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## Editorials

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## EDITORIALS

### FEDERAL AVIATION COMMISSION ASSUMES DUTIES

The appointment of a federal aviation commission was authorized by Section 20 of the recent air mail legislation, approved June 12, 1934.<sup>1</sup> Early in July, President Roosevelt selected the following members of the new investigating body: Clark Howell, chairman, Edward P. Warner, vice-chairman, Albert J. Berres, Jerome C. Hunsaker, and Franklin K. Lane.

Mr. Howell is best known as the editor-in-chief of the *Atlanta Constitution* and has served as President of the Georgia Senate and Speaker of the Georgia House of Representatives. For over thirty years he was a member of the Democratic National Committee and has been a director of the Associated Press since 1897. In 1932, he was a member of the National Transportation Committee.

Mr. Warner's brilliant record in aviation is well known. Following a period of service during the war as aeronautical engineer for the Army Air Service, he became chief physicist for the National Advisory Committee for Aeronautics and later returned to Massachusetts Institute of Technology as professor of aeronautical engineering. He was appointed Assistant Secretary of the Navy for Aeronautics by President Coolidge in 1926 and resigned in 1929 to become the editor of *Aviation*.

Mr. Berres served for some twenty years as secretary-treasurer of the Metal Trades Department of the American Federation of Labor. During the war period, he was the labor representative of the Shipbuilding Labor Adjustment Board for the United States. Since 1927, he has represented the Motion Picture producers in all labor matters pertaining to the employees of the motion picture industry.

Mr. Hunsaker, a graduate of the naval academy, later commissioned as a commander in the navy, designed the NC-4—the first non-rigid airship produced in this country—and the dirigible Shenandoah. In 1916, he introduced the application of aerodynamic research in the design of American aircraft. For some six years he was head of the Aircraft Division of the Navy Bureau of Construction and Repair and until 1929 was in charge of all airplane design for the navy. In his private career, he has been vice-presi-

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1. For purpose and duties of the commission, see Editorial, 5 JOURNAL OF AIR LAW 449 (1934).

dent of the Goodyear Zeppelin Corporation and Pacific Zeppelin Transportation Company.

Mr. Lane served with both the army and navy aviation branches during the war. Transferred to Europe for special duty, he was named aide to the group commander of the Northern Naval Aviation Bombardment Forces. As a lawyer of considerable and varied experience, he brings to the commission a fund of valuable technical knowledge.

J. Carroll Cone, Director of Air Regulations, Bureau of Air Commerce, was chosen as secretary to the federal commission. Mr. Cone served in France with the Third Pursuit Group and when he returned to Arkansas was appointed Secretary of State. In 1931, he was chosen as Director of Aeronautics for Arkansas and has been one of the most valued members of the National Association of State Aviation Officials.

The commission held its first meeting on July 11 for organization purposes, at which time the basic plans were drawn up. Further meetings were held during the week and then a recess was planned until the last week in July. The preliminary investigations of the commission were started on July 27 when four members of the commission left Washington for a month's aerial tour of the United States and the Caribbean area. The fifth member, Chairman Howell, sailed for Europe on August 4, to spend a period of inspection and study in Great Britain, France, Italy and other countries in order to determine how these foreign governments have coordinated the various branches of aeronautics, what subsidies have been provided, and how planes and equipment have been purchased.

The commission opened its hearings at Washington on September 17 and these will doubtless be continued until well into the month of November. Anyone who has appeared before this commission will note at once the informality of procedure yet will note also the very real effectiveness with which all essential problems pertaining to aeronautics are investigated.

This is not the first investigation which has been held in the United States but it gives definite promise of being the most useful and comprehensive of any undertaken. The commission members have thoroughly demonstrated an ability to grasp and appreciate all of the fundamental problems confronting the aeronautic interests of the country. And while we shall all be greatly interested in the final report which is to be presented to Congress not later than February first, we feel confident that it will command a lasting re-

spect by virtue of its understanding treatment and sound recommendations.

FRED D. FAGG, JR.

#### NEW FEDERAL ENFORCEMENT SECTION CHIEF

Denis Mulligan has been recently appointed Chief of the Enforcement Section of the Bureau of Air Commerce.<sup>1</sup> Mr. Mulligan was graduated from West Point in 1924 as a Second Lieutenant of the Air Corps. A year later he was graduated from the Army Advanced Flying School at Kelly Field and later was attached to the First Observation Squadron at Mitchell Field, Long Island. During 1926 and part of 1927 he studied civil and military aviation in various parts of the world, including Brazil, North Africa, and Siam.

In 1930 he received a law degree from Fordham University and received the degree of J.J.D. from Brooklyn Law School in 1934. Admitted to the New York bar in 1931, his practice in New York City was largely in admiralty. Mr. Mulligan also brings to the Bureau a practical knowledge of aviation insurance, aircraft sales problems, and an extensive experience in private flying. He will become the Department of Commerce representative on the International Technical Committee of Aerial Legal Experts (C. I. T. E. J. A.), and will serve as joint editor of the department on Federal Regulation of the *JOURNAL OF AIR LAW*.

#### N. A. S. A. O. COMMITTEE PRESENTS REPORT TO FEDERAL AVIATION COMMISSION

Upon invitation from the Federal Aviation Commission, a committee representing the National Association of State Aviation Officials presented the Association's Report to the federal commission at Washington on October 11. Those representing the Association included Fred L. Smith of Ohio, President, George B. Logan of Missouri, Legal Counsel, Gill Robb Wilson of New Jersey, Chairman of the Committee on Resolutions, A. B. McMullen of Florida, South-Eastern regional Vice-President, and Fred D. Fagg, Jr., of Illinois, Secretary. Vice-President Fred B. Sheriff of Montana, a member of the committee, was unable to attend.

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1. Effective July 1, 1934, the name of the Aeronautics Branch of the Department of Commerce was changed to the Bureau of Air Commerce.

## N. A. S. A. O. PROCEEDINGS AND THE JOURNAL

The present issue of the *JOURNAL OF AIR LAW* has been delayed in order to include the Proceedings of the Fourth Annual Meeting of the National Association of State Aviation Officials, held at Cheyenne, September 27-29, 1934. The Association had three important matters to consider at its meeting, as follows: (1) report of its recommendations to the Federal Aviation Commission, (2) discussion and adoption of a Uniform State Aeronautical Regulatory Act, and (3) discussion of the Federal Airport Development Program. The importance and timely features of these subjects have made it imperative that they be included in the present number, yet their length has made it necessary to cut down or completely eliminate nearly all of the various Departments. These other materials, together with some important leading articles, will appear in the January issue, soon to be published.