

General WOODBURY. I do not recall. The conversation was one having to do with the administrative passing of an application between two Departments, and I felt that this ought to come to his attention. It was not just a routine matter.

Mr. REUSS. Did he indicate that the sooner he got that application from you, so that he could act on it, the better?

General WOODBURY. I do not know that he did not say that. I do not have any clear recollection of it, sir.

Mr. REUSS. He might have said it.

General WOODBURY. Yes, he might have.

Mr. REUSS. You testified earlier, General Woodbury, that the reason you referred the matter in April 1968, to Under Secretary Black was that there appeared to be a substantive difference between the applicant for the permit and the Fish and Wildlife Service; is that correct?

General WOODBURY. That is correct.

Mr. JONES. Let us suspend in order that we can make that quorum call and see if we cannot recess until 10 minutes of 1 and come back immediately, because the General will be returning to New York and we will finish with his testimony.

General WOODBURY. Thank you, Mr. Chairman.

(At 12:20 p.m. the subcommittee recessed, and reconvened at 12:50 p.m.)

Mr. JONES. The subcommittee will come to order.

Mr. REUSS. General Woodbury, in your earlier testimony with regard to the July 13, 1967, memorandum of understanding between the Secretary of the Interior and the Secretary of the Army, you referred to paragraph 5 of that memorandum and said, I think on several occasions, that pursuant to that paragraph matters were referred by the Corps of Engineers to the Secretary of the Interior. In fact, you meant the Under Secretary of the Interior, did you not?

General WOODBURY. That is correct, sir.

Mr. REUSS. I may have misunderstood you, but paragraph 5 does refer to the Under Secretary and it was in fact the Under Secretary rather than the Secretary to whom these matters were referred; is that correct?

General WOODBURY. That is correct.

May I also correct what may be a misunderstanding in connection with this procedure: The District Engineer was authorized to issue permits when all differences concerning their issuance was resolved by the District Engineer. He refers permits to Washington only when there are unresolved differences. In this particular case, when the Assistant Secretary of the Interior withdrew the objections of the Department of Interior agencies, the District Engineer then, in pursuit of his responsibility, attempted to resolve the remaining differences, the remaining differences being those of individuals. Congressman Reuss was one, the Audubon Society was another, the Izaak Walton League was another. There were others. I understand he, then, contacted each of these other objectors to see if, in the light of this new information they too wanted to remove their objection. Some did remove their objection. Others did not. It was because there continued to be remaining objections that he forwarded the application to the Chief's office for further consideration at the Washington level, because he does not have authority to act where there continue to be objections of this nature.