

anyone suing TVA is entitled to a jury trial on the same basis as if the suit were against a private party.

We are convinced, however, that TVA condemnation cases represent a special kind of case in which the present commission procedure prescribed in the TVA Act produces far more equitable results, for landowners and TVA alike, than would be produced by jury trials. From TVA's inception we have been concerned with treating landowners generously and treating them alike. This concern has been reflected in the development of our appraisal and land-buying programs. All TVA personnel who deal with landowners are instructed and trained to deal with them in friendly and considerate terms and to meet so far as possible their wishes and needs. People who live on the land are allowed to remain on it and to carry on farming and other operations until possession of it is actually needed for project use. In the meantime, they are paid for the land in order that they can use the funds in relocating. If they need assistance in finding suitable new locations, we do our best to provide it.

With respect to the question of price, we try to be both objective and generous. In preparation for the appraisal of individual tracts to be acquired for each of its projects, TVA makes a thorough background study of the current real estate market in the area, including an analysis of recent sales. For each individual tract which must be acquired or over which rights must be acquired, a member of TVA's appraisal staff makes a careful field investigation, during which the landowner is invited to accompany him. After this investigation is completed, a reviewing appraiser makes a second field inspection to assure that no element of value has been overlooked. Following these appraisals, we offer to the landowner a price which is in our judgment a liberal one. Where the amount of land taken is such that the landowners will be required to relocate, it is our objective to offer a price which will result in their being as well off after they have relocated as they were before. Once the amount of the offer has been determined, it is not changed unless it appears that some element of value has been overlooked or improperly evaluated. TVA follows a strict no price trading policy, since trading would inevitably lead to paying different prices for similar land, would be unfair to those who accept our offers, and would create justified antagonism and resentment.

Approximately 93 percent of our offers have been accepted; less than 4 percent have resulted in condemnation cases because of disagreements as to price, while the remainder have gone to condemnation only because land titles were unclear, some of the defendants were minors, or for similar reasons. We believe that this is a highly successful record.

We also believe that the condemnation procedures which were written into our act by Congress when the act was passed in 1933 have been equally successful. We think that the 35 years of experience which we have had with these procedures demonstrates that they are as fair and equitable a means as can be devised for resolving disagreements on price which may arise.

I would like to add, Mr. Chairman, that TVA is in a somewhat different position from most Federal agencies with respect to this whole matter. In carrying on its program, TVA must acquire substantial quantities of land. Unlike many agencies which acquire occasional sites in various sections of the country for a post office building, a de-