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THE AIR COORDINATING COMMITTEE:
A PROBLEM IN FEDERAL STAFF WORK

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Partner in law firm of Davis, Polk, Wardwell, Sunderland & Kiendl of New York City; Harvard, A.B., 1919; A.M., 1920; LL.B., 1922. Formerly: Executive Officer to the Assistant Secretary of War for Air with the rank of Brigadier General; participated in the creation of the Air Coordinating Committee, serving as alternate and later as representative of the War Department; in 1946 appointed Personal Representative of the President with rank of Minister to negotiate in the Middle East and in India bilateral air transport agreements and other air matters for the United States.

Much has been written and spoken in recent years on the subject of the policies, or alleged lack of policies, of the federal government in the field of domestic and international aviation. Divergent views on many questions involved are sincerely and tenaciously held by able men in private and public life. At the present time two separate commissions, one appointed by the President and one by the Congress, are charged with the duty of studying the entire problem.¹

The reports of these committees will undoubtedly help to clarify our thinking, and to reduce the number of future trials and errors. However, it is to be hoped that their members will bear in mind that it would be an audacious group indeed who would attempt today to prescribe a complete set of international and domestic air policies for the United States for the next generation, or even for the next decade. Our experience in the air world is still too limited, and the relevant circumstances are changing too rapidly, to make any fixed blueprint possible.

The fact that for which we cannot yet hope to find quick or permanent solutions for most of the problems emphasizes the importance of one aspect of the situation that is too often overlooked. In the ever-changing field of aviation it is at least as necessary for us to consider the establishment of proper governmental procedure for the future formu-¹ President's temporary Air Policy Commission, appointed July 18, 1947: Thomas K. Finletter, Chairman; George P. Baker, Vice Chairman; Palmer Hoyt; Henry Ford II (succeeded by John A. McCone); and Arthur D. Whiteside. See Official Letter of Appointment, 14 JOURNAL OF AIR LAW AND COMMERCE, 364.

lation, development and execution of our air policies as it is to attempt now to forecast what those policies should be. The brief discussion that follows is devoted to this somewhat duller problem of organization and staff work, with particular reference to the merits and demerits of the present machinery established to deal with it. No attempt will be made to explore substantive policies except to the extent that they may be used to illustrate the necessity for a plan that will afford the best means of developing a sound federal aviation program, and modifying it from time to time as necessity or experience dictates.

I. Existing Federal Agencies

The difficulties that have confronted the United States in formulating its air policies have been twofold. The first arises from the very nature of the subject matter: the art is relatively new, its importance has mounted and is still mounting in geometric progression, and precedents are of less value than they may at first superficially appear. The second is the result of the particular way in which aviation responsibilities are divided among the various departments and agencies of the federal government. In order to appreciate this latter aspect it is not necessary to do more than to review the existing structure in brief detail. The table presented on the following page is doubtless not complete, but it will give a rough idea of the extent to which the interests are scattered:

Perhaps the pattern shown by the table should be further explained:

The existing federal machinery for the regulation of commercial air transportation is in large part embodied in the Civil Aeronautics Act of 1938. In general, its objectives are "the encouragement and development of an air transportation system properly adapted to the present and future needs of the foreign and domestic commerce of the United States, of the Postal Service, and of the national defense." It is patterned in part after the Interstate Commerce Act and the Motor Carrier Act; the certification of routes, the regulation of tariffs, of interlocking relationships and other economic matters present somewhat similar situations in the three forms of transportation.

The 1938 Act, as modified by certain Reorganization Plans issued pursuant to the Reorganization Act of 1939, provides two major civil aviation agencies. The first is the Civil Aeronautics Board (the CAB), a quasi-judicial commission of five members, placed under the Department of Commerce for budgeting, accounting, personnel procurement and housekeeping purposes, but otherwise completely independent. It reports directly to the President, to whose approval are subject its decisions regarding the establishment of foreign routes for our international carriers and the issuance of permits authorizing foreign air carriers to engage in air transportation within the United States. In other fields it exercises its defined jurisdiction free of the requirement of Presidential concurrence. Its most important functions include the

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2 Civil Aeronautics Act, Section 2(a); 49 USCA, §402 (Supp. 1946).
# FEDERAL DEPARTMENTS AND AGENCIES INVOLVED IN AVIATION ISSUES

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CAB — Civil Aeronautics Board  
CIA — Civil Aeronautics Administration  
WB — Weather Bureau  
CGS — Coast and Geodetic Survey  
RFC — Reconstruction Finance Corporation  
NACA — National Advisory Committee for Aeronautics  
FCC — Federal Communications Commission  
ICAO — International Civil Aviation Organization  
CG — Coast Guard  
PO — Post Office
authorization of domestic and foreign routes, the prescription or approval of rates and rate practices, the fixing of air-line mail compensation, the approval or disapproval of various business relations between carriers, the determination of accounting methods, the investigation of air accidents, the issuance of safety rules and regulations, and the making of standards for the issuance of airman certificates, aircraft-type production and air-carrier operating certificates.

The other agency is the Civil Aeronautics Administration (the CAA), which is a part of the Department of Commerce and under its jurisdiction. The CAA plans, constructs, maintains and operates the Federal Airways System. It runs the airways traffic control system and many navigational facilities. It plans and carries out a program of fostering and encouraging the development of civil aviation through schools and colleges and elsewhere, it enforces the civil air regulations established by the CAB by examining, inspecting and rating airmen, aircraft engines, aircraft navigation facilities and airports, and it conducts applied research in aviation matters on a broad scale.

In addition to the CAA, the Department of Commerce is also responsible for and supervises the activities of the Coast and Geodetic Survey, which prepares air maps and charts, and the Weather Bureau, source of vital weather information for air operations.8

Our military (including naval) aviation is completely separate from civil aviation, and is now under the jurisdiction of the recently created Department of National Defense. Within that department the field is divided among the Department of the Air Force, the Department of the Navy and the Department of the Army.

The Air Force includes all military aviation forces, both combat and service, not otherwise specifically assigned. It is organized, trained and equipped by its own officers. It is responsible for the establishment of the air forces necessary for the effective prosecution of war, except as otherwise assigned, and also for matters pertaining to the expansion of essential peace time components to meet the needs of war in the air.

The Navy necessarily includes such aviation forces as are germane to the duties and operations of the fleet and the Marine Corps. These air units have in the past been organized, trained and equipped quite independently of the Army Air Forces. Naval air fields, air-crew training, aircraft procurement, maintenance and repair and a multitude of other aviation matters have been as separate from similar activities of the AAF as their civilian counterparts were separate from

8 The extent to which the business of the Department of Commerce is today concerned in aviation matters is somewhat indicated by the appropriations for the current fiscal year. Out of a total appropriation for the Department of Commerce of approximately $191,000,000, $113,000,000 is earmarked for the CAA, $9,500,000 for the Coast and Geodetic Survey and $2,300,000 for the Weather Bureau. The air interests of the two latter offices are of course secondary to their main purposes.
both Army and Navy. The extent to which this will be changed under the recent reorganization of the national defense establishment remains to be seen.

Under the new organization the Army will include the aviation organic to its own mission, such as artillery observation planes, liaison planes, and the like.

Two other components of the new Department of National Defense, both under the direction of its Secretary, are of importance in the over-all picture. The Munitions Board will plan for the military aspects of industrial mobilization (including aircraft production) and will maintain liaison with other departments and agencies in the fields of procurement, production and distribution. The Army and Navy, even in peacetime, are by far the most important customers of our aircraft manufacturing industry. The Research and Development Board will prepare and recommend programs and policies for research and development by the services themselves acting in connection with outside agencies.

