

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 5125

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. BARRASSO

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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.

2

- 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. Encouraging public-private cooperative management.
 Sec. 203. Leveraging philanthropic support to address National Park Service workforce housing.

TITLE III—SUPPORTING WORKFORCE

- Sec. 301. Supporting the 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;

14 (E) the Committee on Agriculture of the
 15 House of Representatives; and

1 (F) the Committee on Appropriations of
2 the House of Representatives.

3 (2) COVERED AGENCIES.—The term “covered
4 agencies” means—

5 (A) the National Park Service;

6 (B) the Bureau of Land Management;

7 (C) the United States Fish and Wildlife
8 Service; and

9 (D) the Forest Service.

10 (3) SECRETARY.—The term “Secretary” means
11 the Secretary of the Interior.

12 **TITLE I—EXPANDING**
13 **AUTHORITY**

14 **SEC. 101. PRIORITIZING NATIONAL PARK SERVICE WORK-**
15 **FORCE HOUSING.**

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

18 (1) by inserting “quarters for field employees
19 (as those terms are defined in section 101331),”
20 after “prioritize”; and

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

22 **SEC. 102. AUTHORIZING THE NATIONAL PARK SERVICE TO**
23 **ADDRESS WORKFORCE HOUSING OFF-PARK.**

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

1 “(i) ACQUISITION OF LAND FOR ADMINISTRATION OF
2 SYSTEM UNITS.—

3 “(1) IN GENERAL.—To facilitate the adminis-
4 tration of a System unit, the Secretary may acquire,
5 by donation, exchange, or transfer from another
6 Federal agency, not more than 20 acres of land or
7 interests in land, cumulatively, within the vicinity of
8 the System unit boundary for the development, con-
9 struction, maintenance, or operation of quarters for
10 field employees (as those terms are defined in sec-
11 tion 101331) for the System unit.

12 “(2) MANAGEMENT.—

13 “(A) IN GENERAL.—With respect to any
14 land or interest in land acquired by the Sec-
15 retary under paragraph (1)—

16 “(i) the land or interest in land shall
17 not—

18 “(I) be administered as part of
19 the System; or

20 “(II) be subject to the laws (in-
21 cluding regulations) governing the as-
22 sociated System unit; but

23 “(ii) the Secretary shall—

1 “(I) have the authority to super-
2 vise, manage, and control the land;
3 and

4 “(II) issue such rules and regula-
5 tions as the Secretary may determine
6 to be necessary and proper for the use
7 and management of the land.

8 “(B) AUTHORIZATIONS.—The Secretary
9 may grant exclusive privileges, leases, and per-
10 mits for the use of land acquired under para-
11 graph (1) and enter into contracts relating to
12 such authorizations as authorized under this
13 title, notwithstanding any restriction on such
14 authorizations to land within a System unit
15 boundary.

16 “(3) DISPOSAL.—If the Secretary determines
17 that any land or interest in land acquired under
18 paragraph (1) no longer supports the administration
19 of the System unit—

20 “(A) the Secretary may determine the land
21 and any improvements to the land to be excess
22 property for disposal; and

23 “(B) the proceeds from the disposal of ex-
24 cess property under subparagraph (A) shall be
25 retained by the Secretary and deposited in the

1 special fund established for the development,
2 construction, maintenance, or operation of
3 quarters for field employees (as so defined) de-
4 scribed in section 101338(b), to be expended by
5 the Secretary without further appropriation.”.

6 **SEC. 103. EXPANDING NATIONAL PARK SERVICE RENTAL**
7 **OPTIONS.**

8 Section 101336 of title 54, United States Code, is
9 amended, in the first sentence, by striking “management,
10 repair, and maintenance of field employee quarters” and
11 inserting “development, construction, maintenance, or op-
12 eration of quarters for field employees”.

