

118TH CONGRESS
2D SESSION

S. 5125

To provide for certain improvements to the housing and workforce programs of Federal land management agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2024

Mr. BARRASSO (for himself, Mr. KING, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for certain improvements to the housing and workforce programs of Federal land management agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Land Manager Housing and Workforce Improvement Act
6 of 2024”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title.

Sec. 2. Definitions.

TITLE I—EXPANDING AUTHORITY

- Sec. 101. Prioritizing National Park Service workforce housing.
- Sec. 102. Authorizing the National Park Service to address workforce housing off-park.
- Sec. 103. Expanding National Park Service rental options.
- Sec. 104. Leveraging National Park Service rental receipts for workforce housing programming.
- Sec. 105. Empowering the Forest Service to address workforce housing needs.

TITLE II—EXPANDING PARTNERSHIP CAPACITY

- Sec. 201. Engaging partners to address National Park Service workforce housing.
- Sec. 202. Leveraging philanthropic support to address National Park Service workforce housing.

TITLE III—SUPPORTING WORKFORCE

- Sec. 301. Supporting the permanent land manager workforce.
- Sec. 302. Supporting the seasonal National Park Service workforce.

TITLE IV—REPORTS AND OVERSIGHT

- Sec. 401. Quantifying the workforce housing needs of land managers.
- Sec. 402. Conducting oversight on the housing programming of land managers.
- Sec. 403. Justifying emergency spending.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE COMMITTEES OF CON-
 4 GRESS.—The term “appropriate committees of Con-
 5 gress” means—

6 (A) the Committee on Energy and Natural
 7 Resources of the Senate;

8 (B) the Committee on Agriculture, Nutri-
 9 tion, and Forestry of the Senate;

10 (C) the Committee on Appropriations of
 11 the Senate;

12 (D) the Committee on Natural Resources
 13 of the House of Representatives;

1 (E) the Committee on Agriculture of the
2 House of Representatives; and

3 (F) the Committee on Appropriations of
4 the House of Representatives.

5 (2) COVERED AGENCIES.—The term “covered
6 agencies” means—

7 (A) the National Park Service;

8 (B) the Bureau of Land Management;

9 (C) the United States Fish and Wildlife
10 Service; and

11 (D) the Forest Service.

12 (3) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 **TITLE I—EXPANDING** 15 **AUTHORITY**

16 **SEC. 101. PRIORITIZING NATIONAL PARK SERVICE WORK-** 17 **FORCE HOUSING.**

18 Section 103502(a)(3) of title 54, United States Code,
19 is amended—

20 (1) by inserting “quarters for field employees
21 (as those terms are defined in section 101331) (in-
22 cluding related infrastructure and amenities),” after
23 “prioritize”; and

24 (2) by inserting a comma after “facilities”.

1 **SEC. 102. AUTHORIZING THE NATIONAL PARK SERVICE TO**
2 **ADDRESS WORKFORCE HOUSING OFF-PARK.**

3 Section 100901 of title 54, United States Code, is
4 amended by adding at the end the following:

5 “(i) ACQUISITION OF LAND FOR ADMINISTRATION OF
6 SYSTEM UNITS.—

7 “(1) IN GENERAL.—Notwithstanding section
8 103501(c)(2) or any other provision of law (includ-
9 ing regulations), to facilitate the administration of a
10 System unit, the Secretary may acquire, by purchase
11 from a willing seller, donation, exchange, or transfer
12 from another Federal agency, not more than 10
13 acres of land or interests in land, cumulatively, not
14 more than a 1-hour driving commute (under normal
15 commuting conditions) outside the System unit
16 boundary for the development, construction, rehabili-
17 tation, maintenance, operation, or management of
18 quarters for field employees (as those terms are de-
19 fined in section 101331) (including related infra-
20 structure and amenities) for the System unit.

21 “(2) DISPOSAL.—If the Secretary determines
22 that any land or interest in land acquired under
23 paragraph (1) no longer supports the administration
24 of the System unit—

1 “(A) the Secretary may determine the land
2 and any improvements to the land to be excess
3 property for disposal; and

4 “(B) the proceeds from the disposal of ex-
5 cess property under subparagraph (A) shall be
6 retained by the Secretary and deposited in the
7 special fund established for the development,
8 construction, rehabilitation, or management of
9 quarters for field employees (as so defined) (in-
10 cluding related infrastructure and amenities)
11 under section 101338(b), to be expended by the
12 Secretary without further appropriation.”.

