

115TH CONGRESS
1ST SESSION

H. R. 1944

To amend section 100905 of title 54, United States Code, to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2017

Mr. LATTA (for himself, Mr. FARENTHOLD, Mr. DUNCAN of South Carolina, Mr. BACON, Mr. SESSIONS, Mr. RYAN of Ohio, Mr. LAMALFA, Mr. COLE, and Mr. WALZ) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend section 100905 of title 54, United States Code, to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer, and for other purposes.

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

1 **SECTION 1. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**
2 **5 PERSONS OR FEWER.**

3 (a) PURPOSE.—The purpose of the amendments
4 made by subsection (b) is to provide commercial film crews
5 of 5 persons or fewer access to film in areas designated
6 for public use during public hours on Federal land and
7 waterways.

8 (b) ACCESS FOR FILM CREWS OF 5 PERSONS OR
9 FEWER.—Section 100905 of title 54, United States Code,
10 is amended as follows:

11 (1) In subsection (a), by adding at the end the
12 following:

13 “(3) FILM CREWS OF 5 PERSONS OR FEWER.—
14 For film crews of 5 persons or fewer, the Secretary
15 shall—

16 “(A) assess an annual fee of \$200 for com-
17 mercial filming activities or similar projects on
18 Federal land administered by the Secretary;
19 and

20 “(B) require a permit which shall be valid
21 for commercial filming activities or similar
22 projects that occur in areas designated for pub-
23 lic use during public hours on all Federal land
24 and waterways administered by the Secretary
25 for a 1-year period beginning on the date of
26 issuance of the permit.”.

1 (2) In subsection (c)(2), by adding at the end
2 the following: “The fee under this paragraph for
3 film crews of 5 persons or fewer shall be not more
4 than \$200.”.

5 (3) In subsection (f), by adding at the end the
6 following: “The Secretary shall not consider subject
7 matter or content as a criterion for issuing or deny-
8 ing a permit under this Act.”.

9 (4) By adding at the end the following:

10 “(g) EXEMPTION FROM COMMERCIAL FILMING OR
11 STILL PHOTOGRAPHY PERMITS AND FEES.—The Sec-
12 retary shall not require persons holding commercial use
13 authorizations or special recreation permits to obtain an
14 additional permit or pay an additional fee for commercial
15 filming or still photography under this section if—

16 “(1) the filming or still photography conducted
17 is incidental to the permitted activity that is the
18 subject of the commercial use authorization or spe-
19 cial recreation permit; and

20 “(2) the holder of the commercial use author-
21 ization or special recreation permit is an individual
22 or small business concern (within the meaning of
23 section 3 of the Small Business Act (15 U.S.C.
24 632)).

1 “(h) EXCEPTION FROM CERTAIN FEES.—Commer-
2 cial filming or commercial still photography shall be ex-
3 empt from fees under this Act, but not from recovery of
4 costs under subsection (e), if the activity is conducted—

5 “(1) by an entity that is a small business con-
6 cern (within the meaning of section 3 of the Small
7 Business Act (15 U.S.C. 632));

8 “(2) by a crew of not more than 5 individuals;
9 and

10 “(3) using only a camera and tripod.

11 “(i) NEWS GATHERING ACTIVITIES.—For the pur-
12 poses of this section, news gathering shall not be consid-
13 ered a commercial activity.

14 “(j) DEFINITIONS.—For the purposes of this sec-
15 tion—

16 “(1) the term ‘commercial film crew’ means any
17 persons present on Federal land or waterways under
18 the jurisdiction of the Secretary who are associated
19 with the production of a film;

20 “(2) the term ‘news gathering’ includes, at a
21 minimum, the gathering, recording, and filming of
22 news and information related to news in any me-
23 dium; and

24 “(3) the term ‘Secretary’ means the Secretary
25 of the Interior or the Secretary of Agriculture, as

- 1 applicable, with respect to land under the respective
- 2 jurisdiction of the Secretary.”.