13 **SEC. 104. LEVERAGING NATIONAL PARK SERVICE RENTAL**
14 **RECEIPTS FOR WORKFORCE HOUSING PRO-**
15 **GRAMMING.**

16 Section 101338 of title 54, United States Code, is
17 amended by adding at the end the following:

18 “(c) USE OF SPECIAL FUND BY NATIONAL PARK
19 SERVICE.—Amounts deposited by the Service in the spe-
20 cial fund described in subsection (b) and established under
21 section 320 of Public Law 98–473 (5 U.S.C. 5911 note)
22 shall be available for the development, construction, main-
23 tenance, or operation of quarters for field employees at
24 System units.”.

1 **SEC. 105. EMPOWERING THE FOREST SERVICE TO ADDRESS**
2 **WORKFORCE HOUSING NEEDS.**

3 (a) USE OF FOREST SERVICE STRUCTURES OR IM-
4 PROVEMENTS.—Section 7 of the Act of April 24, 1950
5 (commonly known as the “Granger-Thye Act”) (64 Stat.
6 84, chapter 97; 16 U.S.C. 580d), is amended by striking
7 “thirty years as determined by him” and inserting “30
8 years, or in the case of a permit for workforce housing
9 and related infrastructure, 50 years, as determined to be
10 appropriate by the Secretary of Agriculture”.

11 (b) CONVEYANCES OF FOREST SERVICE ADMINIS-
12 TRATIVE SITES.—Title V of the Forest Service Facility
13 Realignment and Enhancement Act of 2005 (16 U.S.C.
14 580d note; Public Law 109–54) is amended—

15 (1) in section 503—

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

17 (B) by redesignating subsection (g) as sub-
18 section (f); and

19 (2) in section 504(c)(2), by striking “by com-
20 petitive sale” and inserting “by soliciting not fewer
21 than 2 competitive bids”.

1 **TITLE II—EXPANDING**
2 **PARTNERSHIP CAPACITY**

3 **SEC. 201. ENGAGING PARTNERS TO ADDRESS NATIONAL**
4 **PARK SERVICE WORKFORCE HOUSING.**

5 Section 101701(a) of title 54, United States Code,
6 is amended—

7 (1) in paragraph (1), by inserting, “, including
8 projects for quarters for field employees (as those
9 terms are defined in section 101331),” after “re-
10 sponsibilities of the Secretary”; and

11 (2) in paragraph (2)—

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

13 (B) by inserting “(including an organiza-
14 tion that has a philanthropic agreement to
15 fundraise or otherwise generate donations on
16 behalf of, or for the benefit of, the Service)”
17 after “organization”; and

18 (C) by inserting “(including an individual
19 that has a philanthropic agreement to fundraise
20 or otherwise generate donations on behalf of, or
21 for the benefit of, the Service)” after “indi-
22 vidual”.

1 **SEC. 202. ENCOURAGING PUBLIC-PRIVATE COOPERATIVE**
2 **MANAGEMENT.**

3 Section 101703 of title 54, United States Code, is
4 amended to read as follows:

5 **“§ 101703. Cooperative management agreements**

6 “(a) DEFINITION OF STATE.—In this section, the
7 term ‘State’ means each of the several States, the District
8 of Columbia, and each territory of the United States.

9 “(b) COOPERATIVE MANAGEMENT AGREEMENTS.—

10 “(1) IN GENERAL.—The Secretary, in accord-
11 ance with the laws generally applicable to System
12 units and under such terms and conditions as the
13 Secretary considers appropriate, may enter into a
14 cooperative management agreement with a State, In-
15 dian Tribe, or local government with park land adja-
16 cent to a System unit, if the agreement would pro-
17 vide for more effective and efficient management of
18 a System unit and the adjacent non-Federal park
19 land.

20 “(2) NO TRANSFER OF ADMINISTRATIVE RE-
21 SPONSIBILITIES.—The Secretary may not transfer
22 administration responsibilities for any System unit
23 under this subsection.