13 **SEC. 103. EXPANDING NATIONAL PARK SERVICE RENTAL**
14 **OPTIONS.**

15 Section 101336 of title 54, United States Code, is
16 amended, in the first sentence, by striking “management,
17 repair, and maintenance of field employee quarters” and
18 inserting “occupancy, development, construction, repair,
19 maintenance, rehabilitation, or management of quarters
20 for field employees (including related infrastructure and
21 amenities)”.

1 **SEC. 104. LEVERAGING NATIONAL PARK SERVICE RENTAL**
 2 **RECEIPTS FOR WORKFORCE HOUSING PRO-**
 3 **GRAMMING.**

4 Section 101338(b) of title 54, United States Code,
 5 is amended by striking “maintenance and operation of
 6 quarters” and inserting “development, construction, reha-
 7 bilitation, or management of quarters for field employees
 8 (including related infrastructure and amenities)”.

9 **SEC. 105. EMPOWERING THE FOREST SERVICE TO ADDRESS**
 10 **WORKFORCE HOUSING NEEDS.**

11 (a) USE OF FOREST SERVICE STRUCTURES OR IM-
 12 PROVEMENTS.—Section 7 of the Act of April 24, 1950
 13 (commonly known as the “Granger-Thye Act”) (64 Stat.
 14 84, chapter 97; 16 U.S.C. 580d), is amended by striking
 15 “thirty years as determined by him” and inserting “30
 16 years, or in the case of a permit for workforce housing
 17 and related infrastructure (including amenities), any dura-
 18 tion, as determined to be appropriate by the Secretary of
 19 Agriculture”.

20 (b) CONVEYANCES OF FOREST SERVICE ADMINIS-
 21 TRATIVE SITES.—Title V of the Forest Service Facility
 22 Realignment and Enhancement Act of 2005 (16 U.S.C.
 23 580d note; Public Law 109–54) is amended—

24 (1) in section 503—

25 (A) by striking subsection (f); and

1 (B) by redesignating subsection (g) as sub-
 2 section (f);

3 (2) in section 504—

4 (A) in subsection (b)(2)(A), by inserting
 5 “or over time” after “conveyance of the admin-
 6 istrative site”;

7 (B) in subsection (c)(2), by striking “by
 8 competitive sale” and inserting “through com-
 9 petition”; and

10 (C) in subsection (d), by adding at the end
 11 the following:

12 “(5) EXEMPTION FROM INFORMATION COLLEC-
 13 TION REQUIREMENTS.—Subchapter I of chapter 35
 14 of title 44, United States Code, shall not apply to
 15 instruments used to convey administrative sites
 16 under this title.

17 “(6) FORECLOSURE.—After a reasonable period
 18 of time for removal and under conditions for cause
 19 considered to be appropriate by the Secretary, a fa-
 20 cility or improvement on an administrative site re-
 21 maining after the termination of a conveyance under
 22 this title shall be conveyed to the United States
 23 without consideration.”; and

24 (3) in section 505(b)—

1 (A) in paragraph (1), by striking “and” at
2 the end;

3 (B) in paragraph (2), by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (C) by adding at the end the following:

6 “(3) the acquisition of land or any interests in
7 land (with or without improvements) for purposes of
8 administration of the National Forest System, in-
9 cluding the construction of Federal employee and
10 private housing; and

11 “(4) the reacquisition by the Secretary of an
12 administrative site, a purchase agreement, or an op-
13 tion to buy land with or without improvements con-
14 veyed under this title.”.

