

January 4, 2013

FINAL CFA REPORT FOR 112TH CONGRESS: Aubrey King, NFH Washington Representative

Although hope remained until the morning of the final day of the Lame Duck on January 2, 2013, the Cabin Fee Act was not enacted by the 112th Congress. Developments over the past couple of weeks, however, provide strong reason for substantial optimism about finally getting this legislation done early in the new Congress. Following is a summary of what most recently happened and an outline of the path forward

The CFA in the Last Days of the 112th Congress

Against the highly publicized and politicized backdrop of the bitterly controversial battle to avert the “Fiscal Cliff,” intensive efforts to pass the CFA continued.

- (1) As previously reported, for the CFA to be enacted it had either to be added to a larger bill or it would have to pass as standalone legislation. The House CFA (H.R. 3977) was passed in September as a standalone bill.
- (2) In the Senate, no larger bill was found to which the CFA could be attached, which meant in the final days that the standalone route was the only option. To pass as a standalone bill, the CFA had to be found “revenue neutral” (negative impact on the Federal budget) by the Congressional Budget Office (CBO). However, when the Senate CFA (S. 1906 as amended by Energy and Natural Resources Committee senior staff at the direction of ENR Chair Jeff Bingaman, D-NM) was finally submitted to the CBO shortly before Christmas, it was judged not to be revenue neutral.
- (3) The last option was for the Senate simply to pass the CBO-approved House CFA. Although Senator Jon Tester (D-MT), who introduced and championed the Senate CFA, agreed to support the House bill, Committee Chairman Bingaman was unwilling to accept the House CFA on the last day and there were no remaining alternatives.

The Path Forward to Passage in the 113th Congress

NFH and the C2 Coalition are now planning an aggressive strategy with two goals – (a) Mitigate as much as possible the immediate impact of higher 2013 CUFFA fees being billed by the Forest Service, and (b) Get Congress to enact the CFA into law as quickly as possible as a permanent solution to the cabin fee problem.

- (1) The 113th Congress began January 3rd and the CFA outlook is much more promising. Senator Bingaman is retiring and the new ENR chairman will be Senator Ron Wyden (D-OR), who was a cosponsor of S. 1906. Senator Wyden and his key personal staff, who will be moving to lead the staff of the ENR committee, have supported the CFA and it is believed they will want to expedite final passage of the bill in the new Congress.
- (2) All the relevant Senators and Representatives understand the plight of cabin owners who are receiving high CUFFA bills for 2013 and there appears to be solid support for corrective action as early as possible in the new Congress.
- (3) Congress will not be in working session very much in January due to various interruptions for holidays, Democratic and Republican policy “retreats,” the inauguration and the State of the Union speech. But it will be a good time for cabin owner representatives to meet with key staff and Congressional leaders to plan and begin the next steps. Even in January, efforts will be made to attach the CBO-approved 2012 House CFA to other bigger legislation moving on a faster track. The 2013 CFA will be made retroactive to January 1, 2013, to nullify higher 2013 fees.
- (4) We will also be discussing with the Forest Service and Congressional leaders how to relieve the impact of those higher 2013 fees.
- (5) In view of these activities, several of which have already started, cabin owners are advised that the prudent course may be not to pay their 2013 cabin fee bills any sooner than necessary. While legal payment deadlines must be respected, Congressional action regarding the CFA early in the year may significantly alter the 2013 fees actually owed.
- (6) Cabin owner communications with their Senators and Representatives have been a very major reason for the CFA progress made thus far. While it would be premature to request such grassroots activity until a more specific strategy and more exact schedule are known, we expect those communications will be crucial again and cabin owners will be told when they are most needed.

Please check this NFH website regularly for further information about the latest CFA developments in 2013 and how you can help advance the cause.