

In the Senate of the United States,

November 19, 1999.

Resolved, That the bill from the House of Representatives (H.R. 154) entitled “An Act to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units, and for other purposes.”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. COMMERCIAL FILMING.***

2 (a) *COMMERCIAL FILMING FEE.*—*The Secretary of the*
3 *Interior and the Secretary of Agriculture (hereinafter indi-*
4 *vidually referred to as the “Secretary” with respect to lands*
5 *under their respective jurisdiction) shall require a permit*
6 *and shall establish a reasonable fee for commercial filming*
7 *activities or similar projects on Federal lands administered*
8 *by the Secretary. Such fee shall provide a fair return to*

1 *the United States and shall be based upon the following cri-*
2 *teria:*

3 (1) *The number of days the filming activity or*
4 *similar project takes place on Federal land under the*
5 *Secretary's jurisdiction.*

6 (2) *The size of the film crew present on Federal*
7 *land under the Secretary's jurisdiction.*

8 (3) *The amount and type of equipment present.*
9 *The Secretary may include other factors in determining an*
10 *appropriate fee as the Secretary deems necessary.*

11 (b) *RECOVERY OF COSTS.*—*The Secretary shall also*
12 *collect any costs incurred as a result of filming activities*
13 *or similar project, including but not limited to administra-*
14 *tive and personnel costs. All costs recovered shall be in addi-*
15 *tion to the fee assessed in subsection (a).*

16 (c) *STILL PHOTOGRAPHY.*—(1) *Except as provided in*
17 *paragraph (2), the Secretary shall not require a permit nor*
18 *assess a fee for still photography on lands administered by*
19 *the Secretary if such photography takes place where mem-*
20 *bers of the public are generally allowed. The Secretary may*
21 *require a permit, fee, or both, if such photography takes*
22 *place at other locations where members of the public are*
23 *generally not allowed, or where additional administrative*
24 *costs are likely.*

1 (2) *The Secretary shall require and shall establish a*
2 *reasonable fee for still photography that uses models or*
3 *props which are not a part of the site's natural or cultural*
4 *resources or administrative facilities.*

5 (d) *PROTECTION OF RESOURCES.—The Secretary shall*
6 *not permit any filming, still photography or other related*
7 *activity if the Secretary determines—*

8 (1) *there is a likelihood of resource damage;*

9 (2) *there would be an unreasonable disruption of*
10 *the public's use and enjoyment of the site; or*

11 (3) *that the activity poses health or safety risks*
12 *to the public.*

13 (e) *USE OF PROCEEDS.—(1) All fees collected under*
14 *this Act shall be available for expenditure by the Secretary,*
15 *without further appropriation, in accordance with the for-*
16 *mula and purposes established for the Recreational Fee*
17 *Demonstration Program (Public Law 104–134). All fees*
18 *collected shall remain available until expended.*

19 (2) *All costs recovered under this Act shall be available*
20 *for expenditure by the Secretary, without further appro-*
21 *priation, at the site where collected. All costs recovered shall*
22 *remain available until expended.*

23 (f) *PROCESSING OF PERMIT APPLICATIONS.—The Sec-*
24 *retary shall establish a process to ensure that permit appli-*

- 1 *cants for commercial filming, still photography, or other ac-*
- 2 *tivity are responded to in a timely manner.*

Amend the title so as to read: “An Act to allow the Secretary of the Interior and the Secretary of Agriculture to establish a fee system for commercial filming activities on Federal land, and for other purposes.”.

Attest:

Secretary.

106TH CONGRESS
1ST SESSION

H. R. 154

AMENDMENTS