

the cost of the structure (dock, boathouse, et cetera), the charge being imposed by the Government is lower. Charges at non-Federal lakes generally compare with charges made by commercial concession lessees at corps reservoirs.

Generally, other Federal agencies discourage permits for private boat docks. Where they are permitted (by the Bureau of Land Management and the Forest Service), a charge of not less than \$5 per year is imposed.

The objections we have received, both from individuals and the Congress, have been based on one or more of the following:

That they are being charged where the use was formerly free;

That they have been led into sizable investments without being informed of future charges;

That the charge violates the principle established in 1787 for the Government of the Northwest Territories and confirmed by the First Congress that navigable waters should be forever free to the citizens without tax, import, or duty therefor;

That as taxpayers they have already paid for the project, a further charge constituting duplicate taxation;

That the charge is excessive; or

That comparable charges are not made for other users of the lake.

The original date of effectiveness of the directive, January 1, 1968, was established to give all lessees or prospective lessees adequate advance advice. It does not appear proper to accept the argument that past free private use of public lands is a sound basis for such continued use.

The proposed charge is for the use of the land underlying the fixed or floating structure and is analogous to the rent paid for a cottage site under a lease, on which the lessee constructs his cottage or cabin. It is not a charge for the use of the water but for a use which precludes the use of that water area by the general public. Nor are these charges taxes, any more than are charges for grazing or timber harvesting on Federal lands.

I have already noted that the charges imposed are modest compared with alternatives and that like users of the lake actually must pay more for like privileges.

At the request of the chairman of the Senate Committee on Public Works and several congressional representatives, we have postponed the imposition of these charges for 1 year, to January 1, 1969, to allow time for consideration by the Congress.

We are currently restudying the coverage and reviewing the dollar amount of these charges to include the practicability and equity of charging a rental for duck blinds, ski jump floats, swimming and diving rafts, and other similar floating facilities. As soon as our review is completed, we will advise the Public Works Committees of the Congress of our findings.

In summary, the imposition of rental fees for the exclusive private use of Government land to be occupied by docks and similar facilities has been instituted to correct inequities, to conform with stated congressional and administrative policies and the practices of other Government agencies, and to improve the administrative control of Federal lands. We believe that reasonable and equitable charges are appropriate.