

1947

## Federal

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## FEDERAL

Department Editor: Louis E. Black, Jr.\*

### SPECIAL BOARD OF INQUIRY ON AIR SAFETY\*\*

**T**HE President today (June 15, 1947) appointed a Special Board of Inquiry on Air Safety for the purpose of making recommendations to him on the Board aspects of safety in air transportation. The President appointed to this Board:

James M. Landis, Chairman, Civil Aeronautics Board — Chairman.  
Dr. Jerome C. Hunsaker, Chairman, National Advisory Committee for Aeronautics — Vice-Chairman.

Brig. Gen. Milton W. Arnold, Vice-President for Operations and Engineering, Air Transport Association of America.

Theodore P. Wright, Civil Aeronautics Administrator.

H. B. Cox, a member of the Air Line Pilots Association.

Following is the text of the letter sent by the President to members of the Board:

"Dear Mr. \_\_\_\_\_:

"The development of our air transportation system has repeatedly been recognized as a matter of vital concern to our nation. One of the essential factors which can contribute greatly to the progress of our air transportation system, or can seriously hinder that progress, is the safety of our air transport operations. The public interest demands that every effort be made to obtain the highest degree of safety in those operations.

"I am deeply concerned about this subject, especially in view of the recent accidents to aircraft of our certified domestic carriers. I have, therefore, determined that the whole problem of air transport safety in the United States should be carefully examined by a group of citizens representative of all those interests of our society to whom this safety is a matter of constant concern. Accordingly, I am appointing a special board of inquiry on air transport safety, and request you to serve as a member of that board.

"This board should study the pertinent data and information relating to the program for safety in air transportation and the factors, both mechanical and human, which enter into safe operation. It should study, among other things, the recent series of accidents to determine how the findings in relation thereto can be utilized to advance air safety. It should consider also the way in which new equipment, already predictable, must be keyed to mechanical aids and human capabilities.

"The board should in its discretion avail itself of all information and data in any Government Department or agency, and to the extent feasible in any private agency or group which may have an interest in or contribute to the solution of this problem. In conducting its study, the board is authorized to hold such public hearings as it may in its discretion determine to be desirable.

"The board should present for my consideration, as soon as possible and from time to time, recommendations as to any action or measures which it would deem appropriate in order further to promote safety in air transportation. The board's findings will assist me in determining any further steps which should be taken by the Executive Branch of the Government to assure the highest degree of safety, and to formulate proposals to the Congress for any necessary legislation. Any executive departments and agencies concerned will of course give you every possible aid in this undertaking."

Very sincerely yours,

HARRY S. TRUMAN

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\* Member of West Virginia Bar; Graduate Student, Northwestern University School of Law.

\*\* From official press release of June 15, 1947.

**PRESIDENTIAL TEMPORARY AIR POLICY COMMISSION\***

The President today (July 18, 1947) established a temporary Air Policy Commission, composed of private citizens, to assist him in formulating a national policy on aviation. This action was taken upon the recommendation of the Secretaries of State, War, Navy, and Commerce, and of the Air Coordinating Committee, an inter-agency group created in September, 1946, by Executive Order of the President. The Air Policy Commission has been requested to submit its final recommendations by January 1, 1948.

Thomas K. Finletter, of New York, N. Y., Chairman.  
George P. Baker, of Cambridge, Mass., Vice Chairman.  
Palmer Hoyt, of Denver, Colo.  
Henry Ford II, of Detroit, Mich.  
Arthur D. Whiteside, of New York, N. Y.

Texts of letters sent by the President to the members of the Air Policy Commission and to the Air Coordinating Committee follow:

"Dear Mr. ....:

"The rapid development of aviation in recent years has made many of our former concepts out of date. At the same time, there exists a danger that our national security may be jeopardized and our economic welfare diminished through a lowered aircraft production and a failure of the aircraft industry to keep abreast of modern methods, with consequent retarding of the development of air transportation. There is an urgent need at this time for an evaluation of the course which the United States should follow in order to obtain, for itself and the world, the greatest possible benefits from aviation.

"It is for these reasons that, upon the recommendation of the Secretaries of State, War, Navy, and Commerce and of the Air Coordinating Committee, I am creating a temporary Air Policy Commission to make an objective inquiry into national aviation policies and problems, and to assist me in formulating an integrated national aviation policy. Because of your knowledge of our national needs and our industrial capabilities, as well as your public-spirited concern for the national welfare, I ask you to serve on this Commission.

"The Air Policy Commission should study, among other pertinent aspects of the problem, such questions as the current and future needs of American aviation, including commercial air transportation and the utilization of aircraft by the armed services; the nature, type, and extent of aircraft and air transportation industries that are desirable or essential to our national security and welfare; methods of encouraging needed developments in the aviation and air transportation industry; and improved organization and procedures of the Government that will assist it in handling aviation matters efficiently and in the public interest.

"The final recommendations of the Commission must, however, go beyond the limits of any one phase of aviation. They should be so broad in scope and purpose that they will assist in revising old policies and in framing new ones, and will serve as a guide for formulating a carefully considered national air policy.

