

- (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

fees under subsection (a)(2) of this section until—

(A) the cabin owner requests a new appraisal or peer review, and a base cabin user fee is established, under subsection (c) of this section; or

(B) in the absence of a request for a peer review or a new appraisal under subsection (c) of this section, the date that is 2 years after the date on which the Forest Service promulgates regulations and policies and develops appraisal guidelines under this chapter.

(c) Request for new appraisal under new law

(1) In general

Not later than 2 years after the promulgation of final regulations and policies and the development of appraisal guidelines in accordance with section 6205(a)(5) of this title, cabin owners that are subject to appraisals completed after September 30, 1995, but before the date of promulgation of final regulations under section 6212 of this title, may request, in accordance with paragraph (2), that the Secretary—

(A) conduct a new appraisal and determine a new base cabin user fee in accordance with this chapter; or

(B) commission a peer review of the existing appraisals in accordance with paragraph (4).

(2) Appraisal groupings by typical lot

A request for a new appraisal or for a peer review of existing appraisals under paragraph (1) shall be made by a majority of the cabin owners in a group of cabins represented in the appraisal process by a typical lot.

(3) Conduct of new appraisal

On receipt of a request for an appraisal and fee determination in accordance with paragraph (2), the Secretary shall conduct the new appraisal and fee determination in accordance with this chapter.

(4) Peer review of existing appraisals

(A) In general

On receipt of a request for peer review in accordance with paragraph (2), the Secretary shall obtain from an independent professional appraisal organization a review of the appraisal (including any report on the appraisal) that was used to establish the estimated fee simple value of the lots within the subject grouping.

(B) Inconsistency

If peer review described in subparagraph (A) results in a determination that an appraisal or appraisal report includes provisions or procedures that were implemented or conducted in a manner inconsistent with this chapter, the Secretary shall, as appropriate and in accordance with this chapter—

(i) revise an existing base cabin user fee; or

(ii) subject to an agreement with the cabin owners, conduct a new appraisal and fee determination.

(5) Payment of costs

Cabin owners and the Secretary shall share, in equal proportion, the payment of all reasonable costs of any new appraisal or peer review.

(d) Assumption of new base cabin user fee

In the absence of a request under subsection (c) of this section for a new appraisal and fee determination from a cabin owner whose cabin user fee was determined as a result of an appraisal conducted after September 30, 1995, but before the date of promulgation of final regulations under section 6212 of this title, the Secretary may consider the base cabin user fee resulting from the appraisal conducted between September 30, 1995 and the date of promulgation of the final regulations under section 6212 of this title, to be the base cabin user fee that complies with this section.

(Pub. L. 106–291, title VI, §614, Oct. 11, 2000, 114 Stat. 1022.)

CHAPTER 81A—NATIONAL FOREST ORGANIZATIONAL CAMP FEE IMPROVEMENT

Sec. 6231.	Findings, purpose, and definitions.
6232.	Fees for occupancy and use of National Forest System lands and facilities by organizational camps.
6233.	Implementation.
6234.	Relationship to other laws.
6235.	Deposit and expenditure of use fees.
6236.	Ministerial issuance, or amendment authorization.

§ 6231. Findings, purpose, and definitions

(a) Findings

Congress finds the following:

(1) Organizational camps, such as those administered by the Boy Scouts, Girl Scouts, and faith-based and community-based organizations, provide a valuable service to young people, individuals with a disability, and their families by promoting physical, mental, and spiritual health through activities conducted in a natural environment.

(2) The 192,000,000¹ acres of national forests and grasslands of the National Forest System managed for multiple uses by the Forest Service provides an ideal setting for such organizational camps.

(3) The Federal Government should charge land use fees for the occupancy and use of National Forest System lands by such organizational camps that, while based on the fair market value of the land in use, also recognize the benefits provided to society by such organizational camps, do not preclude the ability of such organizational camps from utilizing these lands, and permit capital investment in, and maintenance of, camp facilities by such organizational camps or their sponsoring organizations.

(4) Organizational camps should—

(A) ensure that their facilities meet applicable building and safety codes, including fire and health codes;

(B) have annual inspections as required by local law, including at a minimum inspections for fire and food safety; and

¹ So in original.