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FEDERALISM'S EXPANDING DIMENSIONS: A CASE STUDY OF DECISION-MAKING OF THE DALLAS-FORT WORTH REGIONAL AIRPORT

THESIS

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CHAPTER I

INTRODUCTION

Federalism

Government decision making responsibility, whether by the title of federalism or the more broadly used term of intergovernmental cooperation, is a process involving or affecting more than one level of government. While the federal government often leads in the making of decisions, such decisions, because of the type of demands on the political system, set off a reaction reaching through the levels of governments, from a federal to local, and including special interest groups. The reverse action can cause decisions at the federal level, with grassroots and local pressures influencing that decision. Government action has developed into the "marble cake federalism" of Morton Grodzins as compared to the textbook model of neatly-tiered layers of government.[1] It follows also that the overall effectiveness of American government is increasingly dependent on the effects of all its elements.[2]

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[1]Morton Grodzins, "The American Federal System," (essay) cited in Robert A. Goldwin, A Nation of States (Chicago, 1966), pp. 3-4.

[2]Daniel P. Moynihan, "The Question of the States," The Commonweal, LXXVII (October, 1962), 67.

There is much debate about federalism and intergovernmental relations, the former often being criticized by States Rights adherents as centralized control. However, federalism cannot be easily dismissed as merely one aspect of the governmental system, but is a single integrated system of government encompassing all elements that influence government.

> To write about American federalism, therefore, is to look at the whole of the American political system from a particular point of view, and to consider the working of government and politics, at all levels, as forming a single system. Congress, Presidency, Supreme Court, State and local governments, all are units of a highly complex system of government, for the understanding of which we must be able to see all the units in their proper place and to attempt to grasp the complexity of the relationships between them. This complexity arises from the interaction of legal, political, administrative, and economic factors which weave a pattern of interrelationship, transforming the formally distinct levels of government into a single whole.[3]

This paper analyzes the decision making processes in the federal system through a case study, that of the Dallas-Fort Worth Regional Airport controversy, and reveals the role of the many governments and interest groups involved. The question of whether the two cities should cooperate in building a regional airport had been discussed almost since the first commercial flight. Often on the threshold of agreement, the two cities could not muster the collective initiative to succeed. Dallas continued to develop Love Field, which had

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[3]M. J. C. Vile, The Structure of American Federalism (London, 1961), p. 1.

growth and safety limitations, and Fort Worth built Greater Southwest International Airport,[4] designed in location and facilities to serve both cities.

By the 1960s the jet age of commercial aviation was well established in the United States and several foreign countries. Commercial jets were fast replacing conventional aircraft, offering better and faster schedules to passengers. The fact that jet commercial aviation had arrived earlier than anticipated and was more popular with the traveling public demanded action in updating ground facilities. Jet engine noise also initiated action on the part of another pressure group, the homeowner near the airports.

Two federal agencies, the Federal Aviation Administration and the Civil Aeronautics Board, were interested in the welfare of air passengers using either of the two North Texas facilities; and they sought a solution to the bi-city rivalry. The Federal Aviation Act of 1958 states the purpose of the act as:

> To continue the Civil Aeronautics Administration as an agency of the United States, to create a Federal Aviation Agency, to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and to provide for the safe and efficient

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[4]Also called Greater Fort Worth International Airport and Amon Carter Field. Referred to in this paper as GSIA.

use of the airspace by both civil and military aircraft, and for other purposes.[5]

Title IV of the Act gives the CAB vast economic power in the issuance of certificates of public convenience and necessity. It provides that "no air carrier shall engage in any air transportation unless there is in force a certificate issued by the Board authorizing such air carrier to engage in such transactions."[6] Another provision questioned in legal action:

> Each certificate issued under this section shall specify the terminal points and intermediate points, if any, between which the air carrier is authorized to engage in air transportation and the service to be rendered; and there shall be attached to the exercise of this privileges granted by the certificate or amendment thereto, such reasonable terms, conditions, and limitations as the public interest may require.[7]

The provisions of the Federal Airport Act became the legal instrument to deny federal funds to the City of Dallas. As a condition precedent to the Federal Aviation Administrator's approval of a project, the Administrator must be assured in writing that

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[5]Federal Aviation Act of 1958, cited in Civil Aeronautics Board, Aeronautical Statutes and Related Material, Washington, U. S. Government Printing Office (revised May, 1957), p. 1. This Act changed the name of the Civil Aeronautics Administration (CAA) to the Federal Aviation Agency (FAA). The abbreviation CAA is used prior to the Act and FAA after the Act was passed.

[6]Ibid., Title IV - Air Carrier Economic Regulation, Section 401(a), p. 28.

[7]Ibid., Section 401(e)(1).

> . . . the aerial approaches to such airport will be adequately cleared and protected by removing, lowering, relocating, marking or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards; and appropriate action, including the adoption of zoning laws, has been or will be taken, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations including landing and take-off of aircraft.[8]

On May 2, 1961, FAA Administrator Najeeb E. Halaby and CAB Chairman Alan S. Boyd issued a joint policy statement declaring the two agencies' agreement on the use of a single airport to serve several adjacent communities. The following year, on August 20, 1962, the CAB ordered an investigation to be held to determine if Dallas and Fort Worth should be served through a single airport, and if so, to designate that airport.[9] Lengthy sessions were held in Arlington, Dallas and Washington beginning in June, 1963.

An initial decision by Examiner Ross I. Newmann, dated April, 1964, postponed the answer; but the full Board and its subordinate organization, the Bureau of Economic Regulations, pressed for a decision.[10] The Board ruled that a single airport should be designated for Dallas-Fort Worth, but gave the two cities 180 days to make their own decision. If this

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[8] Ibid., Federal Airport Act, p. 189.

[9] Civil Aeronautics Board, Order No. E-18719, Dallas-Fort Worth Regional Airport Investigation, Docket 13959.

[10] Ibid., Order No. E-21341.

procedure was not successful, the decision read, the CAB would designate the airport.

Eventually the state and local governments became involved, but it was apparent that a federal agency was necessary to stimulate the cities into action. In recognizing the importance of agencies such as the CAB and the FAA, Senator Edmund S. Muskie said:

> This largely unknown and unexplored area of government (federal agency) is what might be called federalism's "hidden dimension." Functioning almost as a fourth branch in meeting the needs of the people, this branch is directly involved in such matters of housing, highways, airports, safety. . . . yet it has no direct electorate, operates from no set perspectives, is under no direct control, or moves in no particular direction. . . . The principal framework of this structure is the system of "grants-in-aid."[11]

While the decision permitted the cities to work out their own problems, the power of a federal agency overshadowed local government with threats of making the local decision which had national interests. The cities established a bi-city airport board to work out a general agreement and to project realistic goals by following this concept:

> When properly empowered, financed and aided, county and municipal governments, singly and in voluntary association with one another can meet many of the challenges that ubiquitous civilization has created. Intergovernmental relations should be viewed primarily as a network of functional,

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[11]Edmund S. Muskie, "Government's Hidden Dimension," Saturday Review, XLVII (April 18, 1964), 20.

> financial, and administrative arrangements that seek to advance the commonweal. Parity, with respect to the power positions of various levels is indispensable to successful collaboration in this area. Inequality undermines the voluntary stimulus that is so essential for any full fledged cooperative endeavor.[12]

Facts on the Airports

Dallas and Fort Worth were in 1963 classified by the U. S. Bureau of Census as separate standard metropolitan statistical areas. In 1960, Dallas ranked eighteenth in the country with an area population of 1,083,601; Fort Worth ranked forty-second with 573,215 residents in its population area. Located thirty-one miles apart, the two cities owned their airports, with Greater Southwest International Airport, located near the Dallas-Tarrant County line, only 12 miles from Love Field. Excellent road transportation supports each facility: GSIA is approximately 19 road miles and 24 minutes from downtown Fort Worth and 18 road miles and 24 minutes driving time from downtown Dallas. Love Field is approximately six road miles and 16 minutes driving time from downtown Dallas and 33 miles and 41 minutes driving time from downtown Fort Worth.[13]

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[12] *Ibid.*, p. 22.

[13] Information obtained here was obtained from briefs submitted by the respective cities. Since the population has changed, the 1963 statistics are listed in the past tense. The road mileage remains the same and is in the present tense.

Dallas

Love Field[14] consisted of approximately 1,250 acres and is bounded on the northwest by Bachman Lake, on the southeast by Mockingbird Lane, the northeast by Lemmon Avenue and the southwest by Denton Drive and the Missouri-Kansas-Texas Railroad tracks. The landing area at the time of the hearing consisted of two concrete runways, the primary one being the northwest/southeast instrument runway (13/31) which is 7751 feet in length. The second runway, the north/south (18/36), is 6,000 feet in length. Equipment on the north/south runway included the localizer, glide slope, outer and middle marker, full standard approach lighting system with sequence flashing, runway visual range, visual approach slope indicator and precision radar approach. Other navigational aids were the airport surveillance radar, remote transmitter and remote receiver.[15] A lighted wind cone was located northeast of the runway. Both runways and their parallel taxiways serving the terminal area were lighted.

The terminal building had a floor area of approximately 375,000 square feet, with the airline ticket concourse approximately 350 feet in length. Passenger transition from

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[14]Information concerning both Love Field and GSIA is taken from Responses of the Federal Aviation Agency to Requests for Information, Dallas-Fort Worth Regional Airport Investigation, Docket No. 13959, February 25, 1963 and represents the characteristics of the respective airports at that date.

[15]This equipment is procured, installed and maintained by the Federal Aviation Agency at certain airports, with the airport owners furnishing the land necessary for installation.

terminal to aircraft was by way of three loading fingers connected to the lobby by concourses in which two-way moving sidewalks operated. Passenger checkout lounges, restrooms and airline offices were located along the sides of each finger. The terminal apron north, east and west of the central terminal unit afforded twenty-eight aircraft loading positions adjacent to the three passenger loading fingers. An automobile parking area to the south of the terminal accommodated 1,700 cars and had a covered walkway to the terminal entrance.

Fort Worth

At the time of the 1963 hearings Greater Southwest International Airport was bounded on the north by State Highway 183, the south by the Chicago-Rock Island & Pacific Railroad tracks, west by State Highway 360, and east by the Dallas-Tarrant County line. The airport encompassed approximately 1,650 acres.

The landing area consisted of two runways: the northwest/southeast instrument runway (13/31), which was 8,450 feet long, and the north/south runway (17/35), which was being extended from 6,400 to 9,000 feet. The northwest/southeast runway was equipped with localizer, glide slope, outer and middle marker, full standard approach lighting system with sequence flashing, and runway visual range. Other navigational aids included airport surveillance radar, remote transmitter and remote

transmitter and remote receiver and an omnirange radio range facility (VORTAC). All runways and taxiways were lighted.

There was a total of 242,000 square feet in the terminal building, which handled all passenger and cargo handling functions with the exception of transition from terminal to aircraft. This was accomplished through two fingers which had two levels, the lower level for aircraft operations and the upper level for passenger checkout. An airline ticketing concourse with more than 200 lineal feet of ticket counters was part of the main lobby. The uncovered automobile parking lot accommodated 1,100 cars, while an additional 200 could be stored in the terminal building.

Both airports had an FAA-operated control tower and Weather Bureau station. Additionally, Love Field had a flight service station.

Neither Airport Qualifies

In the final analysis, neither airport was named the regional airport. Love Field, although serving as the *de facto* regional airport, could not be expanded to fill the requirements of the second generation of jet aircraft that was then on the drawing boards. Engineers also saw serious deficiencies in the GSIA site for efficient transformation into a regional field. The airlines could not use both fields and were shifting services to Love Field. This was a trend that was started after World War II, when Fort Worth did

not have a true air carrier airport. Dallas was determined to retain this service at Love Field. After GSIA was commissioned in 1952, Fort Worth needed flights, but was losing service because approximately 80 per cent of all passengers were Dallasites;[16] and they demanded Love Field service.

Advances in technology were not compatible with the status quo at the two airports. Increased operating costs of the jet aircraft demanded better ground accommodations for efficient operations. Jets are more profitable than conventional aircraft because, in addition to larger loads and faster speeds, they can stay in operation almost continuously without lengthy mechanical checks and frequent overhaul that characterize older type aircraft. This means larger terminal facilities as well as runways, all of which take additional space and huge expenditures. Since the Dallas-Fort Worth area is the aviation crossroads of the southwest,[17] the cost of such giant facilities to handle present and projected numbers of aircraft was believed to be beyond the financial ability of one city. It was necessary for the two cities to cooperate and to consider cooperation among all levels of government if they were to succeed. It was time to unravel the relationships

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[16]Statistics from a ramp check held at Love Field of passengers.

[17]FAA Statistical Handbooks, listing statistics on air traffic operations at all facilities, placed Fort Worth Air Route Traffic Control Center, as fifth in the nation, behind only Chicago, New York, Cleveland, and Washington.

between the constitutional structure on the one hand and the workings of politics and influence of economic and administrative factors on the other.[18]

Dallas and Fort Worth are embarking upon an impressive undertaking of building the world's largest intercontinental airport, one designed especially for the supersonic jumbo jets of the future. The project is being designed from "scratch," with a sharing of costs and planning. The project from all aspects is big--more than $300 million in transforming more than 18,000 acres of raw land into the overall airport complex. About one-half of the cost will be for site preparation and runway construction, with an equal amount in terminal buildings and other related facilities. A network of highways which will include fourteen to twenty entrance lanes will serve the airport. Estimated traffic by 1975 is 65,000, and, by 1985, some 160,000 vehicles a day, as compared to approximately 25,000 a day at present at Love Field. Also, by 1975 the regional airport will have the capability of handling all air traffic without delay for the estimated 22,000 passengers boarding aircraft there each day.[19]

As this study is being conducted, the start of the airport construction was delayed several months due to a disagreement between the two cities and the Associated General Contractors of Texas on one side and the Building and Trade

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[18]Vile, op. cit., p. 2.

[19]FAA projections of air traffic needs.

Union of Fort Worth on the other. The controversy was over the wage rates that will apply. This has brought into the study the role of a third federal agency, The Department of Labor, which again emphasizes that the search for understanding of decision-making at the national level is complex.

This study upholds the dominant role of the national government in decision-making only because it serves as the arbiter and stimulant to local action. The national government plays a major role in almost any area of government.[20] In this study the background of conflict is reviewed, after which the CAB decision, accomplishments and problems are discussed. The presentation will reflect the cooperative role of all governments in the federal system, plus pressure groups, that contribute to decision-making in the federal system.

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[20] William G. Colman, "The Role of the Federal Government in the Design and Administration of Intergovernmental Programs," The Annals of the American Academy, CCCLIV(May, 1965), 24-34.

CHAPTER II

TWO CITIES IN COMPETITION

Dallas and Fort Worth are the two major cities in North Central Texas, located only thirty-one miles apart in one of the most rapidly growing regions in the nation. With a population now approaching two million, Dallas-Fort Worth is the most heavily populated area in the world without water transportation of any kind.[1] Air transportation has, for this reason, been an important part of this area. However, nearly forty years of political bickering preceded the establishment of a cooperative base from which the two cities could build a regional airport.

The Setting

This cooperation was not a new idea of civic officials in either city. The proposal had been made several times in the past by one of the cities, but only to have it rejected in counter proposals or a flat objection by the other. The federal government which played the principal role in getting the two cities together in 1964, had at an earlier date suggested the same thing. In the struggle were two cities,

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[1]"The Air Is Our Ocean," pamphlet distributed by Dallas-Fort Worth publicity committee to promote referendum on regional airport.

with two different personalities and each with a dream of leadership in the air age.

Dallas Looks East

Dallas, located on the Trinity River's main channel, was established in 1841 as a trade and service center for the surrounding area. Cotton tied Dallas to the blacklands of East Texas, and as late as the 1940s, Dallas still relied on this basic commodity in its economy. Manufacturing initially was tied to cotton and Dallas became a large producer of cotton gin machinery. When the railroads came, the city became a distribution hub for trade and services. Strength of cotton brought financial institutions; insurance companies came in 1913, and Dallas was soon the banking and insurance center of the southwest. Although Dallas County has no producing oil wells, offices and industries supporting oil were located in the city. From the instrumentation technologies developed for petroleum exploration has come a large electronic manufacturing industry, creating in Dallas a broadly based, integrated and dynamic economy.[2]

Where the West Begins

Fort Worth was established in 1849 as a frontier outpost. Located on the grand prairie rolling land where Clear and West

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[2]Joe H. Jones, "Dallas-Fort Worth Regional Growth Influencing Transportation Planning," Area Economic Survey No. 24, Bureau of Business Research (Austin, 1965), p. 8.

forks meet the main channel of the Trinity River, the city became the focal point for West Texas. As many as one million cattle trampled through what is now Commerce Street, Fort Worth's principal downtown street, in 1870-71 in cattle drives to Abilene, Kansas, leaving the city with its not-too glamorous "Cowtown" nickname. Railroads in 1875 made Fort Worth the transportation center of the Southwest. Packing plants came in 1902, and during this period of development Fort Worth retained its original western orientation and developed as a diversified commercial, industrial and service complex, providing a dynamic link between resources and markets of West Texas and the nation. When oil was discovered in West Texas in 1917, the city became the trade center for West Texas production and exploration. Local banks became a vital part of the financial channel. A new era in expansion came during and after World War II, especially in aircraft manufacture.[3]

Fort Worth, with its economy tied to cattle, oil and gas lands to the west, was quick to recognize the utility of the airplane in the city "Where the West Begins." Aviation gave Fort Worth an answer to its transportation problems and provided the city with a speedy link to other trade areas. Dallas, rooted in a more Old South environment and tied to the East in investments and insurance, was more opposed to change. Also, Dallas had developed into a fashion center

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[3] Ibid., pp. 8-11.

for the Southwest, contrasting to the more casual "Cowtown" neighbor. There was little of mutual interest to develop a bond of cooperation.

Ideas for Cooperation

Although Fort Worth had an association with aviation as early as 1911, it wasn't until 1926, when National Air Transport Service began air mail service, that commercial aviation came to the city. Meacham Field was constructed and began operations as a commercial airport in 1927. During this year the first idea of a regional airport was presented by Dallas. Fort Worth officials quickly rejected the proposal, and a year later Dallas purchased the Army airport and turned it into a commercial field. This field, located in the north section of Dallas, is today's Love Field.[4]

Competition and rivalry for business became intense, and with the development and refinement of the airplane in the 1930s came expansion and improvements at Meacham and Love fields. At first the airplanes could land at both airports because aircraft were small, carried little fuel and few passengers, and hauled a small payload of freight. As the four-engine airliner came into use, other problems arose; extensive and expensive improvements would be needed to handle the larger planes. Also, the airlines could not economically operate the larger aircraft from two fields so close together.

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[4]Fort Worth Star-Telegram, August 19, 1962, Special Section.

Regional Airport Suggested

From this economic dilemma came the first steps toward a regional airport. Movers of such an airport were not the cities, but the Civil Aeronautics Administration and the two major airlines, Braniff and American, which served both Meacham and Love fields.[5] The CAA was interested as a result of requests for aid made by both cities under a program of federal aid for airport construction.[6] The question was raised by the CAA as to whether the needs of the area could not best be served by a single airport for the two cities.[7] Injected into the controversy was the question as to whether each city should have a class IV airport or whether one class IV airport should be planned to serve both cities.[8]

State Studies Airports

In the meantime a special committee appointed by then Governor W. Lee O'Daniel was studying the airport needs of Texas with the objective of writing a state plan. Such a

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[5]Unless otherwise indicated, information on the development of Dallas and Fort Worth airports through the early post-World War II period is taken from summarized CAA files. Original correspondence on most subjects has been destroyed.

[6]Prior to the enactment of the National Airport Act in 1946 aid was in the form of relief work funds or military construction funds.

[7]Letter dated September 26, 1940 from A. B. McMullen, Director of Airports, CAA, Washington, to Hester Smith, Airport Engineer, CAA, Region II, Fort Worth.

[8]A class IV airport has a runway length of 4500-5500 feet.

study would be submitted to the CAA to assist in airport development of the state and in establishing priorities for allocating funds for airport development. On October 1, 1940, the state agency, known as the Texas Aeronautics Advisory Committee, met in Wichita Falls to study the proposal that a new airport be built between the two cities. Dallas representatives at the meeting quickly agreed on the single airport, but with the airport closer to Dallas because of its greater volume of business. Fort Worth representatives flatly refused, maintaining the two cities were far enough apart to merit twin facilities. An impasse developed.

