

One way to avoid this inequity would be to bring in the State or bring in an area form of limited government (if there is one in the area) to assist in evaluating what would be sound development of the property.

Senator BAKER. I think that is further insight on how you would emulate that concept.

Senator MUSKIE. Gentlemen, you have made several other suggestions in your statements.

Did you want to make a comment, Mr. Sumner?

Mr. SUMNER. Yes; please, on the matter that Mr. Fisher-Smith has pointed out.

The staffing of these agencies by competent professionals of the widest possible experience and training, with adequate remuneration so that they would be attracted to this kind of thing, will do a lot to implement. Of course, you cannot legislate taste, or like some of our laws say, that it be one way. It is very difficult.

But, by the language that has been suggested here, and I am sure other terms could be developed, an emphasis can be placed on quality of design and thoroughness of design and I think that agencies will pick up and develop ways of implementing. I think the Congress makes it abundantly clear that they intend for much more attention to be given to good design. I think it will be implemented. I think there are other examples. I cannot recall any to mind now, where just a phrase has been picked out of law and developed into a whole field of endeavor.

Senator BAKER. That reminds me of the traditional classic definition of a reasonably prudent man, which I am sure was a lion's choice of language and then just passed over in the system of jurisprudence and now occupies fully 50 percent of the decision law of this country and its predecessor. So, you are right, it does grow out. It is a question of interpretation and thus the quality of taste and implementation of substantive matters cannot be dealt with accurately in legislative language.

I want to thank both of you for telling me how you would view the actual implementation of a "sound" project under these circumstances without running the risk that "sound" might be substituted for "standard."

Mr. FISHER-SMITH. I have a remark, if I may.

In cases where the stakes are very high, it may be necessary for the Federal Government to request that the State or area of government provide a comprehensive study. By comprehensive I mean a study which takes into account the various needs of the area rather than the needs for one specific purpose or use. Such study would dramatize what the alternatives might be so that public dialog and discussion could be brought into the open and possibly offset particular special-interest points of view which maybe have been expressed more fully at the time that the proposed disposition was announced.

Senator BAKER. Mr. Chairman, may I make this additional remark in this connection. I have what is not typically an unsenatorial attitude in this respect. In other words, I have some predetermined idea as to what the answer to the question I just put might be, and I felt that the essence of the problem is consideration of new, fresh, resourceful thought in this general field of planning and dedication of land use and facilities. And I think that wholly aside from the economic and profes-