

Senator MUSKIE. I was going to raise that question. Do you think that you are going to be able to put together a satisfactory relocation program in connection with that highway?

Mayor BRILEY. We are approaching it in two different ways, one dealing with business and one dealing with housing. Several years ago when the metropolitan government first came into existence in 1963 we developed a relocation agency and we contracted with the State government with reference to their highway program, and we contracted with the housing authority of our area that handles both urban renewal and public housing to do all of their relocation through this agency. It was a contract between the welfare commission of our local government and the housing authority in the State government. This worked very satisfactorily, but was not funded adequately, and the State withdrew from it about 2 years ago. We are now in the process, and our new budget is now under consideration, of setting up a bureau of relocation which will be headed by a director that will be under the direction of our welfare department. This agency will have an advisory committee of codes people, public works people, water-sewer people, highway people. We are also developing a contract and have meetings leading to this with the State highway department. We think that we have a much better plan on relocation of these people presently. We have done an experimental program in this manner, on the worst slum areas we had in our city, and we were very successful in about 4 months in getting these people housing. Incidentally, this was not a public improvements area, this was a codes enforcement area, and our experience has taught us better how to do this.

With reference to the business community, there are multiple problems. We have negotiated and we have arranged with our local banks to put up a fund of \$1 million to supplement and assist in loans to these marginal, principally Negro, businesses. The fund is being administered by a local bank, that is, primarily a Negro institution of many years' reputation. Some of these businesses have been operated for a number of years by people who have been successful, not in any great way, but successful to sustain life and a business. These people probably will be successful.

There are a number of these marginal businesses that have been there a year or two which are relying upon a localized neighborhood custom or local economy. When they relocate it is doubtful if they can redo what they have done there. Now, even where the business would have been satisfactory 5 years from now if it stayed there under another change would be a question. So, I think that we have done things that will help those that are competent and capable of maintaining a business.

Senator MUSKIE. Senator Baker.

Senator BAKER. Mayor, you touched on the nature of eminent domain statutes in Tennessee, which you agree are many and varied. Most condemning authorities have at least a choice of three or four different sets of statutes they might proceed under. Would you agree with me, however, that elaboration of the definition of incidental damages as distinguished from actual damages might have an effect on alleviating much of the actual loss of economic suffering that frequently occurs in relocation projects?