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COOPERATION BETWEEN THE FEDERAL BUREAU OF AIR COMMERCE AND STATE AVIATION OFFICIALS

FRED L. SMITH*

In accepting the assignment to speak on this most difficult subject this year, I realized that it would be necessary for me to step out of character. Heretofore, whatever remarks I have addressed to these conventions have dealt with subjects upon which I had very definite first-hand information and upon which I did not hedge in the least, regardless of whether or not I might have hurt someone's feelings. However, I appreciate fully that in discussing such an illusive subject, which has so many ramifications, I may be accused of "doing a Winchell"—and therefore must admit in the first place that some of my observations, while reported as accurately as possible, may not be at all correct. However, such a possibility will not deter me from giving you my honest opinions.

In the past this matter of cooperation has been glossed over with a lot of flowery words, and then everyone has gone back to his respective duties with a sigh of relief and a deep-seated determination to get even with some person or group whose real attitude was distinctly unfriendly. I at least have gathered some assurance from the fact that there are few, if any, state officials who have had any more or any more varied experience with the federal Bureau than I have. And if anyone has the preconceived idea that I am going to confine my entire remarks to a scathing denunciation of the Bureau, I would like to say now that there have been many things done by our state aviation groups that have been quite hair-brained, and I would certainly not be doing justice to this subject if I made state aviation officials appear as lily-white, infallible creatures. Everyone who does anything makes mistakes. Furthermore, it is not the object of this paper merely to criticize but, so far as is possible, to offer suggestions which will lead to a much closer liaison and, consequently, more effective operation of both federal and state aviation organizations.

In spite of the fact that the federal Bureau of Air Commerce published a bulletin on "Civil Aeronautics in the United States" under date of August 1, 1935, the organization chart on page 58

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of this bulletin may contain some information with which many of you are not familiar. Yes, in spite of reports of Senate investigations, and monthly quips in the Aero Digest, the Bureau of Air Commerce actually has an organization chart!

Under the Director of Air Commerce there are two main divisions—the Air Navigation Division and the Air Regulation Division. In addition to these two main divisions, there are four sections directly under the Director of Air Commerce—namely, the Administrative, Development, Aeronautic Information, and Airport Marking and Mapping Sections.

The work of the Air Navigation Division is divided into two main groups—namely, Airway Development and Construction, and Airway Maintenance and Operation.

In spite of the unprecedented opportunities which have presented themselves in the last three years, there has been little evidence of any sort of program by the Air Navigation Division, looking forward to the complete development of airway facilities essential to scheduled air transport operation. It is hardly necessary to add that there has been absolutely no concerted effort on their part to arrange for the provision of additional airway facilities which everyone with any flying experience at all realizes are absolutely necessary for the non-scheduled operator and the private flyer. Obviously the provision of ground facilities—for multi-motored airplanes operating with co-pilots, airway and private radio aids, automatic pilots, and almost every other gadget available to help the pilot—still leaves the airways in a decidedly incomplete and dangerous condition insofar as the non-scheduled operator is concerned. So far as I have been able to determine, there is nothing in the Air Commerce Act of 1926 or any of its many revisions since that time to indicate that the Bureau of Air Commerce is responsible only for the provision of sufficient aids to take care of *scheduled* air transport. I do not believe that anyone has been more active in trying to help the airways situation insofar as the needs of air transport are concerned than I have been; and yet I would feel that I had betrayed a large number of people in aviation if I had not battled for the inclusion of many more fields on our airways than are absolutely essential to the safe operation of scheduled air transport. As matters stand now, except in a few isolated instances, our airways are not developed adequately even for scheduled air transport; and consequently, there are practically no airways sufficiently developed to give the small operator, with his admittedly inferior radio and instrument equipment, more than a

fighting chance. Closer liaison between the Air Navigation Division and the various states most certainly would have brought about a much more satisfactory condition as a result of the opportunities of the past three years.

Airways Maintenance District No. 1, at Newark, New Jersey, has charge of the federal airways including the eastern half of Ohio, and District No. 3, with headquarters at Chicago, has charge of the western half. I am sorry to have to report that except for a recent request for aerial photographs of intermediate fields (re-layed through the Adjutant General's Department) from the Newark Superintendent, I have not had any requests for assistance from these offices. I sent the Chicago office data on fields under their jurisdiction, at the suggestion of employees of the Airport Section, but have had no reply.

