Public Law 114–47  
114th Congress  

An Act  

To amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.  

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,  

SECTION 1. SHORT TITLE.  

This Act may be cited as the “Land Management Workforce Flexibility Act”.  

SEC. 2. PERSONNEL FLEXIBILITIES RELATING TO LAND MANAGEMENT AGENCIES.  

(a) IN GENERAL.—Subpart I of part III of title 5, United States Code, is amended by inserting after chapter 95 the following:  

“CHAPTER 96—PERSONNEL FLEXIBILITIES RELATING TO LAND MANAGEMENT AGENCIES  

“Sec. 9601. Definitions.  

“9602. Competitive service; time-limited appointments.  

“§ 9601. Definitions  

“For purposes of this chapter—  

“(1) the term ‘land management agency’ means—  

“(A) the Forest Service of the Department of Agriculture;  

“(B) the Bureau of Land Management of the Department of the Interior;  

“(C) the National Park Service of the Department of the Interior;  

“(D) the Fish and Wildlife Service of the Department of the Interior;  

“(E) the Bureau of Indian Affairs of the Department of the Interior; and  

“(F) the Bureau of Reclamation of the Department of the Interior; and  

“(2) the term ‘time-limited appointment’ includes a temporary appointment and a term appointment, as defined by the Office of Personnel Management.  

“§ 9602. Competitive service; time-limited appointments  

“(a) Notwithstanding chapter 33 or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, an employee of a land
management agency serving under a time-limited appointment in
the competitive service is eligible to compete for a permanent
appointment in the competitive service at any land management
agency or any other agency (as defined in section 101 of title
31) under the internal merit promotion procedures of the applicable
agency if—

“(1) the employee was appointed initially under open,
competitive examination under subchapter I of chapter 33 to
the time-limited appointment;

“(2) the employee has served under 1 or more time-limited
appointments by a land management agency for a period or
periods totaling more than 24 months without a break of 2
or more years; and

“(3) the employee’s performance has been at an acceptable
level of performance throughout the period or periods (as the
case may be) referred to in paragraph (2).

Waiver authority.

“(b) In determining the eligibility of a time-limited employee
under this section to be examined for or appointed in the competitive
service, the Office of Personnel Management or other examining
agency shall waive requirements as to age, unless the requirement
is essential to the performance of the duties of the position.

“(c) An individual appointed under this section—

“(1) becomes a career-conditional employee, unless the
employee has otherwise completed the service requirements
for career tenure; and

“(2) acquires competitive status upon appointment.

“(d) A former employee of a land management agency who
served under a time-limited appointment and who otherwise meets
the requirements of this section shall be deemed a time-limited
employee for purposes of this section if—

“(1) such employee applies for a position covered by this
section within the period of 2 years after the most recent
date of separation; and

“(2) such employee’s most recent separation was for reasons
other than misconduct or performance.

Regulations.

“(e) The Office of Personnel Management shall prescribe such
regulations as may be necessary to carry out this section.”.
(b) CLERICAL AMENDMENT.—The analysis for part III of title 5, United States Code, is amended by inserting after the item for chapter 95 the following:

“96. Personnel flexibilities relating to land management agencies ...... 9601”.

Approved August 7, 2015.