



August 2013, Hearing on H.R. 2798

**Testimony of the Professional Outdoor
Media Association, et al**

Dear Chairman Hastings, Ranking Member DeFazio, and Members of the House Committee on Natural Resources:

The undersigned stand in support of legislation, as stated in H.R. 2798, which amends Public Law 106-206 and establishes an annual permit and annual permit fee for photography and filming activities on Federal public lands by individuals and/or film crews of five persons or fewer.

The Professional Outdoor Media Association (POMA) represents more than 350 individual traditional outdoor sports and wildlife conservation journalists and 140 companies, conservation associations, and media outlets that produce news, editorial, and educational content on/about public-lands issues, wildlife management, conservation, recreation, and land use.

Joining POMA in support of such legislation and/or providing testimony before this committee are numerous national and state media organizations, publishing/broadcasting entities, conservation and traditional-outdoor-sports trade organizations, small media businesses, and individual journalists.

Exhibit A, herein, is a compilation of individual letters sent to POMA for the purpose of delivery to legislators. They serve as examples of harm experienced as a result of current laws and as support for legislation that sets forth an annual permit and fee for individual photographers/videographers and small film crews.

Collectively, the undersigned and those offering letters of testimony, represent tens of thousands of journalists, the outdoor industry, and the hundreds of millions of Americans who depend upon these organizations, businesses, and individual journalists for information, news, and educational content on/about our public lands and the culturally important activities occurring there.

H.R. 2798 addresses the inequities, overzealous enforcement, process confusion, and severe burdens placed on individual journalists or small film crews that result from the current regulations.

Furthermore, POMA does not believe the current regulations support the mission of the Department of the Interior (DOI), severely penalize working journalists, and are even contrary to the freedoms outlined in the First Amendment. For instance:

- DOI's mission is to sustain, conserve, and provide access to our natural resources. Traditional outdoor media, individual still photographers and videographers, and small film crews play a critical role in disseminating the message of conservation and provide vicarious access to public lands to our citizens.

- Excessive land-use fees are regressive in nature, discourage or impede the media's access to public lands and are contrary to DOI's mission.
- The definitions of news coverage and commercial filming in the current rules are vague and restrictive. The rules allow DOI agencies to classify as "commercial filming" activities which are clearly news coverage, such as news documentaries, coverage of resource management issues, and public land activities.
- A distinction must be drawn between large Hollywood-style location shoots and traditional journalists (photographers and videographers) completing story assignments. Currently, some agencies charge the same land-use fee for one videographer as is charged for a crew of up to 29.
- Interpretation of the current regulations is left to individual public-land employees, resulting in vast irregularity in enforcement, permitting procedures, fee amounts charged, and permission or denial of access to photographers.
- Determining that public lands visitors who are using the lands for legal activity (fishing, camping, hiking, hunting, wildlife observation) as models, and the equipment they use to enjoy those activities as props, and not considering them part of the "cultural resource" is overzealous and meant for one purpose only, to use as a reason for denial of access. Surely, the current law and the language in this bill, which address "models and props" are focused on films/actors/props used in movie productions and/or perhaps possible illegal filming activities – not on horses, tents, binoculars, fishing gear, backpacks or the like.
- Journalists are suffering harm and the media's ability to cover public lands, recreation, and public-lands issues are affected. Evidence of harm is provided in Exhibit A to this letter of testimony.
- Americans are being denied access to information about public lands as a result of media's inability to access and cover public-lands issues and activities due to restrictive fees or outright denial of access.

H.R. 2798 resolves or lessens the severity of the issues outlined herein. It does so simply, while ensuring the integrity of public lands, access for use by the public and individual journalists, and provides journalists/small film crews' more affordable access. Additionally, the bill maintains the ability of land units to regulate large, non-journalistic, Hollywood-style productions.

We urge the committee to bring this legislation forward — to allow journalists to freely report on/about our public lands and the culturally important activities occurring there.

Thank you for this opportunity to testify.

Respectfully submitted,

Professional Outdoor Media Association (POMA) is a professional trade association that represents more than 350 individual traditional-outdoor-sports journalists and 140 companies, conservation associations, and media outlets that produce editorial and educational content on/about public-lands issues, recreation, and land use. POMA members reach tens of millions of Americans daily through broadcast, print, and Internet content.
Laurie Lee Dovey, Executive Director/CEO

Orion Multimedia is the largest independent producer of outdoor adventure programming in the world, with 32 series in production on five national networks. More than 160 million households tune in to watch Orion productions each year, and conservation and sustainable stewardship of both public and private lands is at the heart of our communications efforts.

