

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 472

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IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 1994

Referred to the Committee on Natural Resources

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## AN ACT

To improve the administration and management of public lands, National Forests, units of the National Park System, and related areas by improving the availability of adequate, appropriate, affordable, and cost effective housing for employees needed to effectively manage the public lands.

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 This Act may be referred to as the “Land Manage-  
5 ment Agency Housing Improvement Act of 1994”.

1 **SEC. 2. DEFINITIONS.**

2 As used in this Act, the term—

3 (1) “public lands” means Federal lands admin-  
4 istered by the Secretary of the Interior or the Sec-  
5 retary of Agriculture; and

6 (2) “Secretaries” means the Secretary of the  
7 Interior and the Secretary of Agriculture.

8 **SEC. 3. EMPLOYEE HOUSING.**

9 (a)(1) To promote the recruitment and retention of  
10 qualified personnel necessary for the effective manage-  
11 ment of public lands, the Secretaries are authorized to—

12 (A) make employee housing available, subject to  
13 the limitations set forth in paragraph (2), on or off  
14 public lands, and

15 (B) rent or lease such housing to employees of  
16 the respective Department at a reasonable value.

17 (2)(A) Housing made available on public lands shall  
18 be limited to those areas designated for administrative  
19 use.

20 (B) No private lands or interests therein outside of  
21 the boundaries of federally administered areas may be ac-  
22 quired for the purposes of this Act except with the consent  
23 of the owner thereof.

24 (b) The Secretaries shall provide such housing in ac-  
25 cordance with this Act and section 5911 of title 5, United

1 States Code, except that for the purposes of this Act, the  
2 term—

3           (1) “availability of quarters” (as used in this  
4 Act and subsection (b) of section 5911) means the  
5 existence, within thirty miles of the employee’s duty  
6 station, of well-constructed and maintained housing  
7 suitable to the individual and family needs of the  
8 employee, for which the rental rate as a percentage  
9 of the employee’s annual gross income does not ex-  
10 ceed the most recent Census Bureau American  
11 Housing Survey median monthly housing cost for  
12 renters inclusive of utilities, as a percentage of cur-  
13 rent income, whether paid as part of rent or paid di-  
14 rectly to a third party;

15           (2) “contract” (as used in this Act and sub-  
16 section (b) of section 5911) includes, but is not lim-  
17 ited to, “Build-to-Lease”, “Rental Guarantee”,  
18 “Joint Development” or other lease agreements en-  
19 tered into by the Secretary, on or off public lands,  
20 for the purposes of sub-leasing to Departmental em-  
21 ployees; and

22           (3) “reasonable value” (as used in this Act and  
23 subsection (c) of section 5911) means the base rent-  
24 al rate comparable to private rental rates for com-  
25 parable housing facilities and associated amenities:

1       *Provided*, That the base rental rate as a percentage  
2       of the employee's annual gross income shall not ex-  
3       ceed the most recent American Housing Survey me-  
4       dian monthly housing cost for renters inclusive of  
5       utilities, as a percentage of current income, whether  
6       paid as part of rent or paid directly to a third party.

7       (c) Subject to appropriation, the Secretaries may  
8       enter into contracts and agreements with public and pri-  
9       vate entities to provide employee housing on or off public  
10      lands.

11      (d) The Secretaries may enter into cooperative agree-  
12      ments or joint ventures with local governmental and pri-  
13      vate entities, either on or off public lands, to provide ap-  
14      propriate and necessary utility and other infrastructure  
15      facilities in support of employee housing facilities provided  
16      under this Act.

17      **SEC. 4. SURVEY OF RENTAL QUARTERS.**

18      The Secretaries shall conduct a survey of the avail-  
19      ability of quarters at field units under each Secretary's  
20      jurisdiction at least every five years. If such survey indi-  
21      cates that government owned or suitable privately owned  
22      quarters are not available as defined in section 3(b)(1) of  
23      this Act for the personnel assigned to a specific duty sta-  
24      tion, the Secretaries are authorized to provide suitable  
25      quarters in accordance with the provisions of this Act. For

1 the purposes of this section, the term “suitable quarters”  
2 means well-constructed, maintained housing suitable to  
3 the individual and family needs of the employee.

4 **SEC. 5. SECONDARY QUARTERS.**

5 (a) The Secretaries may determine that secondary  
6 quarters for employees who are permanently duty sta-  
7 tioned at remote locations and are regularly required to  
8 relocate for temporary periods are necessary for the effec-  
9 tive administration of an area under the jurisdiction of  
10 the respective agency. Such secondary quarters are au-  
11 thorized to be made available to employees, either on or  
12 off public lands, in accordance with the provisions of this  
13 Act.

14 (b) Rental rates for such secondary facilities shall be  
15 established so that the aggregate rental rate paid by an  
16 employee for both primary and secondary quarters as a  
17 percentage of the employee’s annual gross income shall  
18 not exceed the Census Bureau American Housing Survey  
19 median monthly housing cost for renters inclusive of utili-  
20 ties as a percentage of current income, whether paid as  
21 part of rent or paid directly to a third party.

22 **SEC. 6. SURVEY OF EXISTING FACILITIES.**

23 (a) Within two years after the date of enactment of  
24 this Act, the Secretaries shall survey all existing govern-  
25 ment owned employee housing facilities under the jurisdic-

1 tion of the Department of the Interior and the Depart-  
2 ment of Agriculture, to assess the physical condition of  
3 such housing and the suitability of such housing for the  
4 effective prosecution of the agency mission. The Secretar-  
5 ies shall develop an agency-wide priority listing, by struc-  
6 ture, identifying those units in greatest need of repair, re-  
7 habilitation, replacement or initial construction, as appro-  
8 priate. The survey and priority listing study shall be trans-  
9 mitted to the Committees on Appropriations and Energy  
10 and Natural Resources of the United States Senate and  
11 the Committees on Appropriations and Natural Resources  
12 of the United States House of Representatives.

13 (b) Unless otherwise provided by law, expenditure of  
14 any funds appropriated for construction, repair or reha-  
15 bilitation shall follow, in sequential order, the priority list-  
16 ing established by each agency. Funding available from  
17 other sources for employee housing repair may be distrib-  
18 uted as determined by the Secretaries.

19 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated such sums  
21 as may be necessary to carry out this Act.

Passed the Senate June 16 (legislative day, June 7),  
1994.

Attest:

MARTHA S. POPE,

*Secretary.*