

of national wildlife refuges, game ranges, national fish hatcheries, and other conservation areas administered by the Department of the Interior for fish and wildlife purposes. The Secretary may issue regulations to carry out the purposes of this subchapter. A violation of such regulations shall be a misdemeanor with maximum penalties of imprisonment for not more than six months, or a fine of not more than \$500, or both. The provisions of this subchapter and any such regulation shall be enforced by any officer or employee of the United States Fish and Wildlife Service designated by the Secretary of the Interior.

(Pub. L. 87-714, §4, Sept. 28, 1962, 76 Stat. 654; Pub. L. 95-616, §3(e), Nov. 8, 1978, 92 Stat. 3111; Pub. L. 98-473, title II, §221, Oct. 12, 1984, 98 Stat. 2028.)

AMENDMENTS

1984—Pub. L. 98-473 substituted “misdemeanor” for “petty offense (18 U.S.C. 1)”.

1978—Pub. L. 95-616 provided for designation of enforcement personnel.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such amendment, see section 235(a)(1) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of Title 18, Crimes and Criminal Procedure.

§ 460k-4. Authorization of appropriations

There is authorized to be appropriated such funds as may be necessary to carry out the purposes of this subchapter, including the construction and maintenance of public recreational facilities.

(Pub. L. 87-714, §5, Sept. 28, 1962, 76 Stat. 654.)

SUBCHAPTER LXIX—OUTDOOR RECREATION PROGRAMS

PART A—COORDINATION OF PROGRAMS

§ 460l. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88-29, §1, May 28, 1963, 77 Stat. 49, related to congressional findings and declaration of policy. See section 200101 of Title 54, National Park Service and Related Programs.

§ 460l-1. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88-29, §2, May 28, 1963, 77 Stat. 49; Pub. L. 91-375, §6(h), Aug. 12, 1970, 84 Stat. 776, related to powers and duties of Secretary of the Interior. See section 200103 of Title 54, National Park Service and Related Programs.

§ 460l-2. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88-29, §3, May 28, 1963, 77 Stat. 50, related to consultations of Secretary of the Interior with administrative officers. See section 200104 of Title 54, National Park Service and Related Programs.

§ 460l-3. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88-29, §4, May 28, 1963, 77 Stat. 50; Pub. L. 96-205, title VI, §608(c), Mar. 12, 1980, 94 Stat. 92,

defined “United States” and “States”. See section 200102 of Title 54, National Park Service and Related Programs.

PART B—LAND AND WATER CONSERVATION FUND

§ 460l-4. Transferred

CODIFICATION

Section, Pub. L. 88-578, title I, §1(b), Sept. 3, 1964, 78 Stat. 897, which stated purposes of Pub. L. 88-578, was transferred and is set out as a note under section 100101 of Title 54, National Park Service and Related Programs.

§ 460l-5. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88-578, title I, §2, Sept. 3, 1964, 78 Stat. 897; Pub. L. 89-72, §11, July 9, 1965, 79 Stat. 218; Pub. L. 90-401, §§1(a), 2, July 15, 1968, 82 Stat. 354, 355; Pub. L. 91-308, §2, July 7, 1970, 84 Stat. 410; Pub. L. 91-485, §1, Oct. 22, 1970, 84 Stat. 1084; Pub. L. 94-273, §2(7), Apr. 21, 1976, 90 Stat. 375; Pub. L. 94-422, title I, §101(1), Sept. 28, 1976, 90 Stat. 1313; Pub. L. 95-42, §1(1), June 10, 1977, 91 Stat. 210; Pub. L. 100-203, title V, §5201(f)(1), Dec. 22, 1987, 101 Stat. 1330-267, related to establishment of land and water conservation fund. See section 200302 of Title 54, National Park Service and Related Programs.

§ 460l-5a. Repealed. Pub. L. 100-203, title V, §5201(d)(1), Dec. 22, 1987, 101 Stat. 1330-266

Section, Pub. L. 96-514, title I, §100, Dec. 12, 1980, 94 Stat. 2960, provided for revenues received from recreation fee collections by Federal agencies to be paid into the Land and Water Conservation Fund and to be available for appropriation for any and all authorized purposes.

RECREATION USE FEES COLLECTED AND DEPOSITED IN UNITED STATES TREASURY BY CORPS OF ENGINEERS

Pub. L. 97-88, title I, §100, Dec. 4, 1981, 95 Stat. 1136, related to special recreation use fees collected by, and deposited in the Treasury by the Corps of Engineers, prior to repeal by Pub. L. 100-203, title V, §5201(d)(3), Dec. 22, 1987, 101 Stat. 1330-267.

§ 460l-6. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88-578, title I, §3, Sept. 3, 1964, 78 Stat. 899; Pub. L. 100-203, title V, §5201(f)(2), Dec. 22, 1987, 101 Stat. 1330-267, related to appropriations for expenditure of land and water conservation fund moneys. See section 200303 of Title 54, National Park Service and Related Programs.

