

118TH CONGRESS
1ST SESSION

H. R. 1314

To authorize the Secretary of the Interior to enter into partnerships to develop housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2023

Mr. MOORE of Utah (for himself, Mr. PANETTA, Mr. NEWHOUSE, and Ms. PORTER) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize the Secretary of the Interior to enter into partnerships to develop housing, and for other purposes.

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 cited as the “Lodging Options De-
5 veloped for Government Employees Act” or the “LODGE
6 Act”.

7 **SEC. 2. HOUSING PARTNERSHIPS; OCCUPANCY.**

8 (a) IN GENERAL.—Subchapter III of chapter 1013
9 of title 54, United States Code, is amended—

1 (1) by amending section 101331 to read as fol-
2 lows:

3 **“§ 101331. Definitions**

4 “In this subchapter:

5 “(1) FIELD EMPLOYEE.—The term ‘field em-
6 ployee’ means—

7 “(A) an employee of the Service who is ex-
8 clusively assigned by the Service to perform du-
9 ties at a System unit, and the members of the
10 employee’s family;

11 “(B) an individual performing duties at
12 the System unit who is employed by a Service
13 concession, partnership, educational, or con-
14 servation organization, whose work supports the
15 mission of the System unit, and the members of
16 the individual’s family;

17 “(C) an individual who is authorized to oc-
18 cupy Federal Government quarters under sec-
19 tion 5911 of title 5 in the vicinity of the System
20 unit, including individuals who are employees of
21 other Federal agencies, and the members of the
22 individual’s family; or

23 “(D) an employee of the Federal Govern-
24 ment who is—

1 “(i) eligible to live in government
2 housing; and

3 “(ii) not an employee of the Service.

4 “(2) FUNDAMENTAL RESOURCES.—The term
5 ‘fundamental resources’ means resources essential to
6 achieving the purposes of the System unit and main-
7 taining its significance, as identified by the agency
8 in planning documents, including Foundation Docu-
9 ments.

10 “(3) HOUSING ACCOMMODATION PROJECT.—
11 The term ‘housing accommodation project’ means a
12 project for the development, construction, rehabilita-
13 tion, repair, maintenance, operation or management
14 of housing accommodations, including related facili-
15 ties and infrastructure, pursuant to an agreement
16 entered into under section 101334.

17 “(4) HOUSING PARTNERSHIP AGREEMENT.—
18 The term ‘housing partnership agreement’ means an
19 agreement for a housing accommodation project en-
20 tered into under section 101334.

21 “(5) HOUSING UNITS.—The term ‘housing
22 units’ means housing units occupied by members of
23 the public in housing accommodations developed or
24 leased on non-Federal lands under this subchapter.

1 “(6) MEMBER OF THE PUBLIC.—The term
2 ‘member of the public’ means an individual, and the
3 members of the individual’s family, who is not a
4 Federal Government employee.

5 “(7) PRIMARY RESOURCE VALUES.—The term
6 ‘primary resource values’ means resources that are
7 specifically mentioned in the enabling legislation for
8 that field unit or other resource value recognized
9 under Federal statute.

10 “(8) PUBLIC LANDS.—The term ‘public lands’
11 means lands under the administrative jurisdiction of
12 the Federal Government.

13 “(9) QUARTERS.—The term ‘quarters’ means
14 quarters occupied by field employees and are, for
15 such purpose—

16 “(A) provided by the Federal Government;

17 or

18 “(B) developed or leased by the Federal
19 Government in accordance with a housing part-
20 nership agreement, lease, or contract under this
21 subchapter.”;

22 (2) in section 101332—

23 (A) in subsection (a)(2), by—

24 (i) striking “rates” and inserting “af-
25 fordable rates”; and

1 (ii) by inserting “, unless otherwise
2 authorized,” after “based”;

3 (B) in subsection (c)—

4 (i) by inserting “under the adminis-
5 trative jurisdiction of the Service” after
6 “any land”; and

7 (ii) by inserting “or fundamental re-
8 sources” after “primary resource value”;
9 and

10 (C) in subsection (d), by inserting “, un-
11 less otherwise authorized,” after “that are
12 based”;

13 (3) in section 101333, by inserting “or afford-
14 ability” after “lack of availability”;

15 (4) by amending section 101334 to read as fol-
16 lows:

17 **“§ 101334. Authorization for housing accommodation**
18 **projects**

19 “(a) IN GENERAL.—The Secretary may, pursuant to
20 the authorities contained in this subchapter and subject
21 to the appropriation of necessary funds in advance, enter
22 into housing partnership agreements with other Federal
23 agencies, State or local governments, Tribal Governments,
24 housing entities, or other public or private organizations,
25 for the purposes of facilitating housing accommodation

1 projects for rent to field employees and members of the
2 public—

3 “(1) on public lands, including System units;

4 “(2) off public lands in the vicinity of System
5 units; or

6 “(3) a combination of public lands described in
7 paragraphs (1) and (2).