We view the ability to showcase the recreational opportunities found on our public lands as critical to demonstrating the value of these lands held in the public trust. *Chris Dorsey, President/CEO*

National Shooting Sports Foundation (NSSF) is the trade association for the shooting, hunting and firearms industry. Formed in 1961, NSSF is a not-for-profit organization with a membership of more than 5,000 manufacturers, distributors, retailers, ranges, sportsmen's organizations, and publishers. *Steve Sanetti, President*

Pursuit Channel, launched in April 2008, is the most widely distributed, pure hunting and fishing television network in the U.S. and is the only outdoor network delivered in DISH (393 PRST) and DIRECTV's (604 PRST) basic packages, giving Pursuit Channel, www.pursuitchannel.com, a reach of approximately 40 million TV households, including on numerous cable TV operators. MOOSE Media, www.moosemedia.tv, is the exclusive sales and marketing agency for Pursuit Channel, Mossy Oak Productions and nearly a dozen more independent producers featured prominently on American television. *Greg Tinsley, Editorial Director, MOOSE Media*

U.S. Sportsmen's Alliance (USSA) provides direct lobbying and grassroots coalition support to protect and advance the rights of hunters, trappers, anglers, and scientific wildlife management professionals. The USSA is the only organization exclusively devoted to combating the attacks made on America's sportsman traditions by anti-hunting and animal rights extremists *Nick Pinizzotto, President and CEO*

Eastmans' Publishing, Inc. is a multi-media company with over 50 years of experience and tradition in the outdoor filming and photography industry. We produce two bi-monthly hunting publications and a weekly television show on the Outdoor Channel as well as a full library of hunting books, DVDs and digital big-game hunting content. *N. Guy Eastman*

OutfittersRating.com is a unique service connecting hunters and anglers with the most highly-rated outfitters, guides and charter services in the world. We reach tens of thousands of site visitors, television viewers, and social media fans all of whom use public land and resources to enjoy hunting and fishing. They are also avid viewers of Outfitters Rating TV on Sportsman Channel and Wild TV as well as other outdoor programming produced on public lands. *Bill Miller, Outfittersrating.com, Media/Content Director*

House Committee on Natural Resources

Exhibit A

Professional Outdoor Media Association – Letters of Testimony August 2013

Included herein is testimony from journalists and other interested parties regarding the negative impact of the current filming on public lands law. These letters were provided to the Professional Outdoor Media Association in support of legislation that sets forth an annual permit and fee for photographers and small film crews to access public lands and cover legal activities thereon, as outlined in H.R. 2798.

The letter copied below, from Terry Root, District Ranger, Shoshone N.F. was sent to a freelance writer and photographer after an article with an image shot on Forest Service land was published. The letter is an excellent example of the vast overreach and unfair interpretation and enforcement of the current law. Testimony of Ron Spomer:

At no time did the Forest Service or Ranger Root contact me to determine when the image was taken, or if the image had been sold to the magazine. It could have been taken prior to the current law being enacted, and it could have been given to the magazine, not sold.

Furthermore, to say people and horses on Forest Land, using the resource legally and as part of normal every-day activity on the lands, constitute the use of models and props, and to further claim the activity is not part of the "natural or cultural resource", is absurd. The image was of a hunting party traveling a trail on public land, an activity that certainly is part of the cultural resource.

The image did not promote a magazine or company. Nor was it an advertisement. It promoted the Forest Service, Shoshone National Forest, and a legal, widely enjoyed activity on Federal public lands.

I was in the park, traveling alone, with a still camera, just like any other park visitor might have been when I took this photo.

(Letter copy included on next page)



United States
Department of
Agriculture

Forest
Service

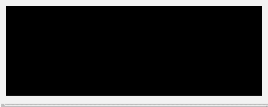
Clarks Fork Ranger District
Greybull Ranger District
Wapiti Ranger District

North Zone – Shoshone N.F.
203A Yellowstone Ave.
Cody, WY 82414-9313
Voice: 307-527-6921
Fax: 307-578-1202

File Code: 2720

Date: March 15, 2011

Ron Spomer



Dear Mr. Spomer:

It was observed in the May 2010 issue of *American Hunter* magazine in the article “Thoroughly Wilderness Elk” a photo of riders on horseback taken on the Shoshone National Forest. The article was written by you and photo credits given to you.

