

**Calendar No. 397**113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 1341****[Report No. 113-171]**

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 SENATE OF THE UNITED STATES**

JULY 23, 2013

Mr. TESTER (for himself, Mr. BAUCUS, Mr. BARRASSO, Mrs. FEINSTEIN, Mr. CRAPO, Mr. ENZI, Mr. GRASSLEY, Mr. RISCH, and Mr. FLAKE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MAY 22, 2014

Reported by Ms. LANDRIEU, with an amendment and an amendment to the title

[Omit the part struck through and insert the part printed in italic]

---

**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 2013”.

6 **SEC. 2. CABIN USER FEES.**

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

12        (b) COMPLETION OF CURRENT APPRAISAL CYCLE.—  
 13 Not later than 2 years after the date of enactment of this  
 14 Act, the Secretary shall complete the current appraisal  
 15 cycle for recreational residences on National Forest Sys-  
 16 tem land in accordance with the Cabin User Fees Fairness  
 17 Act of 2000 (16 U.S.C. 6201 et seq.) (referred to in this  
 18 Act as the “current appraisal cycle”).

19        (c) INTERIM FEE.—~~Until~~ *During the period begin-*  
 20 *ning on January 1, 2014, and ending on the date on which*  
 21 *the current appraisal cycle is completed under subsection*  
 22 *(b), the Secretary shall assess an interim annual fee for*  
 23 *recreational residences on National Forest System land*  
 24 *that is an amount equal to the lesser of—*

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

6           (2) \$5,500.

7           (d) ADJUSTMENT.—

8           (1) IN GENERAL.—On the date of completion of  
9 the current appraisal cycle, and before assessing a  
10 fee under this Act, the Secretary shall make a 1-  
11 time adjustment to the value of each appraised lot  
12 on which a recreational residence is located to reflect  
13 any change in value occurring after the date of the  
14 most recent appraisal for the lot, in accordance with  
15 the 4th quarter of 2012 National Association of  
16 Homebuilders/Wells Fargo Housing Opportunity  
17 Index.

18           (2) SECOND APPRAISAL.—

19           (A) IN GENERAL.—Notwithstanding para-  
20 graph (1), a permittee may arrange for a sec-  
21 ond appraisal of a recreational residence lot.

22           (B) REQUIREMENTS.—Any appraisal con-  
23 ducted under subparagraph (A) shall be con-  
24 ducted in accordance with applicable Federal  
25 appraisal standards.

1 (C) VALUE.—If an appraisal conducted  
 2 under subparagraph (A) is approved by the  
 3 Secretary, the value established by the appraisal  
 4 shall be the value assigned to the lot.

5 (e) ANNUAL FEE.—

6 (1) AMOUNT.—After the date on which ap-  
 7 praised lot values have been adjusted in accordance  
 8 with subsection (d), the annual fee assessed by the  
 9 Secretary for recreational residences on National  
 10 Forest System land shall be as follows:

Fee Tier	Approximate Percent of Permits Nationally	Fee Amount
Tier 1 .....	Not to exceed 6 percent .....	\$500
Tier 2 .....	Not to exceed 16 percent .....	\$1,000
Tier 3 .....	Not to exceed 26 percent .....	\$1,500
Tier 4 .....	Not to exceed 22 percent .....	\$2,000
Tier 5 .....	At least 10 percent .....	\$2,500
Tier 6 .....	Not to exceed 5 percent .....	\$3,000
Tier 7 .....	Not to exceed 5 percent .....	\$3,500
Tier 8 .....	Not to exceed 3 percent .....	\$4,000
Tier 9 .....	Not to exceed 3 percent .....	\$4,500
Tier 10 .....	Not to exceed 3 percent .....	\$5,000
Tier 11 .....	Not to exceed 1 percent .....	\$5,500.

11 (2) ADJUSTMENTS.—The Secretary shall in-  
 12 crease or decrease the annual fees set forth in the  
 13 table under paragraph (1) to reflect changes in the  
 14 Implicit Price Deflator for the Gross Domestic Prod-  
 15 uct published by the Bureau of Economic Analysis  
 16 of the Department of Commerce, applied on a 5-year  
 17 rolling average.

18 (3) ACCESS AND OCCUPANCY.—

1           (A) IN GENERAL.—The Secretary may sus-  
2           pend or reduce the applicable fee under para-  
3           graph (1) if access to, or the occupancy of, the  
4           recreational residence is significantly restricted.

5           (B) APPEAL.—A decision of the Secretary  
6           to suspend or reduce the annual fee under sub-  
7           paragraph (A) may be appealed.

8           (f) PERIODIC REVIEW.—

9           (1) IN GENERAL.—Beginning on the date that  
10          is 10 years after the date of enactment of this Act,  
11          the Secretary shall submit to the Committee on En-  
12          ergy and Natural Resources of the Senate and the  
13          Committee on Natural Resources of the House of  
14          Representatives a report that—

15               (A) analyzes the annual fees set forth in  
16               the table under subsection (e) to ensure that  
17               the fees reflect fair value for the use of the land  
18               for recreational residence purposes, taking into  
19               account all use limitations and restrictions (in-  
20               cluding any limitations and restrictions imposed  
21               by the Secretary); and

22               (B) includes any recommendations of the  
23               Secretary with respect to modifying the fee sys-  
24               tem.

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 on October 1, 2023,  
3 the Secretary may retain, and expend, for the purposes  
4 described in subsection (b), any fees collected under this  
5 Act without further appropriation.

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

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

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

Amend the title so as to read: “A bill to modify the  
Forest Service recreation residence program to implement  
a simple, equitable, and predictable procedure for deter-  
mining cabin user fees, and for other purposes.”.

**Calendar No. 397**

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1341**

[Report No. 113-171]

---

---

**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.

---

---

MAY 22, 2014

Reported with an amendment and an amendment to the title