

106TH CONGRESS  
1ST SESSION

**H. R. 154**

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**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.

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## 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.

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. FEE AUTHORITY AND REPEAL OF PROHIBI-**  
2 **TION.**

3 (a) AUTHORITY.—

4 (1) IN GENERAL.—The Secretary of the Interior (in this section referred to as the “Secretary”) may permit, under terms and conditions considered necessary by the Secretary, the use of lands and facilities administered by the Secretary for the making of any motion picture, television production, soundtrack, or similar project, if the Secretary determines that such use is appropriate and will neither impair the values and resources of the lands and facilities nor result in a significant disruption of normal visitor uses.

15 (2) FEES.—(A) Any permit under this section shall require the payment of fees to the Secretary in an amount determined to be appropriate by the Secretary sufficient to provide a fair return to the government in accordance with subparagraph (B), except as provided in subparagraph (C). The amount of the fee shall be not less than the direct and indirect costs to the Government for processing the application for the permit and the use of lands and facilities under the permit, including any necessary costs of cleanup and restoration, except as provided in subparagraph (C).

6 (i) the number of people on site under a  
7 permit;

14 (iv) surface disturbances authorized under  
15 a permit.

16 (C) The Secretary may, under the terms of the  
17 regulations promulgated under paragraph (4),  
18 charge a fee below the amount referred to in sub-  
19 paragraph (A) if the activity for which the fee is  
20 charged provides clear educational or interpretive  
21 benefits for the Department of the Interior.

22 (3) BONDING AND INSURANCE.—The Secretary  
23 may require a bond, insurance, or such other means  
24 as may be necessary to protect the interests of the

1       United States in activities arising under such a per-  
2       mit.

3               (4) REGULATIONS.—(A) The Secretary shall  
4       issue regulations implementing this subsection by  
5       not later than 180 days after the date of the enact-  
6       ment of this Act.

7               (B) Within 3 years after the date of enactment  
8       of this Act, the Secretary shall review and, as appro-  
9       priate, revise regulations issued under this para-  
10       graph. After that time, the Secretary shall periodi-  
11       cally review the regulations and make necessary  
12       changes.

13               (b) COLLECTION OF FEES.—Fees shall be collected  
14       under subsection (a) whenever the proposed filming,  
15       videotaping, sound recording, or still photography involves  
16       product or service advertisements, or the use of models,  
17       actors, sets, or props, or when such filming, videotaping,  
18       sound recording, or still photography could result in dam-  
19       age to resources or significant disruption of normal visitor  
20       uses. Filming, videotaping, sound recording or still pho-  
21       tography, including bona fide newsreel or news television  
22       film gathering, which does not involve the activities or im-  
23       pacts identified herein, shall be permitted without fee.

24               (c) EXISTING REGULATIONS.—The prohibition on  
25       fees set forth in paragraph (1) of section 5.1(b) of title

1 43, Code of Federal Regulations, shall cease to apply upon  
2 the effective date of regulations under subsection (a).  
3 Nothing in this section shall be construed to affect the  
4 regulations set forth in part 5 of such title, other than  
5 paragraph (1) thereof.

6 (d) PROCEEDS.—Amounts collected as fees under  
7 this section shall be available for expenditure without fur-  
8 ther appropriation and shall be distributed and used, with-  
9 out fiscal year limitation, in accordance with the formula  
10 and purposes established for the Recreational Fee Dem-  
11 onstration Program under section 315 of Public Law 104–  
12 134.

13 (e) PENALTY.—A person convicted of violating any  
14 regulation issued under subsection (a) shall be fined in  
15 accordance with title 18, United States Code, or impris-  
16 oned for not more than 6 months, or both, and shall be  
17 ordered to pay all costs of the proceedings.

18 (f) EFFECTIVE DATE.—This section and the regula-  
19 tions issued under this section shall become effective 180  
20 days after the date of the enactment of this Act, except  
21 that this subsection and the authority of the Secretary to

- 1 issue regulations under this section shall be effective on
- 2 the date of the enactment of this Act.

Passed the House of Representatives April 12, 1999.

Attest:

*Clerk.*