"Because of the urgency of the problem, I request the Commission to complete its studies in time to submit its final recommendations to me by January 1, 1948. In its work the Commission will have the full cooperation of all agencies of the Government, including the Air Coordinating Committee, which has been making detailed studies of aviation policies and problems.

"Although the Commission will organize its own regular staff and secretariat, the Secretary of Commerce will provide any special staff assistance which may be needed, as well as office headquarters and routine administrative services."

Sincerely yours,  
HARRY S. TRUMAN

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\* From official press release of July 18, 1947.

"Hon. Garrison Norton  
Chairman, Air Coordinating Committee  
Department of State.

"Dear Mr. Norton:

"I have read with great interest your letter of June 16, 1947, discussing the present condition of the aircraft manufacturing industry and recommending that I appoint a board of disinterested citizens to study the relationship of this industry to the national security and welfare.

"Your recommendation seems to me well taken. I have, therefore, appointed an Air Policy Commission with the request that it make an objective inquiry into our aviation policy in its broadest aspects.

"In a letter from the Air Coordinating Committee to me dated December 26, 1946, it was stated that the Committee was undertaking a comprehensive survey of aviation policy from the Governmental standpoint. The background and experience which the Committee has in this field would be of material assistance to the Commission, and I am, therefore, requesting that you send me your report for its use.

"I am deeply appreciative of the fine work which your Committee has done in calling to my attention the present condition of the aircraft industry and in carrying forward the compilation of Government aviation policy."

Sincerely yours,  
HARRY S. TRUMAN

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### TEMPORARY CONGRESSIONAL AVIATION POLICY BOARD

Public Law 287—80th Congress, 1st Session, approved July 30, 1947.

AN ACT *To provide for the establishment of a temporary Congressional Aviation Policy Board.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to provide for the development of a national aviation policy adequate to meet the needs of the national defense, of the commerce of the United States, both interstate and foreign, and of the postal service, and to provide for the formulation and clarification of national policies relating to or affecting aviation, including policies relating to the maintenance of an adequate aeronautical manufacturing industry.

SECTION 2. There is hereby established a temporary Congressional Aviation Policy Board (hereinafter referred to as the "Board") which shall be composed of five Members of the Senate, not more than three of whom shall be members of the majority party, to be appointed by the President pro tempore of the Senate, and five Members of the House of Representatives not more than three of whom shall be members of the majority party, to be appointed by the Speaker of the House of Representatives.

SECTION 3. It shall be the duty of the Board to carry out the purposes of this Act, and, in so doing, to study the current and future needs of American aviation, including commercial air transportation and the utilization of aircraft by the Armed Services; the nature, type and extent of aircraft and air transportation industries that are desirable or essential to our national security and welfare; methods of encouraging needed developments in the aviation and air transportation industry; and the improved organization and procedures of the government that will assist it in handling aviation matters efficiently and in the public interest. The Board shall report to the Congress, together with such recommendations as it deems desirable, on or before March 1, 1948.

SECTION 4. (a) The Board shall select a chairman and a vice chairman from among its members. A vacancy on the Board shall be filled in the same manner as the original selection.

(b) The Board is authorized to employ such experts, assistants, and other employees as in its judgment may be necessary for the performance of its duties. The Board is authorized to utilize the services, information,

facilities, and personnel of the various departments and agencies of the Government to the extent that such services, information, facilities, and personnel, in the opinion of such departments and agencies, can be furnished without undue interference with the performance of the work and duties of such departments and agencies.

(c) The Board shall have the power to hold hearings and to require by subpoena or otherwise the attendance of such witnesses, the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable.

(d) For the purpose of carrying out the provisions of this Act the Board may seek information from such sources and conduct its studies and investigations at such places and in such manner as it deems advisable in the interest of a correct ascertainment of the facts.

SECTION 5. There is hereby authorized to be appropriated such sums, not to exceed \$50,000, as may be necessary to enable the Board to carry out its functions under this Act.

SECTION 6. The members of the Board, and employees thereof, shall be allowed all expenses necessary for travel and subsistence incurred while so engaged in the activities of the Board.

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On signing the bill, President Truman said that the 10-member board would in no way conflict with the Presidential Air Policy Board which he appointed recently. "I welcome the attention given by Congress to our aviation problems as evidenced by this act," the President said. The congressional board will study both commercial and military aviation needs, including the industrial facilities necessary to insure national defense.

Speaker Joseph W. Martin announced the names of the five members who will represent the House: Charles A. Wolverton (R., N.J.), Carl Hinshaw (R., Calif.), Karl Stefan (R., Neb.), Alfred J. Bulwinkle (D., N.C.), and Paul J. Kilday (D., Tex.).