The Department of State has little relation to the domestic air activities of the other departments and agencies, but it plays an active and important part in our international air affairs. It has the responsibility of conducting all negotiations with foreign governments in the field of aviation—bilateral or unilateral agreements for commercial operations, agreements for military use of foreign airfields or other air facilities, and so forth. The requirements and principles involved in such matters may often be determined in large part by other civil or military agencies, but they must be coordinated with the State Department so as to insure compliance with the over-all foreign policies of the government. In addition, international aviation today is wedded to international affairs. It is an important instrument of our foreign policy, and the revolutionary changes that it is making in travel has had a much deeper effect on all international relations than is sometimes realized.

The United States' member of the Council of the International Civil Aviation Organization (ICAO) is appointed by the President, but operates under the direction of the State Department. ICAO, an associated agency of the United Nations with a present membership of forty-two countries, was created as a result of the international aviation conference held at Chicago in 1944. It is taking the lead in the establishment of international standards and regulations for international civil aviation; its work is of cardinal import to many of our departments and agencies interested in aviation matters.

The Post Office Department and the Federal Communications Commission are examples of other government agencies to which air transport is becoming of increasing import, or whose functions are of con-
cern to aviation. Mail pay, though no longer in the nature of a subsidy in the case of some airlines, is still lifeblood for many of them. The dependence of air operations on radio communication is obvious.

To make the list at all complete there must be included two general fields which, while not parts of the federal government organization, constitute such a basic part of our national aviation picture as to make them of vital public interest. The first is the aircraft manufacturing industry; the second, our domestic and international civil airlines. The companies engaged in these enterprises are vested with a public interest to an extent which justifies government concern for and participation in their business. Proper coordination of certain of their functions and policies with those of the government departments referred to above is as necessary in many respects as is coordination between the CAB and the State Department.

II. POSSIBLE DEPARTMENTAL REORGANIZATIONS

There are various conceivable changes that might be made in the government chart which would reduce the total number of air agencies described above, and which theoretically would contribute to a more orderly and workable grouping of air activities and responsibilities. Most of them are not feasible today. More important from the point of view of the main topic under discussion, even if it were practicable to put them into effect they would not of themselves insure the formulation and coordination of over-all federal air policies. It may, nevertheless, be worthwhile to spend a moment considering what these theoretical rearrangements could be.

A single Department of Air. Brazil and Argentina, among other countries, have solved the problem of coordinating air policies by putting all federal activities in that field into one government department under a single Air Minister. This department includes in each case military as well as civil aviation, and on the military side the situation has been further streamlined by consolidating all army and navy air into a single air force. It is a good set-up in a country where the air establishments are as yet small, and one would guess that it would lend itself to the economical and efficient development of flying in Brazil and Argentina. It would not, however, be appropriate in the United States. For self-evident reasons the vital functions of our military air forces must remain within the sphere of the Department of National Defense.

A single Department of Civil Aviation. There is more to be said for this type of organization from the point of view of our government. England furnishes perhaps the best example of such a department, within which are grouped all important government air functions except those that pertain to the Royal Air Force or to the Fleet Air Arm. The British Civil Air Ministry combines in itself the air activities of
our Department of Commerce, the CAA, the CAB and to a certain extent the operations of our State Department in the international civil aviation field. The Foreign Office, of course, participates in relations and negotiations with foreign governments, but to an outside observer it would appear that it has less to do with policy determinations than the Air Ministry. Coordination between the Civil Air Ministry and other departments in Great Britain is made at cabinet level.

Although the formula has supporters in the United States there are rather persuasive arguments against it. In the first place it is doubtful whether civil aviation, important as it unquestionably is, has as yet reached a position that would justify representation in a cabinet that is traditionally as small as ours. Doubtless if there were a Secretary of Civil Aviation it would be logical for other interests to insist upon the creation of a Secretary of Rail Transportation or a Secretary of Communications. Our tendency has been away from, rather than towards, the creation of additional federal agencies.

Secondly, this type of organization raises the very controversial question of the position of the Civil Aeronautics Board. If the Board is left outside the Department of Civil Aviation, and retains its present status as an independent agency, the creation of such a Department will not materially change the number of agencies we now have in the air field. If it is included there is danger that its quasi-judicial functions may become subject to political pressures. It is important that in such matters its independence be preserved. On the other hand, there are a number of duties of the Board that might safely be transferred to a regular administrative department — for example those relating to air safety. Much more important, however, is the question of the extent to which the Board should be allowed to make high level policy decisions, not necessarily involved in the areas of technical rulings or quasi-judicial determinations of private rights, without any control from above or coordination with other departments.

England is not so concerned with this latter complication, for in that country there is for all intents and purposes a single government air line; the English Department of Civil Aviation is free of many of the controversial questions that our numerous air transport companies bring to the doorstep of the CAB.

A Single Department of Transportation. Such a department, if created, might include communications and shipping, in addition to rail, motor and air transportation. This pattern is followed in Canada and in France, and by a number of other governments. In this country it would be subject to the same criticism as that just made, magnified by similar problems that would arise in connection with other quasi-judicial boards like the Interstate Commerce Commission.
and the Federal Communications Commission. However, the proponents of such a plan believe that some day we will come to it.

From the point of view of our air development there is a possibility that civil aviation might find itself subordinated if it were only one part of a very large government department. It is feared that budgetary appropriations might be reduced when they came up for consideration in conjunction with those for many non-air purposes. Although those who believe passionately in the future of aviation in the United States hold no great concern on this score in the long run, it is very possibly true that in a Department of Transportation and Communications our civil air interests might not receive in the near future some of the attention that they now attract.

A Single Department of National Defense. This has, of course, now been achieved. The National Security Act of 1947 provides for a National Military Establishment which includes the Department of the Army, the Department of the Navy, and the Department of the Air Force. Under the new machinery it should be possible to coordinate military air policies and functions and to eliminate certain duplications that have existed in the past. The 1947 Act also creates a National Security Council and a National Security Resources Board. The Council will advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security. The Board will advise the President concerning the coordination of military, industrial and civilian mobilization.

Although the creation of the National Military Establishment constitutes a great forward step, it will not eliminate the need for some type of organization to coordinate military air activities with all of the other air interests of the Government that have been outlined above.

III. Creation of the Air Coordinating Committee

With so many divisions of the government concerned, and vitally and properly concerned, in matters relating to the air it is not hard to understand the problem that has confronted the executive branch (quite apart from the inherent difficulty of the subject-matter itself) in formulating and recommending clear-cut aviation policies, or in coordinating action of the different departments and agencies within the framework of such policies as have been established.

It has been traditionally and theoretically the function of the President to settle questions that involve conflicts or overlappings among the various departments. On major matters this has often been done through the machinery of the Cabinet and the Cabinet meeting, though the extent of the practice has varied greatly from administra-
tion to administration. The difficulty this procedure involves (and it is by no means limited to the aviation field) is due to the fact that the Chief Executive has never, at least in recent times, been able to use the Cabinet as a true staff agency. The Cabinet members are primarily occupied with the administration of their own departments and with political matters; they are in most respects in the position of field commanders rather than staff officers to their Commander-in-Chief. On most subjects coordination has been brought about by the President personally in informal conferences with department and agency heads, but because of the crushing demands on the President's time, and the absence of a Cabinet secretariat or a true policy staff in the White House organization, a deficiency has long existed in the executive branch of our government that has from time to time been pointed out by various official commissions and other students of the subject.4

The problem is accentuated by the existence of the independent regulatory agencies created by Congress outside of the control of the President or of any of the administrative departments. In the field that we are considering the Civil Aeronautics Board is given by statute certain specific policy-making powers; their exercise is subject to Presidential concurrence only in the case of the establishment of foreign air routes and the issuance of permits to foreign carriers. As has been indicated, the Board's independence on certain matters is important, but on others—and the dividing line is hard to draw—the result could be very confusing if the independent agency did not as a matter of comity fit major policy decisions into some over-all government pattern.