As a professional photographer and author you should be aware that certain commercial photography on National Forest lands requires a commercial photography permit. Forest Service Handbook 2709.11, 45.51 states:

A special use permit is required for all still photography activities on National Forest System lands that involves the use of models, sets, or props that are not part of the natural or cultural resources or administrative site where the activity is taking place.

In this context the horsemen are considered models and the horses props since they are not a part of the natural or cultural resource. The photos are considered commercial when they are used to sell a magazine, a book or sold for advertising.

Failure to obtain a special use permit for commercial photography violates section 261.10 (n) of the Code of Federal Regulations, “Failing to pay any special use fee or other charges as required.” This violation carries a maximum fine of \$5,000 and up to six months imprisonment.

This letter is for information and education purposes only, but further violations may result in a violation notice.

Sincerely,

TERRY A. ROOT
District Ranger

cc: Ronald Ostrom



America's Working Forests-Caring Every Day in Every Way

Printed on Recycled Paper



Testimony of Ron Spomer, continued:

The current system of arbitrary permitting for filming/taping on public lands is unfair, out-of-control and hurting the public perception of their national lands/resources. Denying anyone the opportunity to tape in national forests or wilderness areas just because they hope to (possibly) sell the subsequent footage denies the tax-paying public its opportunities to use public lands at no risk or damage to those lands. Billy Bob can drag his professional grade HD camera through the wilderness taping anything and everything, but if Jimmy Bob does the same thing with the intent to create and sell a DVD on the joys and values of the wilderness, he is denied the right.

This makes no sense.

In 2008, I attempted to get a filming permit for the Teton Wilderness in Wyoming, my intent to produce a TV show highlighting the value the wilderness provides for perpetuating native big game animals while creating recreational opportunities for hunters. This would have provided some good PR for Wilderness to user groups increasingly sold the idea that Wilderness is the Land of No Use. A pro wilderness/hunting show could have countered this argument. The forest supervisor would not grant the permit. Why? There would have been one man on a horse with a camera following me around for a week. This same individual could have followed me around with a the same camera for the same amount of time, having the same impact on the land merely by saying he wouldn't subsequently (attempt to) make a nickel off his footage.

What was the point? The Forest Supervisor denied several people the chance to make a living, denied us the opportunity to produce some positive PR for Wilderness, denied an outfitter, who pays significant fees to guide within the Wilderness, a chance to make some money, all for arbitrary reasons having nothing to do with negative impacts on the land or wilderness values.

I urge you to rectify this ridiculous situation by establishing standardized and reasonable rules and fees for commercial filming/taping on all public lands. If there are no deleterious impacts on the land, why not let the landowners (taxpayers) utilize it, generate personal income, pay taxes and generate additional operational funds via user fees for the government?

Ron Spomer
Boise, ID
RonSpomerOutdoors.com
208-336-3232

I was the first TV show to feature exclusively public land hunting and nothing else. As such, I have encountered most every issue you can imagine as it relates to public land filming. I can tell you that most TV shows ignore the rules, due to the costs and complexity. They have adopted the idea that it is easier to get forgiveness than permission.

One of my biggest frustrations is that in some National Forest Regions, I cannot get a filming permit to show the amazing hunting in wilderness areas, yet in other Forest Regions I can.

I am told in Region One, here in MT, that it is a law that they cannot issue such. As a result, I have had to pass on multiple hunts for mountain goat and big horn sheep, as the tags were for areas that were inside wilderness boundaries. I love wilderness areas and the great hunting they provide, so it is frustrating to not be able to show such. Yet, other operators, such as outfitters are permitted to be there.

Then, I go to NV, AZ, or NM and those Forests give me wilderness area filming permits whenever I ask. Frustrating.

In the five years of filming our public-land hunting show, I have incurred well over \$50,000 in film permit fees to film these hunts on public lands. Ouch! As we embark on filming Season Six this fall, I will incur another \$10-12,000 in permit fees.

