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NASAO Acitivies

Madeline C. Dinu

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STATE AND LOCAL

Department Editor: Madeline C. Dinu*

NASAO ACTIVITIES

FEDERAL AIRPORT FUNDS

EQUALLY important to the development of mass air transportation in the United States are both large terminal airports and a network of smaller well-located landing facilities. It is for this reason that considerable attention has been focused recently upon H.R. 4239 and S. 1284, two bills introduced during the 1st Session of this 81st Congress to amend Section 6 of the Federal Airport Act. The proposed legislation would change the present ratio of 75% state allocation and 25% discretionary funds under the Civil Aeronautics Administrator to a 60%-40% formula.

Federal officials supporting passage of these statutes have contended that the contemplated amendments will enable them to recapture from states those funds which were allocated but never utilized or committed by the state and/or municipal governments concerned. The recaptured funds would be devoted to projects needed in other states which had used up their allocated funds as well as available discretionary monies.

The National Association of State Aviation Officials has also looked into these proposals, and suggested a compromise whereby the federal government might recapture the unexpended funds without alteration of the 75%-25% ratio. In place of H.R. 4239 and S. 1284,¹ the NASAO has put forward the following draft amendment to the Federal Airport Act:

"That Section 6 of the Federal Airport Act is amended by adding a new subsection thereto, as subsection 6(c), and reading as follows:

"(c) To insure the full utilization of all funds appropriated for the purposes of this Act, whenever any part of apportionments to the several states as provided in Section 6(c) shall not have been allocated for projects in a state, and shall remain unexpended or unobligated beyond any fiscal year, they may be made available to the Administrator as part of the discretionary fund provided for in Section 6(b) and administered as set forth in subsection (2) thereof: PROVIDED, that the Administrator shall notify the Chief Executive of any state 90 days prior to the end of the fiscal year the amount of funds so to be transferred to the discretionary fund, and the date upon which such transfer would become effective."²

* General Counsel to National Association of State Aviation Officials.

¹ On July 20, 1949 the Senate Interstate and Foreign Commerce Committee reported favorably (Report No. 730) on S. 1284 and on July 21 the House Interstate and Foreign Commerce Committee reported favorably (Report No. 1101) on H.R. 4239.

² Senate Committee Report No. 735 on S. 1284 states that the Administrator of Civil Aeronautics proposes to give the states 120 days after S. 1284 becomes law in which to set up projects to use up all or any part of previously unused grant allocations:

"In this connection, however, the committee has been assured that in administering the act as so amended the Civil Aeronautics Administration will wait at least 120 days following the enactment of this amendment before programing any portion of funds recaptured from previous apportionments, in order to give the State from which such recaptures are made an opportunity to avail itself of the amounts so recaptured. If, during that period, sponsors in those States submit additional projects for work contemplated by the current national airport plan, the Administrator is required to program them. In fact, even after that date, the States from which recaptures are made will still have a priority right

The legal question involved is whether such an amendment to Section 6 would not be in conflict with Section 5 which provides that the funds appropriated would be available to the Administrator for allocation to the states until 1953. In view of the economy program both in the federal and state governments, any attempt to withdraw funds from states under amendments proposed at this time, so that all funds appropriated are used, may pose a real constitutional problem, both as to retroactive effect and as to derogation of rights vested in the states in the Federal Airport Act as passed in 1946.

PRIVATE FLYING

For the most part, state aviation officials have been directing their efforts during the past several months to ways and means of encouraging new and diversified uses of the personal aircraft. With the diminishing volume of aviation training under the G.I. Bill, attention has turned toward establishment of programs in education coordinated with the school systems throughout the country. Outstanding in scope and activity is that of the Pennsylvania Aeronautics Commission with the Pennsylvania Department of Education.

