

Dr. CAIN. Dr. Gottschalk reported back the results of the persons who went out there first. And that is a memorandum report.

Mr. McCLOSKEY. In your opinion, was it a strong case or not, Doctor?

Dr. CAIN. In my opinion, it was a reiteration of the 1964 case.

Mr. McCLOSKEY. Will you answer the question? Was it a strong case or not?

Dr. CAIN. Yes; it was strong in terms of their language; that is correct.

Mr. McCLOSKEY. It was a strong case with a view to the conservation of wildlife resources; was it not?

Dr. CAIN. Yes.

Mr. McCLOSKEY. And you would not have flip-flopped had not a strong case been made to you; would you, sir?

Dr. CAIN. No. I described my change on April 10, not as having been based on the reiteration by the Bureau of Sport Fisheries and Wildlife of their older position, which I am not questioning, but on the unanimous advice of my staff that I would do so. And this again was not on the basis of field study whatsoever. It was on another basis.

Mr. McCLOSKEY. Dr. Cain, in your memorandum of the 10th, you stated that you were changing your position "on a basis of such statements from the Bureau, based on the recent report by personnel from the Bureau and the National Park Service, such as the diversity of the wetland habitat provided by Dyke Marsh and Hunting Creek would be altered by the project and its resultant development to the detriment of waterfowl and other aquatic birds * * *. We are concerned with the effects the proposal will have on the overall environment, the long-range scenic qualities of the river shoreline, and the outlook from the Federal parklands."

Now, all of these comments were based on surveys and investigations made by personnel under your direction in compliance with the law; were they not?

Dr. CAIN. Yes.

Mr. McCLOSKEY. On April 10, then, Dr. Cain, when you prepared this memorandum based on studies and investigations, you apparently called the Corps of Engineers to advise them of your change of position. And on April 16, 6 days later, you sent to the Corps of Engineers a report based on surveys and investigations; is that correct?

Dr. CAIN. Well, based on my changed information, yes, of which this was part.

Mr. McCLOSKEY. Then I want to refer you to the next action of your Department, which was the letter of Under Secretary Black, which is dated, I believe, April 26, 1968. And in that letter—have you read that letter, Dr. Cain?

Dr. CAIN. Yes, sir.

Mr. McCLOSKEY. Does that letter comply with the law by including a report based on surveys and investigations?

Dr. CAIN. Certainly there were no new surveys or investigations made to my knowledge.

Mr. McCLOSKEY. That letter does not refer at all to the surveys and investigations made under your direction in the preceding month, does it?