I am using a public resource, so I should pay something, but for the little impact me and two camera guys have on the landscape, those fees seem very unreasonable. My crew is always four or less. The largest our crew is two hunters and two camera guys. It is often one hunter and two cameras or two hunters and one camera.

The rules are ridiculously complex and each agency and each office within the same agency will have a different interpretation of the permit rules and restrictions.

For some perspective, a rancher with a grazing lease on public ground would be able to graze 2,500 cow-calf pairs for three summer months, for those same five years, and still not pay any more than I have paid for me and my two camera guys to film hunts for three months each fall.

The cost and complexity of the public land filming rules results in very low compliance or people just throwing their hands up in the air and filming on private ground.

Randy Newberg, CPA On Your Own Adventures, LLC
Producer and Host of Fresh Tracks with Randy Newberg, and On Your Own Adventures
6341 Johnson Road Bozeman, MT 59718 Phone (406) 570-4399
email: randy@onyourownadventures.com

This law has caused and cost our company to scale down our workforce and cut back our over-all expenditures, which has had a direct impact on both our local economy as well as our National economy.

If this law could be changed, it would free our small business up to explore and promote wild places and public spaces out West for the dedicated DIY public hunter/taxpayer/voter. This will have a direct impact on the local economies and businesses in the hard to reach and much forgotten small towns in the Western United States.

Countries like Canada and New Zealand actually reimburse and incentivize film crews to come and promote the hunting in their regions in order to boost their local tourism economies in the hard to reach and otherwise much forgotten regions of their countries.

It has always been a mystery to me why in the world our Government, who is supposed to be so small business friendly and based in the First Amendment would make it so difficult, sometimes even impossible to promote tourism in our own country, own communities, on our OWN public lands and be charged all along the way of doing so.

My grandfather, an outdoor filming pioneer and world-class adventurer in this business/industry, is surely rolling over in his grave at what this seemingly free country has become. For the good of our small businesses, our economy, our small communities, and our First Amendment rights, see to it that this bill is passed.

I'm confident the future revenues from this bill will far exceed what is currently in place under the very misleading and confusing fee structure that our Government currently has in place.

Thank you for the time.

N. Guy Eastman

Eastmans' Publishing, Inc. (Wyoming Native/Resident/Businessman)

I've produced numerous small, independent feature films and documentaries where we filmed on public lands, including National Forest, BLM and National Parks in California, Utah, Colorado and Florida. However, I have many more projects I've tried to film on public lands and was unable to do so because of fees and the permitting process.

It depends on the agency and the local office, but in nearly every case the permitting process and fees lead to it being a major burden if not impossible. The current fee and permitting structure is clearly geared toward larger, well-funded productions that have a high-impact on the land. Whereas on our small productions, the lands fees can be easily as much as 50 percent or more of our whole project budget, even though we are just a handful of people trying to shoot something simple (and of low impact) in the forest for a day.

Of all of the types of public land, I feel it's important to note that, at least in my experience, National Forest is particularly prohibitive, not just because of the fees but because local offices are either ill equipped or unwilling to respond to permit requests, or declare the process will take 30-60 days. The nature of productions makes that turnaround time impossible.

I don't shoot without proper permits, but I do know that the fees and permit wait time has lead many other filmmakers I know to "poach" filming on national lands, a scenario that is detrimental to all parties involved. As such simplifying the permitting process for very small productions would have a positive impact both for filmmakers and the public lands' long-term use and preservation goals.

It is very frustrating to usually not have the ability to film on our public lands, so much so that often I feel it impacts the First Amendment's guarantee of freedom of speech, and certainly independent filmmakers' abilities to earn a living.

Respectfully,

Karuna Eberl
Documentary Producer
Park City, Utah

As a non-profit, wildlife conservation organization, and partners of the federal land agencies, the Wild Sheep Foundation (formerly FNAWS) is disappointed with the high fees that go along with filming on federal public lands.

The foundation's commercial filming consists of a low-impact, one-person film crew. This is not a large production effort that may cause adverse effects on the environment.

As well, we are promoting the federal land management agencies, our partners in land and wildlife conservation.