CAA As Arbiter

The CAA took on the role of arbiter, and Fort Worth and Dallas both agreed on the merits of a joint airport. However, each city had its own ideas on the role of that airport. Fort Worth wanted one constructed strictly for the military; Dallas Mayor Woodall Rogers said Dallas would sponsor one for either military or commercial use, but with the stipulation that all commercial airline services remain at Love Field. Rogers favored a new airport to take military training out of Love Field. Fort Worth countered that any airport had to be located halfway between the two cities. Still there was no resolving the problem.

Army Looks for Field

Arlington Assumes Role

About this time the CAA office in Washington reported that the Army was interested in an airport located between the two cities. In the background were Braniff and American, who had originally suggested the one-airport concept. When no results were forthcoming for the CAA after numerous attempts with the two cities, the CAA officials turned to Arlington, the mid-point community of 4,000 population between the two antagonists. American and Braniff entered the negotiations, agreed to buy 640 acres, deed it to Arlington, and execute lease agreements to operate and maintain the completed airport. The CAA promptly recognized Arlington's position and allocated $390,000 for construction of an airport with 4000-4500-foot runways.

Dallas representatives exerted considerable pressure on Arlington officials to reject the tentative allocation, contending that the airport would handle Dallas and Fort Worth traffic and sponsorship should be by these two cities. On September 12, 1941, Dallas and Fort Worth introduced a bill in the Texas Legislature to permit joint sponsorship and operation of an airport[9] because the Texas laws implied at

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[9]The Texas Legislature adjourned September 19, 1941 without taking any action on the Dallas-Fort Worth bill.

that time that joint sponsorship was not legal.[10] The Chambers of Commerce of Dallas and Fort Worth reached an agreement stating that the airlines would purchase 1,000 acres of land for the airport and transfer it to the two cities. The administration building was to be located exactly half way airline distance between the Baker Hotel in Dallas and the Texas Hotel in Fort Worth. The CAA was to construct the landing area and the airlines would operate the airport through a terminal corporation.

Dallas Objects

The airport sponsorship was far from settled, as Dallas charged that the City of Arlington was unable to protect the interests of Dallas and Fort Worth and could not assume the heavy obligations of such an undertaking. Fred Florence, chairman of the aviation committee of the Dallas Chamber of Commerce, contended that the airport project was primarily a Dallas-Fort Worth matter and suggested that Arlington withdraw and leave the project to the two cities to develop. Dallas later agreed to permit Arlington in on the proposition. When Arlington's city council voted to continue with the project, Florence, joined by Paul Carrington, president of the Dallas Chamber of Commerce, went to Washington to protest the

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[10] The Municipal Airport Act, 1947, 50th Texas Legislature is the legal framework which permits joint ownership of airports. This was an enabling act advocated by the Council of State Governments and the CAA for states to help meet the requirements of grants under the Federal Airports Act.

Arlington sponsorship to the CAA. Fort Worth, upon learning the two Dallas representatives were in Washington, sent a delegation also.

Agreement

In the Washington meeting, held October 10, 1941, with representatives of both cities, CAA Assistant Administrator Lucius Clay and CAA Deputy Administrator C. I. Stanton heard the arguments. Clay delayed any action for one week to permit the cities to get together with some agreement and agreed to meet with both cities' representatives in Fort Worth on October 16. In an eight-hour conference with the three cities represented, an agreement was reached. Principally, the agreement contained the provisions that an airport would be built midway between the two cities; that the airport would be named Midway Airport, Arlington, Texas; that the airlines would purchase 1,000 acres of land and deed it to the three cities; and that the airlines would execute a 50-year lease to use the facilities at the airport. A terminal corporation would build all necessary buildings; the CAA would build the landing area; the operation of the airport would be controlled by a seven-man board composed of one from each of the three cities and two from each of the airlines.

Prior to this agreement U. S. Army Engineers were surveying a site approximately two miles east of Euless. During the meeting Fort Worth representatives objected to the site

because it was one mile closer to Dallas than to Fort Worth. The CAA said another site a mile west of the first one could be surveyed and cost comparison made,with the understanding the most economical one would be used. If the costs were approximately the same, the alternate site would be constructed. On October 20, 1941, the CAA regional office transmitted agreements to the three cities offering the allocation of $490,000. Fort Worth and Arlington promptly executed the agreement. Dallas delayed until November 14 and transmitted the agreement with several conditions. L. C. Elliott, CAA Regional Manager, on December 18, transmitted to Washington a copy of the Dallas resolution and cost estimates of the two sites. He recommended the original site because it was more economical and suggested the project be expedited.

A layout of the field and the building area was made for the announcement of the decision on the original site. Buildings were to be on the west side of the airport to permit adequate expansion and to permit the most economical layout of runways. Distance factors were apparently resolved and agreement reached by the two major cities. On January 1, 1942, the CAA addressed letters to the three cities setting a deadline of January 6 as the final date for the submission of co-sponsoring agreements without qualifications. Fort Worth and Arlington again complied, but Dallas, on January 7, adopted a resolution with several conditions, one of which was that the terminal area should be located on the north side

of the airport. On January 10 the CAA regional director notified the U. S. Army Engineers to proceed with the project with Arlington as the sponsor.

Dallas Renews Attack

Charges and countercharges between the two major cities erupted, controversies grew, personalities clashed and new problems made their appearances. Dallas Mayor Rogers blasted the CAA, saying Dallas was insulted because the back door of the administration building was facing toward Dallas. The CAA studies showed extra costs involved in the terminal relocation, plus the longer taxi distances for arriving and departing aircraft. The Dallas Chamber of Commerce and the City Manager agreed to the plan, with the lone dissenter being Mayor Rodgers. The plans, with the building on the west side, had been sent to Washington; and on February 24, 1942, the CAA office there gave the go-ahead on construction.

Before construction work started May 24, 1942, new dissent came from Dallas, with additional charges and countercharges between officials of the two cities. At this point the Arlington officials reminded the two cities that Arlington owned the land for Midway Airport and that the two cities could use the facilities when completed, but they should remain quiet during the planning stages if they could not reach an agreement. Dallas took its protest to Secretary of Commerce Jesse Jones and a full scale hearing, including Fort Worth

and Arlington, was held March 22, 1943. Secretary Jones said no decision on the terminal building could be made until after the war, but in the meantime the field would be used by the Army for pilot training. Midway was completed and turned over to Arlington for operation in July, 1943, and the airport continued in military use until the end of World War II.

Dallas Concentrates on Love Field

Dallas, on April 1, 1943, had announced it was ending negotiations on a regional airport and would concentrate on Love Field.[11] In 1947 Fort Worth acquired Midway from Arlington, and plans were made to meet the postwar developments in aviation with an airport that would take the long range high speed airliners that needed longer runways and approaches. Fort Worth again attempted to get Dallas interested in a regional airport, but when no fruition came the city went ahead with its own city planning. Again there developed the competition for leadership. However, both cities were now facing a new era in aviation which put greater demands on airports.

When Dallas decided to develop Love Field in 1943, the city employed Harland Bartholomew & Associates to prepare a master plan. The preliminary draft recommended that Love Field be abandoned as a major airport due to the high cost of

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[11]Unless otherwise indicated, information in this section is taken from summarized CAA files in Airport Division, Regional Office, Fort Worth, Texas.

acquiring land and improvements around the field. A super airport[12] was recommended for the Lake June site north of U. S. Highway 175 between Prairie Creek and Hickory Creek southeast of Dallas. This site would be acquired and developed at an early date as the main airport for scheduled air transportation of passengers, mail, freight and express.

Under the proposed master plan Love Field was to be developed as the major airport.[13] The report stated:

> Due to the high cost of acquiring land and improvements around this field, it is recommended that only expansion to take care of necessary needs be made until Lake June is acquired and improved. As soon as possible, scheduled flights should be removed from Love Field to the Lake June airport and the use of Love Field confined to non-scheduled commercial flights, private flying and to industrial and service activities. The cost of making Love Field the future main Dallas airport for scheduled passengers, mail, express and freight flights is prohibitive, particularly in view of the much greater and far superior facilities that could be provided elsewhere for the same amount of money.[14]

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[12]The plan defined a super airport as one used for transcontinental and foreign air transports handling freight, express, mail and passengers. It would be used mainly by the larger types of planes and primarily for scheduled operations. Sufficient land would be required to permit runways 10,000 feet in length arranged in accordance with the major wind directions and designed for instrument landings.

[13]A major airport would be used for regional air transport of freight and express, for non-scheduled commercial planes and for the larger private planes. The same facilities would be provided as for a super airport except the runway would be 5,000 feet, the glide angle would be 40 to 1 and the distance from the end of the runways to the property line would be 750 feet.

[14]<u>Summarized Bartholomew Report</u>, CAA files.

Army Acquires Love Field

During the latter part of 1943, the Air Transport Command selected Love Field as an operations base. The city announced it would buy additional land in order to permit the Army to extend the runways. The Army subsequently rebuilt all runways, extended them to 5,200 feet in length, built hangars, aprons, housing, and acquired 99.86 acres of land. Total expenditures at Love Field by the Army totaled $5,527.465. Previously, the Works Progress Administration spent a total of $553,607 on runway construction. Before the final master plan was made public by the Bartholomew report, the press reported that Love Field would be the super airport for Dallas.[15]

No FAAP Funds for Dallas

The Federal Airport Act, which was passed in 1946, gives the administering of the Federal Aid Airport Program (FAAP) to the CAA. When asked about Dallas airport requirements, city officials informally told the CAA that due to the urgency of additional terminal building space, the city would proceed without federal aid at Love Field.[16] A request was filed for federal aid at Red Bird Airport, the other city-owned field located in the Oak Cliff section. It was noted that the urban plan submitted in November, 1946, was not materially

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[15] Dallas Morning News, January 4, 1944, Sec. A, p. 1.

[16] Unless otherwise indicated, information in this section is taken from summarized files in the Airports Division.

different from the Bartholomew Plan, but that since January, 1944, the City of Dallas had decided to develop Love Field into a super airport.

Love Field was not included in the 1947 National Airport Plan because its future use was not clear to the CAA. The city did not have a master plan that could be followed, and the improvements the city had committed for Love Field made it appear that no additional facilities would be needed within three years. On February 3, 1947, C. L. Willis, Jr., Chief of Engineers, CAA, met with James Wycoff, new director of aviation in Dallas, to inspect all Dallas airports and discuss federal aid. Three days later a project request for $338,500 in federal funds was received from Dallas which would be the CAA's share for the extension of one runway to 5,200 feet and two runways to 6,000 feet, plus additional lighting, taxiways and high-intensity lights. A list of class IV and larger airport projects prepared by the district airport engineer for the National Airport Plan omitted the Dallas request. In a letter to City Manager Rod Thomas, Schnitzer explained that "because this office had no knowledge of an urgent need for improvements at Love Field, this project was not included in the 1947 plan; however, since the plan is amended annually, Love Field will be considered for the 1948 plan."[17]

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[17]Letter dated July 1, 1947, from F. J. Schnitzer, District Airport Engineer, CAA, Fort Worth, to Roderic Thomas, City Manager, Dallas.

Thomas was also told the need for an urban plan for the City of Dallas and assistance was offered in preparing the plan. On August 18, 1947, at the request of Wycoff, Willis arranged a meeting with all branches of the CAA in Fort Worth for the review of preliminary master plans for Love Field. Various suggestions were made to Wycoff and he submitted the completed Love Field plan to the district airport engineer on January 20, 1948. Improvements showed a cost of $2,063,500 for the first stage of development and an ultimate cost of $13,708,500. Of this amount $6,840,000 was needed to purchase 255.36 acres of improved land at an average cost of $26,786 an acre.

The CAA was still in need of an urban plan for the City of Dallas. In July, 1948,the city planning engineer said he had turned the plan over to city officials. They apparently were not satisfied with it and had started a revision and then shelved it. The CAA did not feel that it could participate or encourage such an expensive airport development without an overall plan and strong justifications. Love Field, the CAA stated, should be developed within its present boundaries to handle Dallas traffic properly and safely.

Fort Worth Plans New Airport

In 1946 the City of Fort Worth employed Carter and Burgess to prepare an Urban Airport Plan.[18] This firm

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[18]"Airport Plan for Fort Worth Metropolitan Area," by Carter and Burgess, Engineering Consultants, 1946.

recommended the construction of a new airport south of the city on what was called the Hemphill site. Land was purchased but construction was deferred while the city explored the possibility that the Fort Worth Army Air Field (Carswell Air Force Base) would be declared surplus. By January, 1947, it became evident that the field would become a permanent base. Joint usage of the field by the military and airlines was explored by the CAA, but this possibility vanished when Consolidated Aircraft Corporation (now General Dynamics-Fort Worth), which uses the runways, received an order for B-36 bombers.

Fort Worth Acquires Midway

On February 5, 1947, Ed Nilson, director of aviation for Fort Worth, recommended to W. O. Jones, City Manager, the development of Midway Airport as a Dallas-Fort Worth terminal. Jones visited the Washington CAA office in March where he discussed the substitution of the Midway Airport for the Hemphill site in the National Airport Plan. The reaction was favorable and on May 27 the city manager officially informed the CAA regional office. The district airport engineer transmitted the recommendations to Washington, and the 1947 National Airport Plan justification revision was attached. On October 29, 1947, the City of Fort Worth announced plans to proceed with the project and to name the airport Greater Fort Worth International Airport. Fort Worth applied for federal

funds and an allocation of $340,000 was made to the city. Arlington agreed to transfer the airport to Fort Worth for $1.00, with Fort Worth assuming the obligations set forth in the original agreement with the CAA.

Ralph Lee, Jr., assistant district engineer, CAA, announced that Greater Fort Worth International should be raised from class III to class VI airport[19] "to serve as the Dallas-Fort Worth airline terminal."[20] The National Airport Plan for 1948 had reflected that the airport should be upgraded and Dallas Love Field should go from class IV to class V.

Dallas Contests Midway

Dallas immediately started plans for its super airport at Love Field after Fort Worth's competitive plans were announced. The Dallas City Council took an official stand that any attempt to remove their airline terminal from Love to the Fort Worth airport "will be contested by Dallas with every means available." City Manager Roderic B. Thomas said engineers working on master plans said Dallas had a good airport although he recognized it did not meet all CAA requirements. "Our purpose in drawing the plan is to keep Love Field one of the leading airports in the southwest and one of the best in the nation. We must have plans to meet aviation development and increased traffic."[21]

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[19]Class VI runway is 6,500 to 7,500 feet in length.

[20]Dallas Morning News, February 11, 1948, Sec. A, p. 1.

[21]Ibid.

Washington Battle Lines Formed

Battle lines were being drawn in Washington on the local issue. Representative J. Frank Wilson of Dallas and Representative Wingate Lucas of Tarrant County were readying for a fight in the House over the 1948 appropriations for Greater Fort Worth International. Wilson said, "I am going to do all I can to protect Love Field and to stop the plan from being carried out." Lucas countered with, "I am delighted that the CAA has adopted my view. I will do all I can to secure approval of the plan." The Dallas City Council adopted a resolution which charged the CAA with ignoring the interests of the majority of air service users in the area and authorized City Manager Thomas to seek a full hearing before the CAA.[22] CAA Manager Elliott reminded Dallas the door was wide open for the city to enter counter-proposals to CAA plans for developing the old Midway Airport.[23]

Dallas mailed a 34-page brief to the CAA Washington office. Among the arguments were (1) The CAA action wholly ignored the principles of public necessity and convenience, (2) Dallas Love Field was not near the saturation point and could be expanded, (3) the Fort Worth plan was unsound, impractical and uneconomical and would constitute a waste of

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[22] Dallas Times-Herald, February 11, 1948, Sec. A, p. 1.

[23] Dallas Times-Herald, February 13, 1948, Sec. A, p. 1.

public funds without rendering any public service, and (4) the two airlines involved were trying to salvage bad investments.[24] The Washington office sent the brief to the Fort Worth CAA office, saying it was a local matter.

Austin Hearings

Hearings on the Dallas petition were held in Austin, Texas, on April 22-23, 1948, with two CAA officials, R. W. F. Schmidt of Los Angeles and Charles J. Winger of Washington presiding as examiners. After study of the testimony and exhibits, they submitted their recommendations to the CAA Administrator on May 20. The Administrator later sustained the actions of Regional Manager Elliott. Dallas City Attorney H. P. Kucera petitioned the CAA in Washington for a public hearing, charging the Austin hearing was not one because the CAA examiners did not allow Dallas to cross examine witnesses. He said the cross-examination would show that the Fort Worth airport was being planned with complete disregard to convenience and necessities of citizens, that the record did not show why Fort Worth should not develop the other site (Hemphill), and that Midway would draw vital business away from Love Field.[25]

The Department of Commerce, of which the CAA was then a part, gave Dallas a final turndown and said the cities must

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[24] Dallas Morning News, February 28, 1948, Sec. A, p. 1.

[25] Fort Worth Star Telegram, July 13, 1948, Sec. A, p. 1.

work together. The case then went to the Fifth Circuit on appeal, with Dallas charging that it had not been given the hearing guaranteed by the U. S. Constitution, Federal Aviation Act of 1938 and the Federal Administrative Procedure Act. The question before the court was whether a determination of the CAA pursuant to the Federal Airport Act to grant public funds to public agencies for airport development is subject to judicial review. The answer was negative because (1) the controlling statutes (section 1006(a)) "preclude judicial review" and (2) of agency action, it is "agency action by law committed to agency discretion."[26]

Fight Over Appropriations

Representative Wilson kept good his word to fight the appropriations. On February 27, 1948, the House Appropriations Committee approved the Department of Commerce appropriations which included approximately $53,000,000 for the CAA's airport aid program. This amount included the scheduled allocations for the development of GSIA. Wilson said the CAA had lost sight of the convenience and necessity rule in favoring GSIA and vowed to block the Fort Worth appropriations. In the March 5, 1948, vote the House deleted $2,608,000 from the bill--the amount Wilson said was earmarked for Fort Worth.[27] Deputy

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[26] City of Dallas v. Rentzel, Civil Aeronautics Administration, 2 Aviation Cases, 1950, pp. 18, 817. (Certiorari denied by the U. S. Supreme Court October 24, 1949).

[27] Congressional Record, House, 80th Congress, 2d Session, Vol. 94 (Washington, 1948), pp. 2226-2231.

Director H. A. Hook, CAA, testified to the Senate Appropriations Committee that the amount for Fort Worth was for a period of four years, or approximately $800,000 for 1948. The committee recommended that the federal funds slashed by the House be reinstated, and the Senate passed the appropriations as originally intended on April 27, 1948.

Fort Worth Continues Plan

During this time planning for the new Fort Worth airport continued. A state bill was signed on May 24, 1948, by Governor Jester which permitted a corporation to operate a municipal airport.[28] The National Terminal Corporation was formed and signed a twelve-year contract with two twelve-year renewable options. Three airlines signed contracts with the city and each airline was to build its own hangers and shops. American Airlines announced plans to spend $3,000,000. A 15.8-mile stretch of four-lane highway had been approved from Fort Worth to the Tarrant-Dallas County line over State Highway 183. Earlier in the year a total of $440,000 had been made available in federal matching funds. Subsequent grants of $540,000 in matching funds for the second phase of the first stage of construction and $390,000 for drainage and land purchase were made by the CAA.[29]

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[28] 51st Legislature Senate Bill 450. Passed Senate April 28, 31-0; House May 10, 142-0.

[29] Fritz-Alan Korth, "A Tale of Two Cities," unpublished bachelor's thesis, Department of Politics, Princeton University, Princeton, N. J., 1961, pp. 39-40.

Dallas Talks Cooperation

Talk of cooperation again appeared in early 1951, and the idea of a two-county airport authority to operate airfields in Dallas-Fort Worth had strong interest among Dallas civic leaders. The influential Dallas Citizens' Council indicated on May 7 it would study the possibility of a Dallas-Tarrant County airport authority.[30] Just as it had been in the 1940s, the argument still centered around construction.