15 **TITLE II—EXPANDING** 16 **PARTNERSHIP CAPACITY**

17 **SEC. 201. ENGAGING PARTNERS TO ADDRESS NATIONAL** 18 **PARK SERVICE WORKFORCE HOUSING.**

19 Section 101701(a) of title 54, United States Code,
20 is amended—

21 (1) in paragraph (1), by inserting, “, including
22 projects for field employee quarters (as those terms
23 are defined in section 101331),” after “responsibil-
24 ities of the Secretary.”; and

25 (2) in paragraph (2)—

1 (A) by inserting “, Tribal,” after “State”;

2 (B) by inserting “(including an organiza-
3 tion that has a philanthropic agreement to
4 fundraise or otherwise generate donations on
5 behalf of, or for the benefit of, a Federal agen-
6 cy)” after “organization”; and

7 (C) by inserting “(including an individual
8 that has a philanthropic agreement to fundraise
9 or otherwise generate donations on behalf of, or
10 for the benefit of, a Federal agency)” after “in-
11 dividual”.

12 **SEC. 202. LEVERAGING PHILANTHROPIC SUPPORT TO AD-**
13 **DRESS NATIONAL PARK SERVICE WORK-**
14 **FORCE HOUSING.**

15 Section 103501(c)(3) of title 54, United States Code,
16 is amended by inserting “, services,” after “goods”.

17 **TITLE III—SUPPORTING**
18 **WORKFORCE**

19 **SEC. 301. SUPPORTING THE PERMANENT LAND MANAGER**
20 **WORKFORCE.**

21 (a) IN GENERAL.—The Secretary or the Secretary of
22 Agriculture, as applicable, may recruit and directly ap-
23 point qualified individuals into the competitive service who
24 are certified, in accordance with procedures established by
25 the Secretary or the Secretary of Agriculture, as applica-

1 ble, as maintaining a permanent and exclusive residence
2 within, contiguous to, or not more than a 1-hour driving
3 commute (under normal commuting conditions) from a
4 site administered by the National Park Service, United
5 States Fish and Wildlife Service, or Forest Service to
6 which the individual would report to work into any posi-
7 tion at or below grade GS-11 of the General Schedule,
8 WG-15 of the Federal Wage System, or equivalent within
9 the applicable site.

10 (b) REQUIREMENTS.—In exercising the authority
11 provided under subsection (a), the Secretary or the Sec-
12 retary of Agriculture, as applicable, shall ensure that any
13 action taken by the Secretary or the Secretary of Agri-
14 culture, as applicable—

15 (1) is consistent with the merit principles of
16 section 2301 of title 5, United States Code;

17 (2) complies with the public notice requirements
18 of section 3327 of that title; and

19 (3) is based on a determination by the Sec-
20 retary or Secretary of Agriculture, as applicable,
21 that there is a need for workforce housing that can-
22 not be supplied by the Federal Government.

23 (c) TERMINATION OF AUTHORITY.—The authority
24 provided under subsection (a) shall terminate on Sep-
25 tember 30, 2030.

1 **SEC. 302. SUPPORTING THE SEASONAL NATIONAL PARK**
2 **SERVICE WORKFORCE.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, for purposes of determining the noncompeti-
5 tive rehire eligibility of temporary seasonal employees of
6 the National Park Service—

7 (1) the Secretary shall establish a definition of
8 what constitutes a major subdivision of the National
9 Park Service; and

10 (2) any requirement that a position be in the
11 same local commuting area shall not apply.

12 (b) TERMINATION OF AUTHORITY.—The authority
13 provided under subsection (a) shall terminate on Sep-
14 tember 30, 2030.

15 **TITLE IV—REPORTS AND**
16 **OVERSIGHT**

17 **SEC. 401. QUANTIFYING THE WORKFORCE HOUSING NEEDS**
18 **OF LAND MANAGERS.**

19 Not later than 18 months after the date of enactment
20 of this Act, the Secretary and the Secretary of Agriculture
21 shall jointly submit to the appropriate committees of Con-
22 gress a needs assessment report that describes, with re-
23 spect to housing the workforce of covered agencies, as ap-
24 plicable—

25 (1) housing unit types and utilization;

- 1 (2) year-round, seasonal, and required occu-
- 2 pancy rates;
- 3 (3) alternatives to onsite housing;
- 4 (4) local rental market availability and afford-
- 5 ability;
- 6 (5) local housing market trends; and
- 7 (6) housing needs by position type.

