

velop, 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101334 .....	16 U.S.C. 17o(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. 17o(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.
101335(b) .....	16 U.S.C. 17o(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. 17o(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 ade-

quate 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101337 .....	16 U.S.C. 17o(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 title shall be retained by the Service and deposited in the special fund established for maintenance and operation of quarters.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101338(a) .....	16 U.S.C. 17o(17)(C).	Pub. L. 104–333, div. I, title VIII, § 814(a)(17)(C), Nov. 12, 1996, 110 Stat. 4194.
101338(b) .....	16 U.S.C. 17o(18).	Pub. L. 104–333, div. I, title VIII, § 814(a)(18), Nov. 12, 1996, 110 Stat. 4191; Pub. L. 106–176, title I, § 120(a)(1)(F), Mar. 10, 2000, 114 Stat. 28.

§ 101339. Assessment and priority listing

The Secretary shall—

(1) complete a condition assessment for all field employee housing, including the physical condition of the housing and the necessity and suitability of the housing for carrying out the mission of the Service, using existing information; and

(2) develop a Service-wide priority listing, by structure, identifying the units in greatest need for repair, rehabilitation, replacement, or initial construction.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3129.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101339 .....	16 U.S.C. 17o(12).	Pub. L. 104–333, div. I, title VIII, § 814(a)(12), Nov. 12, 1996, 110 Stat. 4193.

In paragraph (1), the words “mission of the Service” are substituted for “agency mission” because the provision applies only to the Service.

In paragraph (2), the word “Service-wide” is substituted for “agency-wide” because the provision applies only to the Service.

§ 101340. Use of funds

(a) EXPENDITURE SHALL FOLLOW PRIORITY LISTING.—Expenditure of any funds authorized and appropriated for new construction, repair, or rehabilitation of housing under this chapter shall follow the housing priority listing established by the Secretary under section 101339 of this title, in sequential order, to the maximum extent practicable.

(b) NONCONSTRUCTION FUNDS IN ANNUAL BUDGET SUBMITTAL.—Each fiscal year the President’s proposed budget to Congress shall include identification of nonconstruction funds to be spent for Service housing maintenance and operations that are in addition to rental receipts collected.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3129.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101340(a) .....	16 U.S.C. 17o(13).	Pub. L. 104–333, div. I, title VIII, § 814(a)(13), Nov. 12, 1996, 110 Stat. 4193; Pub. L. 106–176, title I, § 120(a)(1)(E), Mar. 10, 2000, 114 Stat. 28.
101340(b) .....	16 U.S.C. 17o(14).	Pub. L. 104–333, div. I, title VIII, § 814(a)(14), Nov. 12, 1996, 110 Stat. 4193.

In subsection (a), the word “Secretary” is substituted for “agency” to correct an error in the source provision because the provision only applies to the Service and the Secretary develops the priority listing.

In subsection (b), the words “for the first fiscal year after November 12, 1996, and . . . subsequent” are omitted as obsolete.

CHAPTER 1015—TRANSPORTATION

SUBCHAPTER I—AIRPORTS

Sec. 101501. Airports in or near System units.

SUBCHAPTER II—ROADS AND TRAILS

101511. Authority of Secretary.  
101512. Conveyance to States of roads leading to certain historical areas.

SUBCHAPTER III—PUBLIC TRANSPORTATION PROGRAMS FOR SYSTEM UNITS

101521. Transportation service and facility programs.  
101522. Transportation projects.  
101523. Procedures applicable to transportation plans and projects.  
101524. Special rule for service contract to provide transportation services.

SUBCHAPTER IV—FEES

101531. Fee for use of transportation services.