President Pro Tem Arthur H. Vandenberg named the following Senators to serve on the Board: Owen Brewster (R., Me.), Albert W. Hawkes (R., N.J.), Homer E. Capehart (R., Ind.), Edwin C. Johnson (D., Colo.), and Ernest W. McFarland (D., Ariz.).\*

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## AIR COORDINATING COMMITTEE STATEMENT OF NATIONAL AVIATION POLICY

(A STATEMENT OF CERTAIN POLICIES OF THE EXECUTIVE BRANCH OF THE  
GOVERNMENT IN THE GENERAL FIELD OF AVIATION — PREPARED BY THE  
AIR COORDINATING COMMITTEE, AUGUST 1, 1947, RELEASED BY THE WHITE  
HOUSE AUGUST 18, 1947)

### CIVIL AVIATION

#### 1. Air Transport

The basic policies governing United States air transport are embodied in the Civil Aeronautics Act of 1938. The Civil Aeronautics Board in its decisions undertakes to apply policies derived from the Act rather than to create new policy. There are nonetheless certain trends which have policy aspects and hence are noted in the following sections. This is particularly true in the field of foreign operations which have been so markedly extended since the end of the war and where other elements, such as treaty obligations, contribute to the development of policy.

*Routes* — Under the Civil Aeronautics Act, the pattern of domestic and foreign air routes has been created through certificates of public convenience and necessity issued to scheduled carriers. This pattern includes trunk line services at home and abroad, and domestic inter-community and regional

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\*From 52 Am. Av. Daily 152 & 160, July 31 and Aug. 1, 1947.

carriers. The latter are authorized expressly on an experimental basis to determine the economic practicability of making such services available to smaller cities.

Continued development of a sound route pattern and of new air services will require further creative planning. Ample mechanism exists within the framework of the Act to consider such integration and modification as may hereafter be found desirable.

*Competition* — The Congress has set the broad policy of competition to the extent necessary to assure the sound development of an air transportation system. Although parties at interest, through intervention in route cases, have on occasion successfully challenged specific extensions of competition, reasonable competition among air carriers has been fostered in the conviction that it is necessary in order to secure the maximum development of air transport services. Competition, however, must be constructive in character and must not result in lowering the safety factor or in precluding joint and cooperative arrangements that result in efficiency and economy.

As post-war experience matures, these principles may require a re-examination as they apply to individual cases. In some cases it may become desirable to permit mergers, abandonment or reassignment of routes or liquidation of a carrier.

Experience to date in both the economic field and foreign relations warrants the continuation of competition among United States airlines in the international field. Competition offers the greatest stimulus to development by the United States of new operating techniques and equipment, and the only means of keeping from the hands of one small management group the power to interfere in policies of great national interest. From the point of view of national defense, there are no factors making necessary a step toward the so-called "chosen instrument" at this time.

*Rates* — Despite the high volume of traffic, air travel is still relatively expensive compared to other forms of transportation. Although improved service, comfort and speed increase business, present rates remain a limiting factor on the growth of traffic. The ultimate goal of government rate policy is inexpensive, mass air transportation provided by private carriers which are financially sound and which can operate without subsidy.

The Civil Aeronautics Board currently lacks authority to set or control directly rates for international services of our air carriers. However, an indirect veto power over such rates exists by virtue of the Board's authority to approve or disapprove inter-carrier agreements. International rates are typically established through such agreements reached at International Air Transport Association conferences. Although the Board could lawfully disapprove of any of these agreements, it is powerless to change rates or to set alternative rates.

In order to prevent the freezing of rates at exorbitantly high levels or the development of destructive rate wars among United States carriers operating abroad, as well as among international carriers generally, legislative power to fix and control such rates directly is being sought by the Board. This power is as necessary in the international field as in the domestic field where it already exists.

#### *Air Transport of the Mail*

*Domestic* — Air mail postage rates for the carriage of air mail must be high enough to produce sufficient revenue to cover the costs properly chargeable to the service and yet low enough to encourage a large volume of air mail. The Postal Service must envision the eventual transportation of all first-class mail by air without surcharge when this will expedite delivery and establish air parcel post service, when these objectives can be accomplished on a sound economical basis.

*Foreign* — The rates charged foreign countries for carriage of their mail by our air carriers are designed to provide adequate compensation for United States airlines and to encourage a large volume of mail in the countries using the service. These charges are higher for letter mail than for parcel post which is transported on a non-preferential basis. In both instances the rates apply uniformly to countries using the service. The Postmaster General, under the Civil Aeronautics Act of 1938, utilizes the services of foreign air carriers whenever such carriers offer services which are superior to the services provided by United States carriers. Foreign countries are expected to accord reciprocal treatment to United States carriers for mail destined to the United States thus providing an opportunity for balance loads in both directions and resulting in superior postal services for the peoples of both countries.

*Subsidy Aspects of Mail Payments.* The Civil Aeronautics Act of 1938 authorizes mail payments based on the need of the air carrier as defined by the Act. It does not, however, authorize indiscriminate support for operation at a profit of all services authorized to carry the mail. Fair compensation to the airlines for the carrying of the mail is of course mandatory but the payment of a greater amount requires strict tests of the usefulness of the operation to commerce and the national defense. Moreover, losses incurred by management which is not honest, economical and efficient cannot be underwritten in the mail compensation. The mail compensation thus must be used to support only that air transportation which serves the objectives of the Act and which meets the conditions it sets forth. This support should continue for required services until the carriers are financially self-supporting.

