When we received Secretary Cain's letter in October, when the district engineer received it, at this point in time the action was not in the Office of the Chief of Engineers. Secretary Cain's letter did not come to the Chief of Engineers. It went to the district engineer. A copy of it did not come to the Chief of Engineers as far as I know and if it did I did not become aware of it.

When his letter arrived in the district engineer's office, the district engineer then accepted the letter and attempted to resolve what he understood to be the remaining objection and it was in that effort that he contacted you, sir, along with others——

Mr. REUSS. Incidentally, at this point in the record I wish you would give any evidence you have that the district engineer ever contacted me. As far as my records show, I had to find out about it from other sources.

General WOODBURY. I think he will be here to testify later and I think he should testify to that, sir.

Mr. REUSS. Right.

General WOODBURY. He did report to me that he was attempting to resolve these differences. I learned this, as I testified earlier, through the Assistant Director for Civil Works, not by a direct communication with the district enginer; and it was in the course of trying to resolve these remaining differences that it became apparent that there did need to be a public hearing and the process took from October until April to complete the action and to refer it to the Secretary. There was no decision made in October that it would not be referred. The matter just hadn't been decided whether there remained objections or not until the resolution of the objections had failed.

Mr. REUSS. Paragraph 5 of the July 13, 1967, memorandum refers to unresolved substantive differences of views and suggests reference should be made to the Under Secretary of the Interior; not to the Assistant Secretary, but to the Under Secretary.

General WOODBURY. That is correct, sir.

Mr. REUSS. I can't understand any reason for your not doing it then except that you had already won the case for the permit by getting the Assistant Secretary's——

General WOODBURY. We had not won the case for the permit, sir, because there remained objections.

The preceding paragraph is a stage in which we were in October. The district engineer was attempting to decide whether, within his authority, he could issue the permit and the action remained generally under the procedures outlined in paragraph 4, from October until April or thereabouts, when we received the permit application in Washington.

Mr. REUSS. Well then, why was it that on April 10, 1968, when Assistant Secretary Cain threw in the sponge and said he was going to reverse himself and was going to reinstate the Department's opposition—and you received a copy of that—why didn't that conclude the matter as far as the Corps of Engineers and the Department of Interior were concerned?

Here you had a high level man, the Assistant Secretary for Fish and Wildlife and Parks, informing you, both by memorandum and by telephone call, that he had changed his mind and was reinstating the Department's opposition. If his word was good enough for you