24 “(c) PROVISION OF GOODS AND SERVICES.—

25 “(1) IN GENERAL.—The Secretary may provide
26 or acquire goods and services on a reimbursable

1 basis as part of a cooperative management agree-
2 ment entered into under subsection (b).

3 “(2) RETENTION OF FUNDS.—The Secretary
4 may retain and expend any funds received under
5 this section without further appropriation.

6 “(d) CO-LOCATION.—The Secretary and a State, In-
7 dian Tribe, or local government may co-locate in offices
8 or facilities owned or leased by either party as part of a
9 cooperative management agreement entered into under
10 subsection (b).

11 “(e) EMPLOYEES.—

12 “(1) ASSIGNMENT OF EMPLOYEE.—The Sec-
13 retary may arrange an assignment under section
14 3372 of title 5 of a Federal employee or an employee
15 of a State, Indian Tribe, or local government, as
16 mutually agreed on, for work, on the applicable Fed-
17 eral, State, local, or Tribal park land covered by the
18 cooperative management agreement.

19 “(2) EXTENSION OF ASSIGNMENT.—An assign-
20 ment under paragraph (1) may be extended if the
21 Secretary and the State, Indian Tribe, or local gov-
22 ernment determine the extension to be mutually ben-
23 efiticial.”.

1 **SEC. 203. LEVERAGING PHILANTHROPIC SUPPORT TO AD-**
2 **DRESS NATIONAL PARK SERVICE WORK-**
3 **FORCE HOUSING.**

4 Section 103501(c)(3) of title 54, United States Code,
5 is amended by striking “(including funds and fairly valued
6 durable goods and materials)” and inserting “(including
7 any combination of cash, fairly valued services, and dura-
8 ble goods and materials)”.

9 **TITLE III—SUPPORTING**
10 **WORKFORCE**

11 **SEC. 301. SUPPORTING THE LAND MANAGER WORKFORCE.**

12 (a) **IN GENERAL.**—The Secretary or the Secretary of
13 Agriculture, as applicable, may recruit and directly ap-
14 point qualified individuals into the competitive service who
15 are certified, in accordance with procedures established by
16 the Secretary or the Secretary of Agriculture, as applica-
17 ble, as maintaining a permanent and exclusive residence
18 within the vicinity of a site administered by the National
19 Park Service, the United States Fish and Wildlife Service,
20 or the Forest Service to a field unit which the individual
21 would report to work into any position at or below grade
22 GS–9 of the General Schedule, WG–15 of the Federal
23 Wage System, or equivalent within the applicable field
24 unit.

25 (b) **REQUIREMENTS.**—An appointment by the Sec-
26 retary under subsection (a) shall be considered compliant

1 with all applicable provisions of chapter 33 of title 5,
2 United States Code, if the Secretary ensures that the ap-
3 pointment action—

4 (1) is consistent with the merit principles of
5 section 2301 of that title; and

6 (2) complies with the public notice requirements
7 of section 3327 of that title.

8 (c) **TERMINATION OF AUTHORITY.**—The authority
9 provided under subsection (a) shall terminate on Sep-
10 tember 30, 2030.

11 **SEC. 302. SUPPORTING THE SEASONAL NATIONAL PARK**
12 **SERVICE WORKFORCE.**

13 (a) **IN GENERAL.**—Notwithstanding any other provi-
14 sion of law, for purposes of determining the noncompeti-
15 tive rehire eligibility of temporary seasonal employees of
16 the National Park Service—

17 (1) the Secretary shall establish a definition of
18 what constitutes a major subdivision of the National
19 Park Service; and

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

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

1 **TITLE IV—REPORTS AND**
2 **OVERSIGHT**

3 **SEC. 401. QUANTIFYING THE WORKFORCE HOUSING NEEDS**
4 **OF LAND MANAGERS.**

5 Not later than 18 months after the date of enactment
6 of this Act, the Secretary and the Secretary of Agriculture
7 shall jointly submit to the appropriate committees of Con-
8 gress a needs assessment report that provides, with re-
9 spect to housing the workforce of covered agencies, as ap-
10 plicable—

