

enhance conservation of neotropical migratory bird species.

(b) Advisory group

(1) In general

To assist in carrying out this chapter, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of neotropical migratory birds. The advisory group as a whole shall have expertise in the methods and procedures set forth in section 6103(2) of this title in each country and region of the Western Hemisphere¹

(2) Public participation

(A) Meetings

The advisory group shall—

(i) ensure that each meeting of the advisory group is open to the public; and

(ii) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(B) Notice

The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(C) Minutes

Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(3) Exemption from Federal Advisory Committee Act

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

(Pub. L. 106-247, § 7, July 20, 2000, 114 Stat. 595; Pub. L. 109-363, title III, § 302(f)(1), Oct. 17, 2006, 120 Stat. 2076.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (b)(3), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2006—Subsec. (b)(1). Pub. L. 109-363 inserted at end “The advisory group as a whole shall have expertise in the methods and procedures set forth in section 6103(2) of this title in each country and region of the Western Hemisphere”.

ENCOURAGEMENT TO CONVENE

Pub. L. 109-363, title III, § 302(f)(2), Oct. 17, 2006, 120 Stat. 2076, provided that: “The Secretary of the Interior is encouraged to convene an advisory group under section 7(b)(1) of such Act [Pub. L. 106-247, subsec. (b)(1) of this section] by not later than 6 months after the effective date of this Act [Oct. 17, 2006]. This paragraph shall not be considered to authorize delay of the schedule previously established by the United States Fish and Wildlife Service for the submission, judging, and awarding of grants.”

§ 6107. Report to Congress

Not later than 2 years after October 17, 2006, the Secretary shall submit to Congress a report

¹ So in original. Probably should be followed by a period.

on the results and effectiveness of the program carried out under this chapter, including recommendations concerning how the chapter might be improved and whether the program should be continued.

(Pub. L. 106-247, § 8, July 20, 2000, 114 Stat. 596; Pub. L. 109-363, title III, § 302(g), Oct. 17, 2006, 120 Stat. 2076.)

AMENDMENTS

2006—Pub. L. 109-363 substituted “2 years after October 17, 2006,” for “October 1, 2002.”

§ 6108. Neotropical Migratory Bird Conservation Fund

(a) Establishment

There is established in the Treasury a separate account, which shall be known as the “Neotropical Migratory Bird Conservation Fund”. The Fund shall consist of amounts deposited into the Fund by the Secretary of the Treasury under subsection (b).

(b) Deposits into the Fund

The Secretary of the Treasury shall deposit into the Fund—

(1) all amounts received by the Secretary in the form of donations under subsection (d); and

(2) other amounts appropriated to the Fund.

(c) Use

(1) In general

Subject to paragraph (2), the Secretary may use amounts in the Account,¹ without further Act of appropriation, to carry out this chapter.

(2) Administrative expenses

Of amounts in the Account¹ available for each fiscal year, the Secretary may expend not more than 3 percent or up to \$100,000, whichever is greater, to pay the administrative expenses necessary to carry out this chapter.

(d) Acceptance and use of donations

The Secretary may accept and use donations to carry out this chapter. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

(Pub. L. 106-247, § 9, July 20, 2000, 114 Stat. 596; Pub. L. 109-363, title III, § 302(h)(1), (2), (3)(B), Oct. 17, 2006, 120 Stat. 2076, 2077.)

AMENDMENTS

2006—Pub. L. 109-363, § 302(h)(1), substituted “Neotropical Migratory Bird Conservation Fund” for “Neotropical Migratory Bird Conservation Account” in section catchline.

Subsecs. (a), (b). Pub. L. 109-363, § 302(h)(1), added subsecs. (a) and (b) and struck out former subsecs. (a) and (b) which related to the establishment of and deposits into the Neotropical Migratory Bird Conservation Account.

Subsec. (c)(2). Pub. L. 109-363, § 302(h)(2), substituted “\$100,000” for “\$80,000”.

Subsec. (d). Pub. L. 109-363, § 302(h)(3)(B), substituted “Fund” for “Account”.

¹ So in original. Probably should be “Fund”.

TRANSFER OF FUNDS

Pub. L. 109-363, title III, §302(h)(4), Oct. 17, 2006, 120 Stat. 2077, provided that: “The Secretary of the Treasury may transfer to the Neotropical Migratory Bird Conservation Fund amounts that were in the Neotropical Migratory Bird Conservation Account immediately before the enactment of this Act [Oct. 17, 2006].”

