

than the base cabin user fee charged for the authorized use of a similar typical lot in the tract.

**(c) Annual cabin user fee in the event of determination not to reissue authorization**

If the Secretary determines that an authorization should not be reissued at the end of a term, the Secretary shall—

(1) establish as the new base cabin user fee for the remaining term of the authorization the amount charged as the cabin user fee in the year that was 10 years before the year in which the authorization expires; and

(2) calculate the current cabin user fee for each of the remaining 9 years of the term of the authorization by multiplying—

(A)  $\frac{1}{10}$  of the new base cabin user fee; by

(B) the number of years remaining in the term of the authorization after the year for which the cabin user fee is being calculated.

**(d) Annual cabin user fee in event of changed conditions**

If a review of a decision to convert a lot to an alternative public use indicates that the continuation of the authorization for use and occupancy of the cabin by the cabin owner is warranted, and the decision is subsequently reversed, the Secretary may require the cabin owner to pay any portion of annual cabin user fees that were forgone as a result of the expectation of termination of use and occupancy of the cabin by the cabin owner.

**(e) Termination of fee obligation in loss resulting from acts of God or catastrophic events**

On a determination by the agency that, because of an act of God or a catastrophic event, a lot cannot be safely occupied and the authorization for the lot should accordingly be terminated, the fee obligation of the cabin owner shall terminate effective on the date of the occurrence of the act or event.

(Pub. L. 106-291, title VI, §607, Oct. 11, 2000, 114 Stat. 1018.)

**§ 6207. Annual adjustment of cabin user fee**

**(a) In general**

The Secretary shall adjust the cabin user fee annually, using a rolling 5-year average of a published price index in accordance with subsection (b) or (c) of this section that reports changes in rural or similar land values in the State, county, or market area in which the lot is located.

**(b) Initial index**

**(1) In general**

For the period of 10 years beginning on October 11, 2000, the Secretary shall use changes in agricultural land prices in the appropriate State or county, as reported in the Index of Agricultural Land Prices published by the Department of Agriculture, to determine the annual adjustment to the cabin user fee in accordance with subsections (a) and (d) of this section.

**(2) Statewide changes**

In determining the annual adjustment to the cabin user fee for an authorization located in

a county in which agricultural land prices are influenced by the criteria described in section 6205(b)(2) of this title, the Secretary shall use average statewide changes in the State in which the lot is located.

**(c) New index**

**(1) In general**

Not later than 10 years after October 11, 2000, the Secretary may select and use an index other than the method of adjustment of a cabin user fee described in subsection (b)(2) of this section to adjust a cabin user fee if the Secretary determines that a different index better reflects change in the value of a lot over time.

**(2) Selection process**

Before selecting a new index, the Secretary shall—

(A) solicit and consider comments from the public; and

(B) not later than 60 days before the date on which the Secretary makes a final index selection, submit any proposed selection of a new index to—

(i) the Committee on Resources of the House of Representatives; and

(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

**(d) Limitation**

In calculating an annual adjustment to the base cabin user fee as determined by the initial index described in section<sup>1</sup> (b) of this section, the Secretary shall—

(1) limit any annual fee adjustment to an amount that is not more than 5 percent per year when the change in agricultural land values exceeds 5 percent in any 1 year; and

(2) apply the amount of any adjustment that exceeds 5 percent to the annual fee payment for the next year in which the change in the index factor is less than 5 percent.

(Pub. L. 106-291, title VI, §608, Oct. 11, 2000, 114 Stat. 1019; Pub. L. 108-7, div. F, title III, §324, Feb. 20, 2003, 117 Stat. 275.)

AMENDMENTS

2003—Subsec. (b)(2). Pub. L. 108-7 substituted “criteria” for “value influences” and “section 6205(b)(2)” for “section 6205(b)(3)”.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

**§ 6208. Payment of cabin user fees**

**(a) Due date for payment of fees**

A cabin user fee shall be prepaid annually by the cabin owner.

**(b) Payment of equal or lesser fee**

If, in accordance with section 6206 of this title, the Secretary determines that the amount of a new base cabin user fee is equal to or less than the amount of the current base cabin user fee, the Secretary shall require payment of the new

<sup>1</sup> So in original. Probably should be “subsection”.