A further complication, perhaps more apparent in the field of aviation than in any other, arises from the fact that as federal government interests and activities grow and expand many top policy determinations cannot be made without the specialized or technical knowledge that is not usually possessed either by the department heads, or by the President, or by any of his personal White House staff.

During the war years in Washington one sometimes heard this entire situation referred to as the "breakdown" of the Cabinet system. The description was only partly accurate. It would be better to say that the business of government had become so intricate and many-sided that the old machinery (never really suited to the problem) had become outmoded and in need of modification and supplementation.

It was interesting to see how the active minds of the men charged with administrative responsibility during the war years operated to fill the deficiency that existed. Informal interdepartmental conferences or coordinating committees, which had always existed from time to time to a certain extent, grew rapidly in number. With respect to

4 See for example, the 1937 Report of the President's Committee on Administrative Management.
certain matters pertaining to the conduct of the war which involved other departments besides the military more formal organizations began to appear. One example was the so-called “Committee of Three,” which was in fact a panel of the cabinet consisting of the Secretaries of State, War and Navy. It met weekly to consider and decide, subject to presidential approval, top policy questions that arose with increasing frequency as the war progressed. A second example was the State, War and Navy Coordinating Committee (colloquially referred to as SWNCC) which consisted of an Assistant Secretary of State, the Assistant Secretary of War and the Assistant Secretary of the Navy. It dealt, for the most part effectively, with a multitude of questions not of a purely military nature relating to military government abroad, the administration of occupied areas, our relations with neutral governments, and the like.

The need for stop-gap coordination of this type was nowhere more obvious than in the field of aviation. The technical nature of the subject-matter made it particularly necessary to accomplish that coordination in a body of specialists, or at least in a group that had immediate and daily access to the specialists who knew their way around in the air.

The initial step was an informal committee, assembled at the invitation of the Secretary of State, to prepare a statement of certain post-war air policies for the President. It operated over a period of a couple of years under the chairmanship of Assistant Secretary of State Berle, and included in its membership the Assistant Secretary of War for Air, Mr. Robert A. Lovett; the Assistant Secretary of the Navy in charge of Air Matters, Mr. Artemus L. Gates; the Under Secretary of Commerce, Mr. Wayne Taylor; and the Chairman of the Civil Aeronautics Board, Mr. L. Welch Pogue. This committee met informally at irregular intervals and completed the specific assignment for which it was established.

As time went on, however, each agency concerned felt increasingly the need of a more formal organization. This was particularly true in the case of the two armed services. The War Department and Navy Department secretariat, and particularly the Assistant Secretary of War for Air, foresaw without much difficulty a multitude of serious questions pertaining to the eventual transition from war-time to peace-time conditions. Not the least of these was the matter of our rights in airfields and airways constructed and utilized by the Air Forces, including the Air Transport Command, during the course of the war. Another related to the disposition of our surplus flying equipment, both civil and military, among the many potential and eager purchasers both at home and abroad. There were many others. In August 1944 the matter seemed of such importance to the Joint Chiefs of Staff that they dispatched a special memorandum to the Secretary of War and the Secretary of the Navy urging their “consideration of the need for the
establishment of an effective agency, possibly in the form of a National Aviation Council, which, subject to such action as may later be taken by the Congress, would advise the President on the formulation of the national policy in regard to post-war civil aviation and on its implementation would coordinate the activities of all agencies concerned in carrying such policy into effect, and would perform such other relevant functions as the President might from time to time assign to it.” This paper reflected an earlier report made by the War Department on the same general subject.

No further action was taken, however, until the early part of 1945. In the meantime the International Convention on Civil Aviation held at Chicago under the auspices of the United States demonstrated further that informal interdepartmental coordinating machinery, though it could be made to work on an ad hoc basis, left a great deal to be desired as a permanent mechanism.

In January 1945 Mr. Lovett presented a memorandum on the entire subject to Mr. Harry Hopkins and later to the President. The Assistant Secretary of War for Air pointed out that there had been a tremendous increase during the previous year in questions relating to the broad field of post-war international aviation; that these questions varied from those concerning rights of transit and commercial entry of our aircraft operating overseas to the disposal of surplus military and civil-type aircraft on which the future of all the manufacturing industry depended; and that the majority of the problems arose in connection with the anticipated transition from war to peace-time conditions. He mentioned also the matter of determining national air policies and plans relevant to the international civil organization to be created as a result of the Chicago conference. The memorandum suggested the possibility of covering the situation, without the establishment of a new government agency and within the framework of existing law, by taking advantage of the machinery provided by the War Mobilization and Reconversion Act of 1944. This Act indicated that Congress intended that the Office of War Mobilization and Reconversion should handle the over-all planning, the implementation of planning and the coordination that would be necessary with respect to problems of the above type during the transition period.

The specific suggestion was that there be created within the Office of War Mobilization and Reconversion an “Aviation Control Clearing Committee” to carry out, subject to the direction of the Director of War Mobilization and Reconversion and of the President, the duties set forth in Section 101 (c) of the Act in connection with aviation matters. These duties, under the Act, would include not only the making and carrying out of plans and the coordination of the work of the departments and agencies, but also the recommendation of appropriate legislation providing authority to carry out plans which
were developed but which were not authorized by existing law. In order to make certain that the interests, responsibilities and views of all agencies concerned were presented and fully considered, the Committee was to include the Secretaries of State, War, Navy and Commerce (or their Assistants specializing in air matters) and the heads of the CAB, CAA and any other departments or agencies regarded by the Director as having sufficient interest in the subjects involved. The Committee was to have a full-time chairman "of top calibre," and an appropriate staff. In situations where disagreement arose among members of the Committee, the question in dispute was to be presented to the Director for determination, subject to coordination with the President.

White House reaction to the proposal was favorable, but it encountered such strong opposition on the part of the State Department and the Department of Commerce that it was killed. These departments were fearful that the powers of the Director or of the Chairman of the Commission (who presumably would have been a deputy to the Director) might improperly infringe on their duties and responsibilities.

The Office of the Assistant Secretary of War for Air, with the support of its counterpart in the Navy, thereupon produced an alternative and necessarily weaker plan which eventually ripened into the establishment on March 27, 1945, of the original Air Coordinating Committee. Instead of an organization created pursuant to the Act of Congress above referred to, the Committee was brought into being by a joint Interdepartmental Memorandum signed by the Acting Secretary of State and the Secretaries of War, Navy and Commerce. The original members were William L. Clayton, Assistant Secretary of State, who was named as Chairman; Mr. Lovett; Mr. Gates; and Mr. William A. M. Burden, Assistant Secretary of Commerce. Mr. Theodore P. Wright, the Administrator of Civil Aeronautics, was appointed as the Committee's Executive Secretary. The Chairman of the Civil Aeronautics Board would have been included in the original memorandum had it not been for the reluctance of that Board to permit one of its members to act for it, and because of the Board's feeling that their statutory functions might be impaired by membership. However, within a few weeks, and at the request of the Board, the Chairman of the CAB was added to the Committee with the express understanding that the adherence of the Board to the project was necessarily subject to the reservation that it could not permit itself in advance to be bound to carry out recommendations made by the Air Coordinating Committee which involved matters which were the subject of the Board's quasi-judicial functions.