8 “(b) TERMS AND CONDITIONS.—

9 “(1) NATIONAL PARK LANDS.—For any hous-
10 ing partnership agreements for housing accommoda-
11 tion projects on lands under the administrative juris-
12 diction of the Service, the Secretary shall—

13 “(A) ensure the housing accommodation
14 project and the use thereof are in conformity
15 with the approved plans, including housing
16 management plans, for the System unit and Di-
17 rector’s Orders and reference manuals related
18 to Service housing;

19 “(B) ensure that the location of the hous-
20 ing accommodation project will avoid degrada-
21 tion to the primary resource values and funda-
22 mental resources within the System unit, and
23 will not adversely affect the mission of the Serv-
24 ice;

1 “(C) ensure the entities responsible for the
2 housing accommodation project comply with ap-
3 plicable law and policies, including the provi-
4 sions of this subchapter;

5 “(D) identify the funding to be used in
6 performing the housing accommodation project;

7 “(E) provide standards that must be met,
8 as applicable, to ensure that the housing accom-
9 modation project, including related facilities
10 and infrastructure, are kept in good condition
11 and repair; and

12 “(F) that the agreements include any
13 other terms and conditions the Secretary may
14 consider advisable to protect the interests of the
15 United States.

16 “(2) OTHER PUBLIC OR PRIVATE LANDS.—For
17 any housing partnership agreements for housing ac-
18 commodation projects on other public or private
19 lands located in the vicinity of the relevant System
20 unit and not under the administrative jurisdiction of
21 the Service, the Secretary shall ensure the agree-
22 ments—

23 “(A) have received the approval of each ap-
24 propriate State or local government, Tribal gov-

1 ernment, or other public or private entity in-
2 volved;

3 “(B) identify both the Federal and non-
4 Federal funding to be used in completing the
5 housing and related facilities; and

6 “(C) any other terms and conditions the
7 Secretary may consider advisable to protect the
8 interests of the United States.

9 “(c) HOUSING OCCUPANCY.—

10 “(1) IN GENERAL.—The Secretary may allow
11 field employees and members of the public to occupy
12 and lease housing accommodation project quarters.

13 “(2) COMPLIANCE.—Members of the public oc-
14 cupying quarters shall be subject to the same laws
15 and policies with which field employees are required
16 to comply, as applicable.

17 “(3) PROHIBITION.—Field employees and mem-
18 bers of the public shall be prohibited from subleasing
19 housing units or quarters developed or leased in ac-
20 cordance with a housing partnership agreement
21 under this section, including all forms of short-term
22 rentals.

23 “(4) PREFERENCE.—To the maximum extent
24 practicable, priority for occupancy in project quar-
25 ters shall be given to field employees.

1 “(d) CONTRACTING PROCEDURES.—Each housing
2 partnership agreement awarded pursuant to this section
3 shall be awarded through the use of publicly advertised,
4 competitively bid, or competitively negotiated procedures,
5 unless the Secretary—

6 “(1) determines that it is in the public interest
7 to use procedures other than competitive procedures
8 with respect to the particular housing partnership
9 agreement concerned; and

10 “(2) notifies, in writing, the Committee on En-
11 ergy and Natural Resources of the Senate and the
12 Committee on Natural Resources of the House of
13 Representatives of such determinations and the ra-
14 tionale for such determination.

15 “(e) RENT.—

16 “(1) COLLECTION.—The Secretary may collect,
17 or may authorize entities who have entered into
18 partnership housing agreements under this section
19 to collect, rents directly from field employees and
20 members of the public occupying housing units or
21 quarters.

22 “(2) RATES.—For field employees, rent col-
23 lected under this subsection may not exceed the
24 rates determined pursuant to guidance in the docu-

1 ment entitled ‘Circular No. A-45 Revised’ and dated
2 November 25, 2019 (or subsequent guidance).

3 “(f) EXPIRATION OF AGREEMENTS.—

4 “(1) WITHIN SYSTEM UNITS.—The Secretary
5 may allow long-term leases or term-limited owner-
6 ship of housing units or quarters on public lands, as
7 appropriate, to facilitate the ability of an entity with
8 whom a housing partnership agreement has been en-
9 tered into under subsection (b) to secure financing.