11 (1) an analysis of the unit type and condition
12 of—

13 (A) housing owned by the covered agencies;
14 and

15 (B) housing leased by the covered agencies;

16 (2) an analysis of the employment status of the
17 occupants of the housing analyzed under paragraph
18 (1), including—

19 (A) whether the occupants are—

20 (i) members of the permanent work-
21 force; or

22 (ii) members of the seasonal work-
23 force; and

24 (B) which positions identified under sub-
25 paragraph (A) required housing provided by the

1 applicable covered agency as a condition of em-
2 ployment with the covered agency; and

3 (3) an analysis of the private housing markets
4 within the vicinity of a covered agency field unit, in-
5 cluding—

6 (A) the availability and affordability of
7 housing for sale or lease; and

8 (B) the impact of vacation rental services
9 on—

10 (i) the cost of living; and

11 (ii) the available supply of housing.

12 **SEC. 402. CONDUCTING OVERSIGHT ON THE HOUSING PRO-**
13 **GRAMMING OF LAND MANAGERS.**

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

18 (1) assesses, in consultation with the National
19 Housing Council described in Office of Management
20 and Budget Circular A-45, the effect of Office of
21 Management and Budget Circular A-45R on the
22 housing of the workforce of covered agencies;

23 (2) assesses the effect of Office of Management
24 and Budget Circular A-11 on the housing of the
25 workforce of covered agencies;

1 (3) assesses the effect of department-level guid-
2 ance on the housing of the workforce of covered
3 agencies;

4 (4) assesses the effect of agency-level guidance
5 on the housing of the workforce of covered agencies;
6 and

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

11 (A) improvements to tenant experience;

12 (B) improvements to workforce housing
13 supply, including—

14 (i) housing managed by the covered
15 agencies; and

16 (ii) leased private market housing;

17 (C) improvements to financing options;

18 (D) improvements to public-private part-
19 nerships;

20 (E) improvements to philanthropic engage-
21 ment; and

22 (F) improvements to commuting times to
23 report stations, including—

24 (i) available housing in the gateway
25 communities;

1 (ii) available housing in the nearest
2 established community (as defined in Of-
3 fice of Management and Budget Circular
4 A-45); and

5 (iii) differences between normal com-
6 muting conditions and peak-commute traf-
7 fic conditions, including considerations
8 for—

9 (I) road quality and condition;

10 (II) availability of public trans-
11 portation;

12 (III) winter driving; and

13 (IV) visitor traffic.

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

19 **SEC. 403. JUSTIFYING EMERGENCY SPENDING.**

20 Section 5 of the Act of August 3, 1956 (70 Stat.
21 1033, chapter 950; 7 U.S.C. 2228), is amended—

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

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

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

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

4 “(b) REPORT.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (3), not later than 30 days after the date on
7 which the Secretary of Agriculture furnishes subsist-
8 ence to employees under subsection (a), the Sec-
9 retary of Agriculture shall submit to the appropriate
10 committees of Congress (as defined in section 2 of
11 the Land Manager Housing and Workforce Improve-
12 ment Act of 2024) a report providing—

13 “(A) 1 or more justifications for the use of
14 the authority;

15 “(B) the number of employees that were
16 furnished subsistence;

17 “(C) the estimated cost of furnishing sub-
18 sistence; and

19 “(D) the expected duration for which sub-
20 sistence is to be provided.

21 “(2) OFFICE OF MANAGEMENT AND BUDGET.—

22 The information for a report required under para-
23 graph (1) shall be produced in coordination with,
24 and approved by, the Director of the Office of Man-
25 agement and Budget.

1 “(3) EXCEPTION.—A report under paragraph
2 (1) shall not be required in the case of an emergency
3 resulting from a natural disaster, act of terrorism,
4 or other man-made disaster.”.