at other points NPS excluded these areas from the affiliated categorization. In 1988, Congress passed legislation directing NPS to define the “criteria for the elements of national significance and other factors necessary for a proposed area to be considered appropriate for inclusion as an affiliated area” (P.L. 100-336). Later that year, NPS issued proposed regulations that included a revised definition and set criteria for affiliated area designation (53 *Federal Register* 32115). While these regulations were not finalized, they are reflected in the current standards for inclusion outlined in NPS’s *Management Policies 2006* (see “Designation Criteria”).

In 1989, NPS issued a memorandum entitled “Classification of NPS Units and Related Areas” that outlined some difficulties in classifying areas where NPS does not directly administer the area but has some special cooperative

arrangement. “Many of these arrangements defy simple formulas for defining what we administer,” the memo stated. A 1990 NPS report to Congress—delivered in compliance with P.L. 100-336—reaffirmed this finding, stating that, “Areas have been classified as affiliated because they did not fit the definition of a park system unit rather than because they did meet some clearly defined criteria.” In response, the report recommended that Congress recognize the affiliated area category and endorse the criteria proposed by NPS for affiliated area status.

Designation Criteria

The criteria recommended in the 1990 NPS report are largely reflected in the *NPS Management Policies 2006* (Section 1.3.4), which establishes eligibility guidelines for affiliated area status. To be eligible, proposed areas must

- Meet the same standards for significance and suitability that apply to units of the National Park System;
- Require some special recognition or technical assistance beyond what is available through existing NPS programs;
- Be managed in accordance with the policies and standards that apply to units of the system; and
- Be assured of sustained resource protection, as documented in a formal agreement between the service and the nonfederal management entity.

Designation Process and Authority

The 25 existing affiliated areas were primarily established legislatively, although some were established through administrative action by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 (54 U.S.C. §§320101 et seq.). Under the act, as amended, an administratively designated site may not receive federal funding unless Congress specifically appropriates funding for that site.

Although many of the sites were established in statute, in most cases the establishing laws did not identify them or title them as affiliated areas. Instead, the sites were designated with varying titles; they include 9 national historic sites and 4 national memorials, as well as 12 sites with other, often unique, titles.

The oldest existing affiliated area is the Jamestown National Historic Site. The site was designated on December 18, 1940, by administrative action in which the Secretary of the Interior called for “a unified program of development and administration” between NPS and the Association for the Preservation of Virginia Antiquities

(APVA). The APVA continues to own and operate this site. The most recent site established as an affiliated area is the Parker’s Crossroads Battlefield in 2019, which Congress designated in the John D. Dingell, Jr. Conservation, Management, and Recreation Act (P.L. 116-9).

Table 1. Examples of NPS Affiliated Areas

Name	Citation	State
Benjamin Franklin National Memorial	P.L. 92-551, 86 Stat. 1164, October 25, 1972	PA
International Peace Garden	Various ^a	ND ^b
Natural Bridge State Park	Sec. Decision Memo of August 29, 2016	VA
Ice Age National Scientific Reserve	P.L. 88-655, 78 Stat. 1087, October 13, 1964	WI
Inupiat Heritage Center	P.L. 104-333, 110 Stat. 4162, November 12, 1996 ^c	AK

Source: CRS. For a nearly complete list of NPS affiliated areas as of 2016, see *The National Parks: Index 2012-2016*. Since publication of the *Index*, two additional affiliated areas have been established (Parker’s Crossroads Battlefield and Natural Bridge State Park).

- International Peace Garden is recognized as a National Park System affiliated area by virtue of federal funding authorized in the Acts of October 25, 1949; June 28, 1954; August 28, 1958; and October 26, 1974. Although the site was not officially designated as an affiliated area in legislation, NPS has categorized it as such since the first listing of affiliated areas in 1975.
- Portions of the International Peace Garden site are located in the Canadian province of Manitoba.
- The enabling legislation for the New Bedford Whaling National Historical Park (P.L. 104-333) also established the Inupiat Heritage Center (previously known as North Slope Borough Cultural Center) as a “related facility” of the site. NPS subsequently categorized the site on its own as an affiliated area.

At times, Congress may designate affiliated areas following the completion of a *special resource study* by NPS. Typically, this may occur when Congress directs NPS to conduct a study to determine whether a given site is an appropriate candidate for inclusion as a unit of the National Park System. According to P.L. 105-391, a special resource study will determine whether an area under study (1) possesses nationally significant natural or cultural resources and (2) is a suitable and feasible addition to the system. If the study determines that a site meets the criteria for national significance but is not suitable or feasible for NPS management as a unit of the park system, NPS may recommend the site for affiliated status. Recent legislation would direct NPS to conduct special resource studies specifically aimed at determining the feasibility of a site for affiliated status (see “Legislation”).

Affiliated site designation also may arise from less formal, preliminary studies conducted by NPS at the request of Members of Congress. Similar to special resource studies, these *reconnaissance surveys* typically are used to determine whether a given site would meet the criteria for addition to the National Park System and, if so, would

warrant further study through a full special resource study. Recently, some Members have requested that NPS conduct certain reconnaissance surveys with the specific intention of determining whether a given site would be appropriate for affiliated status.

Some sites previously designated or categorized as an affiliated area have been removed from this classification. Sometimes, this removal was the result of a shift in how NPS defines and lists affiliated areas, as was the case with several national heritage areas and early units of the National Trails System. Other times, sites previously categorized as affiliated areas were redesignated as full units of the National Park System. For example, in 2009, Congress redesignated Port Chicago Naval Magazine National Memorial as a unit of the National Park System (P.L. 111-84). More recently, in 2016, President Obama proclaimed the Belmont-Paul Women’s Equality National Monument as a unit of the System (81 *Federal Register* 22503), more than 40 years after Congress had designated the site as a national historic site (P.L. 93-487).

The only site previously designated as a unit of the National Park System to be redesignated as an affiliated area is the Oklahoma City National Memorial. Congress initially authorized the site as a full unit of the park system (albeit one administered in partnership with a private entity) in 1997 (P.L. 105-58). Congress redesignated the site as an affiliated area in 2004 (P.L. 108-199).

Administration, Funding, and Ownership

NPS is generally less involved in the funding and management of affiliated areas than of park system units. Typically, NPS directly administers units of the park system, whereas it provides technical and financial assistance to related areas, which are administered primarily by nonfederal entities. The degree to which NPS has a role in the management or administration of an affiliated area typically is defined in the enabling legislation for the site or through the development of a general management plan.

Federal funding for affiliated areas varies on a site-by-site basis. Congress has authorized federal funding for some affiliated areas in enabling legislation or through the annual appropriations process. Other sites receive no federal funding but receive technical assistance from NPS.

The majority of affiliated areas are nonfederally owned. However, NPS does own portions of several listed areas, including more than 90,000 acres of the Pinelands National Reserve, the largest affiliated area by size.

Legislation in the 116th Congress

In the 116th Congress, P.L. 116-9 established Parker’s Crossroads Battlefield as an affiliated area, designating the City of Parker’s Crossroads and the Tennessee Historical Commission as joint management entities for the site. H.R. 486 would direct the Secretary to conduct a special resource study to evaluate designating Chicano Park and its murals in San Diego, CA, as an affiliated area.

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