The concern of the CAB on this latter point is a little difficult to understand in the light of the fact that one of the basic principles contained in the Interdepartmental Memorandum was that the ACC could
only take action by the unanimous consent of all of its members. Any one member could veto a decision. In this way the objections raised by the State and Commerce Departments to the earlier plan were disposed of. The theory was that after the Committee had unanimously recommended policy for or action by any department or agency on any subject submitted to the Committee, the necessary implementation would result from action thereafter taken by the individual departments in accordance with the joint decision.

The following subjects, listed in the Interdepartmental Memorandum “for early attention by the Committee,” are set forth at length to indicate the nature of the policy questions that had been piling up:

**In the International Field:** International operating rights for American commercial and military aircraft; operating rights in United States territory for foreign commercial and military aircraft; rights to air bases and airways facilities, and construction, operation and maintenance thereof; foreign problems of the Air Transport Command and Naval Air Transport Service; assistance to be accorded to foreign governments and foreign airlines in the form of aviation training, technical advice, aeronautical equipment, airport construction, etc; establishment and operation of navigational aids abroad for the benefit of United States commercial and military aircraft; and instructions to be issued from time to time to the United States representative on the Interim Council of the Provisional International Civil Aviation Organization.

**In the Domestic Field:** Designation and operation of federal airways; federal assistance to states and municipalities in establishment of airports and facilities; safety regulations; search and rescue; communications; civil pilot training; and aviation education.

The Committee so created immediately went to work. Its staff consisted at the beginning of a single full-time secretary, plus liaison agents furnished by the various departments. In general it was successful. Despite weekly meetings the volume of unfinished work multiplied. It adopted the policy of appointing special ad hoc committees, consisting of specialists from the various departments, to examine into and report on questions that could not be decided without detailed study. Some of its particular accomplishments will be referred to below in more detail. Apart from the specific problems which it resolved or attempted to resolve, however, it was by common consent of the greatest value to its members and their respective departments because of the stimulus that it gave to their mutual education by frank and full discussions of each other’s problems.

By the Summer of 1946 the work of the ACC had reached a point which made it apparent that it would be desirable to change its organization and to strengthen its position. It was felt that the fact that its authority rested on interdepartmental agreement rather than
upon an executive order was a disadvantage. The matter was discussed with President Truman, who upon the recommendation of the Committee issued Executive Order No. 9781 under date of September 19, 1946, creating a new committee of the same membership as the original, with the addition of the Post Office Department as a regular voting member, and with provision that other agencies not regularly represented on the Committee might participate as voting members in connection with aviation matters of substantial interest to them. The Order specifically included the Bureau of the Budget as a non-voting member. The President added to the Committee’s responsibilities and strengthened its authority by directing that it “shall examine aviation problems and developments affecting more than one participating agency; develop and recommend integrated policies to be carried out and actions to be taken by the participating agencies or by any other government agency charged with responsibility in the aviation field, and, to the extent permitted by law, coordinate the aviation activities of such agencies except activities relating to the exercise of quasi-judicial functions.”

In keeping the rule of unanimous vote, the Order also specifically provided for the submission of important questions to the President for decision when agreement could not be had among the members, but only after the heads of the agencies concerned had had an opportunity to reconcile differences. Since the Order also directed the Committee to submit to the President, in addition to an annual report, such of the Committee’s recommendations on aviation policies as might require his attention by reason of their character or importance the effect was to give the Committee considerably more authority than was possessed by its predecessor. The Committee was not made a part of the President’s staff nor was it dignified by being given a position as a sub-committee of the Cabinet, but it certainly moved in those directions by becoming the President’s adviser on such aviation matters as fell within its scope.

The revised Air Coordinating Committee made several important changes in its organization. It had become increasingly evident that the view of the aircraft manufacturing and air transport industries, as well as those of other private air interests, should be made known to the government through a recognized channel. None had existed under the earlier Committee. Accordingly there was created an Industry Advisory Panel composed of representatives of the Aircraft Industries Association of America, the Air Transport Association of America, the National Aeronautics Association, the Institute of Aeronautical Sciences, the American Federation of Labor and the Congress of Industrial Organizations. The Industry Panel was asked to serve in an advisory capacity with respect to all matters of joint interest except those in which, for security reasons, participation was not possible.
The Panel members were invited to submit their problems directly to the Committee and to attend the meetings of the ACC and its sub-committees at which these and all other problems affecting their interests were to be discussed.

Where the original Committee had organized *ad hoc* committees to solve each problem or group of problems as they arose, the new Committee organized a permanent Technical Division to coordinate technical problems in the field of air navigation within the jurisdiction of the ACC, an Economic Division to work with the ACC's economic and political problems, and an Industrial Division to be concerned with the Committee's problems in the field of research, development, production, supply and maintenance.

The Committee also organized the so-called ICAO Panel and the Legal Subcommittee. The former is concerned, as its name indicates, with the development of general plans for the guidance of the United States Representative in the International Civil Aviation Organization. The latter coordinates and develops ACC's views on legislative problems and develops United States' positions with respect to conventions in the field of international private law.

Under the Executive Order the original full-time staff of one Secretary has now been increased to a total of eighteen. The present membership of the ACC itself consists of Mr. Garrison Norton, Assistant Secretary of State, as Chairman; Mr. James M. Landis, Chairman of the Civil Aeronautics Board, as Co-Chairman; Mr. William C. Foster, Under Secretary of Commerce; Mr. C. V. Whitney, Assistant Secretary of the Air Force; Mr. John M. Brown, Assistant Secretary of the Navy for Air; and Mr. Paul Aiken, Second Assistant Postmaster General. The Bureau of the Budget is represented by its Assistant Director, Mr. J. W. Jones. In cases where the foregoing are not able to be present at meetings, their places are taken by regular deputies. The Executive Secretary is Mr. John Sherman, formerly of the staff of the CAB.

The Industry Advisory Panel is composed of Mr. Eugene E. Wilson, Chairman (Chairman of the Board of Governors, Aircraft Industries Association of America); Admiral E. S. Land (President, Air Transport Association of America); Mr. L. Welch Pogue (Chairman of the Board, National Aeronautic Association); Mr. Frank P. Fenton (Director of Organization, American Federation of Labor); Mr. R. J. Thomas (Congress of Industrial Organizations); and Mr. Frank Caldwell (Institute of the Aeronautical Sciences).

The organization chart on the next page will give a general idea of the way in which the Committee's work is divided, and the extent of its sub-committees. It is obvious that it has come a long way since the tentative beginnings in 1944 and 1945.
AIR COORDINATING COMMITTEE

Liaison Representatives with Member Agencies

ACC Staff

ICAQ Panel

Industry Panel

TECHNICAL DIVISION:
Subcommittees:
- Air Navigation Facilities and Systems
- Flight Operations
- Airmen Qualifications
- Communications
- Airworthiness
- Aeronautical Maps and Charts
- Air Space - Rules of the Air and Air Traffic Control
- Accident Prevention, Investigation and Reporting
- Publications and Manuals
- Aviation Meteorology
- Search and Rescue
- Dimensional Standardization (Ad Hoc)

ECONOMIC DIVISION:
Subcommittees:
- Facilitation of International Civil Aviation
- Aviation Information and Statistics
- Alaska
- 14 Ad Hoc Working Groups

INDUSTRIAL DIVISION:
Ad Hoc Committees:
- Personal Type Aircraft
- Large Commercial
- Transport Aircraft
- Air Transport Reserve
- Working Committee on the Aircraft Industry

Legal Subcommittee
IV. Accomplishments and Failures

Before attempting to discuss the question of the future of the ACC and changes that might be made to enable it more effectively to accomplish its purposes, it is pertinent to describe some of the subjects which it has dealt with effectively and to comment on situations where the machinery has apparently not worked as well.