John W. Carpenter, president of the Dallas Chamber of Commerce, urged Dallas to join Fort Worth in developing the old Midway Airport.[31] "If it is a question of Fort Worth going alone at Midway or Dallas cooperating," he said, "it should be cooperation." He made his statement to the Chamber of Commerce. Only one member commented, and he said he would stick with Love Field. Carpenter urged cooperation through a board that would operate all fields in the area. Further, he said those who oppose Midway and favor development of Love "want the problem decided on a basis of politics and personalities alone. In this they are disregarding material facts and are failing to use vision and foresight." Love Field would be inadequate in five years, he charged, and was improperly located to serve the area ten years from then. Dallas could cooperate with Fort Worth for the cheapest and

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[30] Dallas Times-Herald, April 15, 1951, Sec. A, p. 1.

[31] Dallas Morning News, August 5, 1951, Sec. A, p. 1.

most efficient way by going together at the old Midway Airport, he argued.

Carpenter's suggestion was met with "ridiculous" by Dallas Mayor J. B. Adoue, Jr.[32] The directors of the South and East Dallas Chamber of Commerce flatly opposed any participation by Dallas in Midway jointly with Fort Worth.[33]

Financial Troubles at Love Field

Love Field experienced the first of several financial setbacks from the CAA in 1949 when $144,000 was withdrawn because Dallas had not shown any concrete plans for expansion. The city council decided Love Field would be improved without federal funds and voted $1,302,298 to prevent loss of business. All overtures of cooperation on a regional airport had been stopped. Dallas, after reevaluating its situation on May 11, 1952, asked for a vote on $1,500,000 issue in aviation bonds. It passed by a fifty-two vote margin.[34] A second bond issue followed on January 27, 1953, and after heavy support by the Dallas press, it was passed by a much larger margin.

Bond Issue in Dallas

Dallas civic leaders had an ally in the press of the city, and when they joined in a campaign for the bond issue,

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[32] Dallas Morning News, August 6, 1951, Sec. D, p. 1.

[33] Dallas Morning News, August 8, 1951, Sec. D, p. 1.

[34] Fort Worth voters, by a 36 vote margin, approved airport bonds of $1,750,000 on September 11, 1951.

and against GSIA, it was usually a winning battle. The city council set January 23 for the bond election for $12,500,000, of which $1,500,000 was for Redbird Airport. The bonds were to (1) increase Love Field to 1,280 acres, (2) build a new terminal, (3) relocate Lemmon Avenue, and (4) extend the main runway to 8,000 feet and construct a parallel runway when needed. Dallas' Central Labor Union, which included fifty locals, and the Building Trades Council immediately got behind the issue.[35] It was a matter of economics to everyone; either pass the bond issue or lose service to the Fort Worth airport. Dallas, at this time, ranked seventh in air service, and the expansion would be necessary to hold this leadership and keep it from going to Fort Worth.

On January 27, 1953, Dallas had its greatest turnout in history for a special issue election, with 34,675 voters. It was nearly a four to three vote in favor of the bonds, with 19,481 for and 15,194 against. Dallas was now definitely committed to act on Love Field and continued with plans to modernize and expand the airport. Consulting engineers were authorized to design the multi-million dollar expansion program, and work started on the Love Field master plan. Contracts were awarded for a new road from Mockingbird Lane to the site of the new terminal building, which was to be built between the present and the planned parallel runways.

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[35]Dallas Morning News, January 4, 1953, Sec. D, p. 1.

Increased costs for the terminal building, which were double the initial estimates, caused postponement of the dual runway. Only $150,000 of a request for $4,000,000 in federal airport funds was received in 1954. Work on the main runway was continued and completed in December, 1954.[36]

Fort Worth Opens Carter Field

Fort Worth commissioned its airport the Greater Fort Worth International Airport-Amon Carter Field[37] on April 25, 1953. Dallas, during 1953, engaged in a legal battle to prevent the designation of Carter Field as the co-terminus for Central Airlines. The CAB in authorizing the route for Central had treated Dallas and Fort Worth as a single terminal point with the designation "Dallas-Fort Worth, Texas," with service through Carter Field. Dallas, joined by the Chamber of Commerce, attacked the CAB's order on the theory the Board was without statutory authority to require Dallas-Fort Worth to be served through Carter Field. The case was finally heard in the U. S. Court of Appeals, District of Columbia Circuit, May 20, 1954.[38]

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[36] Fort Worth Press, November 15, 1954, p. 2

[37] This designation was later changed to Greater Southwest International Airport and in subsequent chapters will be referred to as GSIA.

[38] City of Dallas v. Civil Aeronautics Board, 4 Aviation Cases, 1955, pp. 17381-6.

The court's decision on the designation was the following:

> In authorizing new certificated air service, the Civil Aeronautics Board usually names a city as an intermediate or terminal point rather than a specific airport. However, the Board does have authority to designate an airport since such designation does not constitute a "term, condition, or limitation" on the air carrier's right to control its schedules, equipment, and facilities, but, rather, merely describes the "service to be rendered." Furthermore, the Board has control over changes in airports and, therefore, should have jurisdiction to designate the airport to be served in the first place. Finally, even if there were some statutory ambiguity regarding the Board's power in this instance, the broader view would be favored as essential to the establishment of a sound air transportation system.[39]

Certorari was denied by the U. S. Supreme Court on January 19, 1955.

CAB Urges Cooperation

Legal actions and appeals continued for several years as airlines moved more flights to Dallas, leaving Fort Worth looking toward the CAB for better schedules and service. While the hearings in the Northeast-Southwest Air Service Case[40] were in process in Washington, CAB Chairman Chan Gurney suggested that Fort Worth renew the joint airport controversy, suggesting three plans:

1. Consider the sale by Fort Worth of a proper portion of Carter Field to the City of Dallas at the original cost to Fort Worth.

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[39] *Ibid.*, p. 17381.

[40] American Airlines offered single line service between Dallas-Fort Worth and New York City and East Coast. No fewer than ten airlines had petitioned CAB to serve the Dallas-Washington-New York route in competition with American. The CAB consolidated all ten petitions into a Northeast-Southwest Air Service Case.

2. Change the name of the airport to Dallas-Fort Worth Airport or some other neutral name.

3. If points 1 and 2 were successful, the cities could then explore the possible formation of a joint port authority administered by a board of directors similar to the New York Port Authority.[41]

If this plan were approved, Dallas could have bought half interest for that share of Fort Worth's investment, or for $2,684,244. It would have taken another $8,000,000 to improve Carter for all air traffic. With Fort Worth putting up half and the CAA matching the funds, Dallas' investment in improvements would have been $2,000,000.[42] After much discussion in Dallas, the offer was rejected and Dallas returned to its Love Field plans.

Carter on the Defensive

After the opening of Carter Field the airport was on the defensive because business was not coming to it. This was due partially to the Dallas campaign against the airport. Dallas was successful in persuading ticket agents in other cities to sell Dallas instead of Carter Field, a fight that continued publicly and in the press. Carter Field had eighty-four airline schedules in comparison to 136 at Love Field.

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[41]Letter dated November 5, 1954, from CAB Chairman Chan Gurney to W. O. Jones, City Manager, Fort Worth.

[42]CAA files.

In the last six months of 1953 enplaning passengers numbered 287,254 at Love and 80,562 at Carter.[43]

Part of this one-sided activity was due to changes in aircraft. The bulk of the business got started at Love Field in the 1940s and Dallas intended to keep it. It parallels the development of the airplane. In 1929 Fort Worth's Meacham Field had 4,511 operations and only 5,446 passengers; in 1934, 14 airlines operated from Meacham with 8,905 flights and 27,333 passengers; in 1940, it was 15,702 flights with 125,648 passengers; and in 1942, there were 55,123 flights with 339,516 passengers. The peak for Meacham was in 1946 with 167,267 operations and 718,671 passengers.[44] However, in the late 1940s the DC-4 and DC-6 aircraft needed longer runways and moved to Love Field. They became "set" and were reluctant to pull out when Carter Field was opened.

Technology Forces Change

Technology in aircraft development during this period was moving faster than airport construction. The revolutionary transition from piston engine to the jet age was accomplished with remarkably little difficulty and in an orderly manner. Standards of operations, airworthiness and airport design that had distinguished the growth of commercial service within

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[43] Federal Aviation Agency, Statistical Handbook of Air Traffic Fiscal Year 1954 (Washington, 1954).

[44] Fort Worth Press, October 25, 1955, p. 3.

the 1940-60 period were maintained despite significant difference in a number of aspects. A similarity of the basic aircraft characteristics that affect airport design and the gradual introduction of the jets into the airport system prevented any disruption.[45] Also, cooperation of manufacturers, airlines, and municipalities with federal agencies helped to achieve this development. With this complete acceptance and success, growth was stimulated to the extent that a new step in the evolution of transportation became inevitable. Industry's response to this need was the development of giant airliners, stretched versions, jumbo jets and, eventually, the supersonic.

Jet Age Revolution

In 1966 the domestic airlines had commitments for $6,000,000 in aircraft deliveries for the next five years. This was double the amount invested in equipment in 1966. During the first nine months of 1966 the airlines took delivery of 221 new aircraft valued at $1.2 billion, leaving 761 still on order for the next five years. These were mostly short and medium range; 500 of the 761 were two or three engine types.[46]

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[45] Federal Aviation Administration, Is Your Airport Ready for the Boeing 747 (Washington, 1968), p. 1.

[46] "The Year in Review" (author not given) Air Transport World, V (June, 1968), 78.

The United States was by then in the midst of a jet air age transport revolution, with imagination, boldness and billions of dollars making the airlines a potent force in the national economy. As planners looked to the 1970s, they saw the problem of congestion become larger. From 1961 to 1966 the airlines doubled their aircraft, from 1966 to 1975 it will triple; and by 1980 it will have quadrupled.[47] While the airlines have ordered aircraft to take care of the passenger demands, the 526 commercial airports[48] have not shown compatible expansion. Construction lead time at airports is seven to ten years. In 1967 the airlines spent $120,000,000 to expand their own facilities at airports and planned to spend by 1971 a total of $1.6 billion in terminal, baggage and other systems. Delays because of inadequate facilities are costing $50,000,000 annually to airlines for fuel and salaries and another $50,000,000 to passengers for lost productive time.[49]

More Changes Ahead

A preview of things to come is reflected in the stretched DC-8s, a forerunner of the jumbo jets. These stretched versions carry upwards to 225 passengers, while the true jumbo

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[47] The 1967 Aerospace Yearbook, 45th Edition (Washington, 1967), p. 208.

[48] Federal Aviation Administration, 1966/67 National Airport Plan (Washington, 1966), p. 2

[49] Air Transport World, op. cit., p. 80.

will accommodate twice that number. Eastern Airlines is concerned about its space at New York's John F. Kennedy International Airport and is evaluating various luggage sorting systems capable of servicing the present conventional and stretched transports as well as the Boeing 747.[50] The 747 is adding a keener sense of urgency to efforts of governments, airlines, airports and aircraft manufacturers to cope with congestion. An airline spokesman said, "The 747 is just not a bargain. Not only must terminals be revamped but a whole phalanx of other facilities and equipment, including hangars, must be changed or replaced."[51] Major efforts will be on terminals rather than on runways, although there will be a need to strengthen runways, aprons and tunnel overpasses at some airports.

In 1965, twenty-one major U. S. metropolitan areas accounted for two-thirds of the total airline passenger enplanements.[52] The FAA studies indicate that by 1980 these twenty-one major hubs will handle more than 70 per cent of all enplanements with a passenger increase of 250 per cent over 1965. By 1980 there will be a 1,377 per cent increase

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[50]Joseph W. Carter, "Stretched DC-8s Posing Airline Problems," Aviation Week and Space Technology, LXXXVII (December 4, 1967), 56.

[51]Ibid.

[52]Federal Aviation Administration, Aviation Demand and Airport Facility Requirement Forecasts for Large Air Transportation Hubs Through 1980 (Washington, 1967), p. 1.

at these hubs in air cargo.[53] These same hub areas serve as focal points for general aviation, with these private and executive aircraft blending the slower and smaller aircraft into the same airspace as the commercial jets. The airspace challenge of the 1970s is very well defined:

> There will be more airplanes of different characteristics, flying faster and operating more in concentrated geographical areas. To service and support this fleet, it will require vast modernization and expansion of all supporting systems: airport, automated air traffic control and trained personnel for maintenance and operations.[54]

Airport Facilities Limits Aviation

With the growth, both in numbers and size of air carriers, the inadequacy of airports stands out as the greatest single limitation in the air transportation system. Not only the Dallas-Fort Worth airports, but major airports around the country are being crippled by insufficient capacity. Aircraft cannot land and take off at the rate traffic demands. Often this is caused by lack of sufficient runways, taxiways and loading ramps. As airport planners prepare for the Boeing 747 and other high capacity jets, they must improve not only operational capacity of the airports, but the terminal parking accommodations, access roads and transportation

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[53] Is Your Airport Ready for the Boeing 747, p. 4.

[54] Federal Aviation Administrator William F. McKee, "The Aviation Challenge," (speech) Aero Club of Washington, Washington, May 28, 1968.

linking airports with cities.[55] With the prediction previously stated that by 1980 airline passenger enplanements alone will increase five times over those of 1965, it is readily seen the crisis will be at the airport:

> Our real problem at this point stems from the fact that we are less and less of a separate operating entity. Aviation is less and less in the wild blue, and it's more and more--in fact, disproportionately more and more--enmeshed in the problems of airports, ingress and egress from airports . . . So we're at the point where our problems influence other interrelated problems; in turn, we are influenced. Highway congestion is becoming an aviation problem, because it affects access to our airports. The suburban development becomes part of our problem because that sprawl and the people living within that sprawl look to us, and rightfully so, to a solution to at least a portion of their problem. Even the total city planning has really become at this point part of our problem, because city planning must encompass land use, compatible land use for our total transportation requirements.[56]

Aviation has had a very dynamic revolutionary technology in the past twenty-five years, and it has descended on an almost static social, economic and political structure.[57] Both Dallas and Fort Worth had to face several facts, and a reorientation was necessary. Dallas Love Field, squeezed for space in 1,200 industry-bound acres, had to face the reality

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[55]McKee, op. cit., p. 16.

[56]William T. Seawell, "Aviation and the Nation; Measuring the Challenge of a Changing World," (speech) Published in Symposium of Connecticut General Life Insurance Co., Aviation and Transportation System, Bloomfield, Conn., (1967), p. 9.

[57]Bernard A. Schriever, General, USAF, (speech). Same as above.

toward building for the 1970s and 1980s. It could not be a regional airport. Neither could Fort Worth's airport twelve miles away stand the test of a CAB hearing and emerge a regional air center.

CHAPTER III

ACCUSATIONS, COURTS, AND THE CAB

A joint Policy statement by FAA Administrator Najeeb N. Halaby and CAB Chairman Alan S. Boyd on May 2, 1961, indicated official action would be forthcoming in the Dallas-Fort Worth regional airport controversy and foretold of possible change that would necessitate cooperation. The statement reviewed the increasing concern of the two agencies over the establishment of separate air carrier airports in cities sufficiently close to be served through one airport. The statement alleged that the use of two or more airports by the scheduled airlines in serving an area tended, in many instances, to diminish service to each airport while increasing costs. Often, the use of one airport in an area improved service to both scheduled airlines and general aviation. However, the two agencies were quick to point out, this would never be done in such a way as to compromise safety of either scheduled air transport or general aviation.[1]

The joint policy statement continued:

> From the point of view of the Civil Aeronautics Board, scheduled airline service into two separate airports that are reasonably adjacent often results

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[1]As authorized in the Federal Aviation Act, the FAA is concerned with safety standards at airports and the CAB regulates the air carriers and designates air routes and terminal points.

> in a deterioration of the quality of airline schedules to the area. In many cases, without substantial inconvenience to the air passengers, they could be served through a single airport, resulting in improved scheduling, better quality of service through the use of larger equipment, and an overall improvement in air service to the area.
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> The Federal Aviation Agency and the Civil Aeronautics Board agree that the use of a single airport serving adjacent communities, where such action may result in a saving both to the Federal government and the localities served, as well as improving the air service to the area, should be an increasingly important factor in considering applications for Federal funds for airport construction purposes and applications for certified airline service.[2]

The statement was followed with a series of investigations by the CAB relating to consolidation of air services for specific areas at a single airport. Emphasis was placed on the desirability of consolidating air service for closely located communities to assist the air transportation industry realize the full economic potential of its greatly expanded capacity in new high performance equipment. This study kept in mind convenience to the users and the public interest.

CAB Order Dallas-Fort Worth Hearing

On August 20, 1962 the CAB ordered the investigation of a Dallas-Fort Worth regional airport.[3] The order recognized that the CAB had before it a further proceeding involving

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[2] Joint Policy Statement, Federal Aviation Agency and Civil Aeronautics Board, issued in Washington, May 2, 1961.

[3] Civil Aeronautics Board, Order No. E-18719, Dallas-Fort Worth Regional Airport Investigation, August 20, 1962.

questions of adequacy of air service to Fort Worth.[4] These proceedings had been premised on the assumption that Dallas and Fort Worth should receive air service through separate airports.

The CAB order stated:

> In this they were consistent with the policy guidlines which had their grounding in the economics and operations which preceded the advent of the new jet equipment. We have, however, not as yet focused fairly on the question of whether Dallas and Fort Worth should be served through a single airport. As we have previously noted, we should in due course have undertaken such task as part of our national program. However, we have recently been apprised of the intention of both of these communities to invest substantial funds to meet the anticipated needs of increased air carrier services at airports which are only twelve miles apart. Since our resolution of this matter could have a decided effect on the need for enlarged facilities at one or both of the communities, it appeared incumbent upon us to advance the time for a review of this situation.

Fort Worth Wants Hearing

Fort Worth, because of its loss of airline schedules at GSIA, was in a cooperative mood prior to the CAB hearing. Contrastly, Dallas, with its large investment in Love Field and the airport paying its way, officially retained its belligerency toward anyone advocating change in the airport status quo. With its continued loss of scheduled flights and revenue to Love Field, Fort Worth realized its future

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[4]A deterioration of service at GSIA was caused by new jet aircraft flying from Love Field to Washington and New York. These jet aircraft, with passenger enplanements at Love Field, grew in popularity over the propeller-driven aircraft using GSIA. (Hearing listed as Docket No. 7382 by CAB).

would have to be in a joint venture with Dallas, or the CAB's decision to name GSIA the regional airport. Fort Worth leaders had publicly stated that their airport was not the only consideration, but that a field somewhere else would be acceptable. Fort Worth's last outspoken critic had mellowed when GSIA, then bearing his name, was opened; Amon Carter, Sr., had then suggested the rivalry should stop.[5] Raymond Buck, president of the Fort Worth Chamber of Commerce and a long time aviation leader, emphasized that talks with Dallas had begun during World War II and had only been recessed. Avery Mays, in the same position in Dallas, thought that an area airport study should be conducted as the initial step toward any two-city talks.[6]

Love Field Fails FAAP Test

Dallas had been notified on March 8, 1960, that its request for financial assistance in the 1961 Federal Air Airport Program had been denied. Reasons stated by the FAA for denial were as follows:

> Sponsor funds would not be available until June 1961; sponsor had not indicated clear

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[5]Amon Carter, Sr., self-made millionaire and businessman, was Dallas' chief antagonist in early inter-city rivalries. He so strongly supported Fort Worth that he was reported to have taken his lunch in a sack to Dallas if he had to do business in that city over the noon hour, rather than spend any Fort Worth money in the rival city.

[6]Dallas Morning News, August, 1962, Sec. 4, p. 1.

> zones[7] for the proposed parallel runway; and 8,000-foot-length does not indicate ultimate need for this location.[8]

The request had totaled $2,884,410 for acquiring land for the parallel northwest/southeast runway, construction of the runway and related facilities, and the construction of the pavement overlay of the remaining portion of the north/south runway.[9] Fort Worth received $907,500 in matching Federal funds for lengthening GSIA's main runway, with payment being contingent upon Fort Worth's ability to match the fund.

Mayor Cabell Hears Criticism

In May, 1961, Dallas had a new spokesman for Love Field in the person of its new mayor, Earle Cabell.[10] Protests

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[7]Clear zones were recommended by a special airport commission named by President Truman and headed by Lt. Gen. James H. Doolittle. It recommended as a part of the airport itself a "clear zone" at the end of the runway of at least one-half mile long and 1,000 feet wide which was free of all obstruction. Also, it recommended cities to zone the height of all structures in a fan-shaped area extending two miles to a width at the extreme end of 6,000 feet. Dallas would be unable to meet such strict requirements.

