

tion like any other element of damages under the present form of the bill?

Mr. BRIDWELL. Senator Baker, I have not really focused on that particular question prior to this.

Senator BAKER. I realize your statement said you were directing your attention to title VIII, and I apologize for giving the appearance of trying to put you on the spot.

Mr. BRIDWELL. That is perfectly all right.

Senator BAKER. On page 37, which is in part (f) of title VIII, it does state that all functions performed under this section shall be subject to the operation of the act of June 11, 1946 (60 Stat. 237), as amended:

Any displaced person adversely affected or aggrieved by the operation of this section after the effective date of this act may institute in the district court of the United States for the judicial district in which such claimant resides or in which such claim first arose an action for the review of such determinations.

I assume that this means the amount of moving costs would be subject to litigation, like every other element of cost. But what I really want to know is what your view is about the propriety of having the moving expenses subject to judicial review?

Mr. BRIDWELL. I understand, Senator, and as I say, I have not focused on this particular section of the bill prior to this.

My reaction is that it is not necessary to make this particular process subject to a review by appropriate legal means. We are taking the position that under our bill, this is an administrative activity in which we are participating in the payment of full costs and the only requirement is the documentation of the costs experienced that this is consistent with the rest of the operation of the Federal-aid highway program.

Senator BAKER. Would you agree that the cost of making one whole, which after all is the function of the moving allowance, ought to be included in the assessment of total damages by any jury trying the case in any litigation?

Mr. BRIDWELL. I think we look on this, Senator, as separate and distinct from the operation of the eminent domain proceedings in which, if a negotiation is not achieved, then of course, it is a matter of court determination. But we believe that this relocation assistance program is not directly a part of eminent domain action.

Senator BAKER. Would you agree with the general proposition that the thrust and objective of equitable eminent domain legislation should be to prevent one involuntarily displaced from his property from being less than whole after the taking and completing the compensation payment?

Mr. BRIDWELL. In a philosophical context, no, I would not dispute your statement; or conversely, I would agree with your question.

Senator BAKER. I am sorry, sir?

Mr. BRIDWELL. I say that in a philosophical context, I have no problem with the import of the question.

Senator BAKER. Of course, the bill as presently written, dealing with a full 100-percent share of the first \$25,000, I understand, follows generally the urban renewal formula. Can you tell me now some elaboration of your preference for the highway formula over the urban renewal formula within the framework of that general philosophical concept?