We would also suggest that when eminent domain proceedings are instituted or the negotations are entered into prior to the taking of whole areas of land, that in keeping with the Supreme Court decisions of informing the individual of his rights in cases of criminal accusations, that the individuals who are losing property to a federal acquisition program should also be informed in some kind of understandable language in a printed brochure of their rights in this case as well as the rights of the federal government.

We would call to the attention of the Committee that S. 1351 now before the Judiciary Committee, provides another important link in this chain. This proposal, introduced by the distinguished senators from Oregon, provides that, when one who has lost property due to the exercise of the right of eminent domain, and who chooses to go to court for a decision, and then has the settlement figure raised by the court above the highest amount previously offered, the costs of the proceeding including the legal and other necessary fees of the individual, must be paid by the Federal government. This would help to solve this problem and we would suggest that this Committee might consider combining these two pieces of legislation under one bill. This has been done by some states.

With these suggestions, the Grange concludes its testimony. We congratulate the authors of this legislation and the interest shown by the members of this Committee in it for their proposal. We earnestly urge the endorsement of this bill by this Committee. Likewise, we earnestly urge its adoption by the Senate and we assure the Committee that the Grange will do whatever it can and we will be willing to follow your lead at this point to assure that this legislation is acceptable to the members of this distinguished body.

We thank you for this contribution to justice and equity which are basic to our democratic processes and without which our democratic processes cannot survive. This legislation will bring new meaning and value to the fifth amendment to the Constitution which concludes, "nor shall private property be taken for public use, without just compensation".

Mr. GRAHAM. Mr. Chairman, you are very kind to stay so long. It is way past lunch hour. I appreciate your staff and your staying.

Senator MUSKIE. Thank you, Mr. Graham. This is very interesting testimony. It is very good to have it. Sometimes forces around here force us us to bypass lunch.

Mr. GRAHAM. I can afford to pass it. My doctors say I should.

Senator MUSKIE. I regret that it was not possible to arrange a satisfactory time for Secretary Wilbur J. Cohen, of the Department of Health, Education, and Welfare to testify in person. The testimony that he would have presented will be included in the record at this point.

(The testimony of Secretary Cohen follows:)

STATEMENT OF HON. WILBUR J. COHEN, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Mr. Chairman, I welcome the opportunity to testify on two bills, S. 698, "The Intergovernmental Cooperation Act of 1968," and S. 2981, "The Joint Funding Simplification Act of 1968."

We have made some significant progress, in my opinion, in Creative Federalism since I last appeared before you to testify on S. 561, "The Intergovernmental Cooperation Act of 1965." But much remains to be done and it is for this purpose that you have introduced S. 698.

Recent legislation by the Congress has dealt with national problems, and programs for overcoming them, that severely tax the combined resources of Federal, State and local government. Although we must act as a Nation on national problems, we must at the same time keep the dispersion of power and initiative which we value so highly. National problems cut across State and local lines. And the solutions to these problems are dependent on an effective working relationship among all levels of government.

President Johnson has provided the leadership in developing a new Federal, State and local partnership, which he has described as Creative Federalism. Through this relationship, power and initiative must be shared in new and flexible ways. It is essential that this partnership—a mutually respecting