The Demobilization of the Aircraft Industry. As the war drew to a close it became increasingly clear to those concerned with aviation matters in Washington that serious policy questions would be raised by the sudden demobilization of the aircraft industry and its transition from war-time to peace-time conditions. The story of the phenomenal development of aircraft production between 1940 and 1945 needs no recapitulation here; neither is it necessary to elaborate the obvious truth, too often ignored, that no element in our future security is more important than the preservation of a strong and virile aircraft industry which will contain within itself the spirit, the technical skill and the personnel that will enable it again to expand to meet the Nation's need if the call should come.

President Truman, mindful of the situation, addressed a letter to the Secretary of War and the Secretary of the Navy under date of August 8, 1945, in which he said: "It is vital to the welfare of our people that this Nation maintain development work and the nucleus of a producing aircraft industry capable of rapid expansion to keep the peace and meet any emergency." In his biennial report to the Secretary of War dated September 1, 1945, General of the Army George C. Marshall sounded the same note in more specific language.

A survey study on the entire subject had been in progress for some time in the Special Projects Office of the staff of the Army Air Forces. Early in 1945 an informal interdepartmental committee was set up to coordinate the War Department's views and plans with those of the Navy Department and the Department of Commerce. There was at that time no organization such as the Air Coordinating Committee, but after the latter's organization the final report of the interdepartmental group was appropriately turned over to the ACC. It was approved by the ACC on October 22nd, 1945, and on October 29th was submitted to the Special Committee on Economic Policy and Planning of the Senate.

This excellent report, after presupposing that its recommendations with respect to maintenance and dispersal of standby plants, stockpiling of critical materials, storage of general purpose tools, and research and development programs would be carried out, addressed itself to the problem of establishing for peacetime the lowest rate of military aircraft production that would insure the existence of a sound industrial nucleus capable of expansion to a full war basis. It was assumed, however, that we would have at least one year's warning before the onset of an emergency. The report served its purpose of present-
ing a professional analysis of the entire situation, and it was widely used for the purpose of keeping an expandible aircraft industry in the forefront as a vital industrial preparedness problem.

However, the recommendations of the report were not implemented. As 1946 passed and 1947 began the situation of the aircraft manufacturers became more and more critical. The industry pressed the Air Coordinating Committee to take the subject up again in the light of the changed conditions. The Committee did so, and has during the past several months given it continuous attention. It created a special "Working Committee on the Aircraft Industry" which, in conjunction with the assistance of the Research Institute of Stanford University specially retained for the purpose, was put to work on a complete revision of the original report. In addition, it addressed a letter to President Truman under date of June 17, 1947, recommending the appointment of a board of nationally prominent disinterested citizens to make a thorough investigation of the relation of the aircraft industry to the national defense and to our air transportation requirements. It was pointed out that the over-all situation was far more serious than in August, 1945, and that the assumption of the 1945 report to the effect that we could count on a year's warning of any emergency could no longer be safely made. As a result of this recommendation the President appointed, on July 18, 1947, the temporary Air Policy Commission referred to at the outset of this article. The President expanded the objectives of the Committee beyond those originally suggested by the ACC, but stressed the importance of the subject which motivated the ACC's request.

The Air Coordinating Committee is to be commended for the steps that it has taken. The subject is a good example of the type of activity for which the Committee was designed, and there is real hope that its labors will bear fruit. Yet in reviewing the events since 1945 it is fair to make two observations. First, the obvious importance of the problem might well have produced at an earlier date a more vigorous follow-up action with respect to the recommendations of the original report. Second, if the Air Coordinating Committee had the prestige and strength that its position deserves it might well have been possible for it to have done alone the very work which has now in part been turned over to a special citizens' committee, and to have relied on the testimony of independent outside witnesses to rebut any criticism based on alleged special interests on the part of the particular departments concerned. The Executive Order makes it specifically one of the duties of the Committee to submit to the President its recommendations on such aviation policies as require his attention by reason of their importance; one might question a practice whereby heads of government departments seek to discharge such duties by asking the appointment of still another committee to do the work for
them. However, under the political and other circumstances as they existed the ACC probably took the most effective action possible.

The Work of the United States Representatives in ICAO. Under the Executive Order of September 19, 1946, the President made it a duty of the Air Coordinating Committee to recommend to the Department of State "general policy directives and instructions for the guidance" of the representatives of the United States in the International Civil Aviation Organization. These representatives include United States delegates to the Assembly and to all other meetings under the auspices of ICAO, as well as the United States staff permanently stationed in Montreal. As indicated by the chart reproduced above, the Committee has set up a special panel which coordinates and reviews all work relating to ICAO performed by the various specialized divisions and sub-committees of ACC. In addition the United States representative attends ACC meetings as an observer in order to keep in touch with the general background of our aviation problems.

The activities and functions of the International Civil Aviation Organization are of interest to so many different government agencies that it is impossible to see how, as a practical matter, the United States Representatives could be efficiently and expeditiously informed and instructed without such machinery. The first United States representative, Mr. Gerald B. Brophy, and his present successor, Major General Laurence S. Kuter, have both advised the writer that they attribute primary responsibility for the success of the United States' participation in the organization to the smooth functioning of the ACC.

This does not mean that there are not improvements that could be made. The organization in Washington of which ACC is a part has on various occasions failed to implement decisions reached in ICAO, even when they have been in accord with ACC recommendations. The following example is given by General Kuter:

At a meeting in Dublin in early 1946 ICAO's North Atlantic Regional Division decided that thirteen weather ships should be continuously located in the Atlantic to provide the weather observation aids to navigation and search and rescue services required for safe and efficient air operations. The ACC agreed, after deliberation, that this number was correct and that the United States would assume responsibility for seven and one-half of the proposed stations. With the concurrence of a special Treasury representative, the Committee decided that the stations would be operated by the Coast Guard. Accordingly our representatives made a corresponding commitment at a special conference in London. The United States has not only failed to live up to this commitment, but has actually reduced the number of weather ships supported by it from four to two. Perhaps this can be blamed on Congress for failure to make adequate appropriations; more probably it was the fault of the Treasury, and the ACC, for not seeing to it that the subject was pressed adequately and in good time.
The Air Coordinating Committee has itself no direct power to correct such a situation because it is not an operating agency. Yet if its work is to be effective, some change must be made to make it possible for it to compel the responsible government departments to make every effort to carry out policy decisions entered into with the specific approval of those very departments in ACC meetings. Very possibly the solution of the particular problem of the weather ships will be facilitated by the dramatic rescue by one of them (the "Bibb") of all of the sixty-nine passengers and crew from a flying boat that recently made a forced landing halfway between Ireland and Newfoundland. But the ACC cannot always rely on such a stimulus to produce implementation of its commitments.

Development of United States Position on Multilateral International Agreement Relating to Civil Air Transportation. The work of the Air Coordinating Committee in this field is really a part of its responsibilities to ICAO, but it is sufficiently important for special mention. It illustrates the manner in which the flexible ACC machinery can be adapted to bring to any situation that requires it the recommendations and assistance of the appropriate representatives of Congress and of the air transport companies.

