



Fact Sheet on Confederate Flags in National Park System Units, July 13, 2015

Current Policy

The Departmental policy on flags, found in Departmental Manual Part 310, Chapter 5, is silent on Confederate flags, and thus neither authorizes nor prohibits the display of Confederate flags. Prior to June 24, 2015, the only National Park Service (NPS) Service-wide policy regarding the display of Confederate flags was found in Director's Order #61: National Cemetery Operations, and only applied to the 14 national cemeteries administered by the NPS (see the section below on Confederate flags in cemeteries).

In response to the June 17, 2015, murder of nine church members at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina, which is near Fort Sumter National Monument, Director Jarvis issued two policy memoranda on June 24, 2015. One asked cooperating associations, partners and concessioners to voluntarily withdraw sales items that solely depict a Confederate flag as a stand-alone feature, especially items that are wearable and displayable. Books, DVDs and other educational and interpretive media where the Confederate flag image is depicted in its historical context were allowed to be offered for sale as long as the image cannot be detached.

The second memorandum advised National Park Service regional directors about the June 24, 2015, memo (referenced above) and also advised them that Confederate flags shall not be flown in units of the national park system and related sites with the exception of specific circumstances where the flags provide historical context.

In light of recent events and the Director's policy guidance, parks are evaluating how Confederate flags are used in interpretive and educational media, programs, and historical landscapes.

Confederate Flags in Cemeteries

The NPS manages 14 national cemeteries. In addition to these national cemeteries, there are a large number of cemeteries within the boundaries of national parks that are located on both federal and private property that are not managed by the NPS.

NPS National Cemeteries

The 14 national cemeteries administered by the NPS are managed in accordance with Director's Order #61. It does not apply to other units of the national park system, or to other types of cemeteries located within the boundaries of national parks.

Section 3.11 of Director's Order #61 states:

"In national cemeteries located in States which officially set aside a specific date as Confederate Memorial Day, the superintendent may permit a sponsoring group to decorate the graves of Confederate veterans with small Confederate flags. These flags will be removed from the graves as soon as possible following the designated Confederate Memorial Day. The acquisition and placement of these flags will be at no cost to the National Park Service. Confederate Flags will not be flown on any cemetery flagpole."

The NPS is aware of 47 Confederate gravesites located in NPS-administered national cemeteries. This does not include unmarked or mass graves located on battlefields.

While Director's Order #61 was signed by Director Jon Jarvis in 2010, the policy on decoration of Confederate graves is consistent with the previous policy guidance, Reference Manual 61, which was released in 1985.

Based on the policies in Director's Order #61 and the accompanying Reference Manual 61, there are potentially two days each year (Confederate Memorial Day, in those states where it is recognized, and Memorial Day) where Confederate graves may be decorated with Confederate flags. Those flags are removed once the memorial-day observances are completed.

Confederate Cemeteries

NPS staff are aware of a number of Confederate cemeteries located within the boundaries of national parks, including at Yorktown Battlefield (part of Colonial National Historical Park), Manassas National Battlefield Park (NBP), and Appomattox Courthouse National Historical Park (NHP). At Appomattox Courthouse NHP, the Confederate cemetery is located on private property and is owned and managed by the United Daughters of the Confederacy (UDC).

Because this cemetery is located on private land within the boundaries of the park, the NPS has no authority over the display of the Confederate flag. The UDC does fly a Confederate flag on the flagpole at Appomattox Courthouse NHP. Confederate flags are not flown at the Confederate Cemeteries at Yorktown Battlefield or at Manassas NBP, though a Confederate flag is sometimes used for interpretive programs at Manassas NBP.

Other Types of NPS Cemeteries

At the time when many national parks were established, there were existing family or private cemeteries located within the boundaries of the parks. For example, there are hundreds of family and private cemeteries inside the boundaries of Great Smoky Mountains National Park, Shenandoah National Park, and the Blue Ridge Parkway. In some cases, these cemeteries remain privately owned and are managed by private individuals or groups. Some of these cemeteries, particularly in southern states, contain private Confederate headstones and markers. In those cemeteries, individuals or groups may choose to decorate the graves or markers with

Confederate flags. Because these cemeteries are located on private land within the boundaries of the park, the NPS has no authority over the display of the Confederate flag.

Use of the Confederate Flag in Historical or Interpretive Purposes

One of the primary ways that the NPS uses Confederate flags is for educational and interpretive purposes at Civil War parks. This includes the use of the Confederate flag on interpretive media (signs, waysides, museum exhibits), and in living history programs or reenactments. For example, at Gettysburg National Military Park, ranger-guided educational programs allow students to walk in the footsteps of the Confederate soldiers who participated in Pickett's Charge, one of the most famous battles of the Civil War. During this program, a student carries a Confederate flag, and the students are provided with an in-depth discussion of the flag, its meaning during the Civil War, and its meaning today.

Some Civil War living history groups, primarily park volunteers who represent Confederate units, carry historically accurate flags with them during their programs and encampments in national parks. Some parks also choose to display Confederate flags as part of special events related to the civil war.

While the NPS believes these are appropriate uses of Confederate flags, parks are now reexamining how these symbols are used in light of the recent policy changes. The NPS will continue to evaluate how Confederate flags are used in interpretive media, programs and historical landscapes, and remove the flags when appropriate.

Use of Federal Funds for the Purchase of Confederate Flags

Per the National Park Service Organic Act (54 USC 100101(a), 100301 et seq.), federal funds may be used to purchase interpretive or educational materials, including Confederate flags where they are used to provide historical context, or where they are used in interpretive or educational media, and programs. There are no statistics on the number of flags purchased, but the NPS feels that it is miniscule, as once a flag is purchased it can be used for decades. There are also no statistics on the number of times a flag is used in a park program, but the NPS feels that this happens very infrequently.

Additionally, some Confederate flags that are used in park programs are purchased by volunteers or other non-Federal entities.