8 **SEC. 402. CONDUCTING OVERSIGHT ON THE HOUSING PRO-**
9 **GRAMMING OF LAND MANAGERS.**

10 (a) REPORT TO CONGRESS.—Not later than 18
11 months after the date of enactment of this Act, the Comp-
12 troller General of the United States shall submit to the
13 appropriate committees of Congress a report that—

14 (1) assesses, in consultation with the National
15 Housing Council described in Office of Management
16 and Budget Circular A–45, the effect of Office of
17 Management and Budget Circular A–45R on the
18 housing of the workforce of covered agencies;

19 (2) assesses the effect of Office of Management
20 and Budget Circular A–11 on the housing of the
21 workforce of covered agencies;

22 (3) assesses the effect of department-level guid-
23 ance on the housing of the workforce of covered
24 agencies;

1 (4) assesses the effect of agency-level guidance
2 on the housing of the workforce of covered agencies;
3 and

4 (5) identifies suggested administrative actions
5 and legislative proposals to reform the guidance as-
6 sessed under paragraphs (1) through (4), includ-
7 ing—

8 (A) improvements to tenant experience;

9 (B) improvements to workforce housing
10 supply, including—

11 (i) housing managed by the covered
12 agencies; and

13 (ii) leased private market housing;

14 (C) improvements to financing options;

15 (D) improvements to public-private part-
16 nerships;

17 (E) improvements to philanthropic engage-
18 ment; and

19 (F) improvements to commuting times to
20 report stations, including—

21 (i) available housing in the gateway
22 communities;

23 (ii) available housing in the nearest
24 established community (as defined in Of-

1 fice of Management and Budget Circular
2 A-45);

3 (iii) discrepancies in Office of Man-
4 agement and Budget, Department of the
5 Interior, and National Park Service defini-
6 tions for reasonable commuting time; and

7 (iv) differences between normal com-
8 muting conditions and peak-commute traf-
9 fic conditions, including considerations
10 for—

11 (I) road quality and condition;

12 (II) availability of public trans-
13 portation;

14 (III) winter driving; and

15 (IV) visitor traffic.

16 (b) IMPLEMENTATION.—Not later than 1 year after
17 the date on which the report is submitted under subsection
18 (a), the heads of the covered agencies shall carry out the
19 administrative actions identified under paragraph (5) of
20 that subsection.

21 **SEC. 403. JUSTIFYING EMERGENCY SPENDING.**

22 Section 5 of the Act of August 3, 1956 (70 Stat.
23 1033, chapter 950; 7 U.S.C. 2228), is amended—

1 (1) by striking the section designation and all
2 that follows through “The Department” and insert-
3 ing the following:

4 **“SEC. 5. EMERGENCY SUBSISTENCE FOR EMPLOYEES.**

5 “(a) IN GENERAL.—The Department”; and

6 (2) by adding at the end the following:

7 “(b) REQUIRED NOTICE FOR FOREST SERVICE EM-
8 PLOYEES.—Not less than 30 days before the date on
9 which the Secretary of Agriculture exercises the authority
10 under subsection (a) with respect to Forest Service em-
11 ployees, the Secretary of Agriculture shall submit to the
12 Committee on Energy and Natural Resources of the Sen-
13 ate, the Committee on Agriculture, Nutrition, and For-
14 estry of the Senate, the Committee on Natural Resources
15 of the House of Representatives, and the Committee on
16 Agriculture of the House of Representatives notice pro-
17 viding—

18 “(1) 1 or more justifications for the use of the
19 authority;

20 “(2) the estimated cost of using the authority,
21 as verified by the Director of the Congressional
22 Budget Office; and

23 “(3) the name of the office within the Forest
24 Service employing the individuals that would be pro-
25 vided subsistence payments.

1 “(c) REPORT.—Not later than 30 days after the date
2 on which the Secretary of Agriculture exercises the au-
3 thority under subsection (a) with respect to Forest Service
4 employees, the Secretary of Agriculture shall submit to the
5 Committee on Energy and Natural Resources of the Sen-
6 ate, the Committee on Agriculture, Nutrition, and For-
7 estry of the Senate, the Committee on Natural Resources
8 of the House of Representatives, and the Committee on
9 Agriculture of the House of Representatives a report pro-
10 viding the number and grade level of the General Schedule
11 of Forest Service employees to be provided subsistence
12 payments.”.

○