

106TH CONGRESS  
1ST SESSION

# S. 568

To allow the Department of the Interior and the Department of Agriculture to establish a fee system for commercial filming activities in a site or resource under their jurisdictions.

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## IN THE SENATE OF THE UNITED STATES

MARCH 9, 1999

Mr. THOMAS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To allow the Department of the Interior and the Department of Agriculture to establish a fee system for commercial filming activities in a site or resource under their jurisdictions.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. COMMERCIAL FILMING ACTIVITIES.**

4       (a) COMMERCIAL FILMING.—The Secretary of the  
5       Interior and the Secretary of Agriculture, hereinafter re-  
6       ferred to as “the Secretaries”, shall require a permit and  
7       shall establish a reasonable fee for commercial filming ac-  
8       tivities in a site or resource under their respective jurisdic-

1 tions. Such fee shall provide a fair return to the United  
2 States and shall be based upon the following criteria, in  
3 addition to such other factors as the Secretaries deem nec-  
4 essary: the number of days the filming takes place within  
5 a site or resource, the size of the film crew, the amount  
6 and type of equipment present, and any potential impact  
7 on park resources. The Secretaries are also directed to re-  
8 cover any costs incurred as a result of filming activities,  
9 including but not limited to administration and personnel  
10 costs. All costs recovered are in addition to the assessed  
11 fee.

12 (b) STILL PHOTOGRAPHY.—(1) Except as provided  
13 in paragraph (2), the Secretaries shall not require a per-  
14 mit or assess a fee for commercial or noncommercial still  
15 photography of sites, lands, or resources under their re-  
16 spective jurisdictions in any part of a site or resource  
17 where members of the public are generally allowed. In  
18 other locations, the Secretaries may require a permit, fee,  
19 or both, if the Secretaries determine that there is a likeli-  
20 hood of resource impact, disruption of the public's use and  
21 enjoyment of the site or resource, or if the activity poses  
22 health or safety risks.

23 (2) The Secretaries shall require the issuance of a  
24 permit and the payment of a reasonable fee for still pho-  
25 tography that utilizes models or props which are not a

1 part of a site or resource's natural or cultural features  
2 or administrative facilities.

3 (c) PROCEEDS.—(1) Fees collected within lands or  
4 sites under the jurisdiction of the Secretaries under this  
5 section shall be deposited in a special account in the  
6 Treasury of the United States and shall be available to  
7 the Secretaries, without further appropriation for high-  
8 priority visitor service or resource management projects  
9 and programs for the unit or site in which the fee is col-  
10 lected.

11 (2) All costs recovered under this section shall be re-  
12 tained by the Secretaries and shall remain available for  
13 expenditure in the site or resource where collected, without  
14 further appropriation.

15 (d) PERMITS.—The Secretaries shall establish sys-  
16 tems to insure that requests for permits are responded to  
17 in a timely manner.

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