

Airmail:

COFENGRS, DA, Wash., D.C.
 DIVENGR, Missouri River, Omaha, Nebr.
 DIVENGR, NolAnt, NYK.
 DIVENGR, New Eng, Waltham, Mass.
 DIVENGR, NoCent, Chgo, Ill.
 DIVENGR, NoPac, Portland, Ore.
 DIVENGR, Ohio River, Cin, Ohio.
 DIVENGR, SolAnt, Atla, Ga.
 DIVENGR, SoPac, SFran, Calif.
 DIVENGR, SoWest Div, Dal, Tex.
 DIVENGR, Lower Miss Valley, Vicksburg, Miss.

From: EnGew-OM 701.

Ref: OCE teletype 26 Nov. 67 regarding delayed application of Circular 1130-2-25 17 Nov 66.

You are authorized to issue new revocable permits for a period extending to 31 Dec. 1968 without charge for private and comparable facilities on Federal land where same is not detrimental to the public enjoyment of the project or its natural resources (Para 3b ER 1165-2-2). Each permit will contain a statement that this permit will be terminated when the charges now held in abeyance are imposed and that the facilities may not be utilized for other than the purpose indicated.

JAMES B. MEANOR, Jr.,

Colonel, Corps of Engineers, Executive Director of Civil Works.

The CHAIRMAN. Colonel, it seems to me that there is an obvious distinction here, of course, between user fees which the Government might charge for the use of a given facility and the permit fee that a private citizen, who has built a mooring facility or some other kind of facility that is available for his own private use as distinguished from the public, and I gather you make that distinction in your statement.

Colonel MEANOR. Yes, sir. The distinction is made in my statement and this is our feeling, sir.

The CHAIRMAN. Right. The other point is that when I read S. 2828, and I think you were here when I asked the Senators about it, I find nothing in it that would prohibit a private entrepreneur from charging fees for the use of a mooring facility, as an illustration.

Colonel MEANOR. No, sir.

The CHAIRMAN. Is that your interpretation of it?

Colonel MEANOR. Yes, sir. We do have concessionaires on public lands owned by the Government. They do pay a fee to the Government or rental for the operation of this concession.

Incidentally, where they are normally located, the route to that concession is usually where there is no entrance fee; they go right on down to the concession.

The CHAIRMAN. My point is that if the Government should be prohibited from charging a fee for a mooring facility to tie up a boat, for example, and then someone comes along and installs their own facility and charges a fee for its use, which they could under the provisions of S. 2828, if enacted, it would be most inequitable. If the objective of S. 2828 is to make it possible for a person to use mooring facilities, among others, without charge, then it ought to apply right across the board.

Now, a concessionaire could charge fees for other purposes but I was referring only to the mooring, and some of these things are rather ambiguous. They could be both mooring or docking facility, duck blind, ski jump floats, swimming or diving platforms or rafts, or any