Perhaps the officials of this division of the Bureau feel that they have a federal airways job to do, on which they do not want any suggestions or assistance from state aviation bodies. Certainly they have made me feel that they could get along altogether without my help. As a matter of fact, they haven't gotten along as well as they might have—and I am just egotistical enough to think that I could have been of material assistance to them.

So long as our present form of federal and state governments exists, it will not be possible for any federal agency to work out its own program irrespective of the inclinations or desires of state and local governmental units. Even in instances where the federal agency might have unquestioned jurisdiction, it would seem to me to be just plain good common sense to make the states and smaller political sub-divisions feel that they had some part in the program. Certainly, some part of the time of the administrative personnel of this Division should be spent in contacting state and local officials. Whether the recommendations of these state and local people are worth anything or not may be open to question, but surely their good will is indispensable to the development of a complete and satisfactory airways system.

Closer liaison between the Air Navigation Division and state and local aviation bodies is a vital necessity.

Let us now turn to the Air Regulation Division. It must be conceded that no abnormal demands have been made upon the personnel of this Division during the past three years, and this condition may explain in large part the much closer liaison and the much more harmonious relationship which exist between this division of the federal Bureau and state and local aviation bodies.

The personnel of this Division rub elbows constantly with state and local aviation people, and in spite of the fact that much of their work places them in the unenviable role of policemen, or umpires, a great percentage of the aviation public has placed its stamp of approval on these men and their activities. The fact that the Assistant Director in charge of this Division is a former state official, with extensive and first-hand knowledge of state and local problems, may have had a much greater effect in promoting friendly relations than can be measured objectively.

In spite of the generally satisfactory relationships between this Division and state bodies, there are a few matters upon which we people in the states have been clamoring for action, but which have not yet been taken care of. At the suggestion of the federal Bureau of Air Commerce, a large majority of states have passed laws requiring federal licenses for airmen and aircraft, regardless of the nature of the operations. As yet no action has been taken by the federal Bureau to provide a temporary license for the movement of unlicensed aircraft to inspection bases—a flying operation which now leaves most of us state officials “in the middle.” Furthermore, there is a general feeling among many of us in state work that a restricted license could be issued for the limited use of formerly fully licensed commercial aircraft, which would enable private owners to get considerable service from aircraft retired from active commercial use. I think we are all agreed that where the private owner cannot afford brand-new equipment, we would much sooner see him build up his time in a standard commercial ship from which extra seats had been removed, than to have him monkeying around with half-baked contraptions built up from junked automobile engines, packing cases, and bailing wire.

When the question of definite regulation of flying operations over federal airways broke into the open last fall, many of us in the states regretted the fact that the conferences included practically no one except airline and Bureau officials. The clamor which arose after the publication of the first draft of these regulations was distinct evidence of the lack of a thorough discussion of the problems involved, by all groups concerned. To this day you will find an undercurrent of dissatisfaction in Air Corps circles with the way in which this matter was handled. Every sane person wants to contribute to measures which will add to the splendid safety record already established by scheduled airlines. It is unfortunate that the general impression was created that the airways were to be reserved for scheduled air transport only. Less haste,

and the collection of suggestions from a wider field of operators, would have prevented considerable dissension.

Again, it is quite obvious that there are a number of regulations now on the books and which the federal inspectors are conscientiously trying to enforce which simply have no place, because of the very evident lack of jurisdiction of the federal Bureau. I am referring now, specifically, to the complicated system now in effect governing procedures at local air shows, and to the enforcement of air traffic rules without any regard to whether or not the airplane's operation is within the limits of a federal civil airway. It is very difficult to justify the control which this Division exercises over schools, and other such purely local activities. With the development of more and more aeronautic activity, I believe that this Division will welcome the opportunity to step out from some of these fields of activity where its jurisdiction is either entirely lacking, or open to question.

Of the four sections of the Bureau directly under the Director, there are only two with which we people in the states have been directly concerned—namely, the Aeronautic Information Section, and the Airport Marking and Mapping Section.

The Aeronautic Information Section has really done a remarkable job in the collection and dissemination of information of interest to all of us in aviation. The work of this Section has been extremely difficult during the past three years because of the unprecedented amount of work undertaken on airports and landing fields all over the country. Those of us in the states who have a hard time keeping up with the status of landing facilities in a limited area appreciate fully the difficulties this Section must encounter. Working under the handicap of often having to contact city officials, postmasters, and secretaries of chambers of commerce for technical information on landing fields, it is remarkable that their reports are at all satisfactory. The bulletins issued on landing fields could be much more up to date if every state aviation body could pass upon its tentative draft covering airport facilities immediately before the bulletin went to press. With the airport situation more stabilized—as we hope it will become in the very near future—a little closer liaison will make the work of this Section altogether satisfactory.