[8]Letter dated March 8, 1960, from A. E. Dyatt, FAA District Airport Engineer, to Elgin E. Crull, Manager, City of Dallas.

[9]The sincerity of Dallas' request for federal aid has been questioned. The City of Dallas had only $429,604 in FAAP funds in the field and had to abide by certain regulations to obtain more. It could have been cheaper to finance improvements wholly from city tax and revenue than to attempt to buy the almost prohibitively expensive land required for clear zones and parallel runway separation.

[10]John Ohendalski, Fort Worth Press, May 5, 1960, reported that Cabell, who had lost a close mayor's race to veteran Mayor R. L. Thornton in 1959, repeatedly called Love Field a mistake and "white elephant" in the campaign.

erupted over the planned 8,000-foot parallel runway, with about thirty parents of school children protesting noise at two public schools that would be in the flight path from the new runway. A group of homeowners-neighbors were also protesting the runway because of noise and safety.[11] Mayor Cabell charged to the defense of Love Field, alleging the groups were attempting to stop construction, which would eventually force the abandonment of the airport.[12]

Still another criticism was leveled at Dallas, this one by 900 area members of the Air Line Pilots Association. The letter was distributed to Dallas and Fort Worth officials, the FAA, and various congressional interests. Principally, the ALPA members charged Dallas aviation officials with "poor planning and indifference" in promoting safety at Love Field. They charged that Dallas had not provided the land for the installation of the national standard centerline approach lights on the runways.[13] The lights and their installation had been programmed since 1956 by the FAA,[14] but could not be installed until the proper land approaches were acquired.

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[11]Fort Worth Star Telegram, May 10, 1961, Sec. 1, p. 1.

[12]Dallas Morning News, May 12, 1962, Sec. 4, p. 1.

[13]Navigational aids are FAA-funded, installed and maintained, so there would be no City of Dallas expense other than land acquisition.

[14]FAA files.

FAA Administrator Ignites Feud

Najeeb Halaby, a Dallas-born lawyer and former test pilot, was appointed FAA Administrator by President Kennedy and was one of the younger executives that typified the New Frontier philosophy. Outspoken and a crusader against the status quo, Administrator Halaby put new management theories to work in his agency[15] and advocated the same for the aviation industry. He was often met with resistance and public denouncement. During his four years as FAA Administrator, he was an outspoken supporter of a North Texas regional airport and a critic of Love Field.

Administrator Halaby fanned the flames of the Dallas-Fort Worth dispute in what became a running feud with Mayor Cabell. In an appearance before the Senate Appropriations Subcommittee in 1962 on the FAA budget, he spoke sharply of the need to consider a regional airport. He said he would not stand for duplication (of airports in GSIA and Love Field only twelve miles apart) and blamed Dallas for standing in the way of GSIA's progress. Climaxing this accusation, he said:

> Supporters of Love Field are carrying on a pure unadulterated case of childish pride, at the cost of several million dollars to the American taxpayer. A fine--a really great--airport exists between Fort Worth and Dallas. GSIA is far more

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[15] In 1962 he decentralized much of the decision-making from Washington to five domestic and two overseas (Pacific and Alaskan) regions and further decentralized in 1965 to eighteen areas in the contiguous forty-eight states.

important to the FAA and the American people than Love Field's future.[16]

Mayor Cabell Fights Back

Mayor Cabell commented that the FAA Administrator's position was completely invalid and that the apparent aim of the Administrator was to force the abandonment of Love Field.[17] Fort Worth leaders were optimistic that Administrator Halaby's statement would be followed by more favorable action on GSIA. The Dallas mayor attempted to link the Administrator with the Citizens Aviation Council which was opposing the Love Field expansion. As the argument continued the next day, Mayor Cabell alleged that a bribe had been offered him the previous spring to defray most of his campaign expenses for mayor, if he, as mayor, would promise his future support of GSIA. He said:

> I cannot corroborate this--there were no witnesses--but a member of the Fort Worth Chamber of Commerce aviation committee asked to meet me in the lobby of the Hotel Adolphus last February during my campaign. If I could take a strong stand against expansion of Love Field and work to transfer business to Carter, he said he would pick up the tab for a major portion of my campaign expenses.[18]

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[16] Hearings Before the Subcommittee of the Committee on Appropriations, House Resolution 12711, Independent Offices Appropriation 1963, U. S. Senate, 87th Congress, 2nd Session, p. 524.

[17] Dallas Morning News, August 10, 1962, Sec. A, p. 1.

[18] Dallas Morning News, August 16, 1962, Sec. A, p. 1.

Administrator Attacks Love Field

As the time drew near for the CAB hearing, Administrator Halaby, in a Washington news conference, said the FAA would indirectly favor Fort Worth's GSIA in the CAB hearings.[19] He reviewed his regional airport concept and cited airport costs, after which he discussed his decision against installing the second instrument landing system at Love Field.[20] Later he told the Washington correspondent of the Dallas Morning News that the FAA did not propose to install the equipment until the question of the regional airport was resolved. At this time he again pointed out that there was a "completely adequate, completely safe jet port within a very few miles of Dallas which was designed to serve the whole area."[21]

Mayor Cabell Counter-Attacks

These comments drew a new blast from Mayor Cabell and W. C. (Dub) Miller, Dallas Aviation Council president. Mayor

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[19] Dallas Morning News, March 29, 1963, Sec. A., p. 1.

[20] This was for the installation on the parallel runway on which construction was delayed because of litigation brought by Attorney Donovan and his group of homeowners. As earlier indicated, required separation for simultaneous operations was 5,000 feet; Love Field's runways have 2,975 feet separation. The instrument landing system was eventually installed, but after Halaby had left his post and Cabell had moved to the U. S. Congress.

[21] Resume of press conference held in FAA Administrator's office, Washington, April 25, 1963, filed in Information Services Office.

Cabell claimed an "illicit liaison" between Administrator Halaby and James Donovan, Dallas attorney who represented the protesting homeowners. "There is circumstantial evidence of a liaison between Mr. Donovan and Mr. Halaby; I don't know which one is stooging for the other," he said.[22] Miller, still smarting under Administrator Halaby's refusal to install the instrument landing system, said: "He doesn't want to spend $400,000 to light a runway on one of the world's principal airports while continuing to pour millions of dollars into Carter Field, which is losing patronage each month."[23]

Prejudgment Charged

On May 10, 1963, the City of Dallas and the Dallas Chamber of Commerce demanded that the CAB disavow publicly evidence of prejudgment in the Dallas-Fort Worth airport hearing or dismiss the proceedings completely. The petition, filed with CAB, accused FAA Administrator Halaby of prejudging the case and tipping the balance in favor of Fort Worth. The petition, in part, read:

> In the absence of a much needed positive public disavowal by the Board, it would appear that the hearing is being held only because the Constitution and the statutes require one before the "hanging" takes place.[24]

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[22] Dallas Morning News, April 26, 1963, Sec. A, p. 1.

[23] Ibid.

[24] Fort Worth Star Telegram, May 11, 1963, Sec. A, p. 1.

Specifically the Dallas petition asked the following:

1. CAB to disavow each statement in a lengthy appendix which Dallas claimed reflected adversely on Love Field;

2. CAB to direct the FAA to reverse its advance refusal to authorize safety facilities at Love Field;

3. The FAA to be barred from participation in the hearing;

4. CAB to order a "cooling" off period of several months;

5. CAB to direct the FAA to cease and desist from any other action or statement reflecting adversely on Love Field.

Examiner Ross I. Newmann replied that he had no bias and could hear the case with an open mind. The City of Fort Worth and the CAB's Bureau of Economic Regulation answered the petition, and the FAA lodged a statement in opposition.

Cabell-Halaby Feud Heats Up

The Cabell-Halaby feud broke into national headlines on May 27, 1963, when Mayor Cabell told the city council he had information from an unnamed Love Field Tower air traffic controller that Administrator Halaby had asked for priority take-off clearance from the tower on May 22.[25] FAA Administrator Halaby had been in Dallas to accept a national award at the Aerospace Writers Association Convention. According to Mayor Cabell, the controller, who is an FAA employee,

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[25] Dallas Morning News, May 27, 1963, Sec. A, p. 1.

told his boss to wait his turn.[26] The accusation alleged that Administrator Halaby had been given ground clearance to proceed to the holding area and was eighth in line for take-off when the request came to the tower.

A play-back of the taped conversations[27] between pilots and controllers for this period of time revealed no hint of priority request. There had been a fifteen-minute wait for take-off, during which time the Administrator asked the tower controller to send him a log of activities for that particular period. This request, which was sent via the regional office in Fort Worth, was a routine query as to the type of aircraft being used at this time of day; it was information that can be of valuable assistance to air traffic plans. Administrator Halaby offered the tape to Mayor Cabell with a request that he play it to the city council, after which he would expect an apology. Mayor Cabell refused to change his story for several days and then apologized for the accusation without playing the tape.

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[26] A priority clearance would have been a very sharp departure from air traffic procedures, as only the President and Vice President are given priority clearance, and this done for their personal safety. All other pilots, whether flying a small plane or the largest air carrier, must wait, according to their turn in requesting take-off clearance, instructions, and weather information.

[27] Transcription of tape recording, FAA file. All pilot-air traffic control facility conversations are taped and kept for a prescribed period for use in case of accident investigation and, in some cases, for study for improvement of operations.

Homeowners Go to Court

On May 27, 1963, the efforts of Attorney James Donovan in behalf of his eighty-six clients, the Love Field homeowners-neighbors who had been protesting the construction of the parallel runway, reached a climax. Counsel Donovan was sentenced to twenty days in jail and his clients each fined $200 for violation of a "legal" court order which restrained the group from continuing its legal battle against Love Field.

Injunction Sought

The action against the City of Dallas by this group, known as the Citizens Aviation Association, began in the courts on April 3, 1961, when George S. Atkinson and thirty-five others, who were later joined by ten more, filed suit against Dallas to prohibit the runway construction, and the issuing and selling bonds for this purpose. Temporary injunction was asked and denied after a three-day hearing. The following July 17 the appellants were denied a permanent injunction which they sought. The group had alleged that the runway would create a nuisance and constitute a taking of air rights of adjoining property. The case reached the Texas Court of Civil Appeals on December 15, 1961.[28]

The Court ruled that the proposed construction of an additional runway on a municipal airport does not institute

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[28] Atkinson v. City of Dallas, 7 Aviation Cases, 17831 (1961-62).

a taking of property of adjoining landowners so as to entitle them to injunctive relief. Further, the Court ruled that the contemplated building was within statutes of municipal airports; that the proposed issue of bonds did not need to be submitted to voters; and if owners of nearby property had any cause for action at all, it is one for damages and not equitable in nature. There is a difference in taking and damaging property, the Court pointed out, and if there is a nuisance, there could be damages. The Texas Supreme Court denied review of the case and the U. S. Supreme Court denied certiorari.

New Suit Filed

Later 120 Dallas citizens, including twenty-seven of the original group, filed another action in the U. S. District Court of the Northern District of Texas seeking similar relief. A number of new defendants were named in addition to the City of Dallas, all the defendants being charged with taking part in plans to construct the runway and to issue and sell bonds in violation of state and federal laws. The complaint sought an injunction against construction of the runway, issuance of bonds, payment on bonds already issued, and circulation of false information about bond issue, as well as a declaration that all the bonds were illegal and void. None of the bonds would be approved, and therefore

under Texas law none could be issued so long as litigation challenging their validity was pending.[29]

Dallas filed a motion to dismiss and an answer to the complaint in the Federal court. At the same time the city applied to the Texas Court of Civil Appeals for a writ of prohibition to bar the plaintiffs from prosecuting their case in the U. S. District Court. The Texas court denied the relief, holding it did not have the power to enjoin litigants from prosecuting their case in a federal court.[30]

Courts Move Against Homeowners

On petition of mandamus the Texas Supreme Court took a different view and held it the duty of the Court of Civil Appeals to prohibit the litigants from further prosecuting their case in the Federal court and stated that a writ of mandamus would be issued if the Court of Civil Appeals failed to perform this duty. The Court of Civil Appeals enjoined the litigants, collectively or individually, from further suits in the Federal courts. Subsequently, the U. S. District Court, in an unreported opinion, dismissed the case pending there. Counsel Donovan excepted to the dismissal and

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[29]Under Texas law, the mere filing of suit in the Federal District Court prevented the issuance of bonds to finance construction at Love Field (Vernon's Annotated Civil Statutes of Texas, Art. 1269j-5, section 3). The city's right to issue such bonds had been upheld in Atkinson v. City of Dallas, 7 Aviation Cases.

[30]City of Dallas v. Brown, 362 SW 2nd 372 (Texas Civil Appeals).

filed an appeal from it in the U. S. Court of Civil Appeals for the Fifth Circuit. The Texas Court of Civil Appeals then cited Counselor Donovan and other U. S. District Court claimants for contempt, finding they had violated a "valid order."

U. S. Supreme Court Decision

After his sentence was completed and fines paid, Counsel Donovan moved to dismiss the appeal to the U. S. Court of Civil Appeals. He stated his motion was made under duress and fear of further contempt charges. In further action, the U. S. Supreme Court decided not to review the U. S. District Court's dismissal of the case but did grant certiorari to review the State Supreme Court's judgment directing the Texas Court of Civil Appeals to enjoin petitioners from prosecuting their action in Federal court. The U. S. Supreme Court also granted certiorari to review the Civil Court of Appeals' judgment of conviction for contempt.[31]

Airport Work Progresses

Two years after the city of Dallas had planned to start work on the parallel runway, it was possible to begin after the court action of May 27, 1963. On July 27, 1963, the city issued the work order to begin the $4,900,000 contract to build the parallel runway to the ultimate length of 8,800

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[31] James P. Donovan v. City of Dallas, 8 Aviation Cases 18,291 (1964).

feet. Work was also progressing on the lengthening of GSIA main runway over State Highway 183.[32] At the Inn of Six Flags in Arlington, the CAB was already well into hearing evidence on the Dallas-Fort Worth controversy--from which the fate of the two airports would be decided.

CAB Hearing

Hearing Examiner Ross I. Newmann handed down an ironic decision initially after his study of evidence in the Dallas-Fort Worth regional airport investigation. In his initial decision, [33] which terminated the hearing, Examiner Newmann said, "It would not be in the public interest to designate at this time either GSIA or Love Field as a regional airport to serve the Dallas-Fort Worth area." He said that it was readily apparent that no clear-cut decision could be reached in favor of either Dallas or Fort Worth on all issues in the case. As GSIA is halfway between the two cities, he pointed out, that might make it easy to designate it as the regional airport. This would have ignored other facts. Love Field, for example, is only sixteen minutes from downtown Dallas and is more conveniently located for approximately 80 per cent of the traffic originating in the Dallas-Fort Worth area.[34]

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[32]The extension was constructed after constructing a tunnel for vehicular traffic on State Highway 183.

[33]Civil Aeronautics Board, Dallas-Fort Worth Regional Airport Investigation, Docket 13959, Initial Decision of Ross I. Newmann, Hearing Examiner, Washington, April 7, 1964.

[34]Ibid.

In concluding his initial decision, Examiner Newmann said:

> While the record in this proceeding will not support the designation of either GSIA or Love Field as a regional airport to serve the Dallas-Fort Worth area at this time, this should not preclude the establishment of a supplemental airport to serve the North Texas area at some future date if the problems confronting Dallas and Fort Worth can be resolved. The next step, however, must come from the cities themselves who have both expressed a desire to cooperate.[35]

BER Dissents

The Bureau of Economic Regulations, the CAB's subordinate organization, disagreed with the Examiner's decision and was positive in its stand. Its opinion stressed that the record showed conclusively that the public convenience and necessity required the consolidation of air carrier service through a single airport. Furthermore, the Bureau said GSIA should be designated as the regional airport without further delay.[36]

Also, the Bureau took issue with the suggestion of voluntary cooperation in view of past performances of the two cities and could not support a third air carrier airport idea which would "compound, not solve, the air service problems then existing." The Bureau said that on the basis of

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[35] Ibid.

[36] Bureau of Economic Regulations, Dallas-Fort Worth Regional Airport Investigation, Docket 13959, brief to Civil Aeronautics Commission, Washington, July 29, 1964.

the hearings an area air carrier airport was needed and that the CAB should retain jurisdiction over the proceedings and afford the cities a reasonable time (six months) to reach an agreement. The Bureau further indicated that if an agreement were not accomplished the Board would designate the airport on the basis of the record as it stood.[37]

The action by the Bureau was successful, and on September 30, 1964, the Board stated that it "is now of the unanimous opinion that service to Dallas and Fort Worth should be required through a single airport . . ."[38] The Board's decision continued:

> Before proceeding to the entry of a formal decision in this case, the Board believes that it is in the public interest to afford the interested communities a final opportunity to arrive at a voluntary solution as to the location of the airport to be designated and the steps that should be taken to achieve the result at a reasonable time in the future. We have faith and confidence that the cities of Dallas and Fort Worth can arrive at a fair and equitable solution of this problem and we therefore have decided to give the communities a period 180 days within which to arrive at a voluntary agreement concerning the location of the airport to be used for the consolidated service and to submit such agreement to the Board. Although we are convinced that the determination of the airport through which the service shall ultimately be provided should be made without delay, we are aware of the practical difficulties involved in the transition to service theough a single airport, and contemplate a voluntary arrangement for an orderly

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[37] Ibid.

[38] Civil Aeronautics Board, Dallas-Fort Worth Regional Airport Investigation, Docket 13959 (Order No. E-21341), Washington, September 30, 1964.

> transfer that will be finally effected no later than sometime in 1968. Should the parties, contrary to our expectation, be unable to agree to designation of the airport to serve the area, the Board will then proceed promptly to issue a decision.[39]

The purpose of the Dallas-Fort Worth Regional Airport Investigation, as stated in the CAB order of August 20, 1962, was to determine whether the public convenience and necessity required the alteration, amendment, or modification of the certificate or certificates of (1) all air carriers, (2) the local service carriers, (3) the trunkline carriers, or (4) any individual air carrier or air carriers authorized to serve either or both Dallas and Fort Worth in such a manner as to require that Dallas and Fort Worth be served through a single airport to be designated in the proceeding.[40]

Position of Participants

Dallas and Fort Worth were made parties to the proceedings as well as American Air Lines, Inc., Braniff Airways, Inc., Central Air Lines, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., and Trans-Texas Airways, Inc. The Citizens Aviation Association of Dallas and Compania Mexicana de Aviacion, S. A., were permitted to intervene. The FAA did not intervene but presented evidence and with the consent of the Examiner, participated

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[39] Ibid.

[40] Civil Aeronautics Board, Dallas-Fort Worth Regional Airport Investigation, Order No. E-19117 adopted August 20, 1962, and amended December 19, 1962, Washington.

in the public hearings at Arlington, Dallas and Washington. Briefs were filed by Dallas, Fort Worth, American, Braniff, Citizens Aviation Association and the Board's Bureau of Economic Regulations.

Dallas contended that the CAB did not have statutory power to designate the airport for service to either Dallas or Fort Worth, or to designate on its own initiative the single airport to be used. On the question of public convenience and necessity, Dallas opposed the designation of a single airport to serve both cities, but took the position that if the CAB concluded that both cities be served through a single airport, Dallas Love Field should be so designated.[41]

Fort Worth favored a regional airport to serve both Dallas and Fort Worth and argued that GSIA should be named.[42] The Citizens Aviation Association also urged the designation of GSIA as a regional airport. The FAA took no position on the question of whether Dallas and Fort Worth should be served through a single regional airport, but favored GSIA if the Board decided in favor of a single facility.

There were differences in positions of the airlines. Braniff stated it would be contrary to the public interest to designate a single regional airport; Delta favored a single

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[41]Direct Exhibits, Dallas-Fort Worth Regional Airport Investigation, Dallas and Dallas Chamber of Commerce, Vol. VII.