*Aspects of Policy Relative to International Operations*

The interest of the United States in international civil aviation rests on its geographical position, its part in world commerce and its proven capacity to conduct large scale operations.

Basic policies of the United States in this field derive from the Civil Aeronautics Act of 1938 and have been developed within the framework of the Government's foreign policy. As a contracting party to the Convention on International Civil Aviation, and as a member of the International Civil Aviation Organization established under the Convention, the United States has accepted certain specific obligations. These relate principally to the development of internationally uniform technical practices, standards and procedures.

Nothing in the Convention has altered the accepted doctrine that each nation absolutely controls the air space over its own territory. In fact, the Convention specifically reaffirms this doctrine. It follows that over-flight or landing for any purpose is a privilege to be granted by sovereign nations and the exchange of such privileges has generally become a matter for inter-governmental negotiation.

*Air Transit Privileges* — Multilateral exchange of the privileges of flying civil aircraft through another nation's air space and of landing to refuel or for any other non-traffic purpose is essential to the fullest development of international civil aviation. Whereas private and non-scheduled flights are granted these privileges as between contracting states under the Convention, and no prior permission for such a flight is required, scheduled international air services are granted these privileges multilaterally through the International Air Services Transit Agreement. These grants are, of course, subject to the terms and conditions of the Convention and the Agreement respectively.

The United States as a matter of policy urges nations which have not exchanged these privileges to do so within the framework of the Agreement and the Convention.

*Scheduled Commercial Operations on International Routes* — The United States believes that the general principles under which scheduled air transport operations are conducted between countries should be embodied in a multilateral agreement. These principles should cover fair competitive practices, capacity and frequency, the bases on which international traffic rights may be exchanged, and procedures for settling disputes.

The United States insists, however, that the right to fly specific routes should be negotiated bilaterally, since each route depends upon economic and other relevant factors which vary from country to country.

The United States will continue to seek traffic rights in all countries to or through which its air carriers are certificated. To obtain such rights, the United States is prepared to offer, on the basis of reasonable reciprocity, similar rights to air carriers designated by another country. Cabotage, the carriage of traffic between points within the United States or its possessions, is of course exclusively reserved to United States carriers.

*Non-Scheduled International Operations* — The United States believes that the international passenger service offered by United States flag scheduled operators over certificated routes will prove adequate. It therefore currently limits its international non-scheduled common carrier operations to carriage of cargo.

*Competition Among International Airlines* — The United States believes that fair and regulated competition provides the most compelling drive toward improving service for the public. Accordingly, the United States opposes arbitrary capacity quotas, rate differentials and other practices which have the effect of eliminating competition, restricting access to markets or fostering monopolistic controls.

*Ownership of Foreign Airlines* — The United States reserves the right to refuse or revoke the operating permit of a foreign airline in the event that the United States is not satisfied that substantial ownership and effective control is in the hands of nationals whose flag the foreign airline flies.

*Disputes* — Direct negotiation by the affected nations or airlines should be the first recourse for the solution of the disagreements over questions of interpretation or application which will inevitably arise among the states, which are parties to agreements in international aviation. The majority of our existing bilateral agreements provide for reference of disputes for settlement to the Council of the International Civil Aviation Organization. The United States now believes, however, that the Council members, being representatives of sovereign states and therefore subject to instructions, cannot appropriately perform this judicial function. When direct negotiations fail, special arbitration panels or other established international procedures should be employed.

*Facilitation of International Air Travel* — The United States will work through the International Civil Aviation Organization and otherwise to facilitate air travel by expediting and simplifying customs and immigration clearances, public health and quarantine inspections, and issuance of passports and visas. We will try to ease or eliminate obstacles to international trade and travel which have been created by our own laws and regulations.

#### *International Civil Aviation Organization*

The United States supports the International Civil Aviation Organization as the agency to achieve technical standardization and economic collaboration in international civil aviation. The United States took the lead in bringing the Organization into relationship with the United Nations,



thereby recognizing the role which civil aviation, through the International Civil Aviation Organization, can play in promoting international cooperation.

#### *International Use of Domestic Airports*

United States airports which are open to public use by United States civil aircraft shall be open under uniform conditions to the civil aircraft of other nations parties to the Convention. The United States reserves, however, the right to designate the airports which may be used by any foreign scheduled air transport services.

#### *International Air Navigation*

The sound technical development of international civil aviation requires (a) systems of air navigation facilities and services relating to airports, communications, aids to navigation, meteorology, air traffic control, search and rescue, etc., standardized to a degree consistent with technological progress and operated under uniform procedures, extending to all areas and locations where the present or potential need for air travel of persons, cargo or mail justifies the cost of installation and operation; (b) adherence by all nations to international standards of operating practices, airman competency and airworthiness of aircraft, established to assure maximum safety in air navigation; and (c) exchange of information on civil aeronautics contributing to the advancement of the art of aeronautics and aeronautical training.