The Airport Marking and Mapping Section is one with which every state official has had a great deal of contact during the various unemployment programs. Changing requirements and the continual shifting of administrative personnel, especially those em-

ployed by the CWA, FERA, and WPA, make it extremely difficult to comment accurately upon the degree of cooperation which has existed between this Section and state and local aviation bodies. It would be folly to say that there has been anywhere near one hundred per cent cooperation between federal and state agencies during this period—except, perhaps, in a few isolated cases—and yet it would be altogether unfair to place the responsibility for the lack of more cooperative effort on the shoulders of this Section. After all, the Airport Section's jurisdiction was distinctly limited by the varying requirements of the unemployment programs. No funds were ever definitely ear-marked for airport projects, and the Bureau personnel, in the capacity of advisors, was overruled in numerous instances because of the unusual circumstances existing in many local districts.

Perhaps the most serious handicap of this Section, in taking over the airport program, was the lack of experienced personnel.

It will be remembered that the Airport Section as it existed under the previous administrations was practically wiped out in the summer of 1933. On June 26, 1933, I wired Mr. James C. Edger-ton, Assistant Chief of the Department of Commerce, as follows:

“Airport Section Aeronautics Branch has been of great assistance to us in airport and landing field development. Will be especially helpful in next two years in proper planning of airport work in conjunction with public works program. Fine opportunity to push airport improvements. Every state will need help of this Section.”

Just what went on between June and November of 1933 I do not know, but it is sufficient for the record to note that when the CWA program was initiated, in November, 1933, Mr. Geisse was named as Special Assistant to the Director and began the organization of the CWA airport program—and the Airport Section, as it had been organized previously, seemed to pass out of existence. Some of its members were put to work on various phases of the emergency program, in outlying districts; but, for some reason or other, no one of the group who had functioned for a number of years under previous administrations was left in Washington to help direct a construction program of unprecedented proportions. Some of our many difficulties incident to airport projects may be due to this unfortunate situation in the Bureau.

Obviously those of us in the states who are fired with the desire to get our airports in the best possible shape found ourselves working with a brand-new organization in Washington, most of

whom were as inexperienced with construction problems as we were ourselves. Mr. John S. Wynne, who guided the destinies of these programs, had no easy task—and to his credit it must be said that in spite of tremendous handicaps he has made a very creditable showing. If you don't think that he has plenty to worry about, just imagine yourself trying to build up an organization to supervise construction operations on some six or eight hundred airports—with airline officials, state aviation bodies, chambers of commerce, airport managers, and a host of miscellaneous aviation enthusiasts clamoring to be heard! His task wouldn't have been nearly so hard if all those interested in the improvement of any one airport had the same idea. Unfortunately those of us in aviation are extremely individualistic, and we exhibit very little hesitancy in calling another person's ideas half-baked, if they don't happen to agree with ours!

During the Civil Works Administration and part of the Federal Emergency Relief Administration, Mr. Wynne's office did manage to use state aviation officials as his local representatives, but with the advent of the Works Progress Administration we lost that official status and became sort of "horner-inners." Much to our disgust the work went along about as well as it did before, and perhaps in some instances better.

In my own case, as I look back over the three years of intensive effort on airport programs I believe that I have been able to work just a little more effectively as an unofficial advisor. Admittedly, I have become very much incensed, at times, to find inquiries going to Washington—either to the Airport Division of the WPA or to the Airport Section of the Bureau—for information which could have been obtained from me directly. The personnel of Mr. Wynne's present staff operating in Ohio leaves nothing to be desired (although I must blush for a couple of dead-heads that he tried out on us before his organization was perfected).

The Airport Section still has, in my opinion, one of the most important functions of the federal Bureau. I have never been able to see the reason why the Section should be segregated from the Air Navigation Division, where it would seem to fit most logically as a subordinate unit and where its general plans and policies could be correlated very definitely with the whole federal airways system. The separation of this Section from the Air Navigation Division may account in large part for the lack of contact between state and local people and the Air Navigation Division.

The opportunity for airport construction programs similar to

those of the last three years may never again present itself, but surely with the attention of the nation focused on the immediate need for really complete airports for scheduled air transport, and a much more intensive development of many pasture lots which we now, charitably, call "local airports," or "landing fields," this Section will have plenty of work to do in conjunction with state aviation bodies. Closer liaison is, of course, highly desirable. When we have real aviation bodies in the majority of the forty-eight states this cooperative effort on airport construction programs should be much easier of attainment.