Sincerely,
Neil Thagard
Director of Operations
Wild Sheep Foundation
720 Allen Avenue
Cody, WY 82414

www.wildsheepfoundation.org

My name is Jack Peterson. I am one of the owners and producers of "The Best of the West" TV show, currently airing on the Outdoor Channel. We very likely film on national forest land as much as other companies.

I have worked with the U.S. Forest Service and primarily the Wapiti District out of Cody, WY. They were fairly good to work with until several years ago. In 2008, they required us to work through an outfitter in order to film.

They did the same thing in 2009, and, in fact, told us this would be the last year they would allow us, or the outfitters, to film on the national forest. The lady in the office told us she did not believe people from the outdoor industry should be making money on the national forest.

I have contacted Sen. John Barrasso's office and he is aware of our issue.

Thanks,
Jack Peterson
President/Producer
Best of the West, Inc
307-587-2787 ext:111

The greatest problem and difficulty is the cost. The prices are geared toward high-end commercial filming companies, not small-budget outdoor shows with one crew. In addition, the system for gaining a permit is not only complicated, but takes too long. They want you to apply months in advance for windows of opportunity that may suddenly arise a week or two out for a quick, public-land hunt.

The complication and the price of the permit process may be intentional because it certainly is causing more and more producers to look elsewhere to film hunts rather than OUR public land.

Mark Kayser Enterprises, Inc.
167 Keystone Road
Sheridan, WY 82801
(307) 673-2679
kayser@wbaccess.net

We wrestle, almost weekly, shooting on public lands. Here's a prime example of the problem....

South Dakota Tourism brought us in to highlight trout water and ATV trails in the Rapid City/Black Hills area. US Forest Service folks wanted to charge us for each of the plots where we were planning to shoot. Funny, but the trails and streams crossed multiple plots, so USFS expected us to pay literally thousands of dollars to shoot the two five minute stories. Turns out, the state and USFS got into all kinds of hot discussions over the deal. After all, we were there (two-man crew) to shoot promotion stories....Brother. We've had similar issues in many parts of the West too.

Good Luck,

Bill Sherck
"Man About The Woods"
www.ronscharaproductions.com
www.duenorthoutdoors.tv
Tel: (952) 545-9471
Cell: (651) 470-5769
bill@mnbound.com

I was hit squarely between the eyes by regulations/fees restricting filming on public land. The regulations I uncovered were, simply stated, contrary to the very reasons our public lands exist. I lost income and my business suffered as a result of the existing law.

While preparing to head into the Shenandoah National Park (Front Royal, Va.), to work on a last-minute assignment and to shoot some set-up, general forest lands and wilderness activities images (using my spouse as a model and some outdoor gear for props), I checked regulations. The permitting system and fees structure I found online prohibited me from completing my assignment.

Could I have gone in and shot without discovery? I'm sure I could have. But, I wasn't going to break the law, risk getting fined or perhaps see my gear confiscated because of regulations that didn't allow me to shoot images to compliment my content and promote our public lands.

Regardless of the fact I spent money and time to make the trip, I didn't photograph in the park. So, my business lost money. Additionally, Virginia tourism, the park and Park Service also lost important promotion and coverage. I can't write about the Shenandoah Park if I can't photograph it and the activities enjoyed there.

Furthermore, I was sure as heck not spending \$200 for an application fee, which was non-refundable, just to possibly find out I might not even be granted a permit — or if I was given a permit, find it useless (and my money lost) if the weather turned bad or the light was not suitable to get great photos. Further, the \$200 wasn't the only charge — location fees also applied.

Finally, because applications had to be mailed to the office and requests could take up to 30-days to be approved or denied, I gave up. Why on earth wouldn't a photographer be able to get a permit at the park office?

Here are the regulations for the park, at that time. There is no way an individual, freelance journalist, who often learns of assignments just a few weeks in advance, can run a business under these oppressive rules.

FILMING PERMITS - Filming permits are required for any filming or photography **that involves the use of a model, actor(s), set, or prop**; requires entry into a closed area; or requires access to the park after normal working hours. For purposes of definition "filming" or "film making" is **commercial still photography, motion picture photography or video taping**. Documentaries, travelogues, feature stories and similar types of filming require a permit, if the elements listed above exist.

A minimum of **thirty working days** will normally be required for administrative review of the proposed filming activity, though smaller projects may be reviewed in less time.

