

VII. FILMING AND PHOTOGRAPHY

A. 36 CFR §5.5(a) - MOTION PICTURES AND TELEVISION

Under P.L. 106-206 all commercial filming requires a permit and is subject to a location fee and cost recovery. Commercial filming is defined as digital or film recording of a visual image or sound recording by a person, business, or other entity for a market audience, such as for a documentary, television or feature film, advertisement, or similar project; it does not include news coverage or visitor use. All commercial filming, including filming exterior locations within the park and filming within park buildings, requires a written permit.

Filming and photography – whether commercial or noncommercial – will be allowed within the park provided that the activity is consistent with the park’s purpose and does not:

- pose a potential threat to park resources
- create an unsafe or unhealthful environment for visitors or employees
- unreasonably interfere with park program or activities
- unreasonably interfere with the atmosphere of peace and tranquility
- interfere with NPS concessioner or contractor operations or services

Permission to film or videotape within park buildings may only be granted by the Superintendent when:

- The activity has a meaningful and accurate association with the historic resource or
- The production would contribute to the public understanding and appreciation of the historic resource.

Additionally, permission to film or videotape in the Liberty Bell Center may be considered when the activity is endorsed by local tourism agencies and promotes tourism to the City of Philadelphia.

Commercial filming in all buildings within the Park must take place during those times the buildings are closed to public visitation.

For visitor safety and to protect the exhibited collections, the use of tripods and other ancillary photographic devices, including selfie-sticks, is prohibited in the Second Bank of the United States, the area immediately around the stanchions that protect the Liberty Bell, and the Todd and Bishop White Houses, without a special use permit.

The collection of an admission fee to participate in permitted commercial filming and still photography activities within the buildings of the Park is strictly prohibited.

The same considerations as those which apply to building interiors will be applied by the Superintendent in granting permission for motion picture or television productions on Independence Square. The Superintendent may choose not to apply the criteria of a meaningful association with the historic resource or that it would contribute to the public understanding and appreciation of the historic resource to video production in other exterior areas of the park. Unless co-sponsored by the NPS, video production on Washington Square is limited to productions involving no more than 15 cast and crew on site at any one time.

The same criteria which apply for commercial filming activities in the buildings of Independence National Historical Park will be applied at the Edgar Allan Poe National Historic Site and the Thaddeus Kosciuszko National Memorial.

B. 43 CFR §5.4 – NEWS-GATHERING ACTIVITIES

News gathering activities involving filming, videography or still photography do not require a permit unless:

- 1) It is determined a permit is necessary to protect natural and cultural resources, to avoid visitor use conflicts, to ensure public safety or authorize entrance into a closed area.
- 2) Obtaining a permit must not interfere with the ability to gather the news
- 3) A permit issued for news-gathering activities is not subject to location fees or cost recovery.

C. 36 CFR §5.5(b) - STILL PHOTOGRAPHY

The decision to require a permit for still photography activities in a park is based on the activity itself as opposed to the eventual use of the image. Generally, permits are not required for still photography activities unless:

- The activity takes place at location(s) where or when members of the public are generally not allowed; or
- The activity uses model(s), sets(s), or prop(s) that are not a part of the location's natural or cultural resources or administrative facilities; or
- The park would incur additional administrative costs to monitor the activity; or
- The park needs to provide management and oversight of the activity.

If none of these conditions exist a permit is not required. If one of the above conditions does exist, the same considerations which apply to building interiors for commercial filming will apply for still photography. Still photography permits are subject to cost recovery and location fees.

Wedding photos taken by either commercial or noncommercial photographers require a permit. Wedding photos are permitted only in certain specifically identified areas of the park, but not in park buildings. Wedding photography is prohibited on Independence Square and Independence Mall with the exception of permits issued to the Independence Visitor Center Corporation for Block 2 areas only.

D. 36 CFR §5.5(b) – AUDIO RECORDING

Audio recording does not require a permit unless:

- It takes place at a location where or when members of the public are generally not allowed;
- It uses equipment that requires mechanical transport;
- It uses equipment that requires an external power source other than a battery pack; or
- The NPS would incur additional administrative costs to manage and oversee the permitted activity to:
 - Avoid unacceptable impacts and impairment to resources or values; or
 - Minimize health or safety risks to the visiting public.
- If a permit is issued, cost recovery must be collected, and a location fee based on the location fee schedule for still photography must be collected.