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National Park Service Affiliated Areas: An Overview

In addition to managing the 423 units of the National Park System, the National Park Service (NPS) manages or assists with 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 27 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 Area Status

The standard by which NPS categorizes affiliated areas has evolved over the years. In 1970, Congress passed legislation that specifically excluded certain “miscellaneous areas” from the definition of National Park System units (P.L. 91-383). These areas were generally considered to be properties and sites that were neither federally owned nor directly administered by NPS but that received some federal assistance. In 1975, NPS issued the *National Parks: Index* (an official list of system areas that NPS publishes from time to time), in which the agency classified nine of these *miscellaneous areas* under the new designation of *affiliated areas*. In the years following, NPS published updated versions of the *National Parks: Index*, each including a list of sites categorized under the affiliated area designation. Despite this, there was little consistency in how NPS determined which sites fell into this categorization. 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 deliver a report defining 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 proposed regulations that would have defined and set such criteria. The proposed regulations described affiliated areas as “a small group of nationally significant areas ... protected and managed by other organizations and agencies but [that] have some formal financial or legal relationship with the National Park Service,” (53 *Federal Register* 32115). To be eligible for affiliated area status, NPS specified that, “areas must meet the same criteria for national significance as national landmarks or potential units of the national park system.” However, NPS never finalized the proposed regulations.

In 1990, NPS delivered a report to Congress in compliance with P.L. 100-336, outlining some of the difficulties in classifying areas where NPS does not directly administer the area but has some special cooperative arrangement. “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,” the report stated.” In turn, the report recommended that Congress recognize the affiliated area category and endorse the criteria set forth by NPS in the report, which largely replicated the 1988 proposed regulations. To date, Congress has not established a legal definition or criteria for the affiliated area status.

Designation Criteria

NPS established eligibility criteria for affiliated area status in the *NPS Management Policies 2006* (Section 1.3.4). These criteria are similar to those proposed in 1988 and 1990. 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

More than half of the 27 existing affiliated areas were established legislatively through an act of Congress. Other areas were established administratively, generally by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 (54 U.S.C. §§320101 et seq.). Historically, neither Congress nor the Secretary identified these sites as affiliated areas in establishing laws or secretarial orders. Instead, sites were designated with varying titles (e.g., national memorial, national historic site) with certain administrative and management responsibilities for NPS specified on a case-by-case basis. Starting in the late 1990s, Congress enacted some laws that specifically established sites as affiliated areas. The Secretary has similarly identified some recent administratively designated sites as affiliated areas.

The earliest-designated existing affiliated area is the Jamestown National Historic Site. The site was designated on December 18, 1940, by an 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 sites established as affiliated areas are the Eutaw Springs Battlefield and the Kettle Creek Battlefield, both designated via a decision memorandum issued by the Secretary in 2021.

Table I. Examples of NPS Affiliated Areas

Area Name	Designation 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	Secretarial 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 complete list of NPS affiliated areas, see NPS, “About Us – National Park System,” at <https://www.nps.gov/aboutus/national-park-system.htm>.

- 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.
- 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.

At times, Congress has designated affiliated areas following the completion of a *special resource study* by NPS. Typically, NPS conducts such studies pursuant to congressional direction to determine whether a given site is an appropriate candidate for inclusion as a unit of the park system. According to P.L. 105-391, a special resource study determines 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. Members have introduced legislation that would direct NPS to conduct special resource studies specifically aimed at determining the feasibility of a site for affiliated status (e.g., H.R. 486 in the 116th Congress).

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 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 area status.

Some sites previously designated or categorized as an affiliated area have been removed from this classification. Sometimes, this removal resulted from a shift in how NPS defines affiliated areas, as was the case with several national heritage areas and early units of the National Trails System. Other sites previously categorized as affiliated areas were redesignated as full units of the park system. For example, in 2009, Congress redesignated Port Chicago Naval Magazine National Memorial as a system unit (P.L. 111-84). In 2016, NPS acquired the Sewall-Belmont House in Washington, DC, and President Obama subsequently established 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 park system unit to be redesignated as an affiliated area is the Oklahoma City National Memorial. Congress initially authorized the site as a system unit (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

Affiliated areas have varying management and funding arrangements depending on their specific enabling legislation (if any), cooperative agreements, and management plans. In general, NPS is less involved in the funding and management of affiliated areas than that of park system units. Typically, NPS directly administers units of the park system but provides only technical and sometimes financial assistance to affiliated areas, which are administered primarily by nonfederal entities.

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. In general, administratively designated sites do not receive federal funding unless Congress specifically appropriates funding for them.

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 in New Jersey, the largest affiliated area by size.

Pending Designations

In 2022, Congress authorized the establishment of five affiliated areas associated with the Brown v. Board of Education National Historical Park (collectively referred to as the *Brown v. Board of Education Affiliated Areas*). Establishment of these areas—located in multiple states—was to be made following the identification of an “appropriate management entity” for each site (P.L. 117-123). NPS has indicated that as of May 2023, no secretarial determination has been made. As such, these sites are not currently included among the 27 affiliated areas.

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