

Mr. Moss. There we get into another very interesting matter; namely, the situation on April 10 when Dr. Cain discussed the matter in his office with Dr. Gottschalk, and in view of Dr. Cain's earlier memorandum saying he would accept the professional judgment of his staff and if that judgment was to reverse he would reverse, agreed that he would reverse his previous position. And they phoned General Woodbury, and I think Dr. Cain stated to the staff here, that his letter of October 10 left him naked and indefensible, in view of the Park Service's, and the Fish and Wildlife Service's, opposition.

Then, General Woodbury replied, and the exact words we don't know, but the reaction of Dr. Cain was that in effect General Woodbury offered to get him "off the hook" and refer it to you.

Now, you say he phoned you. But let's go on a little further. On the 16th of April, Assistant Secretary Cain again sent a memorandum to General Woodbury, in which he said:

You will remember that I talked to you on the phone late last Wednesday, April 10, 1968. After a meeting with representatives of the Bureau of Sport Fisheries and Wildlife and with my deputy and staff assistants that afternoon at which time they recommended unanimously to me that I reverse the position that I had taken earlier, I prepared the attached memorandum to Director Gottschalk.

I understood from the phone conversation that you would send the permit request over to Interior, following the procedure that was in the agreement between Secretary Resor and Secretary Udall. This would go to Under Secretary Black, according to the machinery of the agreement, but I understand from his office that it has not yet been received. * * *

Under Secretary Black is anxious to get this issue resolved, because he is getting numerous telephone calls on the matter.

Then, on the 15th, the memorandum apparently crossing in the mails, General Woodbury sent a letter to you.

When did he phone you?

Mr. BLACK. Well, he phoned me, as best I can reconstruct it, about the 11th or 12th, and I had gathered from my conversation with him that I would hear from him in writing very promptly.

Now, I indicated sometime after this, several days after this, I believe—to Secretary Cain or to Mr. Mangan who may have indicated it to Secretary Cain, I don't recall—that I had not gotten it and what had happened. The chronology, apparently, results from the rather bureaucratic operations that go on between departments in the executive branch and it took time to get there and it went through the correspondence control centers of both departments or some such thing. The Woodbury letter apparently went out on the 15th before the Cain memo was even sent over there.

So the communication by Secretary Cain to General Woodbury was subsequent to the general's determination that there were unresolved issues—or at least that there might be—and he wanted somebody in a position of authority who had the responsibility to sign off on something like this to get it together and advise the Corps of Engineers. He didn't indicate to me which way he wanted it to go.

I didn't consider General Woodbury an advocate for the applicant. The applicant and people from outside the Departments, either Department, were inquiring about this. There was interest expressed, and he wanted to get it resolved.

This is the sense of urgency that we have referred to.