The entire subject of the proposed multilateral international agreement on commercial rights in international civil air transportation is too involved to permit a summary in this article. It will be recalled that after the refusal of most of the nations of the world to accept the multilateral air transport agreements proposed by the United States at the Chicago Conference in 1945, each country was obliged to negotiate a series of bilateral agreements with the governments of those other countries to which its commercial airlines extended, or to which they wished some day to fly. Although the bilateral pattern has functioned to date in a reasonably satisfactory manner, the governments of most nations with large air establishments have consistently maintained that a single multilateral agreement is the desirable ultimate objective. It is hardly necessary to say that the varying situations and interests of the different countries have made agreement on the form of such an agreement a matter of the greatest difficulty. It has been only a little less difficult to reconcile the views of the various public and private interests in the United States.

The Committee, through a series of meetings and conferences, and particularly by the hard labor of its Economic Division, has succeeded in producing a paper which sets forth a coordinated United States policy, including a draft of a multilateral agreement which would be acceptable to the United States. It has also approved a "brief" which is being transmitted by the Department of State to various United States Embassies explaining our position and providing arguments to be used as a guide for discussions to achieve support for that position.
The ACC report was compiled only after the air transport industry was given opportunity, through the Industry Advisory Panel, to express its views and recommendations, and after discussions with appropriate members of Congress.

In November of this year there is being held in Geneva a special meeting of the appropriate division of ICAO to consider again the entire question of a multilateral agreement, and, it is hoped, to reach a final conclusion with respect thereto. The Chairman of the United States delegation is the current Chairman of the Air Coordinating Committee. There is little doubt that if the United States delegation accomplishes its objectives, it will be due in no small part to the preliminary work of the ACC.

The "Chosen Instrument" for United States International Commercial Air Transport Operations. Under Section 2 of the Civil Aeronautics Act of 1938 Congress has specified as being in the public interest "competition to the extent necessary to assure the sound development of an air transportation system properly adapted to the needs of the foreign and domestic commerce of the United States, of the postal service, and of the national defense." As is well known, there are articulate individuals, both within and without the government, who believe that a policy of competition is not well suited to our operations in the field of international air transport, and who advocate the establishment of a single company or a "chosen instrument" for that purpose. Proponents of this minority view support their position by citing the experience of England and other countries, and by various other arguments not here pertinent.

The existing policy, of course, is one that can only be changed by Congress. In the course of its recent consideration of the McCarran Bill ("A Bill to Amend the Civil Aeronautics Act of 1938, as Amended, to Provide for the Creation of a Consolidated International Air Carrier for the United States, and for Other Purposes"), the Committee on Interstate and Foreign Commerce requested the views of the Air Coordinating Committee. The furnishing of recommendations on legislation is a specific function of the ACC under Executive Order 9781, and the instance is an example of the value of the Committee in coordinating and expressing such opinions of the executive departments.

After detailed consideration and study, and after hearing arguments of air-line officials on both sides, the Committee advised the Chairman of the Committee on Interstate and Foreign Commerce that it was its unanimous judgment that the existing policy of competition should be continued. Its letter to Senator White stated: "Experience to date in both the economic and foreign relations fields warrants the continuation of competition between United States airlines in the international field. From the point of view of national defense, there
are no factors making a step to the chosen instrument necessary at the present time. It is considered that the stimulus to progress provided by competition should be maintained unless and until experience in the future might prove otherwise."

The proposed Bill was not reported out of the Committee.

**Determination of Future Commercial and Military Possibilities of Lighter-Than-Air Aircraft.** Early in its existence the Air Coordinating Committee took under consideration the question of what the policy of the Government should be with respect to the development of lighter-than-air aircraft. The Navy Department had advised the Committee in June 1945 that, on the basis of its experience and experiments before and during the war, it intended to take no action to initiate a program for the construction and operation of rigid airships for naval purposes, though if any other Department was interested in their development and construction for commercial purposes in the post-war period the Navy would be glad to give full cooperation. The subject was one of interest and potential importance to the Department of Commerce, the CAA, the CAB, the Post Office Department, and the Maritime Commission, as well, of course, as the armed services. When the matter came to the attention of the President he requested that the entire subject be turned over to the ACC for discussion and recommendation.

It was obvious that if commercial development of airships was to be attempted, substantial federal subsidies would be required, and that this should not be done until an over-all government policy was formulated. The ACC appointed a sub-committee of technical experts who in due course produced a thorough study. After extended consideration the Committee concluded that the commercial possibilities of lighter-than-air aircraft were at the present time so limited that the public interest would not be served by the development of a lighter-than-air program through Government subsidized sponsorship.

**Facilitation of International Travel by Air Passengers.** Anyone who has traveled internationally since World War II is well aware of the exasperating and delaying formalities and procedures that attend any crossing of a national boundary. In the case of a man progressing by air through a number of countries in a few days they may occupy a substantial percentage of his time, to say nothing of the delays incident to his getting started on his trip in the first place.

In November 1945 the ACC created a standing sub-committee on the facilitation of international passenger travel by air. Its functions are "consideration and recommendations with respect to existing or proposed laws, rules, regulations and procedures covering the fields of customs, immigration, police, public health and quarantine, military regulations, civil air regulations, passports and visas, fiscal and exchange facilities, taxation, and airport charges." The subject is a
further illustration of the manner in which the ACC can bring together for a common purpose a number of government agencies and other organizations, no one of which acting alone would have had the ability—and few if any the inclination—to take appropriate steps to simplify the lot of the air traveler entering or leaving the United States. In addition to the regular ACC member agencies, the United States Public Health Service, the Justice Department (immigration), the Treasury Department (customs) and the Department of Agriculture (entomology and plant quarantine) were accorded full voting status in these discussions. The Committee also received cooperation from the Air Transport Association, the International Air Transport Association, the Committee on World Travel Aid, the International Chamber of Commerce, the National Federation of American Shipping, and various other organizations including, of course, the international air transport companies.

It is not necessary to review the committee's accomplishments; suffice it to say that much has been done and that a lot remains. Particular progress has been made in implementing in the United States uniform international standards and practices recommended by ICAO.

**Dimensional Standardization.** As international air operations increase the world becomes progressively a much smaller place. Differences among nations and regions in terminologies such as those relating to measurements of distance, speed or time, cause little confusion to operators of surface transport; in the air the misunderstandings that such differences may create can easily become a life or death matter. Advice from the ground to an aircraft in difficulties may vary considerably, depending on whether its distance from a given point has been furnished in miles or knots or kilometers, or whether the remaining gasoline supply was understood to have been given in liters or in gallons. The writer is familiar with a case where a fatal accident was only narrowly averted when a careless pilot flying on instruments over mountainous country assumed that altitudes on his chart were expressed in meters instead of in feet. International standardization is of course a function of the International Civil Aviation Organization. However, if our weight in that organization is to be effective, an agreed United States policy is essential. The determination of such a policy is clearly an appropriate function for the ACC.

This particular subject is one of those on which the ACC has so far completely failed to produce uniformity among its members. The failure has not been due to lack of time and study; a special *ad hoc* Committee has done the necessary research. The industry has been thoroughly canvassed and the question has been debated at length.

There appear to be two schools of thought. The first, supported by the Department of Commerce, believes that the metric system is scientifically and arithmetically more adapted to the requirements of
air navigation; that since a majority of the nations of the world use that system its global acceptance is inevitable, and no other is possible. Commerce argues that we should start now on a program of gradual conversion to the metric system on the principle that the sooner we start the sooner we will be completely converted.

