

other similar floating facility on any of the waters of any project administered by the Secretary of the Army.

If the Government is prohibited from charging a fee, it seems to me that for those specific uses the private entrepreneur should be prohibited if the objective is to make it possible for all to come in and use such facilities without a fee being charge.

Colonel MEANOR. Sir, may I ask Mr. Mark Gurnee to answer your question?

Mr. GURNEE. We see nothing in this bill as proposed which would permit an entrepreneur to, on his own, charge fees other than when he is a concessionnaire operating under a lease from us.

The CHAIRMAN. It is not prohibited; that is my point. It is not prohibited nor is it authorized.

Mr. GURNEE. That is true, but we could not expect those concessionnaires to provide a service and a facility without charge. That is the business in which they are engaged.

The CHAIRMAN. Suppose on a reservoir the only mooring facility happens to be one privately owned, pursuant to a license or permit from the corps. And the objective of the legislation is to make it possible for citizens to use mooring facilities without being charged because they are poor and they don't have the money. Would it not be inconsistent for the corps to license or permit such private entrepreneur to collect those fees?

Mr. GURNEE. That is true, sir. The private permits to which this bill addresses itself are limited to the private use of the individual. We do not permit that individual under these permits to provide a commercial operation to other third parties.

The CHAIRMAN. I understand that. I am talking now about a concessionnaire. This is the point I want to get over. If the objective of the legislation is to make it possible for citizens to utilize mooring facilities without a fee being charged should the Corps then permit a concessionnaire to charge fees for such purposes?

General NOBLE. Mr. Chairman, I would think it would depend on what action the Congress took on this bill. As I understand the intent, however, where public funds have been used to provide facilities, it would be the object of this legislation to set up a provision whereby no fees could be charged.

On the other hand, as Mr. Gurnee was trying to point out, if we do permit lessees to build facilities to serve the public, it would not be logical not to permit them to charge for use of these facilities because they would not do it in the absence of any income.

The CHAIRMAN. I raised the question whether or not you should even license them for that purpose or grant a concession if the purpose of the legislation is to make it possible for the poor and so on to utilize whatever might be available as facilities in these Corps projects without paying a fee. That is my point. It is a policy question, it seems to me.

Mr. GURNEE. The only other way we could provide the facility would be to provide them at Federal expense.

The CHAIRMAN. That is right.

Mr. GURNEE. The reason we do not do this is to avoid that Federal expense.