The International Civil Aviation Organization is progressing toward delineating and standardizing practices and procedures in civil air navigation. The United States advocates the fullest collaboration among nations to accomplish the goals set forth above, and will support the International Civil Aviation Organization in creating the technical standards of operation which will make possible safe and regular operations over international routes.

To the degree authorized by the Congress, the United States will continue to aid other governments in aviation matters requiring technical assistance, either through technical missions abroad or through the training of foreign nationals in this country or abroad.

#### *Joint International Support of Air Navigation Aids*

To the extent authorized by the Congress, the United States will enter into joint support programs with other nations for the establishment of necessary facilities on the high seas, in areas of undetermined sovereignty, and in countries which are unable to provide ground aids to air navigation consistent with safety standards established by the International Civil Aviation Organization. Our participation in such programs will be limited to projects essential to the safe, regular and efficient flight of United States air carriers. Capital and operating costs should be apportioned according to the benefits received by the various contributing nations. As it becomes apparent that the international airlines and other users of air navigation services can support the facilities through a sound system of user charges, the United States will urge withdrawal of international public support.

## **2. Airports, Airways and Safety**

Policies in the field of operating facilities and standards of aviation largely determine the success with which we develop our air resources. The Congress, through its power of the purse, determines the extent to which these policies can be effectuated. The Federal Government has already made a substantial investment in airports, airways and their supporting services. Additional millions of dollars are needed to develop, install, maintain and operate airways, devices and supporting services for safe all-weather flying and to aid in building or improving airports that will permit safer, more reliable and speedier service.

### *Safety*

**Standards and Regulations** — Under the Civil Aeronautics Act of 1938, a comprehensive code of safety standards is promulgated by the Civil Aeronautics Board and put into effect by the Administrator of Civil Aeronautics.

These Civil Air Regulations prescribe rules governing air traffic, competency of airmen, airworthiness of aircraft and components, and the competency of air carriers, flying and mechanic schools, repair stations and other air agencies. They are so drawn and administered as to both promote safety and foster the development of civil aeronautics. Penalties for infractions should be promptly administered.

In the interest of economy, inspection for compliance with certain regulations is in substantial measure being delegated to non-Federal personnel, looking toward the fullest practicable assumption by industry of responsibility for such compliance. This program will be carried forward to the extent and in a manner consistent with the maintenance of an adequate safety program.

**Accident Prevention and Investigation** — The Federal Government must continue to develop standards and practices to keep accidents and casualties at a minimum. It must investigate, determine probable causes and institute corrective measures for accidents which do occur. Accident reports should be promptly published. The United States advocates progressive application through the International Civil Aviation Organization of international standards and practices in accident investigation and reporting as a means of increasing the safety of world air navigation.

### *Airports and Airways*

The Federal Government's policy is to foster the creation of systems of airports and air navigation facilities and services properly adapted for use by all types of aircraft and aircraft operations.

**Airports** — To achieve the maximum benefits of civil aeronautics, civil airports should be conveniently accessible to all population centers and suitable to the type and volume of air traffic expected to develop. Through the establishment and annual revision of a National Airport Plan based on a 3-year forecast, the development of such a nation-wide system of airports is proceeding. While control over the operation of civil airports developed with the aid of Federal funds will be held to a minimum, nevertheless agreement will be required of the sponsoring agency that:

1. Such airports will be operated without unjust discrimination and on fair and reasonable terms.
2. The sponsor will not grant any exclusive right for carrying on aeronautical activities at the airport.
3. The sponsor will make the airport available at all times to military and other government aircraft.
4. The sponsor will exclude no type of traffic unless other adequate public facilities in the immediate neighborhood are available, and then only for safety reasons.

It is the policy to encourage, by providing engineering, managerial and economic advice, the construction and operation of airports without benefit of Federal funds. The National Airport Plan will be carried out in such a way as to encourage the greatest possible scope and opportunity for private enterprise.

As a general rule, airports designated for the primary purpose of supporting the operation of aircraft of the armed forces will not be used to support the operation or maintenance of commercial or private aircraft. However, the armed forces may at their discretion permit military air bases under their respective jurisdictions to be used by civil aircraft. Such permission may be granted when (1) there is no adequate civil airport avail-

able; (2) the security of military or naval operations, facilities or equipment will not be jeopardized; and (3) there will be no interference with military or naval operations. Such use shall be subject to conditions and regulations prescribed by the armed forces.

*Communications\** — The communications portion of the airways system must provide for the immediate exchange of meteorological, flight movement, and other information pertaining to safety of flight between ground stations and with aircraft at any point.

The Federal Government will ensure the provision of communications facilities for safe operation of aircraft within and adjacent to its territory. The Government will also cooperate in the establishment by nongovernmental agencies of such communications facilities, in addition to the minimum required for safety, as may be desirable or needed for greater efficiency of aircraft operations.