Filming permits are issued by authority of the Superintendent. Application for a filming permit should be made through the submission of a Commercial Filming Application along with a \$200 application and processing fee to Management Assistant, Shenandoah National Park, 3655 U.S. Highway 211 East, Luray, VA 22835. **Application fees are non-refundable**. Checks should be made payable to the National Park Service. In addition, a location fee will be charged based on the following: Location Fee Schedule National Park Service, FY 2006

This experience was the final straw for me. Without drastic policy change, I decided I could no longer afford to report on or tell my readers about public-land issues, activities and/or the incredible experiences folks can enjoy on our wonderful public lands.

Unfortunately, after 25-plus years, a voice that has supported America's public lands was silenced.

I strongly support H.R. 2798. Please bring sanity, equality, and access back to journalists. Please support American entrepreneurs, independent journalists and small film crews, and their quest to tell the outdoor story and promote our fabulous public lands and natural resources.

Laurie Lee Dovey
Writer/Photographer
744 Wayne St.
Johnstown, PA 15905
lld@lldovey.com
814-525-6989

I make some DVD's each year that are related to hunting. It is a small operation and most of the DVD's are promotional. When I am on BLM or forest lands I get a use permit for filming here in Utah. It is always a problem.

The BLM and forest personnel are a little put out with having to deal with projects as small as ours. It is hardly worth the time for them to fill out all the paperwork.

Before you even get started, you fill out a report of potential cameramen that may be helping you. We have to keep a filming/photography log and submit them within 30 days after last use. You have to have insurance, which I do, because of some guiding operations. If you were just filming or taking pictures, it wouldn't be worth the time and expense.

The most footage I will ever get in a couple of days is perhaps a couple of hours. The BLM and Forest Service don't even know how to charge for that - so they guess.

The system in place is was to regulate large productions — like a John Wayne movie. We need this fixed.

Thanks,
Rusty Hall
Trophy Hunter Magazine & Western Lands Outfitters
801-731-4156
E-Mail: trophyhunter@digis.net

I am very concerned about the regulations regarding filming on public lands. I fully support fair and consistent regulation and fees to the activity of media production on our public lands.

It is concerning that our government and special interests wish to regulate the taxpaying citizenry to eventually prohibit the use of our natural resources for all and to only allow those with special privileges to photograph, film or hunt on our natural resources.

I urge you to pass legislation so jobs can be saved and produced and so future generations will be able to enjoy these wonderful public lands.

Sincerely,

Russell Wojtkiewicz
5014 NW Woodycreek Ln
Kansas City, MO 64151

As a member of the professional outdoor media I am writing to ask your support of legislation, to amend Public Law to require annual permits and assess annual fees for commercial filming activities on Federal Land for film crews of 5 persons or less.

Although I would prefer no fees, this legislation is a step in a positive direction to curb prohibitive fees.

My job allows me the opportunity to inform people about our federal parks through photographs, film and written word that I publish in a variety of venues. As a freelance writer I am able to choose topics that interest me and research issues that also interest readers. I would be more inclined to not write about, film or photograph federal land if large fees are charged to do so. This means fewer impressions and coverage of the properties will result if many media members also steer clear of this source of additional fees.

Respectfully submitted,

Brenda Potts, freelance outdoor writer, member of POMA and AGLOW
5841 Country Meadow Road, Clinton, IL 61727

Your attention to the filming on public lands bill is much appreciated. It has become increasingly difficult to acquire appropriate "public" land access for photography and filming, and as a result, we try to avoid it when possible.

Eric Barnes | Sr. Vice President
Brothers & Co. | 4860 S. Lewis | Tulsa, OK 74105
P(918) 743-8822 F(918) 742.9628

My husband and I have taken thousands of photographs on public lands. To learn that we might have to pay a fee -- other than the entrance fee -- to take a picture of something that belongs to the people of the United States is appalling.

And, if I can't take pictures (and have them published) of the beautiful things I see in places like Yellowstone Park, why go?

I share my pictures with people who have not been able to go themselves. Charging a fee is just wrong! Will they ban cameras and cell phones with cameras next?

Carol Kinsley
Delaware

I strongly support the effort to consolidate licensing for taping on federally managed public lands.

Over the past few years we've run into significant challenges with this, particularly when dealing with district offices, including one case in Colorado where we spent three days trying to secure a taping permit. We eventually abandoned the effort and cancelled the shoot.

