

[S. 2828, 90th Cong., second sess.]

A BILL To amend the River and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the River and Harbor Act of 1965 is amended by redesignating section 315 as section 316 and adding immediately following section 314 the following new section:

"Sec. 315(a) No fee or charge shall be collected or received under authority of the Land and Water Conservation Fund Act of 1965, or any other provision of law for entrance, admission, or access to the project area (including the waters), or for the use of minimum recreational facilities as determined by the Secretary of the Army, at such project area, of any project administered by the Secretary of the Army acting through the Chief of Engineers.

"(b) Neither the Secretary of the Army nor any other officers or employee of the United States shall collect or receive any fee or charge for the issuance of any permit or license for any boat mooring or docking facility, duck blind, ski-jump float, swimming or diving platform or raft, or any other similar floating facility on any of the waters of any project administered by the Secretary of the Army acting through the Chief of Engineers. Nothing in this subsection shall be construed to prohibit the Secretary of the Army from requiring a permit or license for any such boating facility."

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 30, 1966.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: Here is the report of this Department on S. 2828, "To amend the River and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army."

We recommend that this bill not be enacted.

S. 2828 would amend the River and Harbor Act of 1965 by adding a new section 315 concerning charges for recreation use of Corps of Engineers project areas. Section 315(a) would prohibit the collection or receipt of fees or charges under the authority of the Land and Water Conservation Fund Act of 1965, or any other provision of law for entrance, admission, or access to the project area, including the waters or any project administered by the Secretary of the Army acting through the Chief of Engineers. It also would prohibit collection or receipt of fees or charges for the use of minimum recreational facilities as determined by the Secretary of the Army at such project areas.

Section 315(c) would prohibit collection of any fee or charge for issuance of any permit or license for floating facilities such as boat docks, duck blinds, ski-jumps and swimming and diving platforms or rafts on any waters of such projects. However, the Secretary of the Army would not be prohibited from requiring a permit or license for any such floating facility.

The Land and Water Conservation Fund Act of 1965 authorized the President to provide for the establishment of entrance, admission, and user fees at designated Federal recreation areas on lands administered by the National Park Service, Bureau of Land Management, Bureau of Sports Fisheries and Wildlife, Bureau of Reclamation, Corps of Engineers, Tennessee Valley Authority, the United States Section of the International Boundary and Water Commission (United States and Mexico), and the Forest Service of this Department. Under Executive Order 11200, the areas designated for collection of fees in 1965 included all those lands administered by these agencies on which fees were collected during any part of 1964.

Executive Order 11200 also provided for designation of areas for the years after 1965, criteria for designation of areas, establishment of fees, coordination, and for other matters pertinent to administration of the recreation program. The Secretary of the Interior was instructed to adopt such regulations and coordination measures as are necessary to carry out the provision of the Order after consultation with the heads of other affected departments and agencies.