The Federal aeronautical communications services essential to safety of flight must be operated on a continuous service basis and coordinated with those operated by other agencies. When other facilities are lacking or inadequate, the government will, when possible, permit use of its services for air operations other than those directly concerned with safety. The communications services of the United States are available to aircraft of foreign registry on a nondiscriminatory basis.

*Air Navigation Aids* — The navigation portion of the Federally established and operated civil airways system must be directed toward making it possible for any aircraft at any point in the United States to determine by electronic means its geographical position and to navigate safely over all portions of any desired route, including landing and take-off, without visual reference to the ground.

Civil and military facilities will be coordinated and, in so far as possible, they will be designed to meet the common operating requirements of civil and of military aircraft. In addition, requirements peculiar to certain classes of users will be met by specialized aids. Priority will be given to Federal establishment of navigation aids on the routes permanently certificated by the Civil Aeronautics Board, since major use of the aids is currently by scheduled carrier aircraft, and the major movements of other traffic takes place along such routes. As rapidly as practicable complete coverage by such air navigation aids will be attained throughout the United States and its possessions and to distances beyond the borders of 600 miles over land and 1,000 miles over water.

*Air Traffic Control* — The air traffic control of airports and the airways system must be usable by both civil and military aircraft and provide for safe, orderly and expeditious flow of aircraft, and for positive means of

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\* The Congress has recognized that the subject of aviation telecommunications cannot be treated from the point of view of aviation alone, since facilities used for this purpose are shared not only with other telecommunications services in the United States but with similar services throughout the World.

In the Communications Act of 1934, the Federal Communications Commission was given the responsibility to classify radio stations, prescribe the nature of the service to be rendered and to do all those things necessary to insure the maximum utility of the telecommunications art to aviation and to the public of the United States generally. Under this Act, the Federal Communications Commission makes those rules and regulations which are necessary to implement all international telecommunications and other treaties (including aviation treaties) in so far as they relate to the use of radio. It also makes a continuing study of the telecommunications art for the purpose of insuring that maximum effectiveness in the use of radio and wire communications is obtained in connection with the safety of life and property in the air and on sea and land. The Commission will investigate and study all phases of this problem and determine the best methods of obtaining the cooperation and coordination of this system to the benefit of aviation.

avoiding hazardous congestion and collision with other aircraft in flight and on the ground. To insure international uniformity, separation standards and airway and airport traffic control procedures established by the International Civil Aviation Organization will be utilized to the maximum practicable extent. The Government will also collaborate with private and commercial enterprises in the development of procedures for the control of airway and airport traffic.

*Maintenance* — Air navigation, traffic control and aeronautical communications facilities must be maintained in the highest degree of efficiency and reliability. When that cannot be accomplished, they should be continued only to the extent that a completely reliable residual service can be operated. The principle of prevention rather than correction of malfunctioning of equipment will continue to be practiced.

*Weather* — The Federal Government will continue to provide for the collection and dissemination of weather reports, maps and forecasts. It will maintain free and full international exchange of weather information, encourage other countries to maintain adequate meteorological service and foster meteorological research and development.

*Aeronautical Charts and Information* — The Federal Government will continue to develop, produce and distribute aeronautical charts and related information for the safe navigation of aircraft, both at home and abroad.

*Search and Rescue* — The Federal Government will provide for the coordination of search and rescue services, including indoctrination in the availability and use of facilities, the collection and dissemination of information on methods, procedures and techniques; foster research and development of equipment; and assemble pertinent statistics.

#### *Standardization of Facilities and Equipment*

The United States will foster and develop the standardization of facilities and equipment as required to assist domestic and international air operations to the maximum extent consistent with freedom of technological development. National and international uniformity in operating characteristics of all air navigation aids and communications equipment should be encouraged. In the interest of unrestricted development, standardization of complete aircraft will not be encouraged. Uniform structural, power plant and performance requirements as between civil and military transport aircraft should be supported wherever practicable, through the joint efforts of all Federal agencies in consultation with the aircraft industry.

Industry leadership in the development and execution of a single set of standards for aircraft parts, components, materials and processes must be encouraged. Wherever possible, these standards should be used to specify detailed requirements stemming from Federal civil regulations or military procurement needs by suitable additions or deletions.

### 3. Development of Personal Flying

In the belief that potentially personal flying can provide the largest contribution of civil aviation to our future national economy and everyday life, the policy is to foster and promote the development of personal flying through:

1. Federal assistance in the provision of adequate airports for personal aircraft and related private flying activities.
2. Federally-aided research on the elements required to improve personal aircraft and to accelerate the development of advanced types and components.
3. Federal assistance for civilian flight training, should the volume of unassisted training fall so low as to require such a program.

4. Continuing simplification of regulations which apply to personal aircraft and personal flying.

#### 4. Aviation Information and Education

*Information* — The vast amount of literature which intensive study of aeronautics has produced during recent years should be promptly and systematically collected and made available for use. To provide a comprehensive and common source for aviation information, the Federal Government should acquire and index all significant aeronautical literature.

