

- (1) review the initial appraisal of the agency;
- (2) review the results and commentary from the second appraisal;
- (3) determine a new base cabin user fee in an amount that is—

- (A) equal to the base cabin user fee determined by the initial or the second appraisal; or

- (B) within the range of values, if any, between the initial and second appraisals; and

- (4) notify the cabin owner of the amount of the new base cabin user fee.

(Pub. L. 106-291, title VI, §610, Oct. 11, 2000, 114 Stat. 1020.)

### § 6210. Right of appeal and judicial review

#### (a) Right of appeal

Notwithstanding any action of a cabin owner to exercise rights in accordance with section 6209 of this title, the Secretary shall by regulation grant the cabin owner the right to an administrative appeal of the determination of a new base cabin user fee.

#### (b) Judicial review

A cabin owner that is adversely affected by a final decision of the Secretary under this chapter may bring a civil action in United States district court.

(Pub. L. 106-291, title VI, §611, Oct. 11, 2000, 114 Stat. 1021.)

### § 6211. Consistency with other law and rights

#### (a) Consistency with rights of the United States

Nothing in this chapter limits or restricts any right, title, or interest of the United States in or to any land or resource.

#### (b) Special rule for Alaska

In determining a cabin user fee in the State of Alaska, the Secretary shall not establish or impose a cabin user fee or a condition affecting a cabin user fee that is inconsistent with section 3193(d) of this title.

(Pub. L. 106-291, title VI, §612, Oct. 11, 2000, 114 Stat. 1021.)

### § 6212. Regulations

Not later than 2 years after October 11, 2000, the Secretary shall promulgate regulations to carry out this chapter.

(Pub. L. 106-291, title VI, §613, Oct. 11, 2000, 114 Stat. 1022.)

### § 6213. Transition provisions

#### (a) Assessment of annual fees

For the period of time determined under subsection (b) of this section, the Secretary shall charge each cabin owner an annual fee as follows:

##### (1) Lots not appraised since September 30, 1995

For a lot that has not been appraised since September 30, 1995, the annual fee shall be equal to the amount of the annual fee in effect on October 11, 2000, adjusted annually to reflect changes in the Implicit Price Deflator-Gross National Product Index.

##### (2) Lots appraised on or after September 30, 1995

###### (A) In general

Except as provided in subparagraph (B), for a lot that has been appraised on or after September 30, 1995, the annual fee shall be equal to the amount of the fee in effect on October 11, 2000, adjusted annually to reflect changes in the Implicit Price Deflator-Gross National Product Index.

###### (B) Appraisals resulting in base fee increase

###### (i) In general

Except as provided in clause (ii), for a lot that has been appraised on or after September 30, 1995, for which the appraisal resulted in an increase of the base fee by an amount greater than \$3,000, the annual fee shall be equal to the sum of \$3,000 plus the amount of the annual fee in effect on October 1, 1996, adjusted annually to reflect the percentage change in the Implicit Price Deflator-Gross National Product Index.

###### (ii) Fees paid after request of new appraisal or peer review

If—

(I) the cabin owner of a lot described in clause (i) requests a new appraisal or peer review under subsection (c) of this section; and

(II) the base cabin user fee established as a result of the appraisal or peer review is determined to be an amount that is 90 percent or more of the fee in effect for the lot as determined by an appraisal conducted on or after September 30, 1995,

the Secretary shall charge the cabin owner, in addition to the annual fee that would otherwise have been due under section 6208 of this title, the difference between the base cabin user fee determined through the conduct of the new appraisal or peer review and the annual fee that would otherwise have been due under section 6208 of this title, to be assessed retroactively for each year beginning with the year in which the previous appraisal was conducted, and to be paid in 3 equal annual installments.

#### (b) Term

##### (1) Lots not appraised since September 30, 1995

For a lot that has not been appraised since September 30, 1995, the Secretary shall charge fees in accordance with subsection (a)(2)(A) of this section until—

(A) a base cabin user fee is determined in accordance with—

(i) this chapter; or

(ii) regulations and policies in effect on October 11, 2000; and

(B) the right of the cabin owner to a second appraisal under section 6209 of this title is exhausted.

##### (2) Lots appraised on or after September 30, 1995

For a lot that has been appraised on or after September 30, 1995, the Secretary shall charge