

August 20, 1951.

Honorable Lyndon Johnson
Senate Office Building
Washington, D. C.

Dear Lyndon:

In line with my conversation with you this morning regarding the construction of the Fair Oaks Shopping Center in Fort Worth, near Carswell Air Base and the Consolidated Vultee Plant, I am sending you a copy of a letter from the Fair, one of the largest department stores in Fort Worth, and owner of this suburban project, addressed to the Fort Worth Chamber of Commerce outlining therein the procedure followed in this entire set-up.

While I realize the necessity of the strict observation of the law regarding the matter of using materials that would in any way interfere with our national defense, I cannot help but feel that these people have complied with the requirements necessary to permit them to go ahead with the project. If you will read the memorandum #1, which refers to the record of conference with Mr. E. C. Watson on February 6, 1951, it will give you a better light on the matter. Mr. Watson now claims that the Fair people told him at that meeting that they had poured all of one foundation and a good part of the other. On the contrary, they told him they had poured a small amount, to which they make an affidavit. As a matter of fact, if they had poured as much as Mr. Watson now says they told him they had, it would not have been necessary for them to have been over to his office in the first place.

On July 20, 1951 Mr. George Copeland, the local Fort Worth Investigator, called at the Fair offices and after hearing all of the facts told them that they were clearly in compliance with the order and could go ahead with the construction and that it was definitely a hardship case brought on by their reliance on the Department's letter.

This statement can be substantiated by Mr. Lionel Bevan, Jr., Mr. Lilly Glaze, Controller of the Fair, and Mr. Sarazan, General Manager. Again, the NPA office has never advised the Fair in any way of what, if anything they are charged.

On August 7 and again on the 17th, after the NPA office called the Fair about their permit, they told them that the project was under investigation by their Compliance Department. This is the only statement the NPA has officially made regarding the matter of any delay. They now ask the Fair to advise them at once of their decision as to whether they will close down the job and, as stated, this is the only statement or representation they have officially made that the project is now under investigation by the Compliance Department. The NPA has twice expressly authorized the construction and now for some reason which they have not stated, has asked the Fair to advise them if they will close down the job and gave no reason whatever for making this request. While the officials have been cordial, they decline to make any definite statement or give any reasons.

Last Friday, August 17, Messrs. Haddaway, Sarazan and Bevan called at Mr. Tutt's office, together with Mr. Wyatt, of Wyatt Food Stores, an interested tenant in the project, who has bought more than \$150,000 in fixtures for his stores in the new set-up. On entering the office the first thing Mr. Tutt said was - "Gentlemen, if you are here with Mr. Wyatt to put pressure on me in this case, this conference is at an end." This, frankly, is a rather antagonistic attitude, as these gentlemen are not in any way trying to high-pressure the NPA or anyone else. They are fine, patriotic citizens and tax payers, who have always cooperated in every governmental activity that we have had to carry on with in Fort Worth. In fact, if they had been told originally that the project could not go along, they would not have stepped out and involved themselves in more than \$1,000,000 in expenditures.

It was in March, 1950 that they selected the site and commenced acquiring properties. This was followed by selection of designing engineers, architects, site preparation engineers, signing the

leases, replatting the ground and getting the zone changed. After this large expenditure they were confronted with the problem of getting water and sewage, as both Fort Worth and River Oaks disclaimed ownership. The architects advised at that time that it might be necessary for a period to use a water well which is on the property. They, in turn, purchased a pump for that purpose and immediately contacted the U. S. Government, who were in negotiation with River Oaks, and they agreed for the project to use the sewage, provided they replace the clay pipe with cast iron pipe.

The Fair was advised that Government Order M 4 was going into effect on January 13. Naturally, with the heavy expenditures and commitments which they had, they contacted the contractor and he advised that he would pour the foundation for the tank, which, in their opinion, was an essential part of the construction at that time. Their schedule called for the foundation digging and laying around the middle of November, but the unforeseen delays which arose, delayed this and it was not until January 8 that they started clearing the site and moving dirt. It was a rather large job and necessitated the removal of at least 25,000 cubic yards of dirt, 15,000 cubic yards of which has already been moved.

In order to feel clear about this, Mr. Arthur Haddaway, attorney for the project, Mr. Sarazan and Mr. T. A. Mitchell went to Dallas to see Mr. R. T. Watson, and suggested to him that they apply for a permit. He stated that under the circumstances they did not need one as it was not necessary, and gave them a letter to that effect. Upon that statement they went ahead and made commitments amounting to over one million dollars. The expenditures to January 15 and cash outlays have already been \$137,000 outside of their store commitments.

On July 25 the General Steel Company advised that although the steel had been purchased, they would not be able to fabricate and deliver all of it by October 1. In the meantime they made application for an allocation number and about two weeks ago Mr. Fletcher from the NPA office appeared and went over the entire matter with the Fair people in the presence of Mr. Copeland, who was here at the time. Fletcher stated that in his opinion they were justified in getting not only clearance but an allocation number to finish the project.

I realize it is a burden on you to worry you with a long detail of this kind, and I would not impose upon you were it not for the fact that I believe in these people, in their honesty and integrity, and know that they are good citizens and it will be a tremendous hardship on them not to be permitted to continue with the project which, incidentally, will be beneficial to Carswell Air Base and the Consolidated Vultee Plant, the base people and others who work at Consolidated. I further realize that, generally speaking, the builders and contractors try every way possible to get through projects which should probably be delayed, but this is certainly not a case of that kind.

The Fort Worth Star-Telegram (which, with all due modesty, has the largest circulation in Texas - over 200,000 daily), has fought vigorously in supporting the Government in its National Defense Program and have held up some important improvements of our own in keeping with this thought.

I understand that Mr. Tutt is a very high class individual and I am sure has no desire to impose an undue burden on any of our citizens, and I hope when he thoroughly understands the facts in this case that he will be able to permit the Fair people to go ahead with the program.

Any consistent cooperation that you may be able to lend will be greatly appreciated by many of your good, substantial friends in Fort Worth.

Sincerely,

AOC:mm