

loses their case, the Government pays the cost of the court proceedings on the part of the person who has appealed their decision. This would bring justice back in the picture. I do not think it would create a lot more court cases. I think it would solve a lot of court cases.

Incidentally, I think your legislation here would take a great many cases out of the courts because if they had offered the reasonable price at the first time, this is all it would have taken to get a settlement. When they do not, then people get angry and they go to court. They have a right to go to court. That is what courts are for. I think this bill would restore some of the confidence that people have in the Government. I am getting pretty annoyed at this continual attack on our Government, because I think it is extremely dangerous for Government.

But I am also annoyed at the people who, by their arrogance and by their undue exercise of power, bring this criticism about.

We suggest that where eminent domain proceedings are instituted or negotiations are entered into prior to the taking of whole areas of land in keeping with the Supreme Court decision of informing individuals of their rights in cases of criminal accusations that the individuals who are losing property have a right to a statement in some kind of understandable language, preferably in a printed brochure, of their rights in this case. Most of them do not know their rights as well as the rights of the Federal Government. This would avoid a lot of the confusion. I do not see why this could not be done and done very easily, to the benefit of all concerned.

In terms of the testimony that was given by the Department of Defense, I would like to make a couple of comments on that. A great share of the correspondence I get has to do with the Corps of Engineers and their taking procedures.

We would oppose their suggestions, under section 802 on page 8. I do not think anybody should write into this kind of legislation that no provision of this section shall be construed to give any person a cause of action in any court. This denial of the right of a man to go to court is denial of a pretty fundamental right. If we cannot go to court and have to depend only on the Department of Defense for the judgment, then where is our defense?

We also would oppose their suggestions for amending sections 803(a) and 803(c) where they would include the words "to the maximum extent applicable." This is on the bottom of page 9 of their testimony.

This is an escape clause that is a nothing word, "to the maximum extent applicable." Who determines what is the maximum extent applicable? These are ways out of responsibilities.

The Bureau of the Budget recommendations on 804 we would oppose and we would oppose them especially in relation to the flood control projects.

In 805, the substitution of the word "property" for "farm" might accomplish the same objectives, but frankly, I think you have an awful lot of discontent in the farming community over some of these taking proceedings. I think that you might want to include "property," but I would not exclude "farm." I would want these farmers to know that they were being considered and they are almost special cases. I know I am prejudiced, but I think they are pretty much special cases.