

that are specifically mentioned in the enabling legislation for that field unit or other resource value recognized under Federal statute.

(3) **QUARTERS.**—The term “quarters” means quarters owned or leased by the Federal Government.

(4) **SEASONAL QUARTERS.**—The term “seasonal quarters” means quarters typically occupied by field employees who are hired on assignments of 6 months or less.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3126.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101331	16 U.S.C. 170(19).	Pub. L. 104–333, div. I, title VIII, § 814(a)(19), Nov. 12, 1996, 110 Stat. 4194.

The text of 16 U.S.C. 170(19)(B) is omitted because the term “land management agency” is not used.

§ 101332. General authority of Secretary

(a) **RENTAL HOUSING.**—To enhance the ability of the Secretary, acting through the Director, to effectively manage System units, the Secretary may where necessary and justified—

(1) make available employee housing, on or off land under the administrative jurisdiction of the Service; and

(2) rent that housing to field employees at rates based on the reasonable value of the housing in accordance with requirements applicable under section 5911 of title 5.

(b) **JOINT DEVELOPMENT AUTHORITY.**—The Secretary may use authorities granted by statute in combination with one another in the furtherance of providing where necessary and justified affordable field employee housing.

(c) **CONSTRUCTION LIMITATIONS ON FEDERAL LAND.**—The Secretary may not utilize any land for the purposes of providing field employee housing under this subchapter that will affect a primary resource value of the area or adversely affect the mission of the Service.

(d) **RENTAL RATES.**—To the extent practicable, the Secretary shall establish rental rates for all quarters occupied by field employees of the Service that are based on the reasonable value of the quarters in accordance with requirements applicable under section 5911 of title 5.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3126.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101332(a)	16 U.S.C. 170(2).	Pub. L. 104–333, div. I, title VIII, § 814(a)(2), (17)(A), (B), Nov. 12, 1996, 110 Stat. 4190, 4193.
101332(b)	16 U.S.C. 170(9).	Pub. L. 104–333, div. I, title VIII, § 814(a)(9), Nov. 12, 1996, 110 Stat. 4191; Pub. L. 106–176, title I, § 120(a)(1)(C), Mar. 10, 2000, 114 Stat. 28.
101332(c)	16 U.S.C. 170(17)(A).	
101332(d)	16 U.S.C. 170(17)(B).	

In subsection (a)(2), the words “or lease” are omitted to distinguish between leasing property and renting employee housing.

§ 101333. Criteria for providing housing

The Secretary shall maintain criteria under which housing is provided to employees of the Service. The Secretary shall examine the criteria with respect to the circumstances under which the Service requires an employee to occupy Federal Government quarters, so as to provide necessary services or protect Federal Government property or because of a lack of availability of non-Federal housing in a geographic area.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3127.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101333	16 U.S.C. 170(3).	Pub. L. 104–333, div. I, title VIII, § 814(a)(3), Nov. 12, 1996, 110 Stat. 4190.

The words “The Secretary shall maintain” are substituted for “On November 12, 1996, the Secretary shall review and revise the existing”, and the word “existing” is omitted, to eliminate obsolete words.

§ 101334. Authorization for housing agreements

The Secretary may, pursuant to the authorities contained in this subchapter and subject to the appropriation of necessary funds in advance, enter into housing agreements with housing entities under which the housing entities may develop, construct, rehabilitate, or manage housing, located on or off public land, for rent to Service employees who meet the housing eligibility criteria developed by the Secretary pursuant to this subchapter.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3127.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101334	16 U.S.C. 170(6).	Pub. L. 104–333, div. I, title VIII, § 814(a)(6), Nov. 12, 1996, 110 Stat. 4191; Pub. L. 106–176, title I, § 120(a)(1)(A), Mar. 10, 2000, 114 Stat. 28.

The words “For those units of the National Park System for which the review required by paragraphs (3) and (5) has been completed” are omitted as obsolete. The words “or lease” are omitted to distinguish between leasing property and renting employee housing.

§ 101335. Housing programs

(a) **JOINT PUBLIC-PRIVATE SECTOR HOUSING PROGRAM.**—

(1) **LEASE-TO-BUILD PROGRAM.**—Subject to the appropriation of necessary funds in advance, the Secretary may lease—

(A) Federal land and interests in land to qualified persons for the construction of field employee quarters for any period not to exceed 50 years; and

(B) developed and undeveloped non-Federal land for providing field employee quarters.

(2) **COMPETITIVE LEASING.**—Each lease under paragraph (1)(A) shall be awarded through the use of publicly advertised, competitively bid, or competitively negotiated contracting procedures.