[42]Direct Exhibits, Dallas-Fort Worth Regional Airport Investigation, Fort Worth and Fort Worth Chamber of Commerce, Vol. II (Master Plan).

airport for all trunkline service but took no position on its location; and Compania Mexicana de Aviacion preferred that service be retained at Love Field for all carriers. American favored serving Dallas-Fort Worth through one airport, but did not take a position on an airport selection. Airline spokesmen urged the CAB to use its power judiciously because both cities had made substantial investments in good faith and suggested that the cities be given a reasonable time to reach a voluntary agreement upon conclusion of the investigation. The Bureau of Economic Regulations contended that air transportation needs be served through one airport and that GSIA be designated the regional airport. Continental, Eastern, Central and Trans-Texas did not take a position on the question.[43]

FAA Testifies

In the first days of the hearing the FAA witnesses were placed on the stand to talk about needs of airports, navigational aids and the requirements of the future. Archie W. League, Director, FAA Southwest Region, was the first FAA witness. Much of his testimony centered on the airport requirements and followed the concepts he had made earlier in these statements:

> It is our opinion that because of its physical limitations; because of its intensely developed and highly valuable property surrounding

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[43]Information taken from Direct Exhibits or briefs of respective participants.

> Love Field; because of the obvious fact that any further lengthening of the runways at Love Field would serve merely to compound the aircraft noise problem and for other equally good reasons, it appears that Love Field cannot be developed economically into the type of facility needed to serve the future requirements of this area.[44]

B. Howell Hill, attorney for Braniff Airways, charged the FAA and Fort Worth with bias and "partnership" in preparation of the FAA exhibits in alleging obstructions at Love Field while the same existed at GSIA.[45]

Several FAA authorities on engineering, air space requirements, flight standards, navigational aids and noise took the stand to explain the FAA's position and requirements. Dallas charged that FAA standards were too stringent on runway lengths, parallel runway separation, noise control and clear zones. The arguments then moved on to design and engineer consultants. Each city had consultants on runway lengths, airport noise, airport design, airport capacity, ground transportation and the economics involved. Some used the same figures and facts and came up with entirely different testimony.

Newmann Reviews Case

One immediate advantage of a single airport would have been the elimination of about 10,000 flights per year over the twelve mile segment between the two airports. At the

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[44] Statement recorded at Dallas-Fort Worth Regional Airport Hearing.

[45] Dallas Morning News, July 11, 1963, Sec. D, p. 1.

time of the hearing every flight, with the exception of two, that served GSIA also served Love Field. These flights inconvenienced about 133,000 passengers in 1962. Elimination of these flights would save the airlines involved approximately $2,000,000 annually, and the federal government could reduce subsidy payments to Central and Trans-Texas by about $350,000 each.[46]

On a practical side, Examiner Newmann argued that as Love Field was handling 95 per cent of the total traffic in the Dallas-Fort Worth area, there would be little, if any, additional costs if Love Field should be designated the regional airport. There would be additional costs to airlines, passengers and the government if GSIA were chosen. There would be little improvement for some time in air service if GSIA were selected because at the outset it would be the same as that then provided by Love Field. Moreover, since four of five passengers to and from the Dallas-Fort Worth area originated at or were destined to locations more conveniently served by Love Field, the shift of service to GSIA would actually inconvenience a substantial number of passengers.

Dallas had invested $45,000,000 in Love Field, and outstanding airport bond obligations, as of November 1, 1962, were $44,701,000 in principal amount. An additional

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[46] This and subsequent information is taken from a resume in Examiner Newmann's decision.

$17,017,485 was earmarked for expenditures in accordance with the master plan. These improvements were to be financed from revenue bonds which were to be liquidated from rental, landing fees, and other airport income. In view of this, Examiner Newmann saw Dallas as being able to implement its master plan without additional burdens to taxpayers.

He was not so sure about Fort Worth's financial potential. Fort Worth had $14,196,243 invested in GSIA and an outstanding indebtedness in general obligation and revenue bonds of $7,714,814. If the CAB designated GSIA the regional airport, Fort Worth would initiate its master plan immediately, completing Stage I (enlarging the terminal building, lengthening and strengthening runways, providing parking) for $3,304,600. Stage II, to be completed by 1970, would cost $64,907,900. This included four unit terminals for 126 gate positions, parking for 4,300 cars, and other improvements. Total cost for both stages would be $68,212,500, of which Federal aid would amount to $18,487,700. Examiner Newmann rejected Fort Worth's forecast of revenue and expenses, expressing doubt that Fort Worth could finance such an airport.

Dallas Has Plan

There were serious doubts also as to Love Field's ability to meet the demands of air traffic in the 1970s. The 1960 Report, prepared by James C. Buckley, Inc., at the request of Dallas in reevaluating its master paln, stressed that the

limited area severely restricted its capacity for future expansion, both for landing areas and terminal facilities. Dallas suggested that parallel runways could be extended over Bachman Like to 13,700 and 13,900 feet, if it should ever become necessary. Also, the crosswind runway would have to be closed to make room for terminal facilities expansion. Dallas gave estimates of $6,000,000 for this expansion, while Fort Worth argued such construction, if the building of extensions over Bachman Lake were practical, would be more like $200,000,000.

Cities Must Act

In his concluding statements, Examiner Newmann said a joint regional airport which would serve the Dallas-Fort Worth area must satisfy two basic requirements. First, it must be a true joint partnership entered into in good faith by the cities involved. This would mean willing cooperation in planning, construction, operation and support of the airport. Second, the entire Dallas-Fort Worth area should be carefully scrutinized so the airport could be located at the best possible site. He said neither of the two fields involved in the hearing would be suitable. There would be little, if any improvement over existing air services at GSIA; Love Field's expansion capability presented an extremely serious problem,and time was running out.

On April 13, 1965, the CAB designated Examiner Newmann to assist Dallas and Fort Worth reach "definitive agreement"

with respect to the regional airport.[47] The 180-day time limitation given the two cities to agree had expired on March 29. Dallas filed a motion for an extension of time to June 15, stating that the major obstacle to complete agreement in principle was the inability of the parties to agree upon a time within which to accomplish a changeover in major scheduled airline service from Love Field. The city asked for a ten-year transition period. Opposing Dallas' petition, Fort Worth said that "it (Fort Worth) has come to the reluctant conclusion that there is no prospect for a voluntary agreement under the present method of conducting negotiations between representatives of the two cities."[48]

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[47]Civil Aeronautics Board, News Release 65-36, dated April 13, 1965.

[48]Ibid.

CHAPTER IV

CREATION OF THE AIRPORT BOARD

The City of Dallas fought desperately to the last to preserve its own Love Field, and, as this could not be accomplished, there was no compromise for a cooperative venture in operating GSIA. A new location was the only solution to the problem. The task of the two cities in getting together in constructive talks was a momentous one.

Cooperation was just as far away at the end of the hearings in September, 1963, as in the beginning. During the CAB investigation, J. Lee Johnson, III, chairman of the Fort Worth Aviation Board, suggested that the two cities get together in a two-county airport authority, which would possibly administer all airports owned by the two cities as well as other publicly-owned airports. Mayor Cabell replied that his city was "unilaterally opposed" to any kind of joint authority to operate public airports in Dallas and Tarrant counties. "It would serve no useful purpose at this time," he told Examiner Newmann. The Mayor hinted he could see Dallas paying for GSIA under such a proposal, and if any agreement were made, it would have to be for long range planning only.[1]

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[1] Fort Worth Star Telegram, July 31, 1963, Sec. A, p. 1.

Rise of New Leadership

Need for Cooperation

Dallas' greatest need was a leader who could accomplish the type of cooperation Examiner Newmann had in mind. Leadership in Dallas had brought growth and prosperity to the city, but Dallas was characterized by a competitive outlook on anything outside its sphere of influence. Studies of economic and political influentials and their decisions show that the city is characterized by men of power rather than by organization of power. The Dallas Citizens Council, an organized oligarchy, controls the city government. The Council's political arm, the Dallas Charter Association, controls city politics; so the Council rarely exerts direct influence on the city administration. A right wing created the climate in Dallas, and the oligarchy permits the climate because it seems to thrive and benefit from it. Forces not in the dialogue of Dallas operate only on the fringes.[2]

Dallas' leadership is bi-partisan. It is Democratic in local and state elections, or is for those who best serve its interests, but is Republican, as a rule, in national elections. Mayor Cabell, a Democrat,[3] went into office over the opposition of the Dallas Charter Association, but his proposals were then beaten down by city council members who

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[2]Warren Leslie, Dallas Public and Private (New York, 1964), p. 49.

[3]Ibid., p. 67.

were proteges of the Dallas Citizens Council. When Erik Jonsson took the office upon Cabell's election to the U. S. Congress, the Dallas Citizens Council kept its authority. Mayor Jonsson is a former Council president.[4]

Scholars of Dallas community politics indicate that money has been the common denominator governing major community decisions. This ruling oligarchy of 200 businessmen became monolithic by not incorporating into its power structure the intellectuals, the clergy and professional men. Those who are critical of Dallas politics say:

> The City of Dallas never realized the debate, the discussion of rival ideas, is central to enlightment. For a long time now the way to dismiss a project in Dallas has been to brand it "controversial." If anyone had risked quarreling with that pat disposition, there have been Women's public affairs clubs and John Birch Societies and Patriotic Councils and National Indignation Councils to jump on him, with resounding publicity for the attack in the city's two newspapers.[5]

New Dialogue

Mayor Jonsson knew the dialogue of leadership and could lead Dallas toward the working relationship with Fort Worth and other communities which was necessary and desired. Never holding a public office before becoming mayor in 1964, Mayor

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[4]Ibid., p. 67.

[5]Saul Friedman, "Tussle in Dallas," Nation, CXCVIII (February 3, 1964), 116. (Book review of Dallas Public and Private).

Jonsson was a founder of Texas Instruments and a large investor in other national concerns which had made him a millionaire. Retired from active work, he could devote time to building cooperation and a regional airport. Transplanting his business know-how to politics, he describes himself as a person who "thinks far ahead, enjoys solving problems every day, and knows and can explain what he wants."[6]

He moved swiftly into the leadership vacuum in Dallas, adding that needed dimension of persuasion and cooperation with Fort Worth. All members of the Dallas-Fort Worth Regional Airport Board,[7] an interim body established on September 27, 1965, were dedicated to building of the airport, but eventually Mayor Jonsson took the leadership by his influence and almost evangelical dedication as its chairman.

Steps Toward an Authority

A North Central Texas Regional Airport Authority was sought as the best means of financing, building and operating the airport. The project was too big for a single city to undertake; thus the two-county authority for Dallas and Tarrant Counties was proposed. This necessitated a change

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[6]Erik Jonsson, "A Man and His Work," special feature presentation, KRLD Television, Dallas, Texas, October, 1968.

[7]This body was to exist until the creation of a permanent body in an airport authority. Initial members were H. B. Fuqua, J. Lee Johnson, III, and former Mayor Bayard Friedman, all of Fort Worth, and Mayor Erik Jonsson, Carie Welch and R. B. Cullum, all of Dallas. Frank Hoke and Hobart Turman, both of Dallas, and Mayor Willard Barr of Fort Worth worked closely with the Board.

in the Texas Constitution because the 1947 Municipal Airport Act permitted only cities to join in building and operating airports; it did not apply to counties.[8] During its 1965 session, the Texas Legislature agreed to submit to the voters a constitutional amendment that would provide the enabling legislation for the creation of airport authorities composed of two or more counties.

The next obstacle for Dallas and Fort Worth was convincing the state-wide electorates to approve the amendment. Realizing this, the two cities obtained public relations assistance to advance publicity on the proposal. An estimated $500,000 was spent in this campaign.[9] Also, the FAA made its employees aware of the provisions of the amendment, and the Dallas-Fort Worth Federal Executive Board sent public relations firm-supplied literature to the Federal Executive Associations and Federal Business Associations throughout Texas. Favorable vote on the amendment proposal would furnish the legal authority for the establishment of bi-county airport authorities, and it had to be made a law before the two cities could proceed to ask the legislature for a special regional authority bill for the voters of the two counties. If the voters in the state-wide election approved the

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[8]Vernon's Annotated Civil Statutes of Texas, Art. 46d, Section 2.

[9]This figure was used in press accounts of the state-wide campaign.

referendum, a second referendum for the voters of Dallas and Tarrant Counties would be necessary for the regional airport.

Major Amendment Provisions

Taxation.--The amendment specified that the director of an airport authority could levy a tax of up to seventy-five cents for $100 valuation on real and personal property within its boundaries. This would include cars, boats and other personal belongings in addition to real estate. In writing the amendment the framers were petitioned by the railroad lobby according to State Senator Don Kennard of Fort Worth, a sponsor of the amendment.[10] He said the lobby insisted and won exemption for railroads, bus lines, trucking firms and gas pipeline companies from airport taxes.[11] An authority could have its own tax assessor-collector, who would put a value on property for the purpose of computing tax, or the respective county assessor-collector could be used.

Bonds.--The amendment also provided that the Legislature would give an airport authority the power to issue revenue or tax bonds--or both--to build and equip airfields. No limit is placed on the amount of bonds that an authority can sell,

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[10] Fort Worth Star Telegram, February 17, 1956, Sec. A, p. 7.

[11] Exemptions for rail, bus and trucks was based on argument these were competitors of airlines and the airport would be used to further airlines profit. Pipeline exemption was included for legal reasons.

nor does the sale require the approval of voters before they are issued.

Directors.--A compromise in the Legislature set two methods of choosing directors. The respective city councils, such as Dallas and Fort Worth, could provide for directors to be elected by voters throughout the counties; or the city councils could ask the commissioners court to appoint the directors. The population of each county would determine the number of directors allotted it. This would give Dallas, for example, more representation than Tarrant County.

Voters Approve Authority

Although specifically designed to accommodate Dallas and Fort Worth in developing an airport authority, the provisions would apply to any like communities that would, in the future, want to create such an authority. Residents of rural areas and small towns in the various parts of the state expressed fear that nearby cities would use the amendment to force them to share the cost of airports. The tax reference of seventy-five cents per $100 valuation was what many observers believed to be the block to passage. Despite this the amendment was passed by the voters in the November 6, 1966, general elections by a substantial margin.[12]

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[12]Popularly supported in all sections of the state (528,000 to 424,000) except Harris County, where the negative votes outnumbered the affirmatives by about 5,000.

Cities Move Toward an Authority

Legislature Acts Again

Still needing the legal machinery with which to operate efficiently, the Airport Board went ahead with plans for the formation of a bi-county authority. Early in 1967 Legislators started work on this provision, which became Senate Bill 6. It passed the Senate on February 6, 1967, by a vote of 28-1, and the House on February 16 by a 147-0 vote. Governor John Connally signed it into law as the "North Central Texas Airport Authority Act of 1967."

The legislation provided for the presentation of a petition by 5 per cent of the qualified taxpaying voters of each of the counties (Dallas and Tarrant), requesting an election to determine whether the voters favored the creation of such an authority. Petitions were circulated and the results certified by the Commissioners Court and the election set for June 6, 1967, in both counties, as provided in the text of the airport bill. The proposition presented to the qualified voters read:

> For the creation of the North Central Texas Airport Authority composed of Dallas and Tarrant Counties: Authorizing the levy of a tax not to exceed seventy-five cents on $100 valuation.
>
> Against the creation of the North Central Texas Airport Authority composed of Dallas and Tarrant Counties.

A majority of the qualified taxpaying voters was required to pass the resolution in both counties.

Authority Fails to Pass

In public statements the mayors of the smaller cities favored the building of an airport under a regional airport authority. Business leaders expressed their support for the authority, and Braniff International and American Airlines officials made statements that the airport was a necessity for the future growth of the region. The press gave the proposal strong support.

Split decision.--Dallas County voters turned down the proposed authority, nullifying Tarrant County's three to one vote favoring it. Dallas County voters had cast 26,385 votes against the proposition and 24,125 in favor of it. Tarrant County gave its approval with 25,160 for and 8,747 against. The provisions of the bill made it mandatory that both counties, voting as individual units, approve the proposal before it could become law.

Appraisal.--In Dallas County the authority was favored only in the City of Dallas, where it had a majority of 631 votes, in Irving by 220 votes and Richardson by 86 for; and Garland, northeast of Dallas, had 951 negative and 577 affirmative votes. Mayor C. P. Waggoner of Grand Prairie, a city contiguous to Dallas on the west where the vote was also against the authority by a small margin, said, "I feel that probably a lot of the against voting was due to improper education by people in the area to the issue. The people said

we just don't want any more taxes. I think the recent proposed tax increase had some effect on it."[13]

Forming the Board

Bi-City Cooperation Continues

With the defeat of the authority, Mayor Jonsson turned back to the 1947 state law that provided for cities to join together in operating airports.[14] He proposed the cities to continue with their bi-cities planning and build the airport. Defeat of the authority did not lessen interest in the airport. The Dallas Morning News said the airport must be built,[15] and the Dallas Times-Herald said airport action must not lag.[16] The Fort Worth City Council urged the Airport Board to proceed with the airport planning.

The two cities continued the bi-city airport board and worked toward solution of problems facing airport planning, construction and acquisition of land. There was some discussion of another election, but the Senate bill included a one-year wait before the proposal could be submitted to the voters again. The 1947 law under which the board was

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[13]Fort Worth Star Telegram, June 6, 1967, p. 1.

[14]Vernon's Annotated Civil Statutes of Texas, Art. 46d, Section 14.

[15]Dallas Morning News, June 8, 1967, editorial.

[16]Dallas Times-Herald, June 14, 1967, editorial.

empowered to operate gave it broad powers to plan, acquire and construct airports.[17]

Powers.--These powers include the awarding of construction contracts and leasing airport property, including hangars and warehouses, for a period of up to forty years without getting the approval of the city council. Approval of each council, however, was necessary before it can issue revenue bonds, file condemnation suits or adopt regulations which could lead to fines if violated. Each council must also approve the Board's annual budget before it goes into effect.

Restrictions.--Because of restriction, principally fiscal matters, some Dallas officials in late 1967 expressed concern and suggested that possibly the Legislature should be asked to delete these from the law. Officials contend that airport activities could be tied up if the Fort Worth City Council refused to approve the budget until certain concessions were made. Of course, Dallas councilmen could follow similar tactics. However, Dallas leaders appear confident that powerful Citizens Charter Association will continue to keep reins on city hall activities. Again, with the seven to four ratio in membership, decision-making could become meaningless if cities opposed each other in bloc-voting.

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[17] Vernon's Annotated Civil Statutes of Texas, Art. 46d, Section 2.

Leadership and the dedication to the building of the regional airport have prevented this situation.

Arguments for More Authority

Proponents argue an independent board would be in a better position to issue revenue bonds at low interest rates if freed of ties with the council. It could then plan and carry out airport improvements in an orderly manner and at a faster pace, if not required to get council approval of its bond sales and operating budgets. Checks on such authority had been recognized by the Legislature when it placed these restrictions in the 1947 law. Also, city councils are elected by and represent the people and must be the voice in how the millions of dollars in municipal funds are to be spent.

Still, two other ideas of building and operating the regional airport have been discussed. One is another election on the proposal which was defeated in 1967, as it can now be voted on again after one year has elapsed. Another plan would call for legislation which would let the Texas Turnpike Authority, or a similar agency, take over the project. Some officials wanted the special session of the Legislature in 1968 to consider a change when it met for state budget and tax matters. State Senator Ken Kennard, one of the sponsors of the regional airport authority bill, said he would favor a second vote on the authority.

> . . . I feel we have a structurally sound method of building and operating the airport through legislation which has already been approved--the law which would let Dallas and Tarrant Counties voters create a regional airport authority. I doubt seriously that anyone will come up with anything better.[18]

New Board Contract

On April 15, 1968, the two cities created a permanent Airport Board and signed new agreements and contracts. The Board membership was increased to eleven, and based on the population ratio of the two cities; Dallas was given seven members and Fort Worth four. This superseded the temporary agreement that would have expired on September 25, 1968. The increased membership and the new contract which also shares the financial obligations on a seven/eleventh and four-eleventh basis have become the machinery of cooperation to build the regional airport.

Dallas-Fort Worth Regional Airport Board

Permanent Board Formed

A new contract and agreement was signed by the two cities on April 15, 1968, creating the Dallas-Fort Worth Regional Airport Board and the Joint Airport Fund of the Cities and providing for the construction and operation of the Dallas-Fort Worth Regional Airport.[19]

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[18] Dallas Morning News, November 8, 1967, Sec. D, p. 1.

[19] All information in this section is from the Contract and Agreement signed by the two cities April 15, 1968.

Board.--The Board shall consist of eleven members, with each city being represented by members in proportion to its population at the last preceding census. This gives seven members to Dallas and four to Fort Worth, each to be appointed by the respective city councils. Members must be a citizen from or have resided in the city from which he is elected for a period of at least one year and have been a qualified tax-paying voter within the State of Texas for a period of at least three years. Terms of office shall be four years, but in the initial selection those occupying odd numbered places will have their term expire on January 31 of the second year. No person shall serve for more than two consecutive four year terms.