We now limit the amount of taping we do on public ground, particularly in western states, because of the expense associated with taping there (it's actually cheaper to pay trespass fees in many cases) and the effort required.

Steve Pennaz
Lake Commandos TV Show, Pursuit Channel
Formerly with North American Membership Group/North American Fisherman

I own a small production company in Idaho, which specializes in documenting hunting, fishing, camping and hiking on the vast amount of public land in the west. These programs were aired nationally bringing in thousands of tourism dollars to the areas and businesses we highlighted in the programs. The "commercial filming fees" charged by the Forest Service and their active enforcement of them has caused us to go off the air, resulting in a loss of several jobs.

Compare the exorbitant fee and permit structure in our country to Canada, which regularly "pays our way" to bring us to its territories to video productions. Canada understands the power of media and want the money it generates for its economy. On the flip side, it seems that those in charge here in the United States couldn't care less about the thousands of journalists and small production companies collapsing under the weight of Hollywood-type restrictions — that have far reaching economic impact for the communities and businesses involved.

Activities, which promote tourism and responsible use of our national lands, which have no impact and don't require any monitoring, should be exempt from any permit or fee. It makes sense to use these resources to help draw tourism dollars to these rural areas. They should be encouraging us to do more, not restricting us out of business.

Someone please help!!!

Sincerely,
Rex Summerfield
Shiloh Outdoor Productions
147 Wilson Rd
Weippe, ID 83553
(208) 435-4614

We produce a few national TV shows and much more involving the wild outdoors. I will absolutely never film on public land or government land that charges me to do so. We have boycotted it from our start eight years ago. Between paying taxes and supporting organizations' that help conserve our natural resources, it is unreal that the government would try to get paid for us promoting and advertising our lands. If anything, the government should offer tax credits and free licenses to professionals who promote and support our public lands and natural resources.

That is more then enough .

Good health and good hunting
Nick Sampson
Quest of the Continents Productions
Dpcsam@aol.com
570-971-6948

I have not had direct problems while filming on public lands, but in my case, being, in most cases, a one-man band filming "crew," and working on either low-budget or no-budget stock filming outings, any fee at all would be a difficult thing to overcome. However, I am in favor of a reasonably priced annual permit that would allow photographers and filmmakers to access public lands.

In addition, with regulations a mish-mash of processes finding out what we have to do before we arrive at any given public filming location, adds significantly to the burden of logistics, which already are difficult. We already deal with vagaries of weather, movements of game populations, seasons, and more to tell the story of wildlife, conservation, and recreation on public lands, so any effort to simplify the process, and make it affordable, would allow all parties to rally around a common goal.

Thanks,
Mark Strand

The National Press Photographers Association reported to the Professional Outdoor Media Association that one of its members was given a summons on Ft. McHenry, late in the day, for shooting informal engagement photos of a couple. The violation was for commercial activity in a state park rather than for not having a photography permit. The fine was \$275. The NPPA executive said he did not recall there being any penalties or fines with the proposed legislative scheme.

When researching penalties for non-compliance, POMA was unable to find information detailing the process of penalties, fines, etc. The process might be outlined in some form, but we could not find it.

This is another aspect, of the current regulations and process, that confounds and confuses photographers. If they unknowingly shoot on public lands — are fined or worse — what can they rely upon to know if the regulations, and penalties, are being properly enforced?

Respectfully,
Bill Miller
Past President Professional Outdoor Media Association

Sims Vibration Laboratory, one of the leading world-wide providers of Noise and Vibration Control Technologies in the Archery and Firearm industries, believes the exposure and, ultimately, the revenue afforded to all states are directly linked with television, filming and tourism. We feel current permit fees charged are exorbitant and, as such, we support a federal \$200 annual permit fee, which would best suit all states.

Alan Lotton
Vice President of Marketing & OEM Sales
Sims Vibration Laboratory, Inc.
50 W. Rose Nye Way
Shelton, WA 98584
360-427-6031 Corp Office

The current fees that are charged are, in my opinion, are just more government excess.

I have a small contracting/consulting business and my daughter-in-law has a part time photography business. I/we document outdoor habitat and wildlife issues on both private and public lands — on a small scale. The negative effect to us is not traveling onto public lands often as we would like. I feel, as a concerned party, that excessive fees are just additional weight on the cameraman's back — that is not needed.

