

mplications, particularly because the federally assisted urban renewal and highway programs cause most of the displacement nationwide, and the displacement occurs mainly in urban areas where intergovernmental relations are most critical.

The heart of the Commission's Relocation report was an analysis of governmental policies and practices in relocation current at that time at all three levels. A fundamental source of information was a questionnaire survey of the practices and policies of cities over 100,000 population conducted jointly in the summer of 1964 by the Commission and the U.S. Conference of Mayors. In addition, Commission staff worked closely with the staff of the Select Subcommittee on Real Property Acquisition of the House Committee on Public Works.

The Commission found that governmental responsibility for helping displacees to relocate stems from two sources: (1) government's exercise of eminent domain in acquiring real property; and (2) its concern for the economic and social welfare of its citizens. Under the Constitutional doctrine of eminent domain in the United States, government can force people to sell their property. The property owner thus cannot refuse to sell if he believes the price offered is insufficient to compensate for all costs of reestablishing himself. Since the courts generally have limited compensation to the fair market value of the real property acquired, property owners and tenants must look to the legislature to be compensated for incidental costs not covered by the value of the real property taken.

Unlike property owners displaced by public acquisition, owners displaced by private acquisition can hold out for a sales price which will assure them compensation for the cost of resettling, as well as the value of their real property. Tenants in either case—public or private—have little protection. Lower income groups are usually renters and find it most difficult to rehouse and readjust.

Government for many years has had a policy of concern for the economic and social opportunities of its citizens. This concern logically should include the social and economic effects of forcible displacement, particularly at this juncture in time.

As a general principle, therefore, the Commission concluded that persons and businesses displaced by local, State, or Federal public works and other programs are entitled to assistance in relocating, and this entitlement extends to lessees and tenants as well as to owners of homes and business establishments.

Nine major findings arose from the Commission study:

It found that governmental displacement of persons and businesses is substantial, particularly with respect to the federally aided urban renewal, highway programs, and local code enforcement. Moreover, all indications are that the rate of displacement will continue to grow. Thus, it is noteworthy that while the House Select Subcommittee in 1964 estimated future annual displacement of families and individuals by highway departments at 36,770 and businesses and nonprofit organizations at 3,876, a 1967 study by the Department of Transportation estimated these annual figures for the period July 1967 through June 1970 would be 48,983 and 5,559, respectively.

The Commission discovered great inconsistencies in present provisions for relocation assistance. These inconsistencies are among different programs within the same level of government—local, State, and Federal—and among levels of government. They concern the amount and scope of relocation payments, advisory assistance, and assurance with respect to availability of standard housing. Nationwide, federally aided urban renewal and highway programs cause the most displacement. The urban renewal program makes the most comprehensive provision for relocation assistance, but relocation provisions of the highway program are appreciably less equitable.

The effect of the inconsistencies is felt most keenly in urban areas where programs of all kinds at all three levels of government most frequently come together—where different Federal and federally aided programs displace neighboring properties. A homeowner whose property is taken for a federally aided urban renewal project is entitled to moving costs up to \$200. His neighbor, whose property is taken for a federally aided highway program, is entitled to \$200, but only if the State has authorized it. As of April this year, 14 States had not authorized such payments, and even among the States that have, an appreciable number have not authorized payments up to the Federal limit, or not for tenants and lessees. A third homeowner in the same neighborhood may receive nothing at all if his property is taken by General Services Administration for an office building. Inconsistency in payment of business moving expenses is even greater since the Federal Aid Highway Act allows business moving expenses only up to \$3,000, whereas displacement by a federally aided urban renewal project entitles a business