Departing again from purely legal questions, and making a comparison between surface and air transportation developments, the movement of persons and property by surface means is not largely in the hands of scheduled and non-scheduled trains and trucks, but in great part by the individually owned and operated automobile. What that type of vehicle has done for increased surface transportation, the private aircraft promises to do for air transportation. The economics of private use of aircraft is at a crucial juncture at this time. The Executive Secretary of the state aviation officials, Colonel A. B. McMullen, formerly for many years director of aeronautics in the State of Florida, and later Chief of the Airport Section of the Civil Aeronautics Administration, makes the following pointed observations:

"What private flying needs most is an air vehicle which includes the quietness, safety, economy and utility of the present day automobile. Over one million young men and women have learned to fly during the past 10 years, airports have increased by 38% and we have been living in an era in which both national and individual incomes have reached new highs. Yet, during 1946, the first post war years with all these new pilots, more airports and favorable economic conditions, only 36,679 civil aircraft were manufactured, 1947—17,717, a decrease of 48% while 1948 witnessed another 43% drop to 6,969 and many of these remain unsold. During this same period, the sale of automobiles has steadily increased.

"If we are to really develop private flying there must be a willingness to depart, if necessary, from conventional aircraft design, although universal adoption of known and proven developments such as the geared and muffled quiet engine, castored landing gear, folding wings, stall warning indicator and structural changes to make all conventional aircraft non-spinable or spin resistant, would all make these aircraft more acceptable and saleable.

to the use of discretionary funds in the amounts recaptured, whenever there is a need for such funds and there are any funds in the discretionary fund which have not already been programed. If no such funds are currently available, a State having such a priority will have first claim on the use of subsequently appropriated discretionary funds." (Page 3.)

The "priority" referred to is created by the Senate amendment which reads:

"SECTION 2. That subsection (2) of section 6 (b) of said Act, as amended, is further amended by changing the final period to a comma and by adding at the end thereof the following new language: '*except that a priority shall be granted to projects in a State when the total allocations from the discretionary fund for projects in such State have not amounted to as much as one-fourth of the total amount of the apportionment for such State under subsection (a) of this section.*'"

"Certainly the manufacturing cost must be considered, but mass production is the surest means of reducing costs in America and there is every indication that mass production of private flying aircraft will never be reached with the present type airplane.

"Grover Loening, NACA consultant, told the Institute of Aeronautical Sciences in May: 'Present indications are that only 3,000 personal aircraft will be manufactured in 1949 compared to 6,900 in 1948, 16,000 in 1947 and 33,000 in 1946. Following this trend, the \$92 million industry of 1946 will be a \$9 million industry this year and a \$2 million industry by 1952 . . . the only accomplishment in 15 years other than improvement in design detail and reliability, has been to raise cruising speeds 30-40 mph.'

"He listed the following specific defects in current private aircraft:

'(1) *Planes actually do not go where the individual really wants to go.* To meet the requirement . . . means almost vertical landing or take-off. The more nearly this is approached, the more places one can go . . . to land under 30 miles an hour needs only three times the lift coefficient of the existing planes that land at 50. The NACA has researched several wing sections and high lift devices which coupled with boundary layer control would enable a high lift of this character. Some are in daily use in the Armed Services—but not a single certificated commercial plane today has incorporated in it any more than the most elementary of such features.

'(2) *Inability to fly in bad weather.* One of the means of solution at hand is to endow aircraft with complete maneuverability. This essentially means that they must be endowed with the ability to stop in the air and back up. . . .

'(3) *Private planes make altogether too much noise.* A fundamental study of different muffler types has been made with a laboratory setup with controlled conditions of noise frequency and amplitude . . . the noise of take-off and of close-in flying of a private aircraft can be reduced to an acceptable level that no community can reasonably campaign against.

'(4) *Flying characteristics of private aircraft are not yet entirely foolproof.* This is true particularly as to spinning and spiral instability. With the knowledge now available on this subject, there is no excuse whatever for a new design of plane to be a bad spinner and if it is, the NACA has developed research procedure which would quickly cure it.

'(5) *The landing gear is subject to further developments of perfection.* The first is the cross wind landing ability that is obtained by castering landing gear wheels. . . .'

The problem of adequate and accurate weather reporting for private flying, at regular intervals, was again discussed by state aviation officials at the Summer meeting held in July at Mackinac Island, Michigan. Use of volunteer assistance from pilots in the air, as well as from Civil Air Patrol units, or other individuals or groups, was suggested. From a practical standpoint, some answer must be found, for the U.S. Weather Bureau does not have the funds nor the personnel to give adequate coverage. On the other hand, the legal question of liability for wrong weather reporting in cases where reliance on such reporting has resulted in accidents with loss of life or property, must be considered, particularly where volunteer assistance is involved.

M. C. D.