

Mr. REUSS. That is not what the statute tells them to put into their head, but that is what in fact they, in too many cases, do consider as the primary consideration; and they are sometimes so indiscreet as to let it get into their public pronouncements, as it did when they announced the hearing after the applications were first made in 1964.

You see, if you make a central and overriding factor out of navigation, then the Corps can authorize the fill of every saltwater marsh and every river in the country so as to give some real estate speculator a chance to make a thousand percent profit and always be protected, saying "we did not fill in the navigation channel." In the Potomac, for instance, they could authorize the fill right up to a 100-foot-wide channel right down the middle—which is about all you need for navigation—and thus create giveaway land values for whomever had the artfulness to get a permit from them.

Mr. VANDER JAGT. In your conferences and exchanges of correspondence with Dr. Stanley Cain, did he ever indicate on what basis he reversed the objection of the Department?

Mr. REUSS. It remains a mystery. Congressman Moss had quite a specific exchange with Assistant Secretary Cain on that point and this is set forth on page 7 of Mr. Saylor's and my testimony.

Congressman Moss asked him the same question: "Just what did prompt you to make this change, Dr. Cain, in the departmental position? Did you have any study, any new evidence?" And after a series of letters, Dr. Cain finally admitted on January 11 that he did not have any new studies, and that he made his judgment without any additional studies.

So it is a mystery to me what he based his reversal on. That is why we wanted to know "who has been contacting you, Dr. Cain?" He has not seen fit to tell us, so it remains an enigma.

Mr. VANDER JAGT. I believe in one of the letters or memos he made the statement that the reversal was based "first on political considerations." Did he ever indicate what those "political considerations" were?

Mr. REUSS. No. Admittedly, Congressman Saylor, Congressman Moss, and myself are politicians. We do not apologize for it. However, it was not our political considerations which prevailed, because we lost, as you know.

Mr. VANDER JAGT. After there was an indication they would get them off the hook by referring this to Under Secretary Black, there is a statement here that Mr. Black was receiving numerous telephone calls. Is it my understanding that none of you representing the conservation interests were telephoning Mr. Black at that time?

Mr. REUSS. That is correct. I have never telephoned Mr. Black.

Mr. SAYLOR. I never have.

Mr. Moss. If the gentleman will yield, I believe I talked with the Under Secretary after I learned of his action. I did not know that he had any role in this; therefore, not anticipating his intervention, I did not contact him before he signed his letter of April 26, 1968.

Mr. VANDER JAGT. At the time that Mr. Black was receiving these telephone calls and gave the impression that he wanted action on a decision, there was no public knowledge, was there, that this matter had been transferred to Under Secretary Black?

Mr. REUSS. On the contrary, there was complete secrecy, although Congressman Saylor or Congressman Moss and myself had made very