The other interested departments, including War and Navy, hold that an infant industry such as aviation should not try to set a standard which will inevitably affect many other industries as well. The armed services believe that unless the metric system is taught in our schools from the very beginning, the training problem in a national emergency will be multiplied many times. Our air lines are against any change from the English system because of the great expense involved in converting. They stress the fact that the English-speaking nations now operate about eighty per cent of all aircraft flown in the world today.

With the United States sitting on the side lines because of this disagreement, the ICAO Assembly has adopted a resolution recommending the metric system. Final world standardization will not be accomplished until such time as the ICAO Council takes action, but our delay in making up our minds will give the metric nations a lead in all future council meetings where the matter is discussed. Of course if the views of the Department of Commerce prevail no harm will have been done.

**Aids to Air Navigation and Landing.** Here again the ACC has not succeeded in bringing about a policy agreement among strongly differing departments. The unresolved dispute has led Congress to make serious cuts in CAA appropriations for navigational aids. The Congressmen can hardly be blamed for not going overboard on such a technical subject when the Executive Departments are unable to agree on which of the two systems they favor. To the layman it may seem that we are left somewhat in the position of the undecided donkey standing between two haystacks.

Again the subject is a technical one which need not be reviewed here. Basically the dispute is between the relative merits of GCA (Ground Control Approach) and ILS (Instrument Landing System), or, more simply expressed, between radar and radio. Under the GCA system the control officer on the ground, with equipment that enables him to see on a radar screen the exact position of a plane, talks the blind pilot in to his landing. Under ILS, the plane carries radio equipment enabling the pilot to determine his position on the glide path. Some experts assert that the eventual and correct solution will be that both systems should be used, so that one will supplement the other as local conditions warrant. The only point made here is that, for one reason or another, the machinery of the ACC has not been adequate to produce a settlement of the controversy.

This enumeration of examples of ACC operations could be prolonged for many more pages. Perhaps it should include mention of
its sound advice against a taking over of the operations of TWA by the Government at the time of the prolonged strike by pilots of that airline, or of the fact that when the Constellations were grounded in 1946 discussion in the ACC persuaded the War Department of the advisability of making a limited number of C54's available for our international carriers so that they did not have to suspend important services. On the other hand there are cases in addition to those given above where the ACC has not been able to reach policy agreement on important questions, such as those involving disputes between the civil and military departments over the importance of "restricted" areas, and the operations of airlines in Germany. Differences of opinion have arisen, and still exist, as to whether or not the Committee has the right to consider certain important policy questions which the CAB believes fall within its exclusive jurisdiction. However, for our present purposes of indicating in a general way how the ACC functions, and how sometimes it does not function, it is believed that the foregoing illustrations are sufficient.

V. STRENGTHENING OF ACC MACHINERY

The above necessarily condensed discussion may furnish a background for consideration of the principal questions indicated at the beginning of this article: Is some such organizational machinery of the kind provided by the Air Coordinating Committee necessary or advisable to enable the executive branch of the government to formulate and coordinate its gradually developing air policies? If so, what steps, if any, should be taken to enable that Committee to perform those functions more efficiently?

It is submitted that the answer to the first of these questions should be an emphatic affirmative. There is no immediate prospect of a reduction in the number of government agencies and departments that have responsibility for, or a legitimate interest in, our over-all air policies. Even if a reorganization were effected—for example by the creation of a Department of Transportation—it would still be important to provide some administrative mechanism that would bring its policy makers into close conjunction with those of the Department of National Defense, the State Department, and other agencies which now participate in the Air Coordinating Committee.

The point has been made that in the substantial majority of the cases that have been brought before the ACC the question involved has usually been one of the formulation of a policy rather than the coordination of conflicting policies previously adopted by the member agencies. If this distinction is important, it in no way lessens the need for the machinery.

It is quite clear that the Cabinet itself is not an appropriate forum for the consideration and determination of the type of problem we have been considering except in unusual cases, and then only after pre-
digestion by the ACC or some similar committee. The top Secretaries have neither the time, nor in many cases the specialized knowledge, to enable them to assume such added burdens. We are—probably a long distance away from the establishment of a Cabinet secretariat, or an appropriate White House staff, that could do the job better than it has been done by the ACC. Experience has demonstrated that to let each department or agency go its own way results either in travel in a good many directions at once or no movement at all. Particularly during the critically important years that lie ahead of us we must do all we can to encourage and stimulate concerted action among our air leaders, and to prevent any group from charting or pursuing a course that does not fit in with the best interests of the whole.

The second question calls for a fuller answer. It can best be given by taking a square look at the weaknesses of the ACC's present set-up.

First, the Committee has no efficient way of settling acute differences of opinion among its members. The form of organization originally proposed in 1945 by the Assistant Secretary of War for Air would have remedied this lack by making use of the powers given by Congress to the Office of the Director of War Mobilization and Reconversion. It will be remembered that this plan was rejected because of the strong opposition of certain of the Departments. Under Executive Order 9781 the Committee is required to submit to the President "those important aviation questions the disposition of which is prevented by the inability of the agencies concerned to agree." This of course furnishes a method of ending disputes, but as a practical matter since the Executive Order was issued no questions have actually been taken to the President for settlement. When there is lack of uniformity the matter is usually allowed to drag along in a state of stalemate, perhaps with the hope that a compromise can ultimately be reached. Frequently it is finally reached only at the cost of substantial delay.

Second, the Committee has no power of its own to implement its policy decisions and see that they are carried out. The theory of its operations has been that if all interested departments and agencies vote in favor of a certain course of action, one or more of those departments or agencies will have the power to take steps to ensure that action results, and will promptly of its own initiative exercise that power. This has not always worked out in practice. Neither the Chairman nor the staff of the ACC can in such cases do more than try to follow up and remind; it is not reasonable to expect them, or any other member of the Committee, to run to the White House with tales of the delinquencies of a fellow member. It is not easy to suggest a simple remedy for this situation because there are obvious reasons against the creation of an entity that would have the power to issue directives to established government departments.
Third, the Committee has no full-time Chairman. Its original staff of one Secretary has been expanded since 1945 so that now, as mentioned above, it has a secretariat of eighteen with an Executive Secretary in charge. The Chairman, however, is one of the Assistant Secretaries of State and the Co-Chairman is Chairman of the CAB. The regular duties of each make it impossible for either to give primary attention to the ACC. It is axiomatic in Washington that any "coordinating" committee operating under a rule that permits a veto by a single departments starts life under a handicap that inevitably retards its growth and effectiveness. When this disadvantage is increased by provision for a part-time chairman from one of the interested departments it is the exception rather than the rule that the organization will live long and prosper. If one remembers the pressing work that has daily loaded the desks of such a chairman in his own department or agency, it is rather remarkable that the Committee has accomplished the results that it has.

Fourth, and perhaps as a result of the other three defects, the Committee has not held the position of prestige and strength that the importance of its subject-matter demands. The fact that primary jurisdiction over aviation matters is balkanized among several virile but totally separate agencies makes it necessary that the only coordinating organization have equal standing; it must conduct itself so that it does not usurp functions which by statute are made the duty and responsibility of the individual units, but it should be strong enough to command respect for its decisions and in one way or another ensure that they are complied with. It must, moreover, be so set up that it does not fall prey to the inertia that is so frequently a characteristic of the committee-type of organization. We need a driving and continuously active national air-policy group; it will not be practicable for the President to appoint a temporary policy commission of private citizens each time a crisis arises.

