



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
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In Reply Refer To:
2920 (AK960) P

November 24, 2009

Instruction Memorandum No. AK-2009-004
Expires: 09/30/2010

To: Alaska Leadership Team
From: Alaska State Director
Subject: Guidance Film Permits in Alaska

Program Area: Lands and Realty

Purpose: To provide for consistency among Bureau of Land Management Field Offices in Alaska for commercial filming on public lands.

Background: On May 26, 2000, the President signed Public Law 106-206, authorizing land management agencies in the Department of the Interior (DOI) and the Department of Agriculture to regulate commercial filming activities on Federal Lands. This authority augmented existing authority the Bureau of Land Management (BLM) had under the Organic Administration Act of 1897, and the Federal Land Policy and Management Act (FLPMA) of 1976. Instruction Memorandum (IM) No. 2004-073 dated December 22, 2003, is still the interim guidance. When the DOI promulgates new regulations, the BLM will adopt any necessary changes to existing guidance for commercial filming activities.

Policy/Action: This IM augments existing policy and establishes decision-making authority in Alaska in regard to issuance of film permits. The IM reminds employees in Alaska the public is not required to pay a permit fee or secure a permit to engage in journalism and news coverage on BLM managed lands where members of the public are generally allowed and/or where additional administrative costs are unlikely. Writing about activities on BLM managed lands where the public is generally allowed does not require a permit irrespective of whether the purpose of the writing is commercial and irrespective of what is done with the final written product.

The public is also not required, in most circumstances, to obtain a permit and pay a fee for still photography. A photograph taken for the sake of photography does not require a permit or fee. There are limited circumstances where a permit or fee may be required in advance of the still photography activity. Since writing and taking photographs often involves the exercise of free speech rights under the First Amendment to the United States Constitution, you are directed to

consult with the District Manager for the lands involved before advising a member of the public that a permit is required to engage in such activities on BLM managed lands.

It is imperative that we correctly address inquiries and decide matters consistent with policy concerning film permits in Alaska. All inquiries are to be directed to the appropriate District Office. Any decisions to require a permit or not require a permit are to be made by the District Manager for the lands involved. The District Managers will consult with each other in order to keep abreast of inquiries. In the event of differing views, the District Managers will consult with the State Director who will make the decision. The District Managers and Field Managers will keep abreast of any changes in rules or case law.

Timeframe: This Instruction Memorandum is effective upon receipt.

Budget Impact: The result should have positive impacts on the budget by reducing time in research, ensuring consistency in interpretation and application of guidance and in making the right decision.

Manual/Handbook Sections Affected: This IM augments policy guidance as stated in the background above and also contained in BLM Manual 2920, Leases and Permits.

Coordination: This guidance has been coordinated with the District Managers in Alaska.

Contact: If you have any questions regarding this policy, please contact Ramona Chinn, Deputy State Director, Division of Alaska Lands (AK960) at 907-271-3309.

Signed by:
Thomas Lonnie
State Director

Authenticated by:
Anita R. Jette
Management Assistant