

116TH CONGRESS
1ST SESSION

H. R. 2106

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 4, 2019

Mr. LATTA (for himself, Mr. COLE, Mr. RYAN, and Mr. AUSTIN SCOTT of Georgia) 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)—

12 (A) in paragraph (1), by striking “provide
13 a fair return to the United States” and insert
14 “be sufficient to cover the cost of a film permit
15 and other administrative and personnel costs”;
16 and

17 (B) by adding at the end the following:

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

21 “(A) assess an annual fee of not more than
22 \$200 for commercial filming activities or simi-
23 lar projects on Federal land administered by
24 the Secretary; and

25 “(B) require a permit which shall be valid
26 for commercial filming activities or similar

1 projects that occur in areas designated for pub-
2 lic use during public hours on all Federal land
3 and waterways administered by the Secretary
4 for a 1-year period beginning on the date of
5 issuance of the permit.”.

6 (2) In subsection (c)(2), by adding at the end
7 the following: “The fee under this paragraph for still
8 photography crews of 5 persons or fewer shall be not
9 more than \$200.”.

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

14 (4) By striking subsection (b) and redesign-
15 ating subsections (c), (d), (e), and (f) and sub-
16 sections (b), (c), (d), and (e), respectively.

17 (5) By adding at the end the following:

18 “(f) EXEMPTION FROM COMMERCIAL FILMING OR
19 STILL PHOTOGRAPHY PERMITS AND FEES.—The Sec-
20 retary shall not require persons holding commercial use
21 authorizations or special recreation permits to obtain an
22 additional permit or pay an additional fee for commercial
23 filming or still photography under this section if—

24 “(1) the filming or still photography conducted
25 is incidental to the permitted activity that is the

1 subject of the commercial use authorization or spe-
2 cial recreation permit; and

3 “(2) the holder of the commercial use author-
4 ization or special recreation permit is an individual
5 or small business concern (within the meaning of
6 section 3 of the Small Business Act (15 U.S.C.
7 632)).

8 “(g) NEWS GATHERING ACTIVITIES.—For the pur-
9 poses of this section, news gathering shall not be consid-
10 ered a commercial activity.

11 “(h) DEFINITIONS.—For the purposes of this sec-
12 tion—

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

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

21 “(3) the term ‘Secretary’ means the Secretary
22 of the Interior or the Secretary of Agriculture, as
23 applicable, with respect to land under the respective
24 jurisdiction of the Secretary.”.

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