At the last session of Congress a bill (H.R. 2220) was introduced by Representative Hinshaw designed to cure the foregoing deficiencies and give a "National Aviation Council" (which would be the successor to the Air Coordinating Committee) a statutory foundation. The purpose of the Council was to be "unifying and clarifying national policies relating to aviation and the maintenance of adequate industrial resources required to keep aviation an effective instrument for the national security and the support of world peace, of adapting such policies to new circumstances and recommending revisions thereof and of monitoring and harmonizing the pertinent activities of the executive branch of Government in accordance with such policies." The proposed Council was to have membership generally similar to that of the present ACC, but with the important addition of a full-time Chairman to be appointed by the President with the approval of the Senate. Provision was made for an Advisory Board of ten representing
air transport, the aviation manufacturing industry, labor, private flying, research and development and aeronautical education. The proposed machinery differed materially from that of the ACC in that the powers conferred upon the Council were to be exercised by a majority of its members. In addition, the Chairman was to be empowered to recommend to the President the establishment of policies without the approval of other members of the Council.

In the ACC's report on the bill two major criticisms were made. First, objection was raised to the majority vote provision. Chairman Landis pointed out to the Interstate and Foreign Commerce Committee of the House that under such a procedure it might often be the case that the agency which is responsible for the execution of a given policy under consideration by the Council had been given that responsibility by Congress. This agency might find itself in the minority, and be thus required to carry out statutory responsibilities in a manner which it considered unwise. Aside from the probability of serious statutory conflicts, Chairman Landis felt that the responsible agency's position on the issue concerning which it found itself in the minority might be derived in part at least from important considerations which lie outside the field of aviation. In such a case he felt that the agency's over-all policy might be determined by the National Aviation Council to the prejudice of the national interest.

The second chief criticism by the ACC was directed at the provision for the independent Chairman. It was felt that serious harm might result from the casting of a deciding vote by one who was not otherwise responsible for the operation of a federal agency and who, if the decision was adverse to him, could appeal the matter independently and directly to the President. The ACC stated that in its opinion it would be preferable for the Chairman to be selected from the Council's agency membership and that all powers given the Chairman by the proposed bill should be centered in the Council.

There is certainly merit to the first of these two objections. The validity of the second is more questionable.

It is submitted that very serious consideration should be given to an amendment of the existing Executive Order so as to provide for a permanent Chairman of the ACC who would not be attached to any of the interested departmental agencies but would instead be a member of the White House staff and, in effect, a representative of the President. This would accomplish several results. It would give the work of the Committee the stimulus and continuity that can only come from the existence of a full-time head personally charged with the responsibility of making the machinery function smoothly and expeditiously. It would avoid the somewhat anomalous situation resulting from placing this responsibility on a member of one of the departments whose interest in the field of aviation, while great, may be
no greater than that of various of the others represented on the Committee. A Chairman recognized as a representative of the President would give the Committee a prestige that it does not now enjoy in sufficient degree. It is fair to say that the mere fact that such an appointee sat at the head of the table would have a healthy effect on the energy of the representatives of the various departments in the performance of their share in the Committee’s work.

In addition, such an arrangement would facilitate the settlement of disputes, and go a long way towards ensuring that decisions would be implemented by appropriate department action. The rule of the unanimous vote should be allowed to stand, but a simpler method should be provided for bringing important disputes promptly to the attention of the President so that where necessary they could be settled without delay. Likewise, in cases where a department was negligent in carrying out policies agreed to by its representative on the ACC, appropriate action could be taken through the President’s office—in fact, in many cases the mere presence of a Chairman from the White House staff would of itself encourage rapid compliance.

There are undoubtedly arguments that can be advanced against the foregoing suggestion. Chief of these is the contention that a full-time Chairman, sitting as the representative of the President, and with ready access to him, would bring about a situation where the heads of the various interested departments would be by-passed. This need not follow. If the position were filled by the right man he would take pains not to refer an important question to the Chief Executive without first discussing it with the cabinet member or members directly concerned, and without seeing to it that they had an equal opportunity, if they so elected, to present their views.

It is not surprising to find that the provision of the present Executive Order permitting disputes to be referred to the President for decision has not been utilized. As a practical matter dissident members of the ACC will not find the President able to reconcile or settle their differences unless he has a special assistant to analyze the facts for him and assist him in their consideration. No one can render this essential aid to the President better than a member of his own office who has attended all ACC meetings and who is charged with responsibility for the success of the Committee’s work. In essence the plan would tend to make the role of the ACC more nearly approximate the one that it is most logical for it to assume, namely that of a part of the President’s own staff. Just as the President presides at meetings of the Cabinet it would seem appropriate for his representative to

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5 The appointment of an Assistant Secretary of State as Chairman of the original ACC in 1945 was due in part to the fact that at that time most of the difficult problems awaiting consideration involved international relations, and in part to the State Department’s view that it could not go along with the plan unless it held the chairmanship. Neither of these situations apply today, though a large number of the Committee’s cases still have an important element of foreign relations.
preside at meetings of groups that could naturally operate as sub-com-
mittees of the Cabinet. It would probably not be wise to go so far as
to give such a representative the right to exercise himself the powers of
decision that are vested in the President; such a result could not, in
any event, be brought about without legislation similar to that which
delegated like power to the Director of the Office of War Mobilization
and Reconversion. It would be sufficient to have as Chairman a man
who had close direct contacts with the office of the Chief Executive
and who would also not have particular affiliations with any one of
the interested departments.

A second argument against the plan is that it would transform the
ACC into a new government agency, thus further increasing the already
large number involved in the air picture. Again the objection hardly
seems valid. The step would in no way change the basic principles
upon which the ACC is organized. It would merely ensure the more
efficient and more expeditious operation of its machinery without giv-
ing it a single power or duty that it does not already have.

Perhaps the basic underlying objection that is held, consciously or
subconsciously, by those government departments which dislike the
idea of a full-time Chairman is that he might bring about a situation
that would tend to curtail their individual activities in certain ways.
To state this objection is really to answer it. To the extent that such
curtailment is necessary in order to bring about agreement on and
enforcement of government-wide policies, it should be encouraged
rather than discouraged.

On the question of whether the ACC should be recreated by statute
or continued on its present Executive Order status there does not seem
to be any controlling argument either way. One of the obvious bene-
fits that would result from such legislation by Congress is that it would
undoubtedly give the Committee added prestige. In order, however, to
preserve its important status as a part of the executive rather than of
the legislative machinery it would be definitely preferable for it to be
organized in such a way that it headed up to and reported to the
President rather than to the Congress.

It should be made clear that the comments in the foregoing para-
graphs that may appear to be in some respects critical of the ACC are
made only for the purpose of focusing attention on certain steps that
might be taken to increase its present usefulness. Of the importance
of continuing it in one form or another there should be no doubt; nei-
ther can anyone question the value of the contribution that has
been made by its members and its hard-working secretariat in the two
and a half years of its existence. It is to be hoped that its accomplish-
ments will be recognized and its importance stressed by the two avia-
tion commissions that will render public reports within the next few
months.
There are few subjects more closely related to the future well-being of the Nation and its international relationships than those of civil and military aviation. Our air power must be the very cornerstone of our entire system of national defense. Equally important, it must be recognized that safe and rapid air transportation to all parts of the globe, available to all people, will eventually do more to create the international understanding for which we all yearn than many years of international conferences. The present generation may not live to see it, but the day will surely come when historians will record the fact that it was the air that finally brought the peoples of the world together. The United States is destined for many reasons to play a leading part in this great future development, and its own air progress must never be handicapped by lack of coordinated policies and clear-cut objectives. To a greater extent than is often realized, the success of a commanding general depends on the inconspicuous work of a well managed and energetic staff.