So far, this discussion has been confined pretty much to the federal side of the picture. Obviously, cooperative effort involves more than one agency. On the whole, our state aviation officials are a likeable lot—but, after all, aren't we scrambling around at times in so many different directions as to make the people in the federal Bureau wonder what those guys are going to try next?

We have a Uniform State Aeronautical Regulatory Act, but every time it is proposed or passed upon in a different state it takes on some new trimmings which make it hardly recognizable. We seem to have been pretty generally agreed on working for the elimination of gasoline taxes on aviation fuels, and while there is more uniformity on this subject than on many others, there are still a number of states in which a positive attitude on the part of aviation officials toward the gasoline tax would help tremendously.

I am sure that most of us have received a very liberal education during the past three years on just what the requirements are for landing areas—and yet with so much loose talk about "flight strips" adjacent to highways, I sometimes wonder just how much good the experience has done some of our state people. It must be very confusing to the general public to hear the practicability of such meagre strips loosely endorsed by some people in aviation, while other aviation people have been working so hard for the extension of fields into the five hundred to a thousand acre class in order to make them really worthwhile. In states where funds are available, there has been an inclination to develop airways, with all the fancy trimmings such as lights, radio aids, and independent weather stations, without any thought as to the harmful effects of such a movement, if taken up generally, on our federal airways system. The Copeland Committee's report gave sufficient evidence of the lack of uniformity in the making of weather reports, even under a centrally controlled system, to indicate very definitely the insurmount-

able difficulties which would arise in interpreting such reports compiled by a number of different agencies working independently.

A state aviation body with a lot of funds at its disposal is in just as precarious a position as a youthful heir with no business experience. The only thing we can be fairly certain of is that the funds will be spent! If they aren't used discreetly, the reaction on aviation generally is certain to be harmful. Someone will have to pay the piper eventually, and opponents of any movement have an unhappy faculty of keeping track of the extravagances of their pet aversion.

Perhaps the greatest weakness of our state aviation bodies is the tendency to try to sell an idea, or a system, which fits the peculiarities of their particular states, to the nation as a whole. Two examples are sufficient to illustrate this point.

First, there are states in which the aviation body has been set up as a subordinate unit of the State Highway Department. Those of us who have been trying to look at aviation development not from the standpoint of what may happen this year, or next, but far into the future, realize that such an arrangement may be quite necessary, and perhaps an altogether happy one in some cases. We have never tried to urge any definite organization on states considering aviation legislation. However, it is extremely disturbing to find a tendency, on the part of those who work under such an organization to feel that they must promote this arrangement on a nationwide basis. Conditions vary too greatly in the different states to make any such general movement desirable. All we have a right to ask is that the aviation activities of every state be given some official recognition under the direction of the best available aviation talent. After all, the sovereign states have a large number of inalienable rights which we must and should respect.

The second instance is the matter of "flight strips" along highways. Unquestionably in states where highways have been or are to be built through extensive uninhabited areas, such as swamps, forests or deserts, this idea may have some merit. But to foist this idea on the American public as a nationwide movement is simply ridiculous from the standpoint of practically all of our eastern and central western states. Personally, I haven't any use for them—but as a state official in Ohio, I would not presume to dictate to Florida, Michigan or a number of western states where such factors as the value of land, density and comparatively well-balanced distribution of population, and density of air traffic, are very much different.

In conclusion, then, it must be very apparent that we state officials have a long way to go yet in defining our own objectives before we expend all our ammunition blasting away at real and fancied evidences of lack of cooperation on the part of the federal Bureau. It is generally admitted that the federal organization—without any reference to personnel—leaves much to be desired. It is hoped that the next Congress will have the time and the determination to find a suitable answer to the difficulties under which the administrators of federal aviation activities have been laboring. Obviously, a more settled condition in the federal aviation body, whatever it may become or be called, will be of immeasurable benefit to every state. Meanwhile, I hope that all of us will go back to work in our own particular areas with a growing realization that with the rapid growth of air transport and the rapid building up of an adequate air force for national defense, our responsibilities to the public are increasing tremendously. Concentrate on worthwhile objectives within your jurisdiction. Remember that it takes two people to start a quarrel—as well as an agreement between two or more people to develop a cooperative movement. “More Work and Less Squawking” would be a splendid motto for all of us in aviation.