

certain charges brought to the association's attention and stating the progress of the investigation would be by discovery, in the hopes that the Authority might act quickly to rectify certain situations of which it might not be aware.

Suggestions for correction and prevention :

1. That jury trial rights be extended to TVA condemnation cases on petition of either party.
2. That the Authority be subject to scrutiny of the General Accounting Office.
3. That the landowner be given a reasonable allowance for his own appraisal and attorney.
4. That the Authority be enjoined from depositing with the court inadequate amounts of compensation, lower than the offer price or lower than a reasonable appraisal value.

The first suggestion is most important. The ratio of voluntary to forced conveyance in TVA area is amazing. This fact has been stated by the Authority and borne out by our investigation. This is not, however, due to the generosity of landowners or the liberal compensation paid by the Authority; it is due only to the fact that the landowners know they do not have a chance in court. No other single factor causes this extremely favorable ratio; a ratio which is higher than for any other Federal agency and is topped only by the ratio posted in totalitarian countries, where all conveyances are voluntary.

The multibudget system of the Authority is confusing to many, but necessary because of the different types of funds used on Authority projects. Nonetheless there is a good amount of feeling that the Congress is not getting the whole story on many items which could be cleared up with the help of the GAO.

The idea of an allowance for landowners to get their own appraisal and attorney is not at all new, at least 14 jurisdictions have this provision in the State law. This provision would give the landowner a better footing when he confronts the superior resources of the Authority.

Typical of the economic bludgeoning of landowners is the two-price system. The first price offered by the Authority is termed by them as a liberal amount; that amount deposited in court as part of the condemnation proceedings is always lower and represents, to use the Authority's own words, "a reasonable amount." This two-price system has also contributed to the favorable voluntary-to-forced-conveyance ratio.

Now, Mr. Chairman, with your permission, I shall also like to get into my prepared statement.

The peculiar combination of powers given to the Authority as the tools to reach its ends has resulted in a complete lack of equity when the small landowner confronts the superior resources and powers of the Authority. From the beginning to the end of the proceedings by which the landowner is divested of his property, he is faced with an uphill and losing battle; the more he fights the lower the appraised value of his land becomes. The final coup de grace is the knowledge that he will never have recourse to his peers. There is nothing that can stop the decline in the value of his property.

Two elements combine to make the situation impossible for the small landowner to put up any kind of a fight for just compensation.