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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 typically are 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 hereinafter 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; 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 never 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 National Park System; and
- Be assured of sustained resource protection, as documented in a formal agreement between the NPS 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 designated as an affiliated area was the Parker’s Crossroads Battlefield in 2019, which was established by 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 <sup>a</sup>	ND <sup>b</sup>
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 <sup>c</sup>	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*, one additional affiliated area has been established (Parker’s Crossroads Battlefield, P.L. 116-9).

- 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 never 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, affiliated areas are designated following the completion of a feasibility study by NPS. This may happen in cases where Congress has directed 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, such a 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, the site may be recommended for affiliated status. In at least one instance, NPS recommended a site for inclusion as a park unit and Congress instead opted to establish the site as an affiliated area. In 1991, NPS conducted a feasibility study for the Thomas Cole National Historic Site and determined that the site was suitable for inclusion under full unit status. However, in 1999, Congress chose to designate the site as an affiliated area (P.L. 106-146). Some recent legislation has directed NPS to conduct studies specifically aimed at determining the feasibility of a site for affiliated status (see “Recent Legislation”).

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 later redesignated as full units of the National Park System. For example, in 2009, Congress redesignated the 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 subsequently 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). The site was redesignated 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 site’s enabling legislation 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 directly owns portions of several listed areas, including more than 90,000 acres of the Pinelands National Reserve, the largest affiliated area by size.

## Recent Legislation

In the 116<sup>th</sup> Congress, P.L. 116-9 established Parker’s Crossroads Battlefield as an affiliated area, designating the City of Parkers Crossroads and the Tennessee Historical Commission as joint management entities for the site. In the 115<sup>th</sup> Congress, S. 62 and H.R. 362 would have established the January 8<sup>th</sup> National Memorial as an affiliated area, to commemorate the shooting of Congresswoman Gabrielle Giffords and 18 others in 2011. H.R. 199 would have directed the Secretary of the Interior to conduct a feasibility study for the designation of Chicano Park and its murals in San Diego, CA, as either a national historic landmark or an affiliated area.

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