

113TH CONGRESS
2D SESSION

H. R. 5476

To modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2014

Mr. HASTINGS of Washington introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, 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 “Cabin Fee Act of
5 2014”.

1 **SEC. 2. CABIN USER FEES.**

2 (a) IN GENERAL.—The Secretary of Agriculture (re-
3 ferred to in this Act as the “Secretary”) shall establish
4 a fee in accordance with this section for the issuance of
5 a special use permit for the use and occupancy of National
6 Forest System land for recreational residence purposes.

7 (b) INTERIM FEE.—During the period beginning on
8 January 1, 2014, and ending on the last day of the cal-
9 endar year during which the current appraisal cycle is
10 completed under subsection (c), the Secretary shall assess
11 an interim annual fee for recreational residences on Na-
12 tional Forest System land that is an amount equal to the
13 lesser of—

14 (1) the fee determined under the Cabin User
15 Fees Fairness Act (16 U.S.C. 6901 et seq.), subject
16 to the requirement that any increase over the fee as-
17 sessed during the previous year shall be limited to
18 not more than 25 percent; or

19 (2) \$5,600.

20 (c) COMPLETION OF CURRENT APPRAISAL CYCLE.—
21 Not later than 1 year after the date of the enactment of
22 this Act, the Secretary shall complete the current ap-
23 praisal cycle, including receipt of timely second appraisals,
24 for recreational residences on National Forest System
25 land in accordance with the Cabin User Fees Fairness Act

1 of 2000 (16 U.S.C. 6201 et seq.) (referred to in this Act
2 as the “current appraisal cycle”).

3 (d) LOT VALUE.—Only appraisals conducted and ap-
4 proved by the Secretary in accordance with the Cabin User
5 Fee Fairness Act (16 U.S.C. 6901 et seq.) during the cur-
6 rent appraisal cycle shall be used to establish the base
7 value assigned to the lot, subject to the adjustment in sub-
8 section (e). If a second appraisal—

9 (1) was approved by the Secretary, the value es-
10 tablished by the second appraisal shall be the base
11 value assigned to the lot; or

12 (2) was not approved by the Secretary, the
13 value established by the initial appraisal shall be the
14 base value assigned to the lot.

15 (e) ADJUSTMENT.—On the date of completion of the
16 current appraisal cycle, and before assessing a fee under
17 subsection (f), the Secretary shall make a 1-time adjust-
18 ment to the value of each appraised lot on which a rec-
19 reational residence is located to reflect any change in value
20 occurring after the date of the most recent appraisal for
21 the lot, in accordance with the 4th quarter of 2012 Na-
22 tional Association of Homebuilders/Wells Fargo Housing
23 Opportunity Index.

24 (f) ANNUAL FEE.—

(1) BASE.—After the date on which appraised lot values have been adjusted in accordance with subsection (e), the annual fee assessed prospectively by the Secretary for recreational residences on National Forest System land shall be in accordance with the following tiered fee structure:

Fee Tier	Approximate Percent of Permits Nationally	Fee Amount
Tier 1	6 percent	\$600
Tier 2	16 percent	\$1,100
Tier 3	26 percent	\$1,600
Tier 4	22 percent	\$2,100
Tier 5	10 percent	\$2,600
Tier 6	5 percent	\$3,100
Tier 7	5 percent	\$3,600
Tier 8	3 percent	\$4,100
Tier 9	3 percent	\$4,600
Tier 10	3 percent	\$5,100
Tier 11	1 percent	\$5,600.

(2) INFLATION ADJUSTMENT.—The Secretary shall increase or decrease the annual fees set forth in the table under paragraph (1) to reflect changes in the Implicit Price Deflator for the Gross Domestic Product published by the Bureau of Economic Analysis of the Department of Commerce, applied on a 5-year rolling average.

(3) ACCESS AND OCCUPANCY ADJUSTMENT.—

(A) IN GENERAL.—The Secretary shall by regulation establish criteria pursuant to which the annual fee determined in accordance with this section may be suspended or reduced tem-

porarily if access to, or the occupancy of, the recreational residence is significantly restricted.

(B) APPEAL.—The Secretary shall by regulation grant the cabin owner the right of an administrative appeal of the determination made in accordance with subparagraph (A) whether to suspend or reduce temporarily the annual fee.

(g) PERIODIC REVIEW.—

(1) IN GENERAL.—Beginning on the date that is 10 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

(A) analyzes the annual fees set forth in the table under subsection (f) to ensure that the fees reflect fair value for the use of the land for recreational residence purposes, taking into account all use limitations and restrictions (including any limitations and restrictions imposed by the Secretary); and

(B) includes any recommendations of the Secretary with respect to modifying the fee system.

1 (2) LIMITATION.—The use of appraisals shall
2 not be required for any modifications to the fee sys-
3 tem based on the recommendations under paragraph
4 (1)(B).

5 **SEC. 3. CABIN TRANSFER FEES.**

6 (a) IN GENERAL.—The Secretary shall establish a fee
7 in the amount of \$1,200 for the issuance of a new rec-
8 reational residence permit due to a change of ownership
9 of the recreational residence.

10 (b) ADJUSTMENTS.—The Secretary shall annually in-
11 crease or decrease the transfer fee established under sub-
12 section (a) to reflect changes in the Implicit Price Deflator
13 for the Gross Domestic Product published by the Bureau
14 of Economic Analysis of the Department of Commerce,
15 applied on a 5-year rolling average.

16 **SEC. 4. EFFECT.**

17 (a) IN GENERAL.—Nothing in this Act limits or re-
18 stricts any right, title, or interest of the United States in
19 or to any land or resource in the National Forest System.

20 (b) ALASKA.—The Secretary shall not establish or
21 impose a fee or condition under this Act for permits in
22 the State of Alaska that is inconsistent with section
23 1303(d) of the Alaska National Interest Lands Conserva-
24 tion Act (16 U.S.C. 3193(d)).

1 **SEC. 5. RETENTION OF FEES.**

2 (a) IN GENERAL.—Beginning 10 years after the date
3 of the enactment of this Act, the Secretary may retain,
4 and expend, for the purposes described in subsection (b),
5 any fees collected under this Act without further appro-
6 priation.

7 (b) USE.—Amounts made available under subsection
8 (a) shall be used to administer the recreational residence
9 program and other recreation programs carried out on Na-
10 tional Forest System land.

11 **SEC. 6. REPEAL OF CABIN USER FEES FAIRNESS ACT OF**
12 **2000.**

13 Effective on the date of the assessment of annual per-
14 mit fees in accordance with section 2(f) (as certified to
15 Congress by the Secretary), the Cabin User Fees Fairness
16 Act of 2000 (16 U.S.C. 6201 et seq.) is repealed.

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