§ 6109. Authorization of appropriations

(a) In general

There is authorized to be appropriated to the Account¹ to carry out this chapter for each of fiscal years 2006 through 2010 the amount specified for that fiscal year in subsection (b), to remain available until expended, of which not less than 75 percent of the amounts made available for each fiscal year shall be expended for projects carried out outside the United States.

(b) Authorized amount

The amount referred to in subsection (a) is—

- (1) \$5,000,000 for each of fiscal years 2006 and 2007;
- (2) \$5,500,000 for fiscal year 2008;
- (3) \$6,000,000 for fiscal year 2009; and
- (4) \$6,500,000 for fiscal year 2010.

(c) Availability

Amounts appropriated under this section may remain available until expended.

(d) Allocation

Of amounts appropriated under this section for each fiscal year, not less than 75 percent shall be expended for projects carried out outside the United States.

(Pub. L. 106-247, §10, July 20, 2000, 114 Stat. 597; Pub. L. 109-363, title III, §302(i), Oct. 17, 2006, 120 Stat. 2077.)

AMENDMENTS

2006—Pub. L. 109-363 designated existing provisions as subsec. (a), inserted heading, substituted “for each of fiscal years 2006 through 2010 the amount specified for that fiscal year in subsection (b)” for “\$5,000,000 for each of fiscal years 2001 through 2005”, and added subsecs. (b) to (d).

CHAPTER 81—USER FEES UNDER FOREST SYSTEM RECREATION RESIDENCE PROGRAM

Sec.	
6201.	Findings.
6202.	Purposes.
6203.	Definitions.
6204.	Administration of recreation residence program.
6205.	Appraisals.
6206.	Cabin user fees.
6207.	Annual adjustment of cabin user fee.
6208.	Payment of cabin user fees.
6209.	Right of second appraisal.
6210.	Right of appeal and judicial review.
6211.	Consistency with other law and rights.
6212.	Regulations.
6213.	Transition provisions.
6214.	Cabin user and transfer fees.

§ 6201. Findings

Congress finds that—

¹ So in original. Probably should be “Fund”.

(1) cabins located on forest land have provided a unique recreation experience to a large number of cabin owners, their families, and guests each year since Congress authorized the recreation residence program in 1915; and

(2) the fact that current appraisal procedures have, in certain circumstances, been inconsistently applied in determining fair market values for residential lots demonstrates that problems exist in accurately reflecting market values.

(Pub. L. 106-291, title VI, §602, Oct. 11, 2000, 114 Stat. 1014.)

REPEAL OF SECTION

Pub. L. 113-291, div. B, title XXX, §3024(k), Dec. 19, 2014, 128 Stat. 3766, provided that, effective on the date of the assessment of annual permit fees in accordance with section 6214(f) of this title (as certified to Congress by the Secretary of Agriculture), this section and section 601 of Pub. L. 106-291, set out as a Short Title note below, are repealed.

SHORT TITLE

Pub. L. 106-291, title VI, §601, Oct. 11, 2000, 114 Stat. 1014, provided that: “This title [enacting this chapter] may be cited as the ‘Cabin User Fee Fairness Act of 2000’.”

§ 6202. Purposes

The purposes of this chapter are—

(1) to ensure, to the maximum extent practicable, that the National Forest System recreation residence program is managed to preserve the opportunity for individual and family-oriented recreation; and

(2) to develop and implement a more consistent procedure for determining cabin user fees, taking into consideration the limitations of an authorization and other relevant market factors.

(Pub. L. 106-291, title VI, §603, Oct. 11, 2000, 114 Stat. 1014.)

REPEAL OF SECTION

Pub. L. 113-291, div. B, title XXX, §3024(k), Dec. 19, 2014, 128 Stat. 3766, provided that, effective on the date of the assessment of annual permit fees in accordance with section 6214(f) of this title (as certified to Congress by the Secretary of Agriculture), this section is repealed.

§ 6203. Definitions

In this chapter:

(1) Agency

The term “agency” means the Forest Service.

(2) Authorization

The term “authorization” means a special use permit for the use and occupancy of National Forest System land by a cabin owner under the authority of the program.

(3) Base cabin user fee

The term “base cabin user fee” means the fee for an authorization that results from the appraisal of a lot as determined in accordance with sections 6205 and 6206 of this title.