Meetings.--The Board shall hold at least one public meeting each month and other public meetings as it may deem necessary for the transaction of its general business. One of the members shall be elected chairman and another as vice-chairman. Any eight members of the Board constitutes a quorum, and a concurrence of six members is necessary for any official action taken by the Board. Members serve without compensation, but are entitled to reimbursement of actual expenses incurred in the performance of their official duties upon the approval of such expenses by the Board.

Powers and Duties

In addition to other powers and duties conferred, imposed and authorized by law, the Board has several specifically

listed powers and duties in accomplishing the final construction of the regional airport.

Professional services.--The Board may contract for such professional services as it may need and fix the time, manner and payment of these, and employ and fix the compensation and duties of an executive director. Other administrative offices and employee positions may be created as are considered necessary in the planning, construction and operation of the airport. The executive director is the chief administrative and executive officer of the Board among whose duties and functions were the selection and appointment of persons to fill the other offices and positions, based on the merit system established by the Board.

General.--Authorization is given the Board to plan, acquire, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police all of the airport, air navigation facilities, airport hazards, and any lands subject to the Agreement and in agreement with State law controlling them.

Contracts.--In operating the airport, the Board may enter into contracts, leases and other arrangements with any person, association of persons, firms, or public or private entity or corporation for terms not exceeding forty years. Also, authorization includes the use of space for commercial purposes, and the supplying of goods, commodities and services at the

airport. It shall establish the terms and conditions and fix the charges, rentals or fees for such privileges and services.

Improvements.--Any person, firm or private or public entity or corporation may be contracted by the Board for the planning, supervision, financing and construction, or the Board may itself construct or otherwise acquire that which is necessary for the efficient operation and maintenance of the airport. Any action is subject to the bi-city agreement and state law. Such agreements of lease may be made in contemplation of the issuance of revenue bonds of the respective cities to finance the construction or acquisition of the facilities to be leased, but these bonds are to be secured and made payable solely from the income produced by the rentals or other payments specified in the agreements of lease. Terms and conditions of the agreements of lease will be determined by the Board and approved by the respective city councils of the two cities when the issuance of revenue bonds is involved.

Terms of contracts.--Subject to all the statutory, legal requirements and restrictions applicable to the two cities, contracts may be made by the Board and apply in respect to any leases, franchises or operating agreements which may involve a commitment to expend any funds in future years. These contracts shall (1) specify the source of payment of any funds that are required to be expended by the contract; (2) be executed and signed by the Board without further action if the source of payment is from current and previously budgeted

items as approved by the cities; (3) be executed by action of the Board if the contract payments are to be made concurrently with the performance of services or delivery of goods in connection with the daily operations of the Board; (4) be submitted to the councils of the two cities for ratification and concurrent tax levies in support of them or other lawful provisions for payment if the contract payments are to be made in subsequent years and not from special funds already authorized or fixed by the bi-city agreement.

Police powers.--The Board shall have the power, by a duly adopted order, to adopt and enforce rules and regulations for the orderly, safe and sanitary operation of the airport; and to employ and constitute its own peace officers. These officers will be enpowered to make arrests when necessary for offenses on property under the Board's jurisdiction. Reasonable penalties may be prescribed by the Board for the breach of any rule or regulation not exceeding more than $200 fine. All such rules, regulations or orders shall become effective only upon approval of the governing bodies of the cities of Dallas and Fort Worth and after publication in the two counties of a substantive statement of the rule or regulation and the penalty for its violation.

Condemnation.--Authority has been granted for the institution of any and all condemnation or eminent domain proceedings that may be necessary for acquiring any lands or facilities useful or necessary in the development of the

regional airport. The Board shall forward the information concerning the institution of eminent domain proceedings to the respective cities, requesting that the same be condemned either in the name of the city individually or in the name of the cities jointly and the property so acquired be held by the city or cities until conveyed to the Board.

Disposal of property.--The Board cannot dispose of any airport air navigation facilities, or real property under its jurisdiction or any of the rights, except with the consent of the governing bodies of the two cities.

Financial.--Authority is granted the Board to accept, receive, receipt for, disburse, spend and repay Federal and State monies and monies advanced to it by the cities, or any other monies. All monies will be used under the terms and conditions set.

Zoning.--The power and authority to promulgate, adopt and enforce appropriate zoning regulations to protect the airport and related facilities from hazards and obstructions to aircraft landing and taking off are given the Board. The Board is considered a political subdivivision under the provisions of the "Airport Zoning Act" of the State of Texas.

Joint Airport Fund

Under the agreement the cities created a Joint Airport Fund for the purpose of accurately and adequately recording and accounting for the ownership, operations and properties

contributed and committed by the cities to the joint airport venture.

Special Accounts

The Board is authorized to create, designate and maintain within the Joint Airport Fund, such separate and special accounts and trust funds as shall be considered proper in the sound business management of its business and affairs. The cities themselves have created within the Joint Airport Fund three special accounts and funds, namely, an Initial Capital Contributions Account, a Construction Fund, and an Operating Revenue and Expense Fund.

CHAPTER V

PROBLEM-SOLVING AND CONCLUSION

After the defeat of the proposed regional airport authority on June 6, 1967, there were many problems to solve and overcome. The immediate problem for Dallas was financing land purchases. Cost of the airport was going up; it had increased to $215,000,000 by this time and would top the $300,000,000 mark in later estimates. The authority would have provided taxing powers for the financing of the project. Dallas County voters wiped out this potential source of revenue with their negative majority vote.

Financing Land Purchases

Initially, the problem of land purchases was paramount. Estimates of land needs after the selection of the Grapevine site on December 15, 1965 ranged as high as 20,000 acres. Land costs would run $25,000,000 and would be exclusive of the estimated costs of airport construction and buildings.

Fort Worth's Town Hall

Under Mayor Willard Barr, Fort Worth planned a $74,750,000 bond issue for general city improvements, including $9,000,000 for airport land purchases and improvements.[1]

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[1]"The PR Behind the 'Yes,'" (author not given) American City, LXXXI (March, 1966), 136.

Of this amount, $7,500,000 was earmarked for land purchases at the regional airport site. With the realization the bond issue had to pass, Mayor Barr organized to publicize the needs, costs and benefits of such a bond issue. The well-organized program included (1) a start by City Manager J. L. Brownlee a year in advance to release technical reports from officials to show the basic needs of city improvements, (2) organization of a fifty-five member Town Hall Committee headed by Banker Paul Mason, (3) formation of a Bonds for Progress Committee, (4) scheduling of eighteen neighborhood forums and (5) the mailing of a bond brochure to 60,000 property owners with pleas to "Make Fort Worth a jet age leader - Vote for the airport improvement bonds."

Fort Worth voters on October 19, 1965, approved the bonds by a three to one majority. Mayor Barr commented, "It's been a remarkable example of a large number of dedicated citizens joining hands for a positive approach to the future."[2] Fort Worth began immediately to purchase land at the site announced by the two cities December 15, 1965.

Goals for Dallas

Dallas was well on the road toward an August 7, 1967, vote on a $167,500,000 bond issue when the regional airport authority proposal received its negative vote in Dallas county. Dallas had lagged behind Fort Worth in initiating

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[2] *Ibid*.

airport land purchases because of its financial problems. The Texas Constitution had blocked the city from raising its debt limit from its then present $135,000,000 for the bond issue. The statute regulated affairs of home rule cities of more than 5,000 population by limiting them to a charter revision every two years, and Dallas had placed a monetary limitation on its bonded indebtedness.[3] Under these restrictions Dallas could not vote a charter change until April, 1967, and City Attorney Alex Bickley prepared a request in February, 1966, for the State Legislature, then in special session, to allow cities of more than 670,000 population[4] to amend their charters each year instead of every two years.[5] The measure was passed by the Texas Legislature on March 17, 1967.[7]

A poll of Dallas voters after the airport funds were included in the bond issue was taken and the results showed only a fifty-fifty chance of passage. Principal reason for this negative attitude was Dallas' past defense of Love Field. For a generation, Dallas residents had been told Love Field was

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[3]Dallas City Charter, Section 288.

[4]Only Houston and Dallas would qualify in this category.

[5]Dallas Morning News, February 15, 1966, Sec. D, p. 1.

[6]Vernon's Annotated Civil Statutes of Texas, Art. 29, Section 835p. This provides for cities over 600,000 population can incur debts by issuance of tax supported bonds not to exceed 10 per cent of total assessed value of property on the last tax rolls.

[7]Dallas Morning News, June 25, 1967, Sec. A, p. 1.

adequate. In the last capital improvements, three years before, the official line was that the economy of the people was wrapped up in Love Field. Many voters thought that Love Field was still adequate.[8]

Mayor Jonsson's Dallas Crossroads Committee launched a successful campaign, showing Dallas at the "crossroads" to greater progress. The voters would decide on election day if they were to take this path to "greatness." This publicity was a part of Mayor Jonsson's larger public relations effort, "Goals for Dallas." Through town hall meetings, billboards, radio, television and the press, the message reached the voters. On the thirty-sixth day of the campaign, 611 persons had volunteered for publicity work, 1,500 more had signed cards indicating they could be called to help, and forty volunteers had speaking engagements. A town hall type meeting was held within a short distance of every Dallas citizen's home to tell the story.[9] The success of the campaign was evidenced at the polls with a two-to-one vote on the airport bonds, and the Goals for Dallas campaign has since become a permanent part of Dallas' public relations efforts.[10]

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[8]Fort Worth Press, July 30, 1967, pp. 4-5.

[9]Pan Dodd Eimon, "The City Tells the Story," American City, LXXXII (November, 1967), 130-131.

[10]Ibid.,p. 131.

Airport Site Selection

A principal requirement for the airport site was that it be along the Dallas-Tarrant County line and that it be a new facility that could be built for present and future needs, with emphasis on its capability to expand as required by new technology. To keep the selection neutral, the bi-city airport board contracted the services of Tippetts-Abbett-McCarthy-Stratton, architect-engineering firm of New York. The firm announced the selection of the Grapevine site on September 15, 1965.[11]

Scope of Determination

In the study for the site it was determined that the regional airport would serve the bulk of air carrier and cargo operations for the region. Considered in the regional concept were the eleven counties--all influenced economically by Dallas and Fort Worth--of Wise, Denton, Collin, Rockwall, Kaufman, Ellis, Johnson, Hood, Parker, Tarrant and Dallas. Also of importance was the study of the interrelations between population and economics, as the growth of one means an increase in the other. While Dallas and Tarrant counties had 85 per cent of the regional population in 1965, it was projected this population will shift away from these two counties by 1985, giving them but 75 per cent of the region's

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[11]Unless otherwise noted, information in this section is taken from Tippetts-Abbett-McCarthy-Stratton, Site Selection Study, Dallas-Fort Worth Regional Airport, presented to Mayors J. Erik Jonsson and Willard Barr, December 15, 1965. The name is commonly abbreviated as TAMS.

total. There were three absolute requirements that had to be considered in the selection: noise abatement, runway approaches, and air space compatibility. Other considerations were origin and destination of passengers, land use and values, ground obstructions, subsurface and typographic characteristics, and access.

Three locations had been considered along the Dallas-Tarrant County line, which were referred to in the study as the North Site, Central Site and South Site. The North site, lying generally north of State Highway 183[12] and south of Grapevine Reservoir and straddling the county line, was chosen. East-west delineation is the Belt Line Road and Esters Road on the east and Big Bear Creek on the west. This site lies northwest of a newly built-up residential section of Irving, but an airport at this location would enjoy the greatest freedom from conflict with existing residential neighborhoods. In the overall study and determination, TAMS consulted airlines for information on their fleets and expected traffic, the CAB, FAA and Texas Highway Department.

Noise Considerations

Aircraft noise is a principal consideration in determining airport boundaries and in evaluating appropriate land use for neighboring areas. Many things make up the noise rating, mainly, engine characteristics, power setting during take off

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[12]This places the south boundary of the regional airport just north of north boundary of GSIA.

and landing, frequency of operations, time of day, and distance from the aircraft. Wind direction, temperature, and cloud cover at the moment of observation also affect noise levels.

Measuring.--For computing aircraft exposure levels at the regional airport, TAMS used the number, type and operating characteristics of aircraft that will be in service in 1980. Class or type of aircraft have undergone significant change in recent years and these are included in determining the expected noise levels.

Projections.--Noise projections were made and scaled to a map. Wherever practical, all land estimated to experience noise levels of Composite Noise Rating Zone 1 (CNR 115) was scheduled for acquisition. Land estimated to experience noise levels of Zone 2 (CNR 100) was suggested either for acquisition or selective zoning treatment.

Runway Study

With six other airports in the Dallas-Fort Worth area and numerous uncontrolled airports,[13] the runway configuration must be compatible with those of other airports. GSIA is expected to discontinue operations of fixed wing aircraft after the opening of the regional airport; however, runway

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[13]An uncontrolled airport is one without an FAA-operated airport traffic control tower. Controlled airports in the study include Love, Redbird, Addison and Naval Air Station in Dallas and Meacham and Carswell AFB in Fort Worth. GSIA is not included as it is scheduled for deactivation as a fixed wing airport.

alignments of the new facility must parallel the existing runways of other airports and provide adequate separation to permit simultaneous instrument operations. This consideration goes into the air space configuration, but the land prerequisite for runway construction is important. It must have expansive capabilities, level or of slight grade, and be reasonably free of obstructions, both natural and man made.

Air Space Considerations

Basically, where several airports are to be operated within reasonable proximity to each other, the directional alignment of runways for given wind conditions, should be parallel. With similar alignments, a non-conflicting straightline flow of arriving and departing aircraft can be achieved. This is an important consideration if each airport is to achieve maximum designed air traffic capability. Air safety and efficiency are also achieved with this configuration, and it eliminates the need for continuous radar observation for separation and vectoring.

Reaction to Airport Site

Airport planners have expressed the opinion that the selection of the Grapevine site is an excellent choice. It lies midway between the two cities in an area dominated by farm land and with geographical features that will not require great changes in its natural terrain. Perhaps the

best compliment was paid by FAA Southwest Region Director Henry L. Newman, who stated:

> The residents of Dallas and Fort Worth are indeed fortunate to have this type of land so ideally located. Further, the delay you have experienced in joining to build this airport is proving beneficial. If you attempted this airport ten or more years ago, it would now be outdated. You can now profit from the mistakes of others and build the world's greatest airport. We must build it now; we can't afford not to build it.[14]

Air Traffic Simulation Study

The FAA has the capability of determining the air traffic capabilities at an airport location at any time in the future. This is accomplished by simulation studies at the FAA's National Aviation Facilities Experimental Center in Atlantic City, New Jersey. Through the use of electronic simulation of aircraft entering and leaving a given airspace, air traffic planners are able to determine the capabilities of an airport, runway configurations and alignment that best suit the flow of traffic, the location of omni-range ratio directional and distance measuring equipment (VORTAC)[15] for

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[14]Henry L. Newman, Director, Southwest Region, FAA, "Development and Implementation of Regional Plans," (speech) Joint University Center for Community Service, North Texas State University and Texas Woman's University, Seminar, Denton, Texas, June 14, 1967.

[15]More than 1,200 VORTAC's and VOR's (less distance measuring equipment) form the backbone of the Federal Airways System, transmitting radio signals to guide aircraft with compatible equipment on course.

compatibility to the overall terminal area instrument flight rules (IFR) traffic flow.[16]

Background

When a decision was announced to construct the new regional airport midway between Dallas and Fort Worth, it was visualized that the airport would accommodate mainly air carrier aircraft when it went into operation. Located but three miles north of GSIA, the airport would necessitate the phasing out of GSIA as an airport for fixed wing aircraft. In addition to the regional airport, six other major fields within a 30-mile radius will support IFR traffic. These are Love Field, Redbird, Addison, Navy Dallas, Meacham, and Carswell Air Force Base. The flow of traffic within this area will be complex and the volume of traffic will be greatly increased.

Evaluation

For the evaluation an operational plan defined an airway configuration, traffic flow patterns, runway configurations, control procedures, areas of jurisdiction, control equipment configurations and anticipated types, and volume of air traffic in the area. The proposed airway structure was based, in part, on four new VORTAC's located in or near the

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[16]Unless otherwise indicated, information in this section is from National Aviation Facilities Experimental Center, Dallas/Fort Worth Regional Airport Simulation Study (Atlantic City, New Jersey, 1967).

terminal area. A common terminal radar control facility would provide control of IFR traffic within a radius of forty miles of the regional airport for the six airports in the area and the regional airport. In the first stage the runway configuration included dual north/south runways which would provide simultaneous approach capability in addition to single approach capability to the northwest/southeast runway. The second stage runway configuration included two additional runways parallel to the dual north/south runways to increase the airport capacity.

Air Traffic Testing

Air traffic control specialists from Dallas, Fort Worth and Carswell Air Force Base were assigned to the Atlantic City project. They set up a simulated air route traffic control center (Fort Worth) and a terminal radar control facility (TRACON) for the regional airport. In another laboratory "pilots" on simulators "flew" aircraft into the airspace worked in the simulated control facilities for the controllers to study. Various conditions as to weather and congestion were simulated to test the capabilities of the configurations designed for the airport of 1980. Different systems were used to find the one best suited for the regional airport.

Samples.--The number of IFR operations per hour predicted for 1980 at the regional airport was 56 arrivals and 56 departures for a total of 112. Considering this number adequate

to investigate the acceptance capability of the airport, the density of traffic was increased to 144 operations per hour. In the regional airport area, including the seven airports under radar control, the total volume of the traffic sample used for data collection consisted of 211 operations.

Data collection.--Thirty-six dynamic simulation test runs were conducted for data collection during which approximately 9,000 flights were simulated. Data for each flight were collected and reduced by computers.

Findings in Air Traffic Study

In simulating various conditions, air traffic controllers were able to experiment with peak conditions of traffic. They could, because it was a simulation, change wind directions abruptly, crash a plane on the runway, declare "fogged in" conditions which would force the diverting of the planes to other locations. Even mid-air collisions could be stopped at impact to study what went wrong with the system to cause the accident.

From this the controllers were able to determine the proper location of radars, radio transmitters and navigational aids so that the airport could operate safely while handling a number of aircraft, thus reducing the possibility of aerial collisions. Also, holding patterns were determined and a study toward the reduction of "hand offs" from one controller to another was made.

Implementing the Plan

In the Dallas-Fort Worth area air traffic planners are already moving toward the plan devised in the simulation studies.[17] In July, 1968, the terminal radar control facilities were relocated into a common facility at GSIA for control of all approaching and departing IFR traffic in the Dallas-Fort Worth area. This function was formerly done at Love Field, GSIA and Carswell. The high altitude jet airways have been brought into the GSIA VORTAC for the departure and arrival area. Five of eight such areas planned in the study have already been incorporated into the Fort Worth Air Route Traffic Control Center procedures. Planning to modify the low altitude airways is now underway. "We had planned to have this completed by 1980, but we are ten years ahead of schedule," Lawrence R. Robison, air traffic planner, said. "The area can be served much better with the new procedures, so why not do it now?"