(3) **TERMS AND CONDITIONS.**—Each lease under paragraph (1)(A)—

(A) shall stipulate whether operation and maintenance of field employee quarters is to be provided by the lessee, field employees, or the Federal Government;

(B) shall require that the construction and rehabilitation of field employee quarters be done in accordance with the requirements of the Service and local applicable building codes and industry standards;

(C) shall contain additional terms and conditions as may be appropriate to protect the Federal interest, including limits on rents that the lessee may charge field employees for the occupancy of quarters, conditions on maintenance and repairs, and agreements on the provision of charges for utilities and other infrastructure; and

(D) may be granted at less than fair market value if the Secretary determines that the lease will improve the quality and availability of field employee quarters.

(4) CONTRIBUTIONS BY FEDERAL GOVERNMENT.—The Secretary may make payments, subject to appropriations, or contributions in kind, in advance or on a continuing basis, to reduce the costs of planning, construction, or rehabilitation of quarters on or off Federal land under a lease under this subsection.

(b) RENTAL GUARANTEE PROGRAM.—

(1) GENERAL AUTHORITY.—Subject to the appropriation of necessary funds in advance, the Secretary may enter into a lease-to-build arrangement as set forth in subsection (a) with further agreement to guarantee the occupancy of field employee quarters constructed or rehabilitated under the lease. A guarantee made under this paragraph shall be in writing.

(2) LIMITATIONS ON GUARANTEES.—

(A) SPECIFIC GUARANTEES.—The Secretary may not guarantee—

(i) the occupancy of more than 75 percent of the units constructed or rehabilitated under the lease; and

(ii) at a rental rate that exceeds the rate based on the reasonable value of the housing in accordance with requirements applicable under section 5911 of title 5.

(B) TOTAL OF OUTSTANDING GUARANTEES.—Outstanding guarantees shall not be in excess of \$3,000,000.

(3) AGREEMENT TO RENT TO FEDERAL GOVERNMENT EMPLOYEES.—A guarantee may be made under this subsection only if the lessee agrees to permit the Secretary to utilize for housing purposes any units for which the guarantee is made.

(4) OPERATION AND MAINTENANCE.—A lease shall be void if the lessee fails to maintain a satisfactory level of operation and maintenance.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3127.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101335(a)	16 U.S.C. 170(7).	Pub. L. 104–333, div. I, title VIII, §814(a)(7), Nov. 12, 1996, 110 Stat. 4190; Pub. L. 106–176, title I, §120(a)(1)(B), Mar. 10, 2000, 114 Stat. 28.

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101335(b)	16 U.S.C. 170(8).	Pub. L. 104–333, div. I, title VIII, §814(a)(8), Nov. 12, 1996, 110 Stat. 4192.

§ 101336. Contracts for the management of field employee quarters

Subject to the appropriation of necessary funds in advance, the Secretary may enter into contracts of any duration for the management, repair, and maintenance of field employee quarters. The contract shall contain terms and conditions that the Secretary considers necessary or appropriate to protect the interests of the United States and ensure that necessary quarters are available to field employees.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3128.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101336	16 U.S.C. 170(10).	Pub. L. 104–333, div. I, title VIII, §814(a)(10), Nov. 12, 1996, 110 Stat. 4192.

§ 101337. Leasing of seasonal employee quarters

(a) GENERAL AUTHORITY.—The Secretary may lease quarters at or near a System unit for use as seasonal quarters for field employees if the Secretary finds that there is a shortage of adequate and affordable seasonal quarters at or near the System unit and that—

(1) the requirement for the seasonal field employee quarters is temporary; or

(2) leasing would be more cost-effective than construction of new seasonal field employee quarters.

(b) RENT.—The rent charged to field employees under the lease shall be a rate based on the reasonable value of the quarters in accordance with requirements applicable under section 5911 of title 5.

(c) UNRECOVERED COSTS.—The Secretary may pay the unrecovered costs of leasing seasonal quarters under this section from annual appropriations for the year in which the lease is made.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3128.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101337	16 U.S.C. 170(11).	Pub. L. 104–333, div. I, title VIII, §814(a)(11), Nov. 12, 1996, 110 Stat. 4192; Pub. L. 106–176, title I, §120(a)(1)(D), Mar. 10, 2000, 114 Stat. 28.

§ 101338. General leasing provisions

(a) EXEMPTION FROM LEASING REQUIREMENTS.—Section 102901 of this title and section 1302 of title 40 shall not apply to leases issued by the Secretary under this section.

(b) PROCEEDS FROM LEASES.—The proceeds from any lease under section 101335(a)(1) of this title and any lease under section 101337 of this