

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

(d) Protection of resources

The Secretary shall not permit any filming, still photography or other related activity if the Secretary determines—

- (1) there is a likelihood of resource damage;
- (2) there would be an unreasonable disruption of the public's use and enjoyment of the site; or
- (3) that the activity poses health or safety risks to the public.

(e) Use of proceeds

(1) All fees collected under this section shall be available for expenditure by the Secretary, without further appropriation, in accordance with the formula and purposes established for the Recreational Fee Demonstration Program (Public Law 104-134). All fees collected shall remain available until expended.

(2) All costs recovered under this section shall be available for expenditure by the Secretary, without further appropriation, at the site where collected. All costs recovered shall remain available until expended.

(f) Processing of permit applications

The Secretary shall establish a process to ensure that permit applicants for commercial filming, still photography, or other activity are responded to in a timely manner.

(Pub. L. 106-206, §1, May 26, 2000, 114 Stat. 314.)

REFERENCES IN TEXT

Public Law 104-134, referred to in subsec. (e)(1), is Pub. L. 104-134, Apr. 26, 1996, 110 Stat. 1321, known as the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The Recreational Fee Demonstration Program was authorized by Pub. L. 104-134, title I, §101(c) [title III, §315], Apr. 26, 1996, 110 Stat. 1321-156, 1321-200, as amended, which was set out as a note under section 4601-6a of this title, prior to repeal by Pub. L. 108-447, div. J, title VIII, §813(b), Dec. 8, 2004, 118 Stat. 3390. For complete classification of Pub. L. 104-134 to the Code, see Tables.

CODIFICATION

Section was not enacted as part of the Land and Water Conservation Fund Act of 1965 which comprises this part.

§ 4601-7. Allocation of land and water conservation fund for State and Federal purposes

There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the fund. Not less than 40 per centum of such appropriations shall be available for Federal purposes. Those appropriations from the fund up to and including \$600,000,000 in fiscal year 1978 and up to and including \$750,000,000 in fiscal year 1979 shall continue to be allocated in accordance with this section. There shall be credited to a special account within the fund \$300,000,000 in fiscal year 1978 and \$150,000,000 in fiscal year 1979 from the amounts authorized by section 4601-5 of this title. Amounts credited to this account shall re-

main in the account until appropriated. Appropriations from the special account shall be available only with respect to areas existing and authorizations enacted prior to the convening of the Ninety-fifth Congress, for acquisition of lands, waters, or interests in lands or waters within the exterior boundaries, as aforesaid, of—

- (1) the national park system;
- (2) national scenic trails;
- (3) the national wilderness preservation system;
- (4) federally administered components of the National Wild and Scenic Rivers System; and
- (5) national recreation areas administered by the Secretary of Agriculture.

(Pub. L. 88-578, title I, §5, formerly §4, Sept. 3, 1964, 78 Stat. 900; Pub. L. 90-401, §3, July 15, 1968, 82 Stat. 355; renumbered §5, Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459; amended Pub. L. 94-273, §3(4), Apr. 21, 1976, 90 Stat. 376; Pub. L. 94-422, title I, §101(2), Sept. 28, 1976, 90 Stat. 1314; Pub. L. 95-42, §1(2), June 10, 1977, 91 Stat. 210.)

REFERENCES IN TEXT

The convening of the Ninety-fifth Congress, referred to in text, took place on Jan. 4, 1977.

PRIOR PROVISIONS

A prior section 5 of Pub. L. 88-578 was renumbered section 6 and is classified to section 4601-8 of this title.

AMENDMENTS

1977—Pub. L. 95-42 inserted last four sentences providing that appropriations from the fund up to and including \$600,000,000 in fiscal year 1978 and up to and including \$750,000,000 in fiscal year 1979 continue to be allocated in accordance with this section, that there be credited to a special account within the fund \$300,000,000 in fiscal year 1978 and \$150,000,000 in fiscal year 1979 from the amounts authorized by section 4601-5 of this title, that amounts credited to this account remain in the account until appropriated, and that appropriations from the special account be available only with respect to areas existing and authorizations enacted prior to the convening of the Ninety-fifth Congress, for acquisition of lands, waters, or interests in lands or waters within the exterior boundaries of the national park system, national scenic trails, the national wilderness preservation system, federally administered components of the National Wild and Scenic Rivers System, and national recreation areas administered by the Secretary of Agriculture.

1976—Pub. L. 94-422 revised subsec. (a), striking out designation “(a)” and striking out provisions relating to the authority of the President to vary percentages of the fund to be made available to the States and Federal government, and struck out subsec. (b) relating to advance appropriations to be allocated for State and Federal purposes and the schedule and procedure for repayment of such appropriations.

Subsec. (b). Pub. L. 94-273 substituted “October” for “July” wherever appearing.

1968—Subsec. (b). Pub. L. 90-401 substituted “until the end of fiscal year 1969” for “for a total of eight years” in provision spelling out the term during which the advance appropriations are authorized from moneys in the Treasury not otherwise appropriated in amounts averaging not more than \$60,000,000 for each fiscal year.

§ 4601-8. Financial assistance to States

(a) Authority of Secretary of the Interior; payments to carry out purposes of land and water conservation provisions

The Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to