

level. And the second step, if this is not accomplished, is to move it to the Chief of the Corps of Engineers and the Under Secretary.

So the situation we have got here is an anomaly, and that is that the matter was referred to me. It is really an anomaly with respect to this mechanism, if the mechanism is working as it does routinely in most of the cases.

Mr. Moss. Really it was not handled in accordance with the July 13, 1967, agreement.

Dr. CAIN. That is correct. That is what I meant by anomaly. It was outside of the ordinary procedure here.

Mr. Moss. Was it perhaps, as reported, I think, by you to members of this subcommittee staff, an act of consideration on the part of General Woodbury to see if he could get you off the hook on this?

Dr. CAIN. Well, sir, I have an explanation of that particular language. And I think I can make it without referring to these notes of mine.

After this date of October 10 in the late evening I dropped by the Bureau of Sport Fisheries and Wildlife. And John Gottschalk was still there. And I informed him that I had signed this letter after talking in the Secretary's office.

And then he suggested, let us call the corps. And we put a call through for General Noble. And General Woodbury answered. And I talked to General Woodbury and explained the situation. And he said in effect, what you have said—according to the mechanism this unresolved problem should be between the Chief of the Corps of Engineers and the Under Secretary. I will send the permit to Under Secretary Black. Now, in talking to Mr. Indritz and the gentleman who accompanied him, I used the language that "this got me off the hook."

Mr. Moss. Mr. Secretary, what was the unresolved problem? You had just informed the general that you had resolved the problem.

Dr. CAIN. All right. This again I believe is a semantic difficulty. And that is, the Bureaus were still in their opposition—

Mr. Moss. And so were you. And you had taken that position.

Dr. CAIN. I had earlier taken it. And then I had gone to the position of recommending that the permit not be given.

Mr. Moss. At the point of phoning General Woodbury and Dr. Gottschalk, you and the Bureau of Sport Fisheries and Wildlife and the Park Service were all in agreement that the permits should not be issued. And so at that point you called the general to inform him of this fact—not of a disagreement, but of an agreement.

Dr. CAIN. This is the April 10 situation.

Mr. Moss. And then what did the general indicate—that he wanted a different result and, therefore, perhaps he should seek to go to the Under Secretary?

Dr. CAIN. No; he did not indicate any such thing to me. Because of my record of having been in one position and then taking a second position, he said that this permit problem, following the Resor-Udall understanding, should be passed up to the next level.

Now, this was interpreted as General Woodbury seeking to find somebody in Interior who would support the granting of the permit. This is not the impression I got from the conversation.

Mr. Moss. It is the only possible conclusion that I can form from the testimony which has been given to this committee, because this