§ 460l-6a. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88-578, title I, §4, as added Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459; amended Pub. L. 93-81, §§1, 2, Aug. 1, 1973, 87 Stat. 178, 179; Pub. L. 93-303, §1, June 7, 1974, 88 Stat. 192; Pub. L. 96-344, §9, Sept. 8, 1980, 94 Stat. 1135; Pub. L. 100-203, title V, §5201(a)-(c), Dec. 22, 1987, 101 Stat. 1330-263, 1330-264; Pub. L. 103-66, title V, §5001(b), title X, §§10001, 10002, Aug. 10, 1993, 107 Stat. 379, 402, 403; Pub. L. 103-437, §6(p)(1), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 104-66, title I, §1081(f), Dec. 21, 1995, 109 Stat. 721; Pub. L. 105-327, §1, Oct. 30, 1998, 112 Stat. 3055; Pub. L. 108-447, div. J, title VIII, §813(a), Dec. 8, 2004, 118 Stat. 3390; Pub. L. 109-54, title I, §132(a), (b), Aug. 2, 2005, 119 Stat. 526, related to admission and special recreation use fees. Subsecs. (a) to (h) and (i)(1)(A), (B), (2) to (4), which related to various fees and permits and reporting requirements, had been previously repealed. Subsecs. (i)(1)(C) and (j) to (n) were repealed and restated in section 100904 of Title 54, National Park Service and Related Programs.

§ 4601-6b. Repealed. Pub. L. 100-203, title V, § 2501(d)(2), Dec. 22, 1987, 101 Stat. 1330-267

Section, Pub. L. 96-87, title IV, § 402, Oct. 12, 1979, 93 Stat. 666; Pub. L. 96-487, title II, § 202(3)(a), Dec. 2, 1980, 94 Stat. 2382, prohibited entrance or admission fees in excess of amounts in effect Jan. 1, 1979, at any unit of National Park System and user fees for transportation services and facilities in Denali National Park, Alaska.

§ 4601-6c. Admission, entrance, and recreation fees

(a) Definitions

As used in this section:

(1) Area of concentrated public use

The term “area of concentrated public use” means an area administered by the Secretary that meets each of the following criteria:

- (A) The area is managed primarily for outdoor recreation purposes.
- (B) Facilities and services necessary to accommodate heavy public use are provided in the area.
- (C) The area contains at least 1 major recreation attraction.
- (D) Public access to the area is provided in such a manner that admission fees can be efficiently collected at 1 or more centralized locations.

(2) Boat launching facility

The term “boat launching facility” includes any boat launching facility, regardless of whether specialized facilities or services, such as mechanical or hydraulic boat lifts or facilities, are provided.

(3) Campground

The term “campground” means any campground where a majority of the following amenities are provided, as determined by the Secretary:

- (A) Tent or trailer spaces.
- (B) Drinking water.
- (C) An access road.
- (D) Refuse containers.
- (E) Toilet facilities.
- (F) The personal collection of recreation use fees by an employee or agent of the Secretary.
- (G) Reasonable visitor protection.
- (H) If campfires are permitted in the campground, simple devices for containing the fires.

(4) Secretary

The term “Secretary” means the Secretary of Agriculture.

(b) Authority to impose fees

The Secretary may charge—

- (1) admission or entrance fees at national monuments, national volcanic monuments, national scenic areas, and areas of concentrated public use administered by the Secretary; and
- (2) recreation use fees at lands administered by the Secretary in connection with the use of specialized outdoor recreation sites, equipment, services, and facilities, including visitors’ centers, picnic tables, boat launching facilities, and campgrounds.

(c) Amount of fees

The amount of the admission, entrance, and recreation fees authorized to be imposed under this section shall be determined by the Secretary.

(Pub. L. 103-66, title I, § 1401, Aug. 10, 1993, 107 Stat. 331.)

CODIFICATION

Section was enacted as part of the Agricultural Reconciliation Act of 1993 and as part of the Omnibus Budget Reconciliation Act of 1993, and not as part of the Land and Water Conservation Fund Act of 1965.

§ 4601-6d. Commercial filming

(a) Commercial filming fee

(1) In general

The Secretary of the Interior or the Secretary of Agriculture (hereafter individually referred to as the “Secretary” with respect to land (except land in a System unit as defined in section 100102 of title 54) under their respective jurisdictions) shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects on Federal land administered by the Secretary. The fee shall provide a fair return to the United States and shall be based on the following criteria:

- (A) The number of days the filming activity or similar project takes place on Federal land under the Secretary’s jurisdiction.
- (B) The size of the film crew present on Federal land under the Secretary’s jurisdiction.
- (C) The amount and type of equipment present.

(2) Other factors

The Secretary may include other factors in determining an appropriate fee as the Secretary considers necessary.

(b) Recovery of costs

The Secretary shall collect any costs incurred as a result of filming activities or similar project, including administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

(c) Still photography

(1) In general

Except as provided in paragraph (2), the Secretary shall not require a permit nor assess a fee for still photography on land administered by the Secretary if such photography takes place where members of the public are generally allowed. The Secretary may require a permit, fee, or both, if such photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.

(2) Exception

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 that—