Thank you,
Loren Morelli
500 Morelli Vista
Petaluma Ca. 94954
707- 763-7707
707- 338-6741

Please keep it simple for the people and small companies who film and photograph the outdoor world on our Public Lands. These images inspire all of us and as President Obama said in part "few pursuits are more satisfying to the spirit than discovering the greatness of America's outdoors". Please support changes to the current law.

Michael J. Lucas
Past President
Safari Club International San Fernando Valley Chapter

As a full time video producer (of 29 years), I find the "charging" for shooting video on PUBLIC LAND to be another example of government over-reaching its authority. From closing BLM roads during hunting season to charging exorbitant fees to video on Public Property, these fees place an unfair burden on an already over-taxed segment of the working force who is trying to encourage and PROMOTE the very lands we are being kept from accessing.

I do NOT support any fee for journalists on Public Land but in the absence of adhering to the First Amendment. However, if there must be a "fee" for journalists to pay, I believe the proposed language is universally fair. It does not discriminate and is not open to the whims and interpretation of a government employee who does not understand the law or its original intent — to regulate large, Hollywood-style productions.

Alan Warren
<http://www.alanwarrenoutdoors.com>
1-855-296-7469

Shiloh Outdoor Productions supports the proposed changes to the current filming on public lands laws. Shiloh Outdoor Productions is a small production company in rural Idaho. We used to employ several people in outdoor related video productions but due to the unrealistic permit costs associated with taping on public lands, we have been forced to cut staff and close down much of our production operation. This bill would enable us to get up and running again.

Sincerely,
Rex Summerfield
CEO Shiloh Outdoor Productions LLC
rex@outdoormediapros.com
(888) 722-5462

We are Sportsman's News and the official media source for Sportsman's Warehouse and we film a dozen outings a year. The excessive fees have made us move to private land hunting only because we just can't afford these excessive costs.

Michael Deming
President/Sportsman's News
The Official Publication of Sportsman's Warehouse
2322 West Industry Way, Cedar City, UT. 84721
mdeming@sportsmansnews.com
Phone-435-669-4624

I have given up on shooting video in the National Parks at this point. The return is simply not worth the hassle.

Stephen A. Matt
Fireside Consulting and Communications
Outdoor Marketing and Communications Consultant, Freelance Photographer/Videographer

The staff of ARIZONA FREELANCE, L.L.C., supports this bill as an example of helping the little guy stay alive in a recessionary economy...and the little guy can use all the help he can get to stay afloat.

Lee Allen, owner, ARIZONA FREELANCE, L.L.C.

I'm a photographer who covers off-road racing events held on public lands in California and Nevada. The access to areas at these events, for media personnel, is becoming increasingly limited.

These events are not only recreational but also bring money into the local economy, from all over the country. Media coverage at these events is viewed world wide via the Internet and has helped to grow the number of people participating, not only the racing, but also as

spectators — all generating more money for the local economy.

The media covering these events need fair and affordable access to continue to report on and, yes, promote these events/activities.

I have not personally been charged to cover events (yet), but some photographers in Plaster City, California, have been told, by the BLM, they needed permits and were forced to stop filming.

The problem most of us have is access. The races are run on public land, which is closed during the event. Access is controlled by the BLM, yet the BLM has no access plan.

The race promoter issues media credentials, which give us access to areas restricted to the public during the event. However, we are not allowed to drive our vehicles out to the areas where we shoot. We have to park in a designated area and walk, with our gear, for miles through the desert in 100-plus degree temperatures to get to the locations to shoot. These are areas that are open to all vehicle travel any other time of the year.

We are told by the promoters to find and ask a ranger if we can go to an area and if they say ok then we can go. But there's no uniform enforcement. One ranger might say yes to a request when another might say no.

We see four or five guys get tickets from the BLM because they ask the "right" ranger — yet, when they come out, a different ranger gives them a ticket for entering. They have been fighting the tickets and winning because after they go through all the hassle of going to court the BLM head shows up and drops the charges.

It has just become a real nightmare, and a couple people have suffered heat sickness out there from trying to walk into the areas and some of the media people won't even bother to go anymore.

Thank you
Mark Solms
Hesperia, Ca