10 “(2) EXPIRATION OF TERM ON PUBLIC
11 LANDS.—

12 “(A) IN GENERAL.—Upon expiration of a
13 term of ownership under paragraph (1), the
14 Secretary may—

15 “(i) renew the housing partnership
16 agreement for terms not to exceed 10
17 years;

18 “(ii) require the entity with whom a
19 housing partnership agreement has been
20 entered into under subsection (a) to demol-
21 ish the housing accommodations and re-
22 lated facilities and infrastructure, and re-
23 store the land to conditions generally exist-
24 ing before construction on the lands upon
25 which the housing accommodation project

1 is located without any cost to the Federal
2 Government;

3 “(iii) take ownership of the housing
4 accommodations and related facilities and
5 infrastructure, including fixtures and per-
6 sonal property necessary for the operation
7 of the property; or

8 “(iv) enter into a new housing part-
9 nership agreement.

10 “(B) COVERING COSTS.—If taking owner-
11 ship of buildings under subparagraph (A)(ii),
12 the Secretary may require the owner whose
13 term of ownership is expiring to cover costs as-
14 sociated with preparing the building site for
15 new or continued use.

16 “(3) ON NON-FEDERAL LANDS.—Upon expira-
17 tion of a housing partnership agreement for housing
18 accommodations on non-Federal lands, the Secretary
19 may extend the housing partnership agreement for
20 terms not to exceed 10 years.”;

21 (5) in section 101335—

22 (A) in subsection (a)—

23 (i) in paragraph (1)(A), by striking
24 “50” and inserting “60”;

25 (ii) in paragraph (2)—

1 (I) by striking “procedures.” and
2 inserting “procedures, unless—”;

3 (II) by adding at the end the fol-
4 lowing:

5 “(A) the lease is awarded to a nonprofit or
6 government entity; or

7 “(B) the Secretary determines that it is in
8 the public interest to use procedures other than
9 competitive procedures in the particular lease
10 concerned and notifies, in writing, the Com-
11 mittee on Energy and Natural Resources of the
12 Senate and the Committee on Natural Re-
13 sources of the House of Representatives of such
14 determination and the rationale for such deter-
15 mination.”; and

16 (iii) in paragraph (3)(D), by inserting
17 “, affordability,” after “improve the qual-
18 ity”; and

19 (B) in subsection (b)—

20 (i) by striking paragraphs (2) and (3);

21 and

22 (ii) by inserting after paragraph (1)
23 the following:

24 “(2) TERMS AND CONDITIONS.—Any arrange-
25 ment made pursuant to this subsection shall contain

1 such terms and conditions as the Secretary considers
2 necessary or appropriate to protect the interests of
3 the United States and ensure that necessary quar-
4 ters are available to field employees.”; and

5 (C) by redesignating paragraph (4) as
6 paragraph (3);

7 (6) in section 101336, by inserting “rehabilita-
8 tion,” after “repair,”;

9 (7) by amending section 101338 to read as fol-
10 lows:

11 **“§ 101338. General provisions**

12 “(a) EXEMPTIONS.—The following provisions shall
13 not apply to leases contracts, or housing partnership
14 agreements awarded by the Secretary under this sub-
15 chapter:

16 “(1) Sections 102102 and 102901 of this title.

17 “(2) Section 1302 of title 40.

18 “(b) PROCEEDS FROM LEASES.—The proceeds from
19 any lease or housing partnership agreement under this
20 subchapter from which the Service directly collects the
21 proceeds shall be retained by the Service and deposited
22 in the special fund established for repair, maintenance, re-
23 habilitation, and operations of housing units and quarters
24 and associated facilities and infrastructure.”; and

25 (8) in section 101340—

1 (A) by amending subsection (a) by striking
2 “, in sequential order,”; and

3 (B) by amending subsection (b) to read as
4 follows:

5 “(b) ANNUAL BUDGET SUBMITTAL.—Each fiscal
6 year, the President’s proposed budget to Congress shall
7 include—

8 “(1) identification of non-construction funds to
9 be spent for Service housing maintenance and oper-
10 ations that are in addition to rental receipts col-
11 lected;

12 “(2) the use of each of the authorities provided
13 to the Service under this subchapter;

14 “(3) the number of additional housing units
15 needed within the National Park System;

16 “(4) any barriers that have been identified to
17 providing the needed housing; and

18 “(5) any recommendations for changes to exist-
19 ing authorities that would help to remove those bar-
20 riers.”.

21 (b) CLERICAL AMENDMENTS.—The table of sections
22 for chapter 1013 of title 54, United States Code, is
23 amended as follows:

24 (1) By striking the item related to section
25 101334 and inserting the following new item:

“Sec. 101334. Authorization for housing accommodation projects”.

- 1 (2) By striking the item related to section
- 2 101338 and inserting the following new item:

“Sec. 101338. General provisions”.

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