*Statistics* — The United States Government undertakes to compile statistics requisite to the formulation and administration of public aviation policies, and useful to private business in the safe and efficient management of aviation enterprises. In so far as is practicable the statistics on aviation will be compiled on a basis comparable to the statistics of other related economic activities. To the maximum extent consistent with the public interest these statistics will be made readily available in understandable form to the aeronautical industries, the general public, and the international organizations of which the United States is a member. The published data will reflect military as well as civil aviation activities to the extent permitted by considerations of national security. In carrying out these undertakings the Government seeks to minimize the burden on industry and the public in furnishing statistical reports. Statistical information relating to individuals or establishments will not be disclosed when such information is furnished on a confidential basis.

*Education* — The Federal policy in aviation education and training is to encourage and assist schools and colleges to instruct in all technical, social and economic phases of aviation; to survey educational needs; to advance standards of instruction; to prepare and distribute aviation materials for use in such instruction; and to provide technical and professional aid to agencies concerned with the advancement of aviation education.

#### 5. Relations Between the Federal and the State and Municipal Governments

The Federal Government's policy is to encourage nonduplicating assistance and active cooperation by the states and municipalities in aeronautical development, elimination of hazards to air navigation and enforcement of state laws prohibiting careless and reckless operation of aircraft. It consults with state and local aeronautical officials as to policies, rules and regulations in these fields and looks to the state and local governments for original and cooperative planning, for participation in airport financing, and for the operation of airports.

The Federal Government has exclusive authority over the certification of aircraft as to airworthiness, and of airmen as to competency, the regulation of air traffic and the establishment and operation of airways and air navigation aids and services.

Economic regulation of air carriers in interstate commerce must lie entirely in the hands of the Federal Government.

The Federal Government endorses state legislation that will provide along uniform lines for the development of civil aeronautics, the establishment of airports as integral parts of a national system, and the prevention and punishment of careless or reckless operation of aircraft through state and local officials trained according to uniform standards. It opposes state legislation providing safety regulations that simulate or duplicate Federal regulations. The Federal Government favors only state revenue-producing legislation, which (1) is equitable and non-discriminatory; (2) does not create a cumulative burden on air commerce or the development of aeronautics; and (3) does not constitute multiple taxation.

## MILITARY AVIATION

The menace of mass-destructive weapons, whether atomic, biological or not yet imagined, together with long-range striking forces, presents a defense problem unique in this country's history and is intimately associated with the problems reviewed in this section.

For reasons of security, military aviation policies cannot be given the full expression here which their importance deserves. But it is desirable to touch upon them and to describe their special relationship to other aviation policies.

*Objective* — The United States should maintain military power sufficient in size and efficiency to make it unprofitable for another nation to embark upon a campaign of aggression against this country. This nation's experience has demonstrated concretely that peace will not be furthered by neglect of strength or lack of foresight or alertness. Those who contemplate aggression find encouragement in such neglect. Germany and Japan relied heavily upon it. Military strength governed by the principles of tolerance, freedom and good will at home and abroad will insure peace.

*Application* — United States military power should be used in accordance with the principles of the Charter of the United Nations to insure peace and in support of our other international obligations. United States military policies stem from our desire and obligation to use our strength as a force for peace. The United States as a member of the United Nations has covenanted not to use force except in accordance with the purposes and principles of the United Nations Charter. We must be prepared to act in defense of these principles and to do our share in assuring that other nations live up to their covenants. The President and the Congress have stated that we should have sufficient military strength to meet our world obligations.

*Military Air Strength in Being* — Since control of the air and exploitation of such control by air weapons is a prerequisite to the success of military operations, the United States should maintain, in peacetime, military air strength consisting of all the aviation forces available within the National Military Establishment in being, sufficient in strength and effectiveness to launch an air offensive which will cripple any aggression at its source. Ability to control the air and to exploit that control by air weapons requires the coordination of all of the elements of air power which include the military air strength, the manufacturing industry, air transport, and reserves of trained personnel and equipment.

Strategic planning assumes that any major aggressor, profiting from the lessons of the two world wars, would launch an early attack on this country's sustaining resources as a necessary condition to his success. It is imperative, therefore, that the United States maintain in peacetime military air strength adequate to prevent or repel any attack on this country, its possessions or outlying bases and to carry out promptly a retaliatory offensive against any aggression, wherever it may occur.

*Bases and Facilities* — The United States should develop and maintain in its territory a system of bases and facilities sufficient to permit deployment of the armed forces to meet the needs of national security. An important characteristic of air power is mobility. Provision must therefore be made for rapid shifting of bases of operation in time of emergency.

*Quality of Equipment* — In order that the military air strength may be effective, it must always be furnished with the most advanced aircraft, armament and related equipment, provided through a vigorous program of research, experimentation and engineering development. In air combat a minor difference in performance characteristics of aircraft and related equipment usually has an immediate and profound effect upon the outcome

of the combat. Therefore, successful research and development is a prerequisite to effective military air operations.