Highway Access

Highway access to the regional airport was considered in the Dallas-Fort Worth Regional Transportation Study undertaken by the Texas Highway Department in 1963 and completed in July, 1967. The study recommended a 1985 system of thoroughfares and freeways to serve Dallas and Tarrant Counties as well as

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[17]Interview, Lawrence R. Robison, Chief of Operations Section, Air Traffic Branch, Fort Worth Area, FAA, and Project Supervisor, Air Traffic Simulation Study for Dallas/Fort Worth Regional Airport, November 8, 1968.

a small portion of eight adjacent counties. This planning was initiated as a result of the Federal Aid to Highways Act of 1962, which required cooperative, comprehensive and continuing planning as a prerequisite to receiving federal funds. During the study interviews were conducted in 29,000 homes, and these, along with land use studies, furnished much of the data on travel habits necessary to make a forecast to the year 1985 and to develop a transportation plan.[18]

Transportation Forecasts

This transportation study, which was made public in September, 1967, shows that within twenty years the population of Dallas-Fort Worth area can be expected to more than double, increasing from 1.8 million in 1964 to 4.2 million in 1985. Daily vehicular trips will more than triple, from 3.8 million to 12.4 million in the same period. An increased automobile ownership and usage of the automobile will cause this boost. The popularity of this form of transportation in serving the North Texas needs is well recognized, with travel from widely dispersed points and with few corridors of heavy travel. In 1950, 83 per cent of the daily person trips were by automobile; in 1964, it had increased to 97 per cent. This leaves 3 per cent of the daily person trips to be handled by

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[18]Arthur F. Beck, Senior Resident Engineer, Texas Highway Department, "The Texas Highway Department and the Implementation of Regional Highway Plans," (speech) Joint University Center for Community Service, North Texas State University and Texas Woman's University, Seminar, Denton, Texas, June 14, 1967.

the bus system. The North Texas residents are expected to continue to be an automobile-oriented society.[19]

Major Findings

Based on the projected figures, one of the major findings is that the present radial system of freeways which focus on the downtown or central business district will become inadequate in the future. To give nearly equal access from all areas to all other areas, the superimposing of a grid system of freeways over the existing radial system is recommended by the study. The grid system would have north-south and east-west orientated freeways spaced four to six miles apart. Such a system would take the load off the radial system to permit it to continue to serve the central business district efficiently. Further, the study recommends a continuation of the thoroughfare street system which forms a grid of six lane streets about one mile apart to handle the short automobile trip.[20]

The regional airport has been located so that it fits between one of the freeway grids. Being surrounded by freeways, the airport will have excellent access from all directions, plus radial freeway access from both the Fort

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[19] Ibid.

[20] Arthur F. Beck, Senior Resident Engineer, Texas Highway Department, "Ground Traffic Requirements and Planning," (speech) Joint University Center for Community Service, North Texas State University and Texas Woman's University, Seminar, Arlington, Texas, February 29, 1968.

Worth and Dallas central city area. All other cities, when the system is completed, will have equal access to the airport. Within the airport boundaries, the main or central road will run north-south through a two-mile-long terminal area. Quick access routes to either end of the terminal will be provided to reduce or eliminate the need for people to drive completely through the terminal area.[21]

Airport Traffic Characteristics

Passenger enplanements at Love Field in 1964 numbered 2.2 million. There will be as many as 16 million at the regional airport in 1985.[22] This amount of passenger traffic will result in 160,000 daily vehicular trips to and from the airport. Of these 78 per cent will begin or end at a place of residence, only 2 per cent will have origins or destinations in the central business district, and the other 20 per cent will have a variety of other origins and destinations. These projections indicate that the vehicular traffic will come from residential land which is spread thinly throughout the area.[23]

Implementation of Plan

The plan is long range, comprehensive and is intended as a guide. Routes are of general nature, but, generally,

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[21] *Ibid.*

[22] FAA statistics.

[23] Beck, *op. cit.*

the plan follows the pattern of thoroughfare streets which has been adopted by each city in its comprehensive plan. This usually consists of a six-lane divided street forming a grid pattern at one-mile intervals. It was found, also, that freeways spaced three to five miles apart in a grid pattern would be necessary to handle the widely dispersed vehicular movements. This grid system would be different from the past system of radials which has been modified with the addition of loops.[24]

Nature of Cooperation

Flexibility in the work of the Texas Highway Department makes that organization compatible in designing the system to reflect the needs of the community. A highly decentralized department, it is divided into twenty-five districts, with each under the general policy guidance of the State Highway Commission and State Highway Engineer. This general policy is implemented by the District Engineer and he can, because the organization is flexible, mix state requirements easily into the local environment and local needs. Experience has been gained in this respect because of the size of the state and the number of its diversities. Cooperation between urban centers and the Texas Highway Department is voluntary, but the city plans mesh well with highway planning. The provisions of the Federal Aid to Highways Act

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[24]Beck, op. cit.

of 1962 were already informally in practice in Texas before the Act became law.[25]

First work of the State Highway Department was detailed design studies as to configuration and capacity needed for the regional airport. Design recommendations at the District level are subject to review by the State Highway Commission, which can also make further recommendations. Plans are then submitted to the Bureau of Public Roads, principally for review and recommendations, if needed. The Bureau is interested in design requirements, which are recommended by the American Association of State Highway Officials rather than by the federal government. When there is agreement at this level on design, the District holds a public hearing; and in the case of North Texas highways, approval is sought of the North Central Texas Council of Governments. Work details and preliminary designs are sent to cities involved for incorporation into their detailed planning, showing rights of way and requirements for the project. Construction begins on a fifty-fifty share cost as federal funds become available.

Regional Airport Highway Committee

In September, 1967, a Regional Airport Highway Committee was appointed by the Airport Board to identify and establish priorities for those segments of the 1985 system that are

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[25]Interview, Robert A. Brown, District Design Engineer, District 2, Texas Highway Department, Fort Worth, Texas, November 4, 1968.

essential for highway access to the regional airport when it opens. The Committee was composed of ten representatives of the Board, the Council of Governments and the Dallas and Fort Worth Chambers of Commerce. The FAA Director, Resident Engineer for the airport consultant, and District Engineers of the Dallas and Fort Worth districts of the Texas Highway Department were named advisory members.

The Committee developed a series of recommendations and obtained endorsement of public officials for the highway plan. These were presented to the State Highway Commission at Austin by a delegation of civic, business and government officials from the North Texas area. Within a few days, Mayor Jonsson, who headed the group, was told that:

> Authorization for advanced planning on the north and south interchanges to the proposed airport will be approved immediately in order that our design for these interchanges may be correlated with the design of the traffic facility within the airport. The remainder of your request is under study . . .[26]

Labor Dispute

Upwards to 8,000 acres of land had been acquired by late 1967, land which would serve as the center of the airport.[27] Labor contracts were scheduled for bidding in late fall for

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[26]Letter from State Highway Engineer to Chairman, Dallas-Fort Worth Regional Airport Board, January 22, 1968.

[27]Total acreage and boundaries were announced September 27, 1968, by Executive Director Thomas Sullivan, Airport Board. The airport will comprise approximately 18,355 acres.

drainage and grading work, with the contract to run about $18,000,000. Wage rates in a project which has received federal funds are established by the U. S. Department of Labor under provisions of the Davis-Bacon Act.[28] As the regional airport had been allocated $6,000,000 in FAAP funds, rates for the Dallas-Fort Worth area were determined in this manner.

Union Objections

Two designations are used in Texas in the classification of wage rates: "heavy and highway," and "building." Laborers working in the "heavy and highway" rate classification can receive approximately two dollars less an hour than a laborer in the "building" category, although both may belong to the same union. The first work at the airport site, which is grading and drainage work, was scheduled as "heavy and highway" by the Board. This type of work will predominate the first two years of construction, and "building" rates were thought to apply when the actual construction of buildings began. The Secretary of the Fort Worth Building and Construction Council said the project should be changed to the

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[28]Title 40, Section 276a, U. S. Code Annotated. The provision states: "That the advertised specification for every contract . . . shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city . . ."

higher rates. He claimed the airport would be an integrated project, using both classification of workers; and in this case the higher rates should apply to all work.[29]

The lower rates had been set by the Labor Department when Fred Schnitzer, Chief of the Airport Branch, Fort Worth Area, FAA, asked for a determination. The union official had asked that the bid be vacated from the November 15, 1967, date to February. On November 7, 1967, the FAA's Airports Services in Washington declared its support of the original construction rates. Engineer Schnitzer informed the Labor Department that bids could not be released until possibly in April. Charles Donahue, Labor Department Hearing Examiner, then set a hearing for January 30, 1968.

Multi-Million Dollar Argument

This developed into a multi-million dollar hearing because the use of the higher rates would force construction costs on the first construction work to an extra $7,000,000. In his opening remarks at the hearing, the Fort Worth union official said the FAA had forced lower rates to keep the costs down and claimed that Fort Worth civic leaders had promised higher rates in return for union support of the constitutional amendment on the regional airport.[30] Henry L. Newman, FAA's Southwest Region Director, appeared as a witness

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[29] Fort Worth Star Telegram, November 25, 1967, Sec. A, p. 1.

[30] Fort Worth Star Telegram, February 3, 1967, Sec. A, p. 1.

on access roads on February 15, 1968, explaining their need as an integral part of the total transportation system. He also cited the urgency of the March advertising of bids to keep within bounds of the 1972 completion date of the regional airport.

Hearing Examiner E. West Parkinson, on April 25, 1968, recommended two rates. Highway rates would be used in the runway work, but building rates would be authorized for utility work on the runway. The union appealed and a hearing was set for August 13 to consider oral arguments from all interested parties. On August 28 the Examiner announced he had affirmed the lower rates for the initial work at the airport.

Federal Restrictions Questioned

During the labor dispute, the Board questioned the possibility of paying back the $6,000,000 that had been allocated to the regional airport to disassociate the airport from federal control. Members discussed the provisions of the Davis-Bacon Act, which brought on the long labor dispute, and thought that building the airport without federal assistance would give them a free hand in labor negotiations. No definite action was taken.[31]

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[31]Interview, Kenneth C. Dippel, Assistant City Attorney, City of Dallas, Texas, November 4, 1968.

Zoning, Compatible Land Use

The regional airport was not spared the problems of zoning and compatible land use, which rank high on the list of problems airport planners must face. There is no legislative authority that would permit the Board to zone outside its borders or to have the Council of Governments do this work. Action is persuasive only and recommendations on compatible land use can be suggested but not enforced on neighboring communities.

FAA Involvement

After review of the Site Selection Study in late 1965, the FAA encouraged communities in the vicinity of the regional airport to undertake compatible land use planning. Creation of buffer belts of industrial parks and airport-related commercial area was suggested.

Early responses.--In December, 1966, the Irving School Board requested and received guidance from FAA Director Newman and his staff in identifying proposed future school sites that might not be compatible with the airport. Members of the Irving City Council met in January, 1967, with Director Newman and FAA Air Traffic and Airports personnel for an explanation of probable noise nuisance impact of aircraft operations on the northwest/southeast runway which will generate a flight slightly north of the central city.[32] In March, 1967, the

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[32]Airport planners estimate this runway will be used for about 5 per cent of the total traffic.

FAA staff assisted an architect employed to plan a new high school for the Grapevine Independent School District. Determinations of areas probably unsuited for residential purposes were made to show locations where new schools would not be needed.[33]

Council of Governments.--On April 12, 1967, the executives of the Council of Governments were briefed by the FAA on the necessity of compatible land use planning. Also present were officials of the Federal Highway Administration, Department of Housing and Urban Development, Texas Highway Department, Tippetts-Abbett-McCarthy-Stratton, and Harold F.Wise/Robert Gladstone and Associates (planning consultants for the Council of Governments). From this meeting the Council of Governments' planning consultant included land use planning and control in the Program Design for Comprehensive Regional Planning and Decision Making. The Texas Highway Department and Federal Highway Administration included information on airport access activity in its work. Periodic meetings have continued with the Council of Governments and the FAA.

Mid-cities.--FAA Director Newman has urged all the cities that surround the regional airport to use their zoning powers to keep the airport from being hemmed in by residential development. He does not believe the large acreage of the regional

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[32]Airport planners estimate this runway will be used for 5 per cent of the total traffic.

[33]FAA files, Airports Division.

airport will prevent it from being "strangled" and that zoning is necessary. He told these cities' officials:

> Cooperation of the smaller cities in controlling land use is almost as critical as the airport planning and financing that is being done by Dallas, Fort Worth and the Federal government. Be alert to the realization that while there may be short-term benefits in residential development around the airport, it is in the long-term interest of the airport your communities and the people that this should not be tolerated.[34]

Regional Airport Environs Study

The Council of Governments, recognizing that the regional airport will have a great impact on the area, is conducting this study to maximize the benefits, minimize costs and disruptions and avoid waste and disorder.[35] In the first phase, 1968-69, the present need and interest of affected entities will be identified and evaluated. Phase 2, 1970-75, will measure the impact of the airport upon governmental entities.

Social.--Certain land uses are the concern here because of the concentration of people and overcrowding of them in the area. Approximately one quarter million more students must be cared for in public schools, and safety of the residents must be considered in areas of policing and protection from noise and air pollution.

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[34]Henry L. Newman, Director, Southwest Region, FAA, "Impact of the New Regional Airport on Small Towns in the North Center Texas," (speech) Joint University Center for Community Service, North Texas State University and Texas Woman's University, Arlington, Texas, Seminar, February 29, 1968.

[35]North Central Texas Council of Governments, Regional Airport Environs Study (unpublished), Arlington, Texas, 1968.

Economic.--There will be a definite impact with as many as 100,000 new jobs created due to new and different industries in the area. Indirectly, this will influence the social life of the residents.

Physical.--This includes the different transportation networks and the physical layout: the use of open spaces and parks. The problem becomes three-dimensional with the addition of the density of people and the height of buildings.

The location of the regional airport is known and its boundaries have been delineated. There are now pressures from investments and the eagerness of communities to respond for their own economic benefit. Communities must bind together to do something toward providing compatibility of development.[36]

Regional Airport Advisory Committee

An apparent break in communications between the Board and the officials of the communities bordering the airport caused these officials to form the North Texas Regional Airport Advisory Committee in July. The cities of Euless, Grapevine, Hurst and Irving and the independent school districts of Hurst-Euless-Bedford, Grapevine, Irving and Carroll bound together initially in the Committee to make a unified approach to the Board. At first, it appeared the Committee would make demands that would delay the airport construction.

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[36]Interview, Nandy M. Sarda, Staff Planner, North Center Texas Council of Governments, Arlington, Texas, October 30, 1968.

Rather, the Committee's stated purpose is to speed construction of the airport, but with the Board's assurance it will work with the smaller cities on matters affecting them.

Committee Starts Action

Headed by Irving Mayor Robert Power, who is also a member of the Council of Government's Executive Committee, the mid-cities officials asked for information on the airport boundaries so they could plan their industrial growth. They also wanted an agreement on their right to tax certain properties on the airport which lie within the cities' corporate limits. Because of the expected growth of the population and the projected need for services, the cities must develop their industry to bring in needed money.

The Committee expressed the fear that the Board would provide "tax sheltered industry" on the airport within the respective small cities and school districts' boundaries. The official stand of the Committee is to assist the Board, but at the same time preserve "the sovereignty and financial integrity of all the member entities."[37]

Conditions Set

In return for the Board's operation of the airport within the small cities' limits, Mayor Power asked certain conditions. First, he believed the amount of land being acquired for the

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[37] Fort Worth Star Telegram, July 11, 1968, Sec. A, p. 5.

airport may be excessive and would prefer to see other arrangements for protecting the air rights worked out with the smaller cities. Also, he asked that the Board's contract with the airlines assure the cities on whose property the facilities are located that they are entitled to tax revenues. Powers, in return, agreed the cities may have the following: authorization for the Board to own, operate and maintain airport facilities in their (mid-cities) city limits, agreement that the cities will close and abandon streets on airport property, zone adjacent property for compatible uses with the airport, enact ordinance to protect it from nuisance suits and claims by landowners, and set up a permanent zoning board with city and the Board equally represented, with a fifth member chosen by these four members.

Aim Toward Cooperation

The regional airport is taking a massive amount of land from these cities, all of which is being removed from the tax base of the Committee cities and school districts. Their action is a comprehensive attempt to consider a wide geographical scope and immediate impact because they see long range problems ahead. They are not looking at the airport as a problem, but as an opportunity to plan. If their planning is not exact, chaos and confusion would arise.[38]

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[38]Dippel, op. cit.

Currently, the Board is working on a plan to establish a joint zoning board with the suburban cities to plan land use within their boundaries. There will be one member from each of the affected cities and one Board member. There could arise the question of the Cities of Dallas and Fort Worth condemning land outside their own city limits. If the airport authority had been approved, the land for the airport could have been disannexed from its parent entity, but under Board administration, the land remains with the original owner. Working with the smaller cities will assure the Board the cooperation it needs in police, zoning and ordinances. The taxing of airport-based businesses undoubtedly remains with the cities in whose corporate boundaries such businesses are located.[39]

Finalizing Plans and Financing

On September 27, 1968, the Board prepared a report to the respective city councils on the overall preliminary plans for construction.[40] The report indicated that since Thomas Sullivan has assumed his post as Executive Director, his staff had made a thorough and systematic analysis of the previous airport studies. Tentative conclusions regarding the general

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[39] Ibid.

[40] Dallas-Fort Worth Regional Airport Board, The Overall Preliminary Plan for Construction of the Dallas-Fort Worth Regional Airport, Arlington, Texas, September, 1968.

description, initial size, scope and related land utilization for the regional airport were announced.[41]

Project Plans

Land.--Approximately 18,335 acres will be included within the airport boundaries, with about 8,000 acres to be used for runways and taxiways and the terminal complex. Clear zones are reserved on the approach and departure lanes to and from runways in accordance with FAA requirements and that of safety. Other acreage will be reserved for service facilities. Land acquired as of this date was 8,600 acres.

Terminal facilities.--Initially, no less than 125 passenger gates and 25 cargo gates are to be constructed. Facilities are planned to accommodate future expansion as needed. It is estimated there will be 8.5 million passenger enplanements in 1975 and 16 million in 1985. Cargo is expected to increase by 15 per cent a year to 300,000 tons in 1975, with a jump to 1,200,000 tons in 1985.

Terminal design.--The two-mile long multi-story terminal building designed by TAMS has been refined to one linear in location and consisting of modular terminal components. This concept adds flexibility for expansion while providing the shortest distance between the passenger's automobile and his airplane. Deplaning passengers will have access to high speed exit roads.

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[41]Unless otherwise indicated, all information in this section is from the document cited on the preceding page.

Mass transit plans.--The Texas Highway Department's studies concluded that public mass transit would not be practical in the immediate future. However, other studies are being planned by the Texas Turnpike Authority relative to constructing a spur from the Dallas-Fort Worth Turnpike to the regional airport and the Council of Governments in multimodal transit. As the regional airport will have a system of rapid transit vehicles for people and baggage movers, any transit system to connect the surrounding areas with the airport would complement the airport system. Various area chambers of commerce are concerned and involved in transit plans for the region to support their business and commercial interests.[42]

Runways.--During the initial construction, not less than four runways will be constructed. These are to be primary north/south and secondary crosswind runways. Others will be added as needed. The physical relationship of all runways will be based on providing the maximum capabilities for simultaneous take offs and landings under instrument conditions.

Construction phasing and costs.--A construction schedule was prepared as an optimum sequencing guide to reflect the maximum activities that can be concurrently contracted. Major parts are broken into sub-components for concurrent scheduling. If the initial work can start this fall, the airport is

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[42]Sarda, op. cit.

scheduled for operation in the late fall of 1972. Cost of the overall project including construction, operations expenses and contingencies, is $351,500,000, less $5,500,000 in FAAP funds.[43]

Financing

The Board met the November 15, 1968, deadline with an $18,000,000 contract for drainage and grading work to start the regional airport construction. Mayor Jonsson suggested and the cities approved the sale of $35,000,000 in revenue bonds to finance the first phases of construction. These bonds have the backing of the cities to better interest rates. As the Board has no legal authority in issuing bonds, the respective city councils must agree on the issuance and prepare an ordinance for their sale. Revenue bonds can be sold by Dallas and Fort Worth without an election.[44]

A non-competition covenant was included as part of the bond sale. The cities have pledged the profits from the airports they now operate toward the security of the bonds being sold. When the regional airport is operative, all airlines must use it. This would prevent either city from trying to attract airlines service to one of its fields. This provision can be waived only if nine members of the Board act

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[43]Estimates do not include costs for land acquisition, fueling systems, navigational aids, or baggage handling systems.

[44]Neither Dallas nor Fort Worth has a restriction in their home rule charters requiring a vote before the sale of revenue bonds.

favorably to name another airport and bondholders are adequately protected against loss.

General Aviation

One question to be answered yet is the use of the regional airport by general aviation aircraft. In view of the congested terminal areas throughout the United States, many air traffic planners and airport engineers favor restricting the larger airports to air carrier service to prevent the saturation of the air space. Charles Murphy, Executive Director of the Texas Aeronautics Commission, stated that Dallas needs six general aviation airports in addition to the regional airport.[45] FAA Director Newman has recommended consideration of satellite airports for general aviation around the Dallas-Fort Worth area to minimize the congestion and mixing of the large jets with the slower smaller pleasure and business aircraft. These airports, Newman stated, would serve a second purpose of drawing industry to the communities.[46]

Conclusions

The Dallas-Fort Worth study has revealed that decision-making is a much more complex undertaking now than in the past because of the involvement of the increasing number of

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[45]Interview, Charles Murphy, Executive Director, Texas Aeronautics Commission, Austin, Texas, October 25, 1965.

[46]Statement by Henry L. Newman, Director, Southwest Region, FAA, Annual Conference of State Aviation Officials-FAA, Forth Worth, Texas, October 25, 1968.

political entities and pressure groups that influence these decisions. It is apparent that technological changes have brought new pressure groups and have stimulated new cooperation among levels of government, causing what former Governor Edmund G. Brown of California calls, appropriately, "Jet Age Federalism."[47]

Technological changes, together with the need for more and greater financing and new management practices, are adding new dimensions to intergovernmental relations. No one local political body can effectively muster the financial and management resources to perform the increased services effectively. Boundaries which once separated political entities from one another have disappeared in this jet air age, erasing barriers which once made decision-making an independent process. The result has been a definite enlargement of federalism to include not just a traditional federal-state-city relationship, but the inclusion of many local governments and pressure groups. All have a voice that can be heard in the state and national capital, and all influence and affect governmental decision-making.

Figure 1 suggests the many pressures and influences that affected the decisions leading to the establishment of the Dallas-Fort Worth Regional Airport Board and the subsequent decision-making by the Board. Arrows, pointing into and

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[47]Edmund G. Brown, "The Future of State and Local Government," Capitol, Courthouse and City Hall, edited by Robert L. Morlan (Boston, 1955), p. 340.

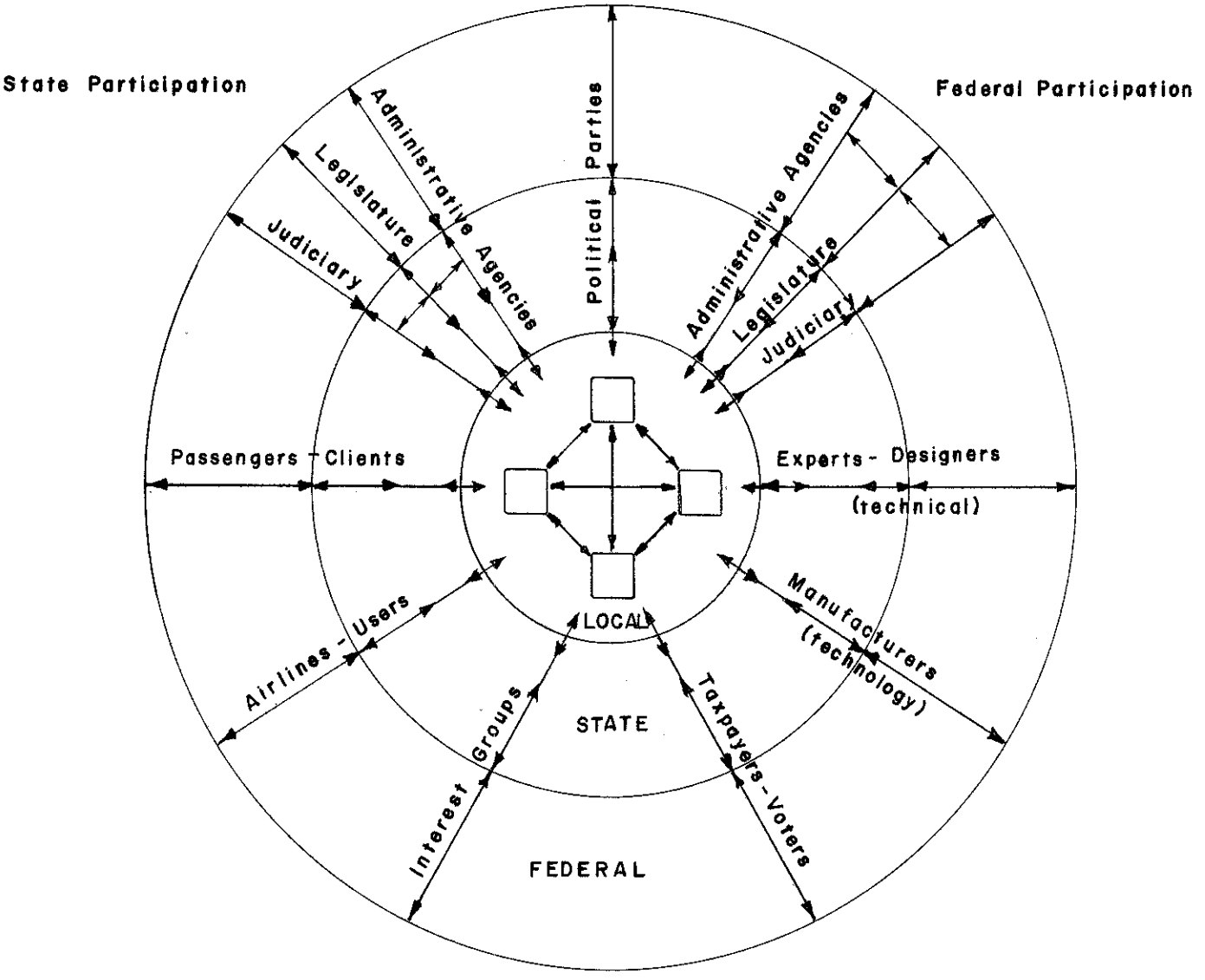

Fig. 1--Proposed decision-making model for American federalism.

through the circles representing Federal, State and Local governments, show the action and interaction that take place in decision-making. The once formal role of governments is now being influenced by pressures from political, technological and special interest groups.

The growing national demands and needs of aviation had to overcome local demands, with each in harmony with the other. For a closer view toward this accomplishment, the interactions on the local level, as well as the intergovernmental relationships, must be examined. The Airport Board, working with and sometimes under the city councils of Dallas and Fort Worth, is only a part of the local government. Its actions are influenced by the mid-cities neighbors, the adjacent school districts and the North Central Texas Council of Governments. A dynamic interaction in planning and decision making has carried the Board toward the solution of initial problems such as taxing authority of these mid-cities and schools; still further cooperation is being accomplished in compatible land use and zoning within the standards set by federal and state action. A closer examination of Figure 1 reveals the static view of federalism has changed. Decision-makers have become concerned with expanding concepts of federalism that must take into consideration many additional pressures and influences that will affect the final outcome. This concept follows closely that expressed by Edward W. Weidner in "Decision-Making in the Federal System."[48]

During the long period covered by the Dallas-Fort Worth impasse in cooperation, the federal and state governments

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[48]Edward W. Weidner, "Decision-Making in a Federal System," Federalism: Mature and Emergent, edited by Arthur W. McMahon (Garden City, 1956), pp. 363-371.

were involved through administrative agencies, the courts and legislation. These are grouped together in Figure 1 and show that interaction was achieved among the respective federal and state agencies on each level. This involvement and interaction is continuing as well as the relationships among levels of governments. The expanding or new federalism is characterized by the inclusion of the non-governmental influences. Technology and the new partnership of government and business are revolutionizing decision-making by adding these and related facets to governmental planning.

The Federal Role

The federal government's role in the Dallas-Fort Worth controversy was necessary to bring an end to the neglect that was building up for passenger convenience and safety. This illustrates that a strong central government, powerful enough to perform legitimate and necessary tasks of government on a national scale--and to influence other levels of government to proper action--is needed.[49] The State of Texas was not equipped by legislative power to act, nor had it the jurisdiction to meet national needs.

This study verified the premise that political parties are the muscles which keep governments operating. A review of the pressures brought by Congressman Wilson in the 1948 debates over FAAP funds for Fort Worth corraborates this.

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[49]Brown, op. cit.

A different type of interest was shown during the four terms of Congressman Bruce Alger of Dallas (1957-1965), who declared federal funds were part of a socialist scheme, in his representation of conservative Dallasites.[50] The same type of political influence is applied on the state level, where local representatives sponsored the necessary legislation in the State Legislature to change the Texas Constitution to permit counties to build and operate regional airports and later permitted the referendum on the Dallas-Fort Worth airport.

Guidance on the national needs and interests of the people has come principally from the federal government.[51] From the vantage point of a national outlook, the two federal agencies, FAA and CAB, acted in what was the best interests of the air passengers in the North Texas area. These agencies had the tools for action: the FAA pointed to safety requirements and standards that favored GSIA over Love Field; the CAB thought about passenger convenience and the economics of air transportation. Both had a financial interest, the FAA through FAAP funds and an investment in navigational aids and the CAB in subsidies to certain air carriers.

At the conclusion of the airport hearings, the CAB decision expressed an understanding of the problem by recommending the final decision should come from the parties

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[50] Warren Leslie, Dallas Public and Private (New York, 1964), p. 90.

[51] Daniel J. Elazar, American Federalism: A View from the States (New York, 1966), pp. 35-59.

involved. Both federal agencies knew that cooperation had to be attained, whether voluntarily or forcibly, but transferred the making of the decision to the two cities which had neglected to face the real issues in the past. CAB confirmed its faith in the proposition that intergovernmental relations are a means to an end, and not an end in themselves. It placed the problem solving at the roots of the problem and with the people who had the problem.[52]

The State Could Not Act

The State obviously did not play a major role, but all three branches, the Courts, Legislature and Administrative-Executive, were involved. History reveals that the State played a passive role in the past; the Texas Aviation Advisory Committee was only preparing an airport plan and had no authority to push for a regional airport in 1940. The Legislature did not consider a request for legislation to permit joint city participation in airports when asked in 1941. There was no legal framework until 1947 when, at the urging of the federal government, the Municipal Airport Act was passed. This was not a move toward giving cities initiative to act on airports, but more a necessary piece of legislation to facilitate the receipt of federal airport funds.

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[52]William D. Hawley, editor, Where Governments Meet: Emerging Patterns of Intergovernmental Relations (Berkeley, 1967), p. 27.

Recent legislatures have been more responsive to the needs of the cities. Both houses of the 51st Legislature gave unanimous approval to permit a corporation to run GSIA in 1948. More recently the Legislature acted promptly on the regional airport amendment, passed the legislation for the North Central Texas regional airport and relented in fiscal control in permitting Dallas to revise its charter each year instead of every two.

Cities Left to Act

After the CAB decision the two cities had to act. Although direct pressure in the form of a federal edict was necessary to get the cities to the conference table, the common cause of building an airport was paramount. When it was discovered that cooperation could be achieved, the cities used it to their fullest advantage.

Cooperation in other endeavors was not new to Dallas and Fort Worth. Mutually the industrial leaders had built the area into an enviable position, capitalizing on the educational and manpower resources of the area. For more than thirty years the two cities had been partners in working toward the canalization of the Trinity River for barge transportation from the Gulf to the North Texas area, and a new cohesiveness was attained in the late 1950s with the Dallas-Fort Worth Turnpike. Only the building of a regional airport as a cooperative venture stood between failure and success in

achieving the "greatness as a city" expressed in the Goals for Dallas. "Selfish pride," a label given Dallas by FAA Administrator Halaby may well describe the official political attitude on airports for forty years--a period during which a terminal building facing the wrong way or a proposed airport a mile closer to one city than the other could reinflame an old feud.

Morton Grodzins says that the "squeak points" in intergovernmental relations often have to be oiled. The CAB ruling served as this oil in the Dallas-Fort Worth airport dispute, bringing the cities to this realization:

> In a governmental system of genuinely shared responsibilities, disagreements inevitably occur. Opinions clash over proximate ends, particular ways of doing things become the subject of public debate, innovations are contested. These are not basic defects in the system. Rather, they are the system's energy-reflecting life blood. There can be no permanent solution short of changing the system itself by elevating one partner to absolute supremacy. What can be done is to attempt to produce conditions in which conflict will not fester but be turned to constructive solutions of particular problems.[53]

Special Interests Force Action

Pressure groups, namely the Citizens Aviation Association, the Airline Pilots Association and the parents of school children, had an influence on the CAB-FAA joint statement on holding investigations into airport services for Dallas-Fort Worth. Individuals, groups and community pressures helped

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[53]Morton Grodzins, The American System (Chicago, 1966), pp. 385-386.

to bring the representatives of the two cities together. The same pressures came from the various pilot and professional associations. Aircraft manufacturers and airlines, on the threshold of introducing the third generation of jets which would require expanded ground facilities, exerted much influence toward pushing the two cities into an agreement. Although they were not active participants in the hearing or controversy, they expressed their opinions of the need for a regional airport in editorials in the organizations' publications and in public statements. From local citizen to lawmaker, the consensus was that either the cities would work together or be left behind in the jet air age. These pressures served to break down the forty years of suspicion, provincialism and competitive isolation between the two cities, an isolation expressed on the floor of Congress by Representative Wilson in his successful campaign against FAAP funds in 1948. Keenly aware of this consensus, the city officials gave it special consideration in their decision-making.[54]

Economic Growth Expands Decision-Making

Growth and economic gains in the region resulting from a project of the magnitude of the regional airport has brought accompanying problems. These problems have presented to the

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[54]The powerful Dallas Citizens Council's position on the airport controversy was never publicized, but evidently this group threw its full support behind Mayor Jonsson to push for the cooperation which was attained.

planning officials the need for coordinated and constant liaison with political bodies within and without the airport boundaries on such problems as zoning, air rights, boundaries, land uses and other important matters. The Board, through the city attorney of both Dallas and Fort Worth, is working with these political entities to define mutual problems. A permanent liaison committee of board members is communicating with these political bodies on such subjects as mutual needs, progress and decisions and cooperation on zoning of land, property and activities affected by or which will affect the operation of the regional airport.

This cooperation is adding to the dimensions of decision-making on the local level by drawing into the decision-making circles representatives from mid-cities and local school districts. A cooperative base which could not be established in the past between two cities has now not only been firmly built but includes a forum for the mid-cities and school districts affected by the regional airport to work together on an equal basis.

Governments' Weakness and Strengths

Guidlines for the construction of the regional airport have come from the federal sector of government. The state has reflected a position of having to resort to the slow process of constitutional amendment to legislate air transportation. Like other state constitutions, the Texas

Constitution was written shortly after the Civil War when the state wished to retain all powers for itself. Aviation was yet to be discovered and developed, and the amendment process has become the only way Texas can provide for its growing industry. This same tight control slows down what can be done to keep the state a leader in aviation.[55]

Executive Director Charles Murphy of the Texas Aeronautics Commission, said:

> Texas is recognizing the status of aviation by giving the Commission more appropriations for airport construction, but more authority is needed to help cities with regional airports. We need to recognize that boundaries of air traffic cannot stop at a fixed boundary of authority such as a county line. The Legislature needs to give more authority to an administrative body such as the Texas Aeronautics Commission to regulate and work closely with cities in regional airport development.[56]

Administrative bodies, both federal and state, worked effectively with the Board. The FAA in its simulation air traffic study gave guidance to the Board for its planning and location of runways and compatibility of airspace. Land access route and highways were formulated by the Texas Highway Department. When the wage dispute arose, the Department of Labor assisted in reaching a solution. Land use and zoning, which the FAA Director earlier said were as important as the airport itself, are being solved by the many entities involved.

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[55]Statement by Harry Whitworth, Chaiman, Texas Aeronautics Commission, Annual Conference of State Aviation Officials-FAA, Fort Worth, Texas, October 24, 1968.

[56]Murphy, op. cit.

Expanding Dimensions

The cities of Dallas and Fort Worth have gone through several stages of growth in achieving cooperation and maturity in planning with other governments and levels of governments. The regional airport board is lacking in some authority, especially in fiscal matters which it had originally sought. Fiscal authority rests with the city councils, which is a good example of representative government in that it gives the tax payers representation on expenditures.[57] Despite this, in the present framework of federalism, the Board can operate on any level in achieving its goals. The CAB boosted federalism in igniting cooperation in the two cities which has expanded to include the efforts of neighboring cities. This illustrates that local governments can get effective response and be heard at any level of government when proper leadership is attained.

Effective interaction among many governments made it possible to start construction on the Dallas-Fort Worth regional airport. Two conclusions were reached:

1. The cities had the duty to build the airport, but with guidance from federal and state agencies.

2. The regional airport, if it is to succeed, must have input from every political body it affects and every client that expects to use it.

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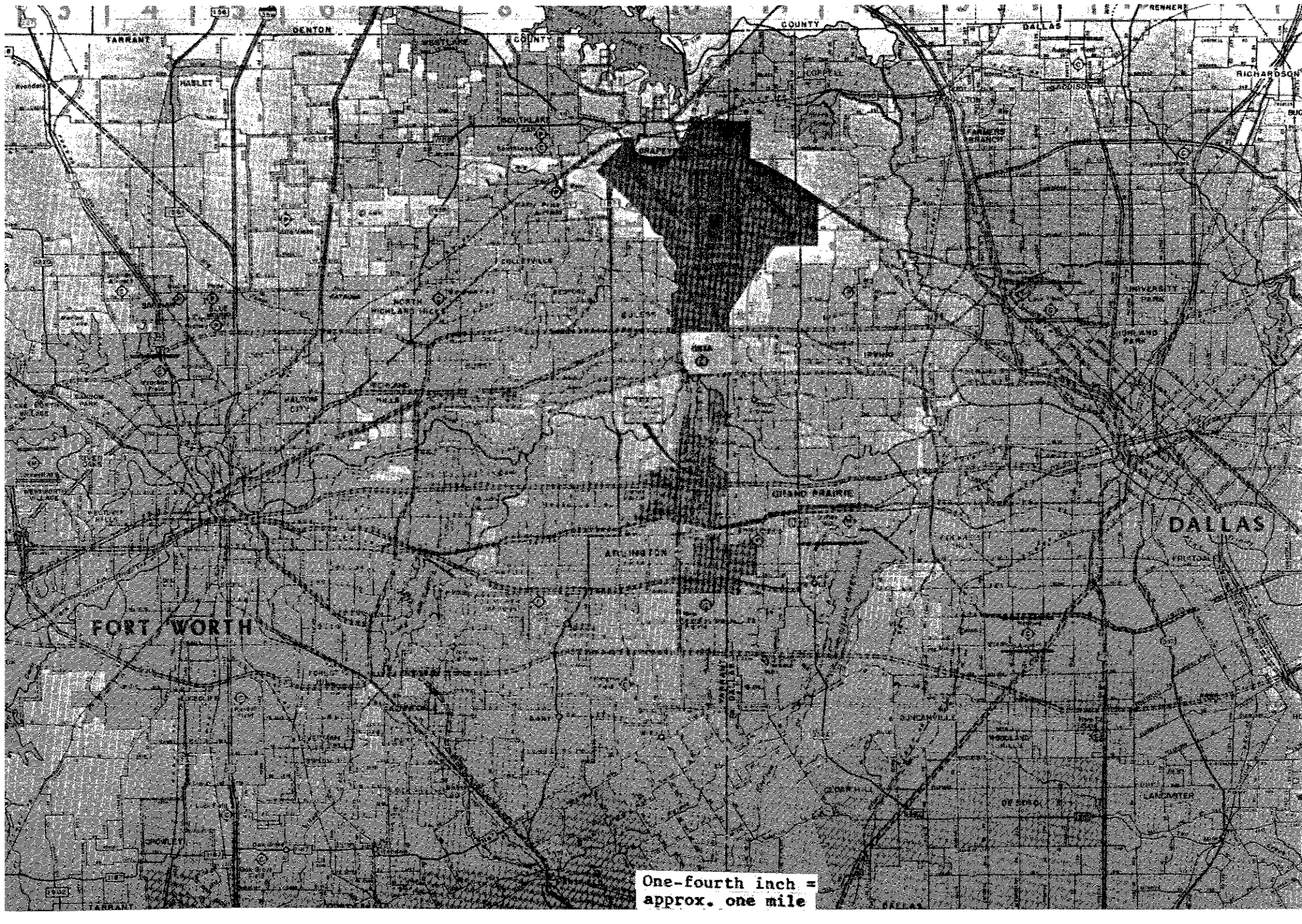
[57]Interview, S. G. Johndroe, Jr., City Attorney, City of Fort Worth, Texas, November 7, 1968.

Interdependence among the cities has been achieved. However, a goal of greater accomplishment of action could lie with the North Central Texas Council of Governments and its Regional Planning Commission. By adding this layer of local government, such comprehensive plans as zoning and the elimination of jet noise blight areas could be more effective. The mechanism provided by the Council of Governments would complete the expanding dimensions of federalism which have brought reality to a new cooperative base to build the world's largest airport.



One-fourth inch = approx. one mile

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