*Reserve* — The air reserve must be efficiently organized and thoroughly trained in the latest weapons, equipment and tactics, and must be adequate to facilitate a planned expansion of the military air strength in being to meet an emergency. The developments of the past war lead obviously to the conclusion that any future attack against the United States will be delivered suddenly and with great force. The value of reserves is directly proportional to the promptness with which they can engage in full scale operations. To be effective the air reserve components must be highly trained, properly organized and immediately available.

*Transport* — The armed forces should maintain in peacetime air transport services capable of furnishing the continuing military requirement for air transportation, developing technique and methods applicable to wartime operation, and expanding through utilization of civil air carriers to meet an emergency. Air transportation was utilized extensively in the past war. With the further development of aviation, there is every reason to believe that the use of air transportation will be even more extensive in any future war. It is essential therefore that methods be developed for handling mass movements of military personnel, supplies and equipment by air and that the services performing such movements be a part of the armed forces. Further, in case of emergency or mobilization, it must be possible to utilize the commercial air transport system as necessary to augment the military air transport services.

#### THE AIRCRAFT MANUFACTURING INDUSTRY

The aircraft manufacturing industry, including all private resources for designing and making aviation equipment, is basic to our leadership in both military and civil aviation. It must consist of financially strong units which provide competing sources to meet the needs of our transport and military services. The demand for aircraft comes from commercial air carriers, personal flyers, foreign purchasers, and the armed services. All are vitally affected by Government policies. The Government in determining policies which affect any of them must therefore always consider the effect which such policies will have on the aircraft industry.

*Export Policy* — The United States will continue to assist the sale and encourage the wide use abroad of civil aviation ground and airborne equipment manufactured in this country.

*Production of Military Aircraft* — Production of military aircraft is currently the major part of the industry's volume. Military procurement in peacetime must be at a level adequate to insure the national security based on: (1) the current requirements for aircraft, and (2) the need for maintaining an industry which can produce aircraft of superior design and performance, carry on research and engineering development of new types and expand to meet mobilization requirements.

*Current Requirements* — Current requirements are determined by the size of the military air strength deemed adequate to protect the national security, the desired rate of modernization, which depends on world-wide technological advancement, and attritional losses.

*Mobilization Requirements* — Mobilization plans may require the maintenance of manufacturing capacity in excess of that needed for peacetime production. The relation between mobilization needs and the ability of industry to meet them should be constantly adjusted to current strategic plans and the development of new weapons.

*Long-Range Program* — In peacetime, substantial money savings and more efficient military and production planning would result if aircraft

procurement by the military services were based on long-range programs rather than the present year-to-year practice. Several years usually elapse between the first design and actual production of modern aircraft. After evaluation of the first experimental article, there is a time lapse of 12 to 18 months for fighters and 18 to 24 months for bombers before initial production starts. Fighters usually remain in production at least three years and bombers five to six years. Current limitations on the life of funds permit ordering only small initial production quantities. This results in aircraft being built largely by hand methods and without adequate production tooling. Approval of long-range program requirements for contract authorization, subject to annual review, would result in: (a) greatly reduced aircraft cost; (b) a more efficient and stable aircraft industry; and (c) a sounder base for industrial preparedness measures.

*Industrial Planning* — Industrial planning for mobilization of the aircraft industry is a vital aspect of security which must be carried on in peacetime. It must establish clearly the emergency requirements for air weapons, the production schedules for the companies that will design and build them, the required resources of plants, tools, labor and materials, and the means of providing those resources. Mobilization planning is, however, no substitute for going production, which is the base from which planning must start.

To supplement the expansibility achieved by a minimum level of current production and by industrial planning, there must be an industrial reserve in the form of dispersed stand-by plants, general-purpose tools, and strategic materials.

*Defense of the Industry* — To insure uninterrupted flow of military needs in event of a future emergency, dispersal of industry should be emphasized and pilot underground plants should be established.

#### ADVANCEMENT OF THE AERONAUTICAL SCIENCES

To maintain the United States technical pre-eminence is a prime aviation policy. The requirements of research and of development are separate and programs for both must be geared to civil and strategic needs. Appropriations must assure that these programs will be sustained, balanced, and flexible.

*Research* — During nearly five years of war, the United States neglected basic research in order to concentrate on developing and producing the weapons and the air materiel needed to win the war. In order to overcome this handicap, effort must be concentrated on intensive support of pure research projects under educational, industry or Government auspices. Projects which are too expensive or specialized to be undertaken by private industry or educational institutions should be supported by the Government.

*Development* — Design and development of advanced aircraft, missiles, and aeronautical devices must be conducted by the aircraft industry under the sponsorship of the Government. The results of such development should be made available for commercial application, when this is possible without jeopardizing national security. Likewise in the field of air navigational aids, the Federal Government, which is the only substantial purchaser of such equipment, must, by means of development contracts, experimentation and service tests encourage and assist private industry.

*Supporting Programs* — Research and development programs should be vigorously pursued in such fields as electronics, navigation and communication devices, all-weather flying, aeronautical operations, new fuels and power plants, physiological and psychological problems incident to